

AGENDA

Planning Commission

Thursday, June 26, 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. None. Minutes of the May 22, 2014 meeting will be considered at a future 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. Regulations relating to recreational marijuana

E. WORK SESSION TOPICS

1. Preliminary Draft – Land Use Element of Comprehensive Plan

F. OTHER BUSINESS

1. 2015-2020 Transportation Improvement Plan (TIP)

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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**Lynnwood Planning Commission
Meeting of June 26, 2014**

Staff Report

Agenda Item:
Recreational Marijuana Code
Amendment (CAM-000937-2013)

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

Lynnwood Dept. of Community Development — Gloria Rivera, Senior Planner

ACTION

Public hearing, discussion and recommendation to City Council.

BACKGROUND

Washington voters approved Initiative 502 (I-502) in 2012, which “authorizes the state liquor control board to regulate and tax marijuana for persons twenty-one years of age and older, and add a new threshold for driving under the influence of marijuana”. I-502 directed the Washington State Liquor Control Board (WSLCB) to administrative regulations and to license and approve retail sales, production and processing of marijuana. That State legislation, and the measures addressed by this agenda item relate to recreational marijuana. Washington State regulates medical marijuana separate from recreational marijuana, and similarly Lynnwood’s regulation of medical marijuana will be accomplished by a subsequent Ordinance.

Under the regulations approved by the WSLCB in September, 2013, the City of Lynnwood would be allocated up to two licenses for retail sale of marijuana within the City limits. The State does not limit the number of licenses for production and processing operations.

In the meantime, the Attorney General of Washington issued AGO 2014 No.2, which concluded that Initiative 502 does not preempt local governments from licensing and regulating marijuana production, processing and retail sales operations, and that local governments may establish regulations that make it impractical for marijuana businesses to locate within their boundaries, as long as the regulations are a reasonable exercise of the police power.

Cities and counties in the State of Washington have adopted a variety of approaches to the regulation of recreational marijuana. Of the 149 cities and counties considering approaches have been adopted (as of March, 2014).

Retails Operations under I-502 Recreational Marijuana	
Allow Under Existing Law	7
Moratorium	84
Interim Zoning	23
Permanent Zoning	29
Prohibition	9
Source: Municipal Research and Services Center (MRSC)	

A six-month moratorium was approved by the City Council regarding production, processing, and sale of marijuana and marijuana related merchandise on June 24, 2013. A six month extension of the moratorium was approved by the Council on December 9, 2013 and a third moratorium was approved May 27, 2014. These moratoriums were approved so that the City Council could determine the approach they believe best suited the community. Ordinance No. 3003 was approved on August 5, 3003, for the findings of the initial moratorium.

On April 7, 2014 the City Council directed staff to prepare an ordinance that would prohibit the licensing of recreational marijuana production, processing and retail sales (Line 69 of the April 7th City Council minutes). Following additional research and upon consultation with the City Attorney, staff recommends that the Lynnwood City Council follow the legislative approach adopted by Pierce County. The Pierce County ordinance specifies activities in set zones but makes the licensing and permitting of production, processing and retail sales operations contingent on the Federal government approving legislation that removes marijuana from the schedule of controlled substances at 21 U.S.C. Sec. 812 (C).

COMMENT

At this Planning Commission meeting, staff will introduce a draft amendment to the Lynnwood Municipal Code that would allow the location of recreational marijuana production, processing, and retail sales of marijuana subject to the federal government removing it from the controlled substances list.

The new amendments are summarized as follows:

- **21.04.320** Section 1(A): Establishes the minimum distance from which operations can be located from certain activities. Distance measurements are to be made based on City data (rather than the data of the WSLCB). For purposes of this Section, adopts the definitions set forth by the WACs for “child care center”, “elementary school”, game arcade”, “library”, “playground”, “public park”, “public transit center”, “recreation center or facility” and “secondary school”.
- Section 1(B): Details the requirements for indoor operations.

- Section 1 (C): Details the security requirements.
- Section 1 (D): Requires that all activities are to be conducted out of public view and establishes the process with regards to nuisances.
- Section 1(E): For retail operations, establishes hours of operation (which are shorter than the hours established by the WSLCB) and regulations regarding signage.
- Section 1(F): For production operations, establishes a limitation on grow area.
- Section 1(G): Requires compliance with State and local regulations,
- Section 1(H): Requires compliance with federal regulations. Establishes indemnification for City, its officers, elected officials, employees, volunteers and agents. Section 3 sets forth the regulation that no application shall be approved until marijuana is removed from the controlled substances list by the federal government.
- Section 1(J): Removes any future limitations for the City based on future legislation.
- Section 2: Prohibits operations in the single-family residential zones.
- Section 3: Prohibits operations in the multi-family residential zones.
- Section 4 and 5: Recreational sales permitted in the Commercial PCD, B-1 and CG zones subject to Section 1 restrictions.
- Section 6: Recreational sales permitted in the Planned Regional shopping Center zone subject to Section 1 restrictions.
- Section 7: Retail sales permitted in the Mixed Use zone subject to Section 1 restrictions.
- Section 8: Retail sales permitted in the College District Mixed Use zone subject to Section 1 restrictions.
- Section 9: Retail sales permitted in the City Center zones subject to the Section 1 restrictions.
- Section 10: Retail sales permitted in the Highway 99 Mixed Use zone subject to Section 1 restrictions.
- Section 11: Production and processing allowed in the LI zone subject to the Section 1 restrictions.

- Section 12: Adds definitions of “Marijuana”, “Marijuana processor” “Marijuana producer”, “Marijuana retailer”, “Marijuana-infused product”, and Marijuana (usable)” in conformity with the WACs. Renumbers code to reflect changes.
- Repeals Ordinances 2998, 3003, 3039 and 3061 which established the moratoriums.
- Severability.
- Publication.

Following the public hearing, the Commission will be asked to make a recommendation to the City Council.

RECOMMENDATION

Following receipt of testimony, discuss the proposed ordinance and recommend that the City Council enact the draft ordinance.

ATTACHMENTS

- A. Proposed ordinance
- B. April 7, 2014 City Council Minutes

1
2 DRAFT

3 ORDINANCE NO.
4

5 AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON,
6 RELATING TO RECREATIONAL MARIJUANA PRODUCTION, PROCESSING,
7 AND RETAIL SALES PURSUANT TO INITIATIVE 502, ADDING A NEW
8 SECTION LMC 21.04.320 TO THE LYNNWOOD MUNICIPAL CODE,
9 AMENDING LMC 21.42.300, LMC 21.43.300, LMC 21.46.400, LMC 21.46.117,
10 LMC 21.48.117, LMC 21.52.100, LMC 21.57.400, LMC 21.60.300, LMC 21.62.200
11 AND LMC 21.50.100; REPEALING SECTION 5 OF ORDINANCE NO. 2998,
12 ORDINANCE NO. 3003, SECTION 2 OF ORDINANCE NO. 3039, AND
13 SECTION 2 OF ORDINANCE NO. 3061; AND PROVIDING FOR
14 SEVERABILITY, AN EFFECTIVE DATE AND SUMMARY PUBLICATION.

15 **Whereas**, voters of Washington State approved Initiative 502 (I-502) in 2012, which
16 authorizes the state liquor control board to regulate and tax recreational marijuana for persons
17 twenty-one years of age and older, and add a new threshold for driving under the influence of
18 marijuana.”; and

19 **Whereas**, I-502 required that the Washington State Liquor Control Board (WSLCB)
20 establish a system licensing marijuana producers, marijuana processors and marijuana retailers
21 by December 1, 2013; and

22 **Whereas**, the WSLCB has developed administrative rules for the licensing and
23 regulation of marijuana producers, processors, and retailers, allowing for up to two (2)
24 marijuana retail licenses may be issued in the City of Lynnwood; and

25 **Whereas**, the federal government, through the Department of Justice, issued a
26 memorandum to United States Attorneys providing guidance regarding marijuana enforcement
27 on August 29, 2013; and

28 **Whereas**, in a joint statement dated August 29, 2013, Governor Jay Inslee and Attorney
29 General Bob Ferguson stated the following

30 “Today we receive confirmation Washington’s voter-approved marijuana law will be
31 implemented.

32 We received good news this morning when Attorney General Eric Holder told the governor the
33 federal government would not preempt Washington and Colorado as the states implement a
34 highly regulated market for marijuana,

35 Attorney General Holder made it clear that the federal government will continue to enforce the
36 federal Controlled Substance Act by focusing its enforcement on eight specific concerns,
37 including the prevention of distribution to minors and the importance of keeping Washington-
38 grown marijuana within our state’s borders;

39 We share those concerns and are confident our state initiative will be implemented as planned.

40 We want to thank the Attorney General for working with the states on this and for finding a way
41 that allows our initiative to move forward while maintaining a commitment to fighting illegal
42 drugs. This reflects a balanced approach by the federal government that respects the states’
43 interests in implementing these laws and recognizes the federal government’s role in fighting
44 illegal drugs and criminal activity.”; and

45 **Whereas**, in light of the passage of I-502 and statements from the WSLCB, Department
46 of Justice, Governor Inslee, and Attorney General Bob Ferguson, the City of Lynnwood has
47 concluded that the State of Washington has issued or will be issuing licenses for marijuana
48 producers, marijuana processors, and marijuana retailers to operate in the City of Lynnwood; and

49 **Whereas**, the Lynnwood City Council finds it necessary to establish appropriate land use
50 and zoning regulations for state licensed recreational marijuana production, processing or retail
51 sales operations proposing to operate within the City of Lynnwood in order to ensure that such
52 operations are located in a manner which is consistent with the goals and policies of the City of
53 Lynnwood’s comprehensive land use plan; and

54 **Whereas**, in addition to concerns regarding land use compatibility, the Lynnwood City
55 Council is also concerned about secondary impacts from the establishment of facilities for the
56 growth, production, and processing of marijuana; and

57 **Whereas**, marijuana use is on the rise. According to the U.S. Department of Health and
58 Human Services 2012 National Survey on Drug Use and Health (NSDUH), 12 to 17 year old
59 marijuana use for boys and girls combined was relatively unchanged since 2011, but there was a
60 20 percent increase in marijuana smoking among girls aged 12 -17 since 2007, a 50 percent
61 increase in the number of daily marijuana smokers among those aged 12 and up, a 12 percent
62 increase in marijuana use among 18-15 year olds since 2007, and a 25 percent increase in
63 marijuana use among the general population. (Substance Abuse and Mental Health Services
64 Administration, *Results from the 2012 National Survey on Drug Use and Health: Summary of*
65 *National Findings*, NSDUH Series H-46, HHS Publication No. (SMA) 13-4795, Rockville, MD:
66 Substance Abuse and Mental Health Services Administration, 2013); and

67 **Whereas**, increased access and availability of supply is likely to increase the use of
68 marijuana in the City, based on the experience in Colorado, described in **Exhibit A**, attached
69 hereto and incorporated by reference; and

70 **Whereas**, increased use of marijuana will have significant negative health, safety,
71 learning, and life outcome effects for the residents of the City as described in the sources listed
72 on **Exhibit B**, attached hereto and incorporated by reference; and

73 **Whereas**, it is critical to the public safety and economic viability of the City of
74 Lynnwood to ensure the impacts of production, processing and retail sales operations obtaining a
75 license from the WSLCB to produce, process or conduct retail sale of recreational cannabis are
76 minimized; and

77 **Whereas**, based upon the foregoing, the Lynnwood City Council wishes to identify those
78 zones classifications in which licensed marijuana production, marijuana processing and
79 marijuana retail sales may occur and to establish a permitting process for such uses; and

80 **Whereas**, the City of Lynnwood City Council finds it necessary to establish appropriate
81 land use and zoning regulations for state licensed recreational marijuana production, processing
82 and retail sales proposing to operate within the City of Lynnwood in order to ensure that such
83 operations are located in a manner which consistent with the goals and policies of the City of
84 Lynnwood’s comprehensive land use plan; and

85 **Whereas**, I-502 establishes certain siting limitations on the WSLCB’s issuance of such
86 licenses for any premises that are within 1,000 feet of the perimeter of the grounds of any
87 elementary or secondary school, playground, recreation center or facility, child day care center,
88 public park, public transit center or library, or any game arcade, admission to which is not
89 restricted to persons aged twenty-one or older (I-502, Sec. 6(8)); and

90 **Whereas**, the WSLCB adopted rules to implement the provisions of I-502, which
91 includes the equipment and management of retail outlets and premises where marijuana is
92 produced and processed, and the inspection of same, methods of producing, processing, and
93 packaging the marijuana and marijuana products, security equipment at such establishments;
94 retail outlet locations and hours of operation, labeling requirements and restrictions on
95 advertising of such products; licensing and licensing renewal rules; the manner and method to be
96 used by licensees to transport and deliver marijuana and marijuana products (among other
97 things), (I-502, Sec. 9); and

98 **Whereas**, based on the licensing scheme in I-502, which prohibits anyone from engaging
99 in the activities identified in I-502 without first obtaining a license from the WSLCB, the City
100 will not be issuing any business registration for the purposes described in I-502 unless the
101 applicant demonstrates that he/she has first received the appropriate license from the State; and

102 **Whereas**, on January 16, 2014, the Attorney General of Washington issued AGO 2014
103 No.2, which concluded that Initiative 502 does not preempt local governments from licensing
104 and regulating marijuana production, processing and retail sales operations, and that local
105 governments may establish regulations that make it impractical for marijuana businesses to

106 locate within their boundaries, as long as the regulations are a reasonable exercise of the police
107 power; and

108 **Whereas**, on March 31, 2014, the Washington State Court of Appeals, Division I, issued
109 its opinion in Cannabis Action Coalition v. City of Kent, holding that the City of Kent's
110 ordinance prohibiting medical marijuana collective gardens did not conflict with Washington's
111 Medical Use of Cannabis Act; and

112 **Whereas**, in conformity with the responsibilities of the City of Lynnwood to meet public
113 health, safety and welfare requirements, to provide zoning and land use regulations pursuant to
114 state law, and the City's authority to regulate land use activity within its corporate limits, the
115 City intends to develop appropriate public health, safety and welfare requirements and zoning
116 and land use regulations for the establishment of facilities producing, processing and retailing
117 recreational marijuana; and

118 **Whereas**, the City Council finds that the health, safety, and welfare of the community is
119 best served by excluding from certain zones any production, processing, selling or delivery of
120 marijuana; and

121 **Whereas**, the City Council wishes to clarify that the manufacture, production,
122 processing, retailing, possession, transportation, delivery, dispensing, application, or
123 administration of marijuana must comply with all applicable City laws, and that compliance with
124 City laws does not constitute an exemption from compliance with applicable state and federal
125 regulations, and

126 **Whereas**, accordingly, the City Council has determined that it is appropriate to require
127 that marijuana be removed from the federal government's schedule of controlled substances
128 under 21 U.S.C. Sec. 812(C) before the City approves any applications for any permit, license or
129 other approval required by the City for any marijuana business; and

130 **Whereas**, on June 24, 2013, the City Council adopted a moratorium on the processing of
131 licenses and permits for recreation marijuana operations (Ordinance No. 2998), which was
132 subsequently extended on December 9, 2013 (Ordinance No.3039) and on May 27, 2014
133 (Ordinance No. 3061) and on August 5, 2013 adopted the initial finding approving the
134 moratorium (Ordinance No. 3003); and

135 **Whereas** Ordinances No. 2998, 3003, 3039 and 3061 require formal action by the City
136 Council to terminate the moratoriums; and

137 **Whereas**, on February 24, 2014 the City Council adopted interim controls prohibiting
138 marijuana operations in single-family and multi-family zones (Ordinance No. 3045); and

139 **Whereas**, the proposal was transmitted to State agencies for State agency review and
140 received by the Washington State Department of Commerce on June 19, 2014, with a request for
141 expedited review, in accordance with RCW 36.70A.106; and

142 **Whereas**, on July, 2014 the Community Development Director, acting as
143 Lynnwood’s State Environmental Policy Act (SEPA) Responsible Official, issued a threshold
144 determination for this draft ordinance, which was not appealed; and

145 **Whereas**, on June 26, 2014, the Planning Commission held a public hearing on the draft
146 zoning ordinance; and

147 **Whereas**, the Planning Commission recommended approval of the draft zoning
148 ordinance to the City Council; and

149 **Whereas**, on _____, the City Council held a public hearing on the draft zoning
150 ordinance; and

151 **Whereas**, the City Council after due consideration believes that certain amendments to
152 the City’s zoning code are necessary and decided to adopt a zoning ordinance and to formally
153 repeal the moratorium on recreational marijuana uses (Ordinance No. 2998, No. 3045 and No.
154 3061), and the Interim Regulations prohibiting marijuana operations in the single-family and
155 multi-family residential zones (Ordinance No. 3045)

156 NOW THEREFORE, THE CITY OF LYNNWOOD DOES ORDAIN:

157 **Section 1.** A new section 21.04.320 is added to the Lynnwood Municipal Code, to read as
158 follows:

159 **21.04.320 – Marijuana Production, Processing, and Retail limitations on uses**

160 A. Location of State-Licensed marijuana producers, processors, and retailers. The
161 location of a marijuana producer, processor, and retailer shall be located 1,000 linear feet
162 from specified activities and uses (elementary and secondary school, playground,
163 recreation center or facility, child care center, public park, public transit center, library, or
164 any game arcade admission to which is nor restricted to persons aged twenty-one or
165 older). The distances described above shall be computed as straight line measurements as
166 conducted by the City utilizing the best available data in the City’s Geographic
167 Information System. The owner or operator of the state-licensed marijuana producer,
168 processor, and retailer shall have the responsibility to demonstrate that the state-licensed
169 marijuana producer, processor and retailer meet the location requirements of WAC 314-
170 55-050. For the purposes of this chapter, the definitions of “child care center”,
171 “elementary school”, game arcade”, “library”, “playground”, “public park”. “public
172 transit center”, “recreation center or facility” and “secondary school”, are consistent with
173 WAC 314-55-010(3)(4)(6)(7)(14)(15)(16)(17) and (19), respectively, and as may be
174 amended.

175 B. Restricted to Indoor Operations. A marijuana operation must take place within a fully
176 enclosed secure indoor facility or greenhouse with rigid walls, a roof and doors. “Indoor”

177 means within a fully enclosed and secure structure that complies with the Washington
178 State Building Code, as adopted by the City that has a complete roof enclosure supported
179 by connecting walls extending from the ground to the roof, and a foundation, slab or
180 equivalent base to which the floor is securely attached. The structure must be secure
181 against authorized entry and accessible only through one or more lockable doors,

182 C. Security. Security measures at all licensed premises shall comply with the
183 requirements of WAC 314-55-083 (and all applicable rules and regulations promulgated
184 thereunder).

185 D. Visibility of Activities; Control of Emissions.

186 1. All activities of the recreational marijuana business, including, but not limited to,
187 cultivating, growing, processing, displaying, manufacturing, selling and storage, shall
188 be conducted out of the public view.

189 2. No recreational marijuana or paraphernalia shall be displayed or kept in a business
190 so as to be visible from outside the licensed premises.

191 3. Sufficient measures and means of preventing smoke, odors, debris, dust, fluids and
192 other substances from exiting the recreational marijuana business must be in effect at
193 all times. In the event that any odors, dust, fluids, or other substances exit a
194 recreational marijuana business, the owner of the subject premises and/or licensee
195 shall be jointly and severally liable for such conditions and shall be responsible for
196 the immediate, full clean-up and correction of such condition. The licensee shall
197 properly dispose of all such materials, items, and other substances in a safe, sanitary
198 and secure manner and in accordance with all applicable federal, state and local laws
199 and regulations.

200 E. Additional Requirements – Retail Operations

201 1. Hours of Operation. A retail business shall not sell marijuana, marijuana-infused
202 products, or marijuana paraphernalia or otherwise be open for business before 8:00
203 a.m. or after 11:00 p.m. on any day.

204 2. Signage. For signage, marijuana businesses are subject to the requirements of
205 Chapter 314-55-155 WAC and Chapter 21.18 LMC, whichever is more restrictive.
206 No off-premise signage is allowed.

207 F. Additional Requirements – Production Operations

208 1. Size of Operation. Marijuana production facilities shall be limited to 10,000 square
209 feet of production space as applied to the growth of plants themselves (exclusive of
210 product storage and office areas).

211 G. Compliance with State and Local Regulations. Marijuana producers, processors and
212 retailers must comply with all requirements of Chapter 69.50 RCW, Chapter, 314-55
213 WAC, and other applicable Washington laws, as well as applicable city regulations,
214 including but not limited to the regulations contained in this Title.

215 H. Compliance with Federal Law and Indemnification. As of the date of the Ordinance
216 enacting this Section, the production, processing and retailing of marijuana is illegal
217 under federal law. No part of the Ordinance enacting this Section is intended to or shall
218 be deemed to conflict with federal law, including but not limited to, the Controlled
219 Substances Act, 21 U.S.C. Section 800 *et seq.*, the Uniform Controlled Substances Act
220 (chapter 69.50 RCW) nor to otherwise permit any activity that is prohibited under either
221 Act, or any other local, state or federal law, statute, rule or regulation. Nothing herein or

222 as provided elsewhere in the ordinances of the city is an authorization to circumvent
223 federal law or to provide permission to any person or entity to violate federal law.

- 224 1. By accepting a permit, license or approval issued by the city for a marijuana
225 production, processing, or retail business, facility, or location, all permit
226 applicant(s) or licensee(s) waives and releases the City, its officers, elected
227 officials, employees, volunteers and agents from any liability for injuries,
228 damages, or liabilities of any kind that result from any arrest or prosecution of
229 business owners, operators, employees, clients, or customers for a violation of
230 federal state, or local laws and regulations.
- 231 2. By accepting a permit, license or approval issued by the city for a marijuana
232 production, processing or retail business, facility or location, all permit
233 applicant(s) and licensee(s), jointly and severally, if more than one, agree to
234 indemnify, defend, and hold harmless the City, its officers, elected officials,
235 employees and agents, insurers, and self-insurance pool against all liability,
236 claims and demands on account of any injury, loss or damage, including, without
237 limitations, claims arising from bodily injury, personal injury, sickness, disease,
238 death property loss or damage, any other loss of any kind whatsoever arising out
239 of or in any manner connected with the operation of the marijuana business that is
240 the subject of the permit, license or other approval.
- 241 3. No application for a marijuana production, processing or retail business shall be
242 approved by the City until such time as marijuana is removed from the schedule
243 of controlled substances at 21 USC. Sec. 812 (C) as evidenced by a slip law from
244 the Library of Congress.

245 **I. Limitations**

- 246 1. Nothing in this code subsection is intended to be, nor should be considered to be,
247 an allowance for less restricted activity than is permitted by State law and the
248 rules and regulations of the Washington State Liquor Control Board.
- 249 2. Nothing in this Subsection is intended to be, nor should be considered to be, a
250 limitation on the City from objecting to or protesting the granting of a license or
251 permit(s) or the renewal of a license or permit(s).

252
253 **Section 2.** Lynnwood Municipal Code 21.42.300, is hereby amended as follows:
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255 **21.42.300 Home Occupations.**

256 A home occupation may be permitted by issuance of a business license, pursuant to LMC
257 Title 5, provided the business complies with this and other applicable sections of the
258 Lynnwood Municipal Code.

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

265 B. Access. Access to the space devoted to the home occupation shall be from within the
266 dwelling, not internally “closed off” or separated from the living areas of the dwelling,
267 and not from a separate outside entrance.

268 C. Employment. No one other than the members of the resident household may perform
269 labor or personal services on the premises.

270 D. Stock in Trade. The processing, storing, and occasional sale of handicrafts made on
271 the premises and other small products is allowed, subject to compliance with other
272 conditions of this title. Such stock must be incidental to the main activity permitted by the
273 home occupation. The display or storage of goods outside the premises or in a window is
274 prohibited.

275 E. Equipment, Use, and Activities. No equipment may be used and no activities may be
276 conducted which would result in noise, vibration, smoke, dust, odors, heat, glare, or other
277 conditions exceeding in duration or intensity those normally produced by a residential
278 use. Normal residential uses shall be construed as including the above impacts only on
279 an occasional weekend or evening basis (e.g. in connection with a hobby or home/yard
280 maintenance), and not on a daily basis. Outdoor storage of equipment, materials, or more
281 than one vehicle related to the business is prohibited. There shall be no production,
282 generation, or storage of any hazardous waste or substance. Those individuals who are
283 engaged in home occupations shall make available to the fire or county health
284 departments for review the material safety data sheets which pertain to all potentially
285 toxic and/or flammable materials associated with the use.

286 F. Traffic. A home occupation shall not generate traffic in excess of normal residential
287 traffic. Normal residential traffic for the purposes of regulating home occupation traffic
288 shall be defined as 10 trips per day and one trip per hour. There shall not be more than
289 one client on the premises at any one time. One client constitutes those arriving in a
290 single vehicle. Delivery services such as the Post Office, UPS, FedEx and similar, which
291 make normal deliveries to residential neighborhoods, shall not be included in the
292 assessment. Trips, whether personal or for business, by residents of the dwelling, shall
293 also not be included. Home occupations that generate traffic or parking, are limited to
294 the hours of 7:00 a.m. to 9:00 p.m.

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

- 297 1. Automotive repairs or detailing;
- 298 2. Small engine and major appliance repair;
- 299 3. Boarding, grooming, kenneling, or medical treatment of animals;
- 300 4. Contractors' shops (with the exception of administrative and office functions).
- 301 5. On-site sale of firewood;
- 302 6. Sheet metal fabrication;
- 303 7. Unlicensed or uncertified (by state licensing or an accrediting agency, when
304 available) health care or other physical or personal services administered directly
305 to the client at this location.
- 306 8. Beauty/barber shops and other similar activities having more than one station.
- 307 9. Recreational marijuana production, processing, or retailing.
- 308 9 10. Any other use as determined by the Community Development Director with
309 a significant potential to violate one or more of the conditions of this section.

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314 **Section 3.** Lynnwood Municipal Code 21.43.300, is hereby amended as follows:
315

316 **21.43.300 Home Occupations.**

317 A home occupation may be permitted by issuance of a business license, pursuant to LMC
318 Title 5, provided the business complies with this and other applicable sections of the
319 Lynnwood Municipal Code.

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

326 B. Access. Access to the space devoted to the home occupation shall be from within the
327 dwelling, not internally “closed off” or separated from the living areas of the dwelling,
328 and not from a separate outside entrance.

329 C. Employment. No one other than the members of the resident household may perform
330 labor or personal services on the premises.

331 D. Stock in Trade. The processing, storing, and occasional sale of handicrafts made on
332 the premises and other small products is allowed, subject to compliance with other
333 conditions of this title. Such stock must be incidental to the main activity permitted by the
334 home occupation. The display or storage of goods outside the premises or in a window is
335 prohibited.

336 E. Equipment, Use, and Activities. No equipment may be used and no activities may be
337 conducted which would result in noise, vibration, smoke, dust, odors, heat, glare, or other
338 conditions exceeding in duration or intensity those normally produced by a residential
339 use. Normal residential uses shall be construed as including the above impacts only on
340 an occasional weekend or evening basis (e.g. in connection with a hobby or home/yard
341 maintenance), and not on a daily basis. Outdoor storage of equipment, materials, or more
342 than one vehicle related to the business is prohibited. There shall be no production,
343 generation, or storage of any hazardous waste or substance. Those individuals who are
344 engaged in home occupations shall make available to the fire or county health
345 departments for review the material safety data sheets which pertain to all potentially
346 toxic and/or flammable materials associated with the use.

347 F. Traffic. A home occupation shall not generate traffic in excess of normal residential
348 traffic. Normal residential traffic for the purposes of regulating home occupation traffic
349 shall be defined as 10 trips per day and one trip per hour. There shall not be more than
350 one client on the premises at any one time. One client constitutes those arriving in a
351 single vehicle. Delivery services such as the Post Office, UPS, FedEx and similar, which
352 make normal deliveries to residential neighborhoods, shall not be included in the
353 assessment. Trips, whether personal or for business, by residents of the dwelling, shall
354 also not be included. Home occupations that generate traffic or parking, are limited to
355 the hours of 7:00 a.m. to 9:00 p.m.

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

- 358 1. Automotive repairs or detailing;
- 359 2. Small engine and major appliance repair;

- 360 3. Boarding, grooming, kenneling, or medical treatment of animals;
 361 4. Contractors' shops (with the exception of administrative and office functions).
 362 5. On-site sale of firewood;
 363 6. Sheet metal fabrication;
 364 7. Unlicensed or uncertified (by state licensing or an accrediting agency, when
 365 available) health care or other physical or personal services administered directly
 366 to the client at this location.
 367 8. Beauty/barber shops and other similar activities having more than one station.
 368 9. Recreational marijuana production, processing, or retailing.
 369 10. Any other use as determined by the Community Development Director with a
 370 significant potential to violate one or more of the conditions of this section.
 371

372 **Section 4.** Lynnwood Municipal Code section 21.46.400, Table 21.46.10, is hereby amended as
 373 follows:

Retail Uses	B-3	B-2	PCD	B-1	CG
Apparel Shops	P	-	P	P	P
Appliance Stores, including incidental repair	-	-	P	P	-
Art Stores and Supplies	P	-	P	P	P
Audio Sales and Service	-	-	P	P	P
Bakery Retail Stores	P	-	P	P	P-X
Bicycle Sales and Repair	-	-	P	P	P-X
Boat and Equipment Sales and Display, indoors	-	-	-	-	P
Boats and Trailers, open lots for sale or rental of	-	-	-	-	P
Building Supplies Stores, indoor	-	-	-	-	P
Convenience Stores not located on the same or adjacent lot to service station+	P	-			P-X
Convenience Stores located on the same lot and/or within the same building and operated as a single business with a full-service station, self-service station, gas station+	P*	-	-	C	C-X
Dairy Product Stores	P	-	P	P	P
Department Store	-	-	P	P	P
Drug Store	P	-	P	P	P
Dry Good Store	P	-	P	P	P
Florist Shops, Accessory Greenhouses and Plant Nurseries	P	AI	P	P	P
Fountains and Ice Cream Stands	P	-	P	P	P
Fresh Fruit, Vegetable or Produce Stand, Outdoor	P	-	P	P	P
Gift Shops	P	AI	P	P	P
Grocery Stores	P	-	P	P	P
Hardware Stores	P	-	P	P	P
Hobby Stores	P	-	P	P	P
Recreational marijuana and marijuana-infused products and related items for consumption+	-	-	P	P	P
Music Stores and Supplies	P	-	P	P	P

New Stands	P	AI	P	P	P
Office Supplies, not including furniture or equipment sales	P	AI	P	P	P
Pet Shops	P	-	P	P	P-X
Retail Lumber Yards	-	-	-	-	P
Retail Stores not mentioned elsewhere in this section	-	-	P	P	P
Shopping Centers, including only the uses permitted in the applicable zone	P	-	P	P	P
Stationery Store	P	AI	P	P	P
Variety Store	-	-	P	P	P

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Section 5. Lynnwood Municipal Code 21.46.117, is hereby amended as follows:

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21.46.117 – Limitations on uses – Retail uses.

A. Convenience Stores. Convenience stores located on the same lot and within the same building and operated as a single business with full-service, self-service and/or gas station are permitted only by means of a conditional use permit. Rapid customer turnover is an inherent trait of service stations and convenience stores. Convenience stores sell alcoholic beverages; full-service, self-service, and gas stations do not. The proximity of these uses with their conflicting traffic patterns and types of traffic increases the risk to pedestrian and traffic safety. Additional control over the location of convenience stores in proximity to said uses is therefore necessary.

B. Recreational marijuana and marijuana-infused products, subject to the limitations set for in LMC 21.04.320.

387

Section 6. Lynnwood Municipal Code 21.48.117, is hereby amended as follows:

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21.48.117 – Limitations on uses – Retail uses.

A. Convenience Stores. Convenience stores located on the same lot and within the same building and operated as a single business with full-service, self-service and/or gas station are permitted only by means of a conditional use permit. Rapid customer turnover is an inherent trait of service stations and convenience stores. Convenience stores sell alcoholic beverages; full-service, self-service, and gas stations do not. The proximity of these uses with their conflicting traffic patterns and types of traffic increases the risk to pedestrian and traffic safety. Additional control over the location of convenience stores in proximity to said uses is therefore necessary.

B. Recreational marijuana and marijuana-infused products, subject to the limitations set for in LMC 21.04.320.

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Section 7. Lynnwood Municipal Code 21.52.100, is hereby amended as follows:

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21.52.100 Outright permitted uses.

The following uses are permitted outright, provided such use complies with all zoning regulations of the city.

A. All uses permitted in RS-8 zoning classification.

B. Libraries, museums, art galleries, and similar institutions.

C. A maximum density of 24 dwelling units per acre will be allowed in this zone. The development standards of the city’s RMH zoning classification will apply, except as otherwise changed by this chapter. Maximum residential density may be increased for nursing and convalescent uses, housing for the elderly, and housing for the physically disabled, as provided by LMC [21.43.110\(G\)](#) and [21.46.116\(C\)](#).

- 410 D. Banks and other financial institutions.
- 411 E. Business, professional, and medical office buildings, including offices of a clerical or
- 412 administrative nature.
- 413 F. Child day care.
- 414 G. Churches with parking in accordance with standards of Chapter [21.18](#) LMC (see LMC [21.46.113](#)).
- 415 H. Municipal services.
- 416 I. Motels and motor hotels (see LMC [21.46.116](#)).
- 417 J. Parking garages and accessory refueling and servicing.
- 418 K. Professional services not mentioned elsewhere in this section.
- 419 L. Public utilities facilities (see LMC [21.46.118](#)).
- 420 M. Radio and television stations, not including transmitting or receiving towers.
- 421 N. Commercial schools, dancing, music, trade, etc.
- 422 O. Retail uses (including restaurants), as permitted in the Community Business (B-1) zone.
- 423 P. Electric Vehicle Charging Station, Level 1, Level 2 or Level 3, if accessory to a permitted use or
- 424 conditionally permitted use.
- 425 Q. Battery Exchange Station (Electric vehicle), as an accessory use only.
- 426 **R. Retail sale of recreational marijuana and marijuana-infused products, subject to the limitation set**
- 427 **forth in LMC 21.04.320.**
- 428

429 **Section 8.** Lynnwood Municipal Code 21.57.400, is hereby amended as follows:

430 **21.57.400 Land uses.**

- 431 A. Principal Uses Permitted Outright.
 - 432 1. College and university buildings, support services and college accessory facilities.
 - 433 2. Library.
 - 434 3. Public transit facilities.
 - 435 4. Conference or community center (college/community meetings and activities).
 - 436 5. Tot lot, greenway, vest pocket park, bikeway and other park/open space linkages.
 - 437 6. Retail store or service business under 4,000 square feet GFA, including, but not limited to:
 - 438 a. Convenience, drug or variety store;
 - 439 b. Books, magazines, stationery and school supplies;
 - 440 c. Child day-care center (fewer than 13 children);
 - 441 d. Art gallery, art or photo studio, film/photo processing;
 - 442 e. Art supplies store or frame shop;
 - 443 f. Professional services (engineering, legal, medical, financial and similar);
 - 444 g. Business services (bookkeeping, taxes, accounting, management, etc.);
 - 445 h. Computer repair, maintenance and training, and related technical services;
 - 446 i. Personal services (grooming, photo processing, counseling, tutoring, etc.);
 - 447 j. Laundry self-service and pick-up station;
 - 448 k. Shoe repair, tailoring, locksmith and similar personal services.
 - 449 7. Movie theater (single-screen at neighborhood scale).
 - 450 8. Medical office or clinic (limited services to neighborhood and/or college).
 - 451 9. Food and beverage service businesses under 2,000 square feet GFA, including:
 - 452 a. Donut shop, bakery or similar specialty-food outlet;
 - 453 b. Cafe, coffee shop or restaurant;
 - 454 c. Soda fountain, ice cream parlor, candy store;
 - 455 d. Delicatessen or other specialty food store;
 - 456 e. Tavern, brew pub or nightclub.
 - 457 10. Multiple-family dwellings:
 - 458 a. Maximum density: 20 units per net acre;
 - 459 b. Minimum density: 12 units per net acre;

- 460 c. Density may be less than minimum if residential units are combined with other uses in
- 461 same building or on same lot.
- 462 11. Accessory parking lots and structures. Park-n-ride and park-n-pool facilities are not permitted.
- 463 Student/faculty parking shall be located west of 68th Avenue.
- 464 12. Electric Vehicle Charging Station, Level 1, Level 2 or Level 3, if accessory to a permitted use
- 465 or conditionally permitted use.
- 466 13. Retail marijuana and marijuana-infused products, subject to the limitations set forth in LMC
- 467 21.04.320.
- 468

469 **Section 9.** Lynnwood Municipal Code 21.60.300, is hereby amended as follows:

470 **21.60.300 Use Limitations**

471 All uses shall be allowed in the city center zones unless prohibited below.

472 A. Prohibited in all city center zones.

- 473 1. Adult establishments;
- 474 2. Billboards;
- 475 3. Industrial uses (excluding management, research and development, and sales operations).
- 476 4. Outdoor storage or display of materials and equipment (except during construction) except as
- 477 provided for in subsection (A)(10) of this section.
- 478 5. Auto-oriented uses, including:
 - 479 a. Vehicle washing;
 - 480 b. Drive-throughs, including drive-up windows and drive-up kiosks;
 - 481 c. Vehicle repair;
 - 482 d. Battery-exchange stations (Electric Vehicles);
 - 483 e. Battery charging stations (Electric Vehicles), Level 1, Level 2 or Level 3, (unless
 - 484 contained within an enclosed parking structure or attached to the exterior of a building
 - 485 containing a principal use);
 - 486 f. Gasoline service stations;
 - 487 g. Rental-Car agencies with outdoor fleet;
 - 488 h. Outdoor sales of boats, vehicles, or equipment.
- 489 6. Sewage treatment plants;
- 490 7. Work-release facilities;
- 491 8. Wrecking yards;
- 492 9. Secure community transition facilities;
- 493 10. Uses not fully contained within a building except:
 - 494 a. Accessory outdoor dining;
 - 495 b. Accessory outdoor display of merchandise up to a maximum of 200 square feet and
 - 496 where the display only occurs during business hours;
 - 497 c. Temporary special events;
 - 498 d. Accessory outdoor recreation areas, in an amount not greater than the gross floor area
 - 499 of the principal use it serves, not to exceed half an acre;
 - 500 11. Self-service storage facilities (also known as mini-storage) consisting of more than 20% of
 - 501 the building's total gross floor area.
 - 502 12. Any other similar to those listed above or any other use determined by the Community
 - 503 Development Director to be inconsistent with the intent of city center zones as described in this
 - 504 chapter and the City Center Sub-Area Plan. Appeals of the Community development Director's
 - 505 decision shall be processed as a Process II application (LMC 1.35.200).

506 B. Additional prohibited in the portion of the city center - core zones (CC-C) that is north of 194th St.

507 SW:

- 508 1. Multiple-family residential.

509 C. Ground floor principal uses in all City Center Zones shall be Occupiable Space.

510 1. Exception. Parking may occupy the ground floor of a building; provided that, the parking does
511 not occupy ground floor space facing a frontage. In such instances, that portion of the building
512 facing the street shall still consist of occupiable space..

513 D. For buildings that directly front the Promenade Street, no less than 40 percent of the lineal frontage
514 of any building shall be Street Level Retail.

515 **E. Retail sale of recreational marijuana and marijuana-infused products is allowed, subject to the**
516 **limitations set forth in LMC 21.04.320.**

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519 **Section 10.** Lynnwood Municipal Code 21.62.200, is hereby amended as follows:

520 **21.62.200 Use limitations.**

521 The following land uses are permitted

522 A. Principal Uses Permitted Outright.

523 1. Retail, office, eating/entertainment (including brewpubs, and outdoor dining as an accessory
524 use to and indoor restaurant), professional offices (including medical and vet clinics), institutional
525 and personal service uses are permitted, **except as provided for the retail sale of recreational**
526 **marijuana and marijuana-infused products, subject to the limitations set forth in LMC 21.04.320)**
527 and except for below for conditional uses and prohibited uses.

528 2. Multiple family residences (including Convalescent and Nursing Homes, and Housing for the
529 Elderly and Physically Disabled).

530 3. Wireless communication facilities

531 a. Facilities attached (to buildings and structures), with no limitations; and

532 b. Freestanding facilities (towers) when designed so that they are not readily
533 identifiable as such, and are designed to be aesthetically compatible with existing
534 and proposed building(s) and uses on a site – sometimes referred to as a “stealth”
535 or camouflaged” facility. Examples of concealed support structures that can have
536 a secondary, obvious function include, but are not limited to the following:
537 church steeples, bell towers, clock towers, cupolas, light standards, utility poles,
538 flagpoles, or trees.

539 c. Freestanding facilities existing on the effective date of this Chapter are a
540 permitted use.

541 4. Transit stops/stations, not including park-and-ride, park-and-pool, or other transit-related
542 parking areas.

543 5. Senior center or community center.

544 6. Day-care (for children or adults).

545 7. Boarding house, dormitory or other group residential facility suitable for students.

546 8. Inn or hotel, provided that parking for any rooms in excess of 100 rooms shall be located in a
547 parking structure.

548 9. Auto/vehicle dealership (new and/or used vehicles) and vehicle service company, whether a
549 building intended for occupancy by these uses is vacant (structures with a history of housing
550 these uses) or in use, at the time of adoption of this chapter, may expand the business to other
551 parts of the property in existence at the time of this ordinance, but may not expand to adjoining
552 parcels. Provided that , a use that is absent from a property and/or the property is used for other
553 purposes for a continuous period of seven years shall not be allowed to reestablish itself as a
554 dealership or vehicle service company.

555 10. Drive-up or drive-through service and/or drive-through window subject to the following
556 requirements:

557 a. No component of the drive-through (such as approaching drive aisle, order box,
558 service window, etc.) shall be located between the building it serves and a public
559 street unless another intervening building(s) or building screening (walls and

- 560 roof) exists between the drive-through land street that blocks visibility of the
 561 drive through from the street; and
 562 b. No more than two drive-through lanes (plus a by-pass lane, where necessary)
 563 shall be permitted for the specific business being served by the drive through
 564 lane
 565 c. Access to the drive-through shall be provided only from a project parking area;
 566 direct access to a drive-through from a project entry aisle or from a public street
 567 is not allowed.
 568 d. Any/all service windows within 150 feet of a public street may only be located
 569 on a building wall that sits at an angle of at least 90 degrees to the public street.
 570 e. See also LMC 21.18.810 (Stacking Lanes for Drive-Through Facilities).
 571 11. Indoor amusements such as arcades, bowling, pool halls, etc.
 572 12. Auto parts and accessory stores with no service/installation work on the premises.
 573 13. Health & Fitness Club
 574 14. Electric Vehicle Charging Station, Level 1, Level 2 or Level 3.
 575 B. Principal Uses Allowed by Conditional Use Permit.
 576 1. Performing arts facility.
 577 C. Allowed Accessory Uses. Uses that meet the definition “accessory” in this Code shall be
 578 permitted, except that a new accessory use may not be established at a site with a non-conforming
 579 use.
 580

581 **Section 11.** Lynnwood Municipal Code section 21.50.100, Table 21.50.01, is hereby amended as
 582 follows:

583 **21.50.100 Uses allowed in the industrial zones.**

Table 21.50.01

Use	BTP	LI
Accessory Greenhouses	AC*	–
Assembly of Wood, Light Metal, Glass, Electronic, Electrical or Plastic Parts or Components which are extruded, stamped, manufactured, shaped, or prepared elsewhere, not precluding minor processes such as cutting, drilling, soldering, or minor welding	P	P
Athletic Clubs containing such facilities as handball, racquetball, tennis, and basketball courts, swimming pools, and exercise rooms	P	P
Auditoriums	–	P
Auto Wrecking Yards	–	C
Automotive and Machinery Repairing and Storage	–	P
Banks and Other Financial Institutions	C	–
Barber Shops and Beauty Parlors	AC*	–
Electric Vehicle Charging Station, Level 1, Level 2 or Level 3, if accessory to a permitted or conditionally permitted use.	A	A
Battery Exchange Station (Electric Vehicle), Principal or accessory use	P, A	P, A
Biotechnology (except manufacturing pharmaceuticals)	P	P
Blacksmithing, Welding, and Metal Fabricating Shops	–	P
Bookstores, News Stands, and Stationery Stores	AC*	–
Bottling and Packaging Plants	C	–
Building Material Yards	–	P

Business and Professional Offices including offices of a clerical or administrative nature	P	P
Business Services and Office Supplies	P	–
Cabinet, Millwork, or Wood Prefabrication Operations	C	P
Child Day Care (e.g., day care for children of employees or of patrons)	–	AC
Contractor's Offices, Shops, and Indoor Storage	P	P
Contractor's Offices, Shops, and Storage Yards	–	P
Employees' Cafeterias	AC	P
Florist Shops	AC*	–
Food and Dry Goods Distribution Operations	P	P
Food and Dry Goods Processing and Packaging	C	P
Freight Warehouse Terminals	C	P
Furniture Manufacture and Repair Shops	C	P
Gift Shops	AC*	–
Indoor and/or Outdoor Tennis Courts, Racquet Clubs, and Handball Courts	C	–
Research and Development	P	P
Laundry and Dry Cleaning Plants	–	P
Manufacturing, Rebuilding or Repairing Nonmetal Products	–	P
Manufacturing Pharmaceuticals	–	C
Recreational marijuana production and processing+	-	P
Mass Transit Storage and Maintenance Facilities	–	C
Mini-Warehouses	P	–
Municipal Services	P	P
Park and Pool Lots	C	P
Pharmacies in conjunction with medical, dental, optical, and chiropractic clinics	AC	–
Plant Nurseries	AC*	–
Printing, Publishing and Binding	P	–
Printing Plants	–	P
Public Utility Facilities	C	–
Recycling Collection Centers	–	C
Repair Shops for Household Appliances	AC*	–
Residences for Watchmen or Custodians	–	P
Restaurants providing on-premises service	AC*	–
Retail Lumber Yards	–	P
Universities, Colleges, Schools, including preschools, commercial schools, such as dancing, music, trade, etc.	P	–
Veterinary Clinics and Veterinary Hospitals ⁺	C	–
Warehouses (except mini-warehouses)	P	P
Wholesale trade (i.e., wholesale stores)	P	P
Wholesale trade (i.e., wholesale stores) with retailing confined exclusively to products which are manufactured, packaged, repacked, reloaded or otherwise processed on the same premises	C	P
Wireless Communications Facility less than 300 feet from residential zones (as measured from the wireless communications support structure to the property line of the nearest residentially zoned parcel) ⁺	C	C
Wireless Communications Facility 300 feet or more from residential zones (as measured from the wireless communications support structure to the property line of the nearest residentially zoned parcel)	P	P

Wireless Communications Facility, Attached	P	P
Wood, Coal and Oil Fuel Yards	-	P

584 +See LMC [21.50.110](#).

585 Key:
586 P = Use is permitted as a primary use.
587 C = The use may be permitted through issuance of a conditional use permit.
588 A = Permitted as accessory use with a principal permitted or approved conditional use.
589 AC = Use is permitted as an accessory conditional use and must be related to the principal use of
590 the tenant space or property.
591 AC* = These accessory conditional uses may occupy no more than 25 percent of the floor area.
592 - = Use is prohibited.
593 + = **Subject to the limitations established in LMC 21.04.320.**

594

595 **Section 12.** Lynnwood Municipal Code Chapter 21.02, is hereby amended as follows:

596 **21.02.503 Mobile Home**

597 ~~“Mobile home” means a transportable dwelling manufactured after January 1, 1968, and~~
598 ~~before June 15, 1976, and bearing an insignia of the Washington State Department of~~
599 ~~Labor and Industries. All mobile homes without such insignia are nonconforming~~
600 ~~structures.~~

601

602 **21.02.503 Marijuana**

603 The definition for “Marijuana” is consistent with RCW 69.50.101(t) as may be amended.

604

605 **21.02.504 Mobile home lot.**

606 *Repealed by Ord. 2571.*

607

608 **21.02.505 Mobile Home Park**

609 ~~“Mobile home park” means any plot of ground upon which two or more mobile or~~
610 ~~manufactured homes are lawfully occupied as dwellings, regardless of whether a charge~~
611 ~~is made for such accommodation.~~

612

613 **21.02.505 Marijuana Processor**

614 The definition of “Marijuana Processor” is consistent with RCW 69.50.101(v) as may be
615 amended.

616

617 **21.02.506 Marijuana Producer**

618 The definition of “Marijuana Producer” is consistent with RCW 69.50.101(w) as may be
619 amended

620

621 **21.02.507 Marquee.**

622 ~~“Marquee” means a permanent roof structure attached to and cantilevered from a~~
623 ~~building.~~

624

625 **21.02.507 Marijuana Retailer**

626 The definition of “Marijuana Retailer” is consistent with RCW 69.50.101(y) as may be
627 amended.

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21.02.508 Marijuana-Infused Product

The definition “Marijuana-infused product” is consistent with 69.65.101(x), as may be amended.

21.02.509 Mini-day-care program.

~~“Mini-day care program” means a child day-care facility for the care of 12 or fewer children in a facility other than the family residence of the person or persons under whose direct care and supervision the child is placed.~~

21.02.509 Marijuana (Usable)

The definition of “Usable marijuana” is consistent with RCW 69.50.101(mm) as may be amended.

21.02.510 Motel

~~“Motel” means a building or group of buildings on the same lot, containing motel units consisting of individual sleeping quarters, detached or in connected rows with or without cooking facilities, for rental to transients.~~

21.02.510 Mobile home

“Mobile home” means a transportable dwelling manufactured after January 1, 1968, and before June 15, 1976, and bearing an insignia of the Washington State Department of Labor and Industries. All mobile homes without such insignia are nonconforming structures.

21.02.511 Mobile home park

“Mobile home park” means any plot of ground upon which two or more mobile or manufactured homes are lawfully occupied as dwellings, regardless of whether a charge is made for such accommodation.

21.02.512 Motor hotel

~~“Motor hotel” means a specialized hotel designed and operated to provide hotel services and accommodations to the motoring public.~~

21.02.512 Marquee.

“Marquee” means a permanent roof structure attached to and cantilevered from a building.

21.02.513 Municipal services

~~“Municipal Services” means all municipal administrative services and offices, including municipal police and public service facilities, fire stations, courts, libraries, museums, art galleries, convention centers, recreational facilities, performing arts facilities, and public parks or playgrounds; municipal services does not include:~~

- ~~A. Municipal shops as defined in **LMC 21.02.514**;~~
- ~~B. Public utility facilities as defined in **LMC 21.02.590**;~~
- ~~C. Private schools, universities, colleges, day care nurseries, sewer plant.~~

674 **21.02.513 Mini-day-care program.**
675 “Mini-day care program” means a child day-care facility for the care of 12 or fewer
676 children in a facility other than the family residence of the person or persons under whose
677 direct care and supervision the child is placed.

678
679 **21.02.514 Municipal shops**
680 “Municipal shops” means municipal facilities for maintenance and repair shops,
681 warehouses, and storage yards; municipal shops does not include sewer treatment plants
682 or public utility facilities.

683
684 **21.02.514 Motel**
685 “Motel” means a building or group of buildings on the same lot, containing motel units
686 consisting of individual sleeping quarters, detached or in connected rows with or without
687 cooking facilities, for rental to transients.

688 **21.02.515 Mural, decorative**
689 “Decorative mural” means any mural painted or otherwise placed on a building or
690 structure that does not display any commercial messages, logos, or graphics or specific
691 colors identified with a particular business, product or service.

692
693 **21.02.515 Motor hotel**
694 “Motor hotel” means a specialized hotel designed and operated to provide hotel services
695 and accommodations to the motoring public.

696
697 **21.02.516 Municipal services**
698 “Municipal Services” means all municipal administrative services and offices, including
699 municipal police and public service facilities, fire stations, courts, libraries, museums, art
700 galleries, convention centers, recreational facilities, performing arts facilities, and public
701 parks or playgrounds; municipal services does not include:

- 702 A. Municipal shops as defined in LMC 21.02.514;
703 B. Public utility facilities as defined in LMC 21.02.590;
704 C. Private schools, universities, colleges, day care nurseries, sewer plant.

705
706 **21.02.517 Municipal shops**
707 “Municipal shops” means municipal facilities for maintenance and repair shops,
708 warehouses, and storage yards; municipal shops does not include sewer treatment plants
709 or public utility facilities.

710
711 **21.02.518 Nonconforming building or structure**
712 “Nonconforming building or structure” means any building, structure, or portion thereof,
713 which was lawfully erected or altered but which, because of the application of this title,
714 no longer conforms to the regulations of the zone in which it is located as defined in this
715 title.

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720 **21.02.518 Mural, decorative**
721 “Decorative mural” means any mural painted or otherwise placed on a building or
722 structure that does not display any commercial messages, logos, or graphics or specific
723 colors identified with a particular business, product or service.

724
725 **21.02.519 Nonconforming building or structure**
726 “Nonconforming building or structure” means any building, structure, or portion thereof,
727 which was lawfully erected or altered but which, because of the application of this title,
728 no longer conforms to the regulations of the zone in which it is located as defined in this
729 title.

731 **Section 13. Repealer.** Section 5 of Ordinance No. 2998, Section 2 of Ordinance No. 3039, and
732 Section 2 of Ordinance No. 3061 are hereby repealed.

733
734 **Section 14.** If any section, sentence, clause or phrase of this ordinance should be held to be
735 invalid or unconstitutional by a court of competent jurisdiction, such invalidity or
736 unconstitutionality shall not affect the validity or constitutionality of any other section, sentence,
737 clause or phrase of this ordinance.

738
739 **Section 15.** This ordinance or a summary thereof consisting of the title shall be published in the
740 official newspaper of the City, and shall take effect and be in full force five (5) days after
741 publication.

742
743 PASSED BY THE CITY COUNCIL, the _____ day of _____, 2014.

744
745 APPROVED:

746
747
748 _____
749 Nicola Smith, Mayor

750
751 ATTEST/AUTHENTICATED:

752
753
754 _____
755
756 Lorenzo Hines
757 Finance Director

758
759
760 APPROVED AS TO FORM:

761
762
763 _____
764
765 Rosemary Larson

766 City Attorney
767
768
769 FILED WITH ADMINISTRATIVE SERVICES: _____
770 PASSED BY THE CITY COUNCIL: _____
771 PUBLISHED: _____
772 EFFECTIVE DATE: _____
773 ORDINANCE NUMBER: _____
774

775 On the _____ day of _____, 2014, the City Council of the City of Lynnwood,
776 Washington, passed Ordinance No. _____. A summary of the content of said ordinance,
777 consisting of the title, provides as follows:

778
779 AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON,
780 RELATING TO RECREATIONAL MARIJUANA PRODUCTION, PROCESSING,
781 AND RETAIL SALES PURSUANT TO INITIATIVE 502, ADDING A NEW
782 SECTION LMC 21.04.320 TO THE LYNNWOOD MUNICIPAL CODE,
783 AMENDING LMC 21.42.300, LMC 21.43.300, LMC 21.46.400, LMC 21.46.117,
784 LMC 21.48.117, LMC 21.52.100, LMC 21.57.400, LMC 21.60.300, LMC 21.62.200
785 AND LMC 21.50/100; REPEALING SECTION 5 OF ORDINANCE NO. 2998,
786 ORDINANCE NO. 3003, SECTION 2 OF ORDINANCE NO. 3039 AND
787 SECTION 2 OF ORDINANCE NO. 3061; AND PROVIDING FOR
788 SEVERABILITY, AN EFFECTIVE DATE AND SUMMARY PUBLICATION.

789
790 The full text of this Ordinance will be mailed upon request.

791
792 DATED this _____ day of _____, 2014.

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796 Lorenzo Hines, Finance Director
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EXHIBIT A

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1. There has been an increase in drug-related referrals for high school students testing positive for marijuana following de facto legalization in Colorado and the expansion of accessible retail marijuana storefronts/dispensaries and the accompanying growth in the marijuana market. During 2007-2009, an average of 5.6 students tested positive for marijuana. During 2010-2012, the average number of students who tested positive for marijuana increased to 17.3 students per year. In 2007, tests positive for marijuana made up 33 percent of the total drug screenings; by 2012 that number increased to 57 percent. A member of the Colorado Taskforce charged to regulate marijuana who also works for a drug testing company commented to the press that: "A typical kid (is) between 50 and 100 nanograms. Now we're seeing these up in the over 500, 700, 800, climbing." (Rocky Mountain HIDTA. (August 2013). *The Legalization of Marijuana in Colorado: The Impact, Preliminary Report* (volume 1); See Conspire! Drug Testing Results and "Drug Testing Company Sees Spike in Children Using Marijuana" found at <http://denver.cbslocal.com/2013/03/06/drug-testing-company-sees-spike-in-children-using-marijuana/>).

2. In Colorado during the expansion period for marijuana storefronts/dispensaries, though traffic fatalities fell 16 percent between 2006 and 2011 (consistent with national trends), fatalities involving drivers testing positive for marijuana rose 112 percent. (Colorado Department of Transportation Drugged Driving Statistics 2006-2011, Retrieved <http://www.coloradodot.info/programs/alcohol-and-impaired-driving/druggeddriving/drugged-drivingstatistics.html>).

EXHIBIT B

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1. Scientists from the American Medical Association, American Academy of Pediatrics, American Psychological Association, and American Society of Addiction Medicine state that marijuana use is harmful for young people. (American Medical Association. (2009). *Report 3 on the Council of Science and Public Health: Use of Cannabis for Medicinal Purposes*; Joffe, E. & Yancy, W.S. (2004). Legalization of Marijuana: Potential impact on youth. *Pediatrics: Official Journal of the American Academy of Pediatrics*, 113(6); American Psychological Association. (2009). *Position Statement on Adolescent Substance Abuse*; California Society of Addiction Medicine. (2009). *Impact of Marijuana on Children and Adolescents*; American Society of Addiction Medicine Statement Retrieved here: <http://www.asam.org/advocacy/find-a-policystatement/view-policy-statement/public-policy-statements/2012/07/30/state-level-proposals-to-legalizemanjuana>);
2. According to the National Institutes of Health, one out of every six adolescents who use marijuana will become addicted. (Anthony, J.C., Warner, L.A., Kessler, R.C. (1994). Comparative epidemiology of dependence on tobacco, alcohol, controlled substances, and inhalants: Basic findings from the National Comorbidity Survey. *Experiential and Clinical Psychopharmacology*, 2);
3. There are approximately 400,000 emergency room admissions for marijuana every year — related to acute panic attacks and psychotic episodes. (Substance Abuse and Mental Health Services Administration, Center for Behavioral Health Statistics and Quality. (2011). Drug abuse warning network, 2008: National estimates of drug-related emergency department visits. HHS Publication No. SMA 11-4618. Rockville, MD);
4. Marijuana is the most cited drug for teens entering treatment. (Substance Abuse and Mental Health Services Administration, Center for Behavioral Health Statistics and Quality. Treatment Episode Data Set (TEDS): 2000-2010. National Admissions to Substance Abuse Treatment Services. DASIS Series S-61, HHS Publication No. (SMA) 12-4701. Rockville, MD: Substance Abuse and Mental Health Services Administration, 2012);
5. Marijuana use, especially among young people, is significantly associated with reduction in IQ. (See Meier, M.H.; Caspi, A.; Ambler, A.; Harrington, H.; Houts, R.; Keefe, R.S.E.; McDonald, K.; Ward, A.; Poulton, R.; and Moffitt, T. Persistent cannabis users show neuropsychological decline from childhood to midlife. *Proceedings of the National Academy of Sciences* 109(40):E2657-E2664, 2012. Also Moffitt, T.E.; Meier, M.H.; Caspi, A.; and Poulton, R. Reply to Rogeberg and Daly: No evidence that socioeconomic status or personality differences confound the association between cannabis use and IQ decline. *Proceedings of the National Academy of Sciences* 110(11): E980-E982, 2013);
6. Marijuana use, especially among young people, is significantly associated with mental illness. (See for example: Andreasson S., et al. (1987). Cannabis and Schizophrenia: A

- 872 longitudinal study of Swedish conscripts. *Lancet*, 2(8574); Moore, T.H., et al. (2007).
873 Cannabis use and risk of psychotic or affective mental health outcomes: a systematic
874 review. *Lancet*, 370(9584); Large M., et al. (2011). Cannabis Use and Earlier Onset of
875 Psychosis: A Systematic Meta-analysis. *Archives of General Psychiatry*, 68(6); Harley,
876 M., et al. (2010). Cannabis use and childhood trauma interact additively to increase risk
877 of psychotic symptoms in adolescences. *Psychological Medicine*, 40(10); Lynch, M.J., et
878 al. (2012). The Cannabis-Psychosis Link. *Psychiatric Times*);
- 879
- 880 7. Marijuana use, especially among young people, is significantly associated with poor
881 learning outcomes. (Yucel, M., et al. (2008). Regional brain abnormalities associated
882 with long-term heavy cannabis use. *Archives of General Psychiatry*, 65(6));
- 883
- 884 8. Marijuana use, especially among young people, is significantly associated with lung
885 damage. See for example: American Lung Association. (2012, November 27). Health
886 Hazards of Smoking Marijuana. Retrieved from: [http://www.lung.org/stop-](http://www.lung.org/stop-smoking/about-smoking/health-effects/marijuanasmoke.html)
887 [smoking/about-smoking/health-effects/marijuanasmoke.html](http://www.lung.org/stop-smoking/about-smoking/health-effects/marijuanasmoke.html); Tashkin, D.P., et al.
888 (2002). Respiratory and immunologic consequences of smoking marijuana. *Journal of*
889 *Clinical Pharmacology*, 4(11); Moore, B.A., et al. (2005). Respiratory effects of
890 marijuana and tobacco use in a U.S. sample. *Journal of General Internal Medicine*,
891 20(1); Tetrault, J.M., et al. (2007). Effects of marijuana smoking on pulmonary structure,
892 function and symptoms. *Thorax*, 62(12); Tan, W.C., et al. (2009). Marijuana and chronic
893 obstructive lung disease);
- 894
- 895 9. Marijuana use, especially among young people, is significantly associated with addiction.
896 (See for example: Anthony, J.C., Warner, L.A., Kessler, R.C. (1994). Comparative
897 epidemiology of dependence on tobacco, alcohol, controlled substances, and inhalants:
898 Basic findings from the National Comorbidity Survey. *Experiential and Clinical*
899 *Psychopharmacology*, 2; Budney, A.J., et al. (2008). Comparison of cannabis and
900 tobacco withdrawal: Severity and contributions to relapse. *Journal of Substance Abuse*
901 *Treatment*, 35(4); Tanda, G., et al. (2003). Cannabinoids: Reward, dependence, and
902 underlying neurochemical mechanisms — A recent preclinical data. *Psychopharmacology*,
903 169(2));
- 904
- 905 10. Drivers who test positive for marijuana or self—report using marijuana are more than
906 twice as likely as other drivers to be involved in motor vehicle crashes. (Mu-Chen Li,
907 Joanne E. Brady, Charles J. DiMaggio, Arielle R. Lusardi, Keane Y. Tzong, and Guohua
908 Li. (2011). "Marijuana Use and Motor Vehicle Crashes." *Epidemiologic Reviews*).
- 909
- 910 11. Creating barriers to the use of marijuana is an important tool for promoting public health.
911 Due to federal, state and local efforts to control the distribution of marijuana, its use is
912 lower than the use of legal drugs. About 52 percent of Americans regularly drink, 27
913 percent use tobacco products, and yet only 8 percent currently use marijuana. (Substance
914 Abuse and Mental Health Services Administration, Results from the 2012 National
915 Survey on Drug Use and Health: Summary of National Findings, NSDUH Series H-46,
916 HHS Publication No. (SMA) 13-4795. Rockville, MD: Substance Abuse and Mental
917 Health Services Administration, 2013).

1 **MINUTES OF THE WORK SESSION OF THE LYNNWOOD CITY COUNCIL HELD,**
2 **MONDAY, APRIL 7, 2014 AT 7:00 P.M. IN THE CITY COUNCIL CHAMBERS**
3

4 **Attendance:**

5 Mayor Nicola Smith	Councilmember M. Christopher Boyer
6 Council President Loren Simmonds	Councilmember Ruth Ross
7 Council Vice President Sid Roberts	Councilmember Ian Cotton
8 Councilmember Van AuBuchon	
9 Council Member Benjamin Goodwin	Assistant City Administrator Ceniza
	Council Assistant Beth Morris

11 **Others:**

12 Finance Director Hines	Community Development Deputy Director Loch
13 Community Development Director Krauss	Purchasing Manager Fitzhum
14 Economic Development Director Kleitsch	Budget Supervisor Harrigan
15 Interim Fire Chief Gates	Senior Planner Rivera
16 Parks and Recreation Director Sordel	Building Official Griswell
17 Deputy Chief Stanifer	Fire Inspector Job
	Diversity Commission Chair Sutton

21 **Comments and Questions on Memo Items**

22 M-1 Contract – Utility & WWTP On-Call Engineering - URS

23 M-2 Agreement – Amendment – Funding Authorization: State Energy Performance Contracting

24 M-3 Ordinance, Financial Plan and Consultant Contract: 44th Avenue W. Pavement Preservation Project

25 M-4 Resolution: Authorizing Grant Application to the Recreation and Conservation Office (RCO) for

26 Meadowdale Playfields' Renovation.

27 M-5 Contract Award – Jail Medical Nursing Services

- 28 • No discussion on M-1 through M-5.

30 **Interview: Arts Commission Applicant – Elizabeth Lunsford**

- 31 • Due illness, Ms. Lunsford was unable to attend.
- 32 • Council Leadership will reschedule.

34 **Interview: Neighborhoods and Demographic Diversity Commission Applicant – Ty Tufuno**

- 35 • P&R Director Sordel introduced Ms. Ty Tufuno to the Council.
- 36 • Council comments and questions.
- 37 • Diversity Chair Sutton was at the table and made some closing remarks.
- 38 • It was the consensus of the Council to bring the matter forward to the April 14th Business Meeting
- 39 Unanimous Consent Agenda for confirmation.

41 **Ordinance: Update 2013-2014 Fee Schedule**

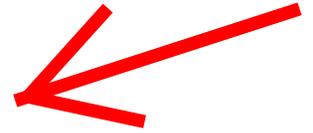
- 42 • Directors/Staff (Krauss, Gates, Hines, Loch and Criswell) participated in the discussion.
- 43 • Council comments and Questions
- 44 • It was the consensus of the Council to update and adopt the annual Fee Schedule from July 1, 2014
- 45 through December 31, 2016 and revisit it during the 2017-2018 Budget cycle discussions.

50 **Equipment Rental and Reserve and Insurance Fund**

- 51 • The purpose was to present the policy and financial implications/remedies surrounding both funds.
- 52 • Finance Director Hines distributed handouts and delivered a PowerPoint presentation on Self
- 53 Insurance Fund Overview.
- 54 • Director Hines also reviewed ER&R Funds - Policy Issues # 1 and #2 in the packet.
- 55 • Council Comments and Questions.
- 56 • Council President Simmonds requested that Finance Committee Chair Boyer schedule a discussion
- 57 of the Insurance Fund depletion at the May 22, Finance Committee Meeting.

58
59 **Quasi-Judicial Briefing #2: Lynnwood Place Second Work Session on Cycle 2, Phase 2**
60 **Ordinance and Development Agreement**

- 61 • The purpose was for the Council to have an additional opportunity to ask questions on materials
- 62 before the public hearing.
- 63 • Economic Development Director Kleitsch presented a brief background and overview.
- 64 • Council comments and questions.
- 65 • A Public Hearing is schedule at the April 14th Business Meeting.



66
67 **Briefing on Regulation of Marijuana**

- 68 • The purpose was for the Council to provide direction to staff as to which option they preferred.
- 69 • Director/Staff (Krauss, Loch, Rivera) participated in the discussion.
- 70 • Director Krauss presented a brief background and overview.
- 71 • Council Members around the table weighed in on their preferred options.
- 72 • It was the consensus of the majority of the Council to move forward with the Prohibition option.

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74 **Executive Session, if needed**

- 75 • None

76
77 **Mayor Comments and Questions**

- 78 • Mayor Smith thanked CMs Simmonds, Roberts and Boyer for attending the Director's Retreat on
- 79 Friday, April 4th.
- 80 • Commented on the Arbor Day Event turnout earlier in the day and complimented the Parks and
- 81 Recreation department for the excellent job.

82
83 **Council President and Council Comments**

- 84 • Council Member Ross would like to see Reverend Steven Greenbaum's concerns regarding red light
- 85 cameras (March 24th Business Meeting/Citizens Comments) addressed at a future Work Session.
- 86 This was supported by Cotton/Boyer.
- 87 • Council Vice President Roberts expressed concern about re-opening the red light camera discussion
- 88 based on one citizen's comments.
- 89 • Council President Simmonds advised the Council that he had done some research on some of the
- 90 Vendors the City had/is using and noted that out of seven random checks...only two were licensed to
- 91 do business in the City of Lynnwood. The Mayor assured the Council that she would look into this.
- 92 Council President Simmonds asked to have this on the Finance Committee Agenda in May.

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97 **Adjournment**
98 • Meeting was adjourned at 9:59pm

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Lorenzo Hines, Jr., Finance Director

Nicola Smith, Mayor

Land Use Element - Draft

Agenda Item: E.1

Staff Report

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

Staff Contact: Corbitt Loch, Deputy Director

Summary

The purpose of this agenda item is to introduce a “working draft” of the Land Use Element for the Commission’s initial review. The Commission is asked to provide feedback and guidance regarding the content, organization, and appearance of the draft Element. It is expected that several meetings will be needed for the Commission’s review of what will ultimately be a full update of the Land Use Element.

Policy Question(s)

Are the edits related to content, organization and appearance generally consistent with the Commission’s preferences?

Action

Provide direction to staff as appropriate.

Background

The Land Use Element is a fundamental chapter of the City’s Comprehensive Plan. In a sense, all of the other Comprehensive Plan Elements support and facilitate the goals and policies of the Land Use Element.

The draft Element provided now is an iterative draft with additional edits forthcoming regarding population and employment growth targets. Those edits are still being prepared. Meanwhile, the Commission is invited to review the many other changes prepared so far. The Commission’s feedback will help determine whether the proposed organization, format and writing style are appropriate. This is important feedback as all of the Elements are in need of considerable updating, and staff intends to apply a uniform appearance and structure to each Element.

City staff is working to update the Comprehensive Plan in a manner that will facilitate review and participation by the Commission, other advisory groups, the general public, and the City Council. As required by GMA, this update is scheduled to be adopted by the City Council by June 30, 2015.

In February 2014, the Commission reviewed the first draft of the Environmental Resources Element. It is expected that the Environmental Resources Element will be reviewed a second time at the July meeting.

Staff's work on the 2015 Comprehensive Plan is guided by the following principals:

1. The primary objective is to ensure the Comprehensive Plan's consistency with current versions of the Growth Management Act (GMA), Multicounty Planning Policies (MPPs), and the Countywide Planning Policies for Snohomish County (CPPs). This includes accommodation of population and employment growth targets set forth by the CPPs.
2. Staff's identification of significant changes to Comprehensive Plan policies will help the general public and advisory groups understand and meaningfully participate in Lynnwood's consideration of this revised Comprehensive Plan. Without a highlighting of salient policy changes, readers would be obligated to read original and new versions in order to identify substantive edits.
3. With some re-organization, the Comprehensive Plan can be made more succinct without substantive policy change.
4. With some re-wording, the Comprehensive Plan text can be made more succinct without substantive policy change.

The existing Land Use Element is 35 pages in length, while the draft Element is 19 pages. Overall, there are relatively few, substantive changes proposed.

The existing Land Use Element is provided with "track changes" shown, and with annotations to explain the proposed change. Also provided is a clean version of the draft Land Use Element, with edits incorporated.

Previous Planning Commission / City Council Action

During past meetings, the Planning Commission has provided guidance upon:

1. General scope of the update and a "short-list" of substantive issues to be addressed.
2. Public participation plan for the 2015 Comprehensive Plan update.
3. Draft Environmental Resources Element.

Funding

None. The majority of work on the Comprehensive Plan will be completed using in-house resources.

Key Feature(s)

1. Creates a more-efficient organizational structure and more-concise wording.
2. “Track changes” version includes annotations.
3. Moves policies relating to aesthetics, urban design, historic preservation, etc. to a new Community Character Element.
4. Provides “placeholders” for policies/strategies relating to population and employment growth targets.

Adm. Recommendation

Review and provide direction on:

1. Proposed approach to organization, formatting and style.
2. A portion of the draft Land Use Element, as time allows (i.e., first ten pages)

Attachments (bound separately for future reference)

1. Existing Land Use Element with track changes and annotations.
2. Iterative draft Land Use Element with edits incorporated.

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Agenda Item: F.1**Transportation Improvement Plan****Staff Report**

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

Staff Contact: Robert Victor, Public Works

Introduction: The City of Lynnwood is required annually to amend and adopt a **Six Year Transportation Improvement Plan**, which lists anticipated street projects and their costs for the six year period. This requirement is set out in RCW 35.77.010, RCW 36.81.121 and modified by HB 1525.

Attached is a summary project list for the 2015 – 2020 Six-Year TIP. There are 7 programs, 2 studies, and 33 projects on this year's list, for a six-year total of \$173,381,210. The programs/projects are grouped into six categories:

1. Recurring Annual Programs
2. New/Expanded Roads
3. Non-Motorized
4. Intersection Improvements
5. City Center
6. Miscellaneous

The Proposed TIP covers the years 2015 - 2020. The projects in the TIP are derived directly from the 2014 – 2019 Capital Facilities Plan with minor modifications. Scheduling is determined by need and probable funding sources. All of these projects are based on the policies set forth in the City of Lynnwood Comprehensive Plan.

State of the Transportation System: The annual updating of the Six Year TIP is an opportunity to look at how far we have come over the last few years and to look where we are headed in the future. Changes from last year reflect progress in completing projects. There is one new projects being added to the list.

Recent Past: Over the last 10 years the City has seen the completion of several significant transportation projects:

1. Completion of the I-5/196th St SW interchange improvements
2. Completion of the widening of 44th Ave W from 196th St SW to I-5
3. Completion of the widening of 176th St SW from Olympic View Drive to SR 99
4. Completion of SR-99 improvements
5. Completion of the Regional Transit Center
6. Completion of the I-5 HOV direct access ramp to the Transit Center
7. Completion of the widening of Olympic View Drive, Phases 1 & 2
8. Lynnwood Traffic Management Center at City Hall

9. Interurban Trail/44th Ave W Pedestrian Bridge and Trail
10. I-5/196th St SW Pedestrian Improvements
11. WSDOT Braided Ramp Project on southbound I-5
12. 48th Avenue Sidewalks Project

In Design: Projects in design include:

- 36th Ave W, Maple Road to SR-99
- 204th St SW, 68th Ave W to SR-99
- 196th St SW, 48th Ave W to 37th Ave W
- Poplar Extension Bridge
- Interurban Trail, 212th St SW
- 176th St SW Road Diet
- Citywide Safety Improvements
- SR-99/SR-524 Adaptive Signal Control
- SR-99/SR-524 Safety Improvements

In Construction: Projects in construction include:

- Interurban Trail, 208th ST SW & 52nd
- 33rd Ave W Extension Road

Changes in the proposed 2015-2020 TIP: Due to prioritization, project completion, new grant funding, and/or budgetary constraints, the following projects were either removed or added:

- Removed: ITS – Phase 3
- Added Bike Link Project - Citywide

Action and Scheduling: The Planning Commission is requested to consider the proposed the proposed 2015 – 2020 TIP and forward a recommendation on to the City Council. The Commission's recommendation will be forwarded to the City Council for consideration and discussion at a future City Council Work Session. A City Council Public Hearing will also be scheduled followed by adoption of an ordinance at a City Council Business Meeting.

Attachment(s): Proposed Six Year Transportation Improvement Plan (TIP) 2015 – 2020 and associated map.



City of Lynnwood Six Year TIP 2015-2020

Project Type	Map ID#	Project Title	Funded	Six Year							Project Total	
				Total	Prior	2015	2016	2017	2018	2019		2020
Recurring Annual Programs		Overlay Program	P	12,000,000	N/A	2,000,000	2,000,000	2,000,000	2,000,000	2,000,000	2,000,000	NA
		Traffic Signal Rebuild Program	N	2,400,000	N/A	400,000	400,000	400,000	400,000	400,000	400,000	NA
		Transportation Business Plan	N	450,000	N/A	75,000	75,000	75,000	75,000	75,000	75,000	NA
		Sidewalk and Walkway Program - ADA Ramps	N	400,000	N/A	100,000	90,000	80,000	70,000	30,000	30,000	NA
		Sidewalk and Walkway Program - Maintenance	N	600,000	N/A	100,000	100,000	100,000	100,000	100,000	100,000	NA
		Neighborhood Traffic Calming Program	N	300,000	N/A	50,000	50,000	50,000	50,000	50,000	50,000	NA
		Sidewalk and Walkway Program	N	2,250,000	N/A	375,000	375,000	375,000	375,000	375,000	375,000	NA
Subtotal				18,400,000		3,100,000	3,090,000	3,080,000	3,070,000	3,030,000	3,030,000	

Project Type	Map ID#	Project Title	Funded	Six Year							Project Total		
				Total	Prior	2015	2016	2017	2018	2019		2020	
New/Expanded Roads	C	33rd Ave W Extension	184th St SW	AMP	Y	7,600,000	0	7,600,000					7,600,000
	43	204th St SW	68th Ave W	SR 99	Y	1,882,000	2,340,000	1,882,000					4,221,872
	56	36th Ave W	Maple Road	164th St SW	P	9,500,000	1,500,000	1,500,000	8,000,000				11,000,000
	57	36th Ave W	164th St SW	SR 99	P	9,500,000	3,390,000	1,500,000	8,000,000				12,890,000
	D	Poplar Extension Bridge	196th St SW	AMB	P	29,566,000	2,674,000	504,000	3,526,000	9,576,000	12,768,000	3,192,000	32,240,000
	36	Maple Road Extension	AMP	32nd Ave W	P	1,937,000	0		173,000	1,764,000			1,937,000
	41	52nd Ave W	168th St SW	176th St SW	N	2,949,000	0			236,000	176,000	2,537,000	2,949,000
	A	33rd Ave W Extension	33rd Ave W	184th St SW	N	11,445,000	0			355,000	6,085,000	5,005,000	11,445,000
	E	33rd Ave W Extension	Maple Road		N	3,200,000	0			220,000	550,000	2,430,000	3,200,000
	92	Beech Road Extension	AMP	Ash Way Underpass	N	3,970,000	0			320,000	210,000	3,440,000	3,970,000
	69	200th St SW	64th Ave W	48th Ave W	N	500,000	25,321,000					500,000	25,821,000
	Subtotal				82,049,000		12,986,000	19,699,000	11,340,000	13,899,000	10,213,000	13,912,000	117,273,872

Project Type	Map ID#	Project Title	Funded	Six Year							Project Total		
				Total	Prior	2015	2016	2017	2018	2019		2020	
Non-Motorized	5	Interurban Trail Imp.	Vic. of 212th St SW	Y	598,710	377,609	598,710						976,319
	6	Interurban Trail Imp.	Vic. of 208th St Sw & 52nd	Y	0	745,428							745,428
	3	176th St SW Road Diet	52nd Ave W	44th Ave W	Y	71,000	24,000	71,000					95,000
	48	Pedestrian Signal	SR-99	180th St SW	N	587,000	0		69,000	518,000			587,000
Subtotal				1,256,710	1,147,037	669,710	69,000	518,000	0	0		2,403,747	

City of Lynnwood Six Year TIP 2015-2020

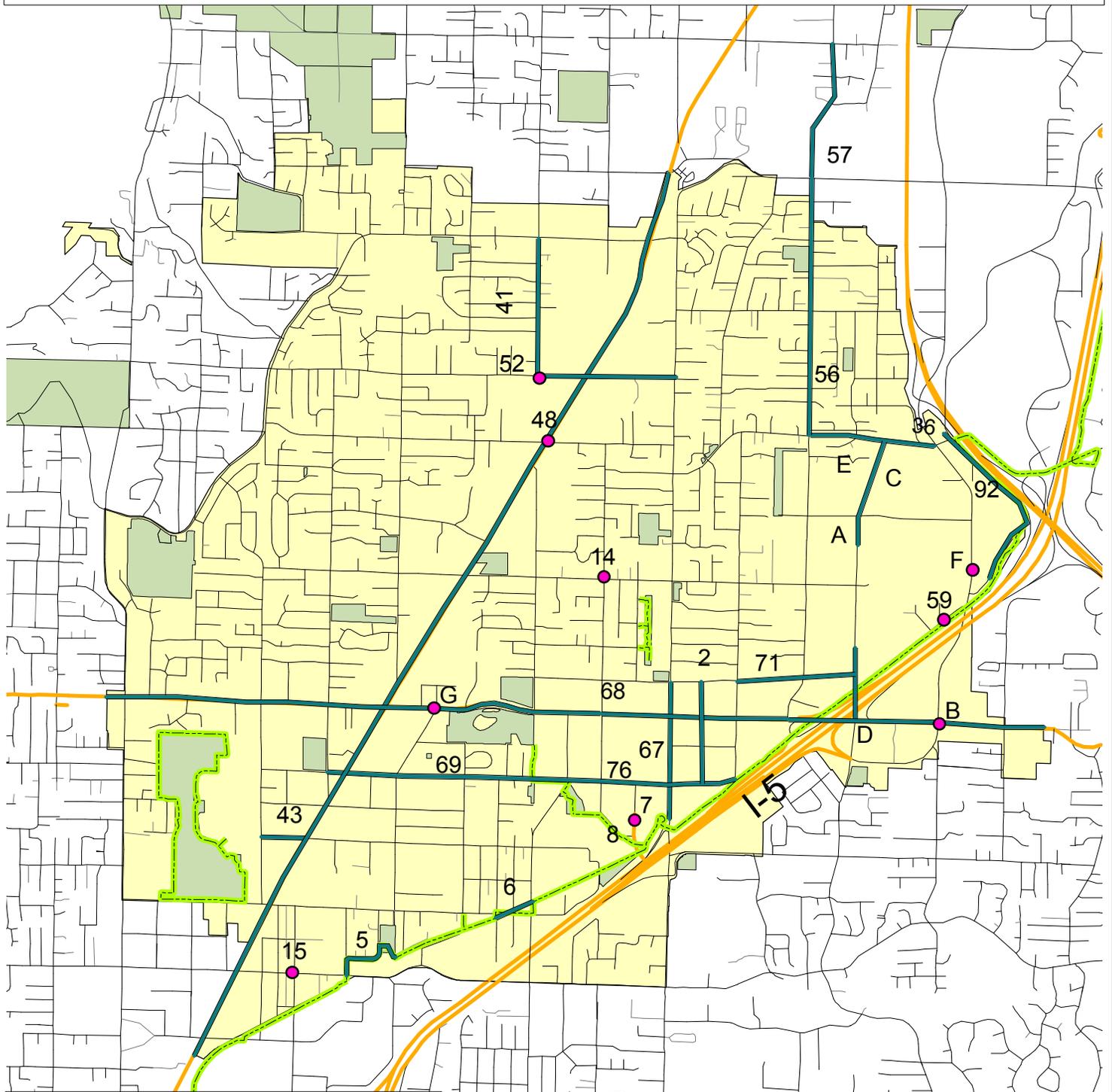
Project Type	Map ID#	Project Title	Funded	Six Year							Project Total		
				Total	Prior	2015	2016	2017	2018	2019		2020	
Intersection Improvements	C	Traffic Signal Reconstruction	Scriber Lake Road	196th St SW	P	0	574,736						574,736
	52	Roundabout/Traffic Signal	52nd Ave W	176th St SW	N	507,000	0		45,000	462,000			507,000
	E	Traffic Signal/Turn Lane	Sears Driveway	AMP	P	1,377,000	0		68,000	487,000	822,000		1,377,000
	14	Traffic Signal	28th Ave W	AMB	P	1,464,000	0		100,000	246,000	1,118,000		1,464,000
	15	Roundabout/Traffic Signal	48th Ave W	188th St SW	N	744,000	0		104,000	640,000			744,000
	15	Traffic Signal	66th Ave	212th St	N	744,000	0		104,000	640,000			744,000
	B	Traffic Signal/Turn Lane	196th St SW	AMP	N	707,000	0			40,000	207,000	460,000	707,000
Subtotal				5,543,000	574,736	0	213,000	1,403,000	3,260,000	207,000	460,000	6,117,736	

Project Type	Map ID#	Project Title	Funded	Six Year							Project Total		
				Total	Prior	2015	2016	2017	2018	2019		2020	
City Center		City Center Rail Stations Study		N	400,000	0	200,000	200,000					400,000
	68	196th St SW (SR-524)	37th Ave W	48th Ave W to	P	15,700,000	52,000	600,000	600,000	3,000,000	5,000,000	6,500,000	15,752,000
	2	42nd Ave W	200th St SW	194th St SW	N	19,600,000	0		3,300,000	7,800,000	8,500,000	19,600,000	
	67	44th Ave W	I-5	194th St SW	N	9,000,000	0		2,000,000	5,000,000	2,000,000	9,000,000	
	71	194th St SW	33rd Ave W	40th Ave W	N	16,100,000	7,900,000			5,300,000	10,800,000		24,000,000
78	200th St SW	40th Ave W	48th Ave W	N	5,400,000	4,600,000				2,600,000	2,800,000	10,000,000	
Subtotal				63,400,000	15,352,000	800,000	800,000	8,300,000	23,100,000	30,400,000	2,800,000	78,752,000	

Project Type	Map ID#	Project Title	Funded	Six Year							Project Total		
				Total	Prior	2015	2016	2017	2018	2019		2020	
Misc.	9	SR-99/SR-524 Safety Improvements	SR-99: 212th St to 164th St Ave to 24th Ave	SR-524: 76th	Y	535,000	396,000	535,000					931,000
	10	SR-99/SR-524 Adaptive Signal Control	SR-99: 238th St to 164th St Ave to 24th Ave	SR-524: 76th	Y	432,500	40,000	432,500					472,500
		Citywide Safety Improvements	Citywide		Y	265,000	35,000	150,000	115,000				300,000
		Lynnwood Link Trolley Feasibility Study	ECC, Transit Ctr, CC, Conv.Ctr, Alderwood mall		N	100,000	0			100,000			100,000
	7	Lynnwood Transit Center Parking Garage			Y	0	-	-	-	-	-	-	-
		Bike Link	CityWide			1,400,000	(1,400,000)	400,000	500,000	470,000	30,000		-
8	North Link LRT Extension	Northgate	Lynnwood Transit Center	Y	0	-	-	-	-	-	-	-	
Subtotal				2,732,500	(929,000)	1,517,500	615,000	470,000	130,000	0	0	1,803,500	

Totals				173,381,210	32,969,645	19,073,210	24,486,000	25,111,000	43,459,000	43,850,000	0	206,350,855
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2015-2020 Transportation Improvement Plan (TIP)



Legend:

- Project
- Project
- Parks
- Schools

From: Sarah Olson
Sent: Wednesday, June 11, 2014 2:00 PM
To: Julie Moore; Gloria Rivera; Corbitt Loch; Mary Monroe; MDelury@sno-isle.org; David Kleitsch
Cc: Beth Morris; Lynn Sordel; Elena Flesher; Nicola Smith
Subject: Citizen Engagement Opportunity

Hello Board & Commission Liaisons,

On behalf of the City, the Parks & Recreation Department and our Healthy Communities Program, we are delighted to announce the opening of the Lynnwood Farmers Market tomorrow. This 16-week Market will be much more than just a farmers market – it will also be a community celebration. This provides the City and its elected officials with a unique opportunity to connect with our community members.

Accordingly, we are extending an invitation to all of our Boards & Commissions the opportunity to host our Citizen Engagement booth for a night at the Market. The premise of the Citizen Engagement booth is simple. Representatives of each group would host the booth on their assigned night to interact and engage with Market shoppers and visitors. If desired, your group can take advantage of using the Mayor’s Refresh peg board and ask community members to add their comments or ideas to the board (see sample card attached).

If your group would like to take advantage of this opportunity, please email me the date you are interested in scheduling and the timeframe that can be hosted; the Market hours run 3 – 7pm but groups are welcome to host for even one hour. Here is the tentative schedule so far:

Citizen Engagement Booth

FM Week	Group	Time
June 12	Council President	3– 5pm
June 19		
June 26		
July 3	Mayor Smith	TBD
July 10	Parks Board	TBD
July 17		
July 24		
July 31		
August 7		
August 14		
August 21	Diversity Commission	TBD
August 28		
September 4		
September 11		
September 18		
September 25		

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LAND USE ELEMENT

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 CONCLUSIONS.....3
 SUMMARY OF LAND USE PLANNING
 ISSUES.....5
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 GOALS, OBJECTIVES, POLICIES and
 ACTIONS.....22

INTRODUCTION



Explanation of proposed change: Virtually all of the Introduction has been re-written for brevity, readability, and accuracy. See Findings LU-1 – LU-12 beginning on page 3.1 of proposed Land Use Element.

~~Use of land is the predominant concern of the Comprehensive Plan. How the land within a community is used determines many aspects of community life and operation. Given that, the land use element is the keystone element within the Plan. The land use element deals with the future development and redevelopment of the community. What should and what will the community be over the next twenty years? What should remain the same? What should change? All aspects of the Plan involve and relate to use of the land within the Lynnwood urban area.~~

~~Preparation of this land use element did not start with a clean sheet of paper. At the time of element preparation (early 2000), there is an existing Comprehensive Plan in place. And, the Lynnwood urban community occupies most of the available land within the City Limits. More than a century of human settlement decisions has resulted in the Lynnwood of 2000. While the Lynnwood of 2000 shares many characteristics with its suburban neighbors, the City's unique geographic location has lead to considerable differences too. Lynnwood's location at the intersection of two interstate highways, and other locational advantages, has resulted in the development of a community with a greater concentration of commercial and industrial uses than any of the neighboring communities. This difference will continue. Still, the City shares the characteristic of well-established, quality single-family neighborhoods with its suburban neighbors.~~

~~The land use element for the City is a plan of what the City should look like and how it should function in the year 2020. It proposes land use patterns that will create cohesive neighborhoods, provide for good pedestrian and traffic circulation, provide employment opportunities, set aside land for parks and open space, and protect natural resources. The land use element establishes a balance of land uses that reflects the long-range vision of the community.~~

Existing Land Use Element with 'Track Changes' and annotations

~~This land use element of the Comprehensive Plan begins by providing a description of the planning context within which the element has been prepared. This should provide the reader with a basic understanding of the legal and policy framework that guided Plan preparation. Then there is a brief summary of the planning background document that provides information on the physical characteristics of the Lynnwood area, the existing conditions of the area, analysis and forecasts of future circumstances, and conclusions about the major planning issues that must be addressed by the Plan. The land use plan is presented and described. Land use goals, objectives, and policies are established. And, a land use plan map is included.~~

This Element describes existing land use conditions within the Lynnwood Municipal Urban Growth Area (MUGA), and sets forth goals, policies, and strategies for future conditions. Other Elements of this Comprehensive Plan support and facilitate the land use goals contained in this Element. Conversely, realization of Lynnwood's land use aspirations will be dependent upon successful implementation of the other Elements of this Comprehensive Plan.

The current configuration of Lynnwood's land uses and streets is the cumulative result of innumerable individual decisions made over extended periods of time by property owners, investors, businesses, and public agencies. Many of those decisions occurred even before Lynnwood became a city in 1959. Similarly, this Land Use Element is a blend of policy decisions made since Lynnwood's incorporation. The 2009 Community Vision is an important and fundamental guide to this Element's policies and strategies. The Land Use Element strives to bring about positive change through both new construction and preservation.



Explanation of proposed change: Re-written for brevity, readability, and accuracy. Some of the above narrative was moved to the Introduction to the Comprehensive Plan.

PLANNING CONTEXT LAND USE FINDINGS

~~Land use planning is authorized by statutes in the Revised Code of Washington. In addition, planning is guided by various regional and local policies. This element of the Comprehensive Plan has been prepared in accordance with the Washington State Growth Management Act (GMA). Upon adoption this Plan element will be in compliance with the GMA requirements, and be consistent with the regional planning policies of the Puget Sound Regional Planning Council and with the County-wide Planning Policies for Snohomish County.~~

Growth Management Act (GMA)



Explanation of proposed change: The above information was deleted as it also appears in the Introduction to the Comprehensive Plan.

~~Six of the The Growth Management Act's (GMA) 13 goals directly has thirteen planning goals[†]. Six of those planning goals relate specifically to land use, as summarized below:~~

RCW 36.70A.020(1) Urban growth. Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.

RCW 36.70A.020(2) Reduce sprawl. Reduce the inappropriate conversion of undeveloped land into sprawling low-density development.

RCW 36.70A.020(4) Housing. Encourage the availability of affordable housing to all economic segments of the population of this state, promote a variety of residential densities and housing types and encourage preservation of existing housing stock.

RCW 36.70A.020(5) Economic Development. Encourage economic development throughout the state that is consistent with adopted comprehensive plans, promote economic opportunity for all citizens of this state, especially for unemployed and for disadvantaged persons, promote the retention and expansion of existing businesses and recruitment of new businesses, recognize regional differences impacting economic development opportunities, and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the state's natural resources, public services, and public facilities.

RCW 36.70A.020(6) Property Rights. Private property shall not be taken for public use without just compensation having been made. The property rights of landowners shall be protected from arbitrary and discriminatory actions.

RCW 36.70A.020(9) Open space and recreation. Retain open space, enhance recreational opportunities, conserve fish and wildlife habitat, increase access to natural resource lands and water, and develop parks and recreation facilities.

RCW 36.70A.020(10) Environment. Protect the environment and enhance the state's high quality of life, including air and water quality, and the availability of water.

~~Regional Planning Policies~~

~~Lynnwood's Comprehensive Plan must be consistent with and implement, multi-county planning policies called for by GMA. VISION 2040, adopted by the Puget Sound Regional Council (PSRC) in 2008, serves as the multi-county planning policies called for by the GMA King, Snohomish, Pierce, and Kitsap Counties. y framework, Vision 2020, as the regional growth strategy in 1995. Implementation of these policies will create a regional system of central places framed by open space and served by a high capacity transit system. These multi-county planning policies also encourage economic development, efficient delivery the provision of adequate public services, diversity in housing diversity, and regional transportation planning, and environmental protection. The Comprehensive Plan is consistent with and furthers the regional plan. The PSRC~~

~~[†] Plus an additional 14th goal related to shorelines of the State (RCW~~

~~has just adopted Vision 2040; the next major update of this Plan will incorporate the planning framework from Vision 2040 into this Plan.~~

~~In 2008, PSRC updated its regional strategy with adoption of VISION 2040. This document re-emphasizes the centers-oriented regional growth strategy for the region by calling for more population and employment growth to locate in centers. Lynnwood will bring our Comprehensive Plan into conformance with VISION 2040 with the next major update of our Plan, which is currently scheduled for 2010-11.~~



Explanation of proposed change: Revised for brevity, readability, and accuracy.

~~Countywide Planning Policies~~

~~Lynnwood's Comprehensive Plan must be consistent with, and implement the countywide planning policies called for by GMA. The Countywide Planning Policies for Snohomish County encourage orderly and efficient development patterns and with higher-density development within the designated Urban Growth Areas of the County. As part of the development process, new growth must be adequately served by public facilities. The policies promote land use, economic, and housing policies to accommodate jobs and housing, and in some cases, transit-supportive densities and land uses. Lynnwood's Plan addresses these main themes and is consistent with the County's planning policies. The City will continue to work closely with the County on GMA planning issues.~~

~~With adoption of VISION 2040, Snohomish County Tomorrow is preparing an update of the Countywide Planning Policies. Adoption of new Countywide Planning Policies is scheduled for late 2010. The 2010-11 update of this Comprehensive Plan will bring the Plan into conformance with the new Countywide Planning Policies.~~



Explanation of proposed change: Remove outdated information.

~~BACKGROUND REPORT SUMMARY and CONCLUSIONS~~

~~The Growth Management Act requires an extensive inventory of information about each planning area (city or county) including the physical, social, environmental, and economic circumstances within the area. The assembled database provides essential information to decision making on future actions. An extensive inventory was prepared as a basis for the Lynnwood Comprehensive Plan adopted in 1995. This earlier inventory has been updated and expanded as a part of the 2000 Comprehensive Plan. Most of the inventory materials are published in a separate report entitled *Lynnwood Comprehensive Plan Background Report*.~~

~~In order to provide the reader with enough information to better understand the planning policy set forth in this element, some of the most pertinent facts from the *Background Report* are summarized in the following sections. Not all subject areas included in the *Background Report* are covered in the following summary sections, so the reader is encouraged to review the source document for complete information.~~



Explanation of proposed change: Remove outdated information.

Planning Area

Lynnwood is located in the southwestern portion of Snohomish County and shares the Southwest Urban Growth Area (SWUGA) with eight other cities. The City Limits extend generally to 164th Street SW on the north and Interstate 5 and SR-525 on the east. The City of Edmonds abuts the City's western edge and Mountlake Terrace abuts the southern boundary. The City occupies a land area of approximately 7.7 square miles.

Lynnwood's planning area consists of the current City Limits and the City's adopted Municipal Urban Growth Area (MUGA) as shown on the map at the end of this element. The primary focus of the Comprehensive Plan is the area within the current City Limits.

By law, authority to delineate Lynnwood's The GMA requires each county to designate an Urban Growth Area (UGA) boundary which allows sufficient land and densities to accommodate the urban (and population and employment growth growth targets) and related facilities and services that will be needed within a twenty-year planning time frame. Rests with Snohomish County, has the authority to establish urban growth areas and has adopted Countywide Planning Policies that pertain to those areas. The policies require coordination of county and municipal planning within the growth areas. Lynnwood is one of nine communities (and unincorporated Snohomish County) within the Southwest Municipal Urban Growth Area (MUGA). In 2007, Lynnwood adopted an UGA boundary that includes a greater portion of the MUGA than set forth by Snohomish County (Lynnwood Ord. 2695). The Land Use Element makes reference to three geographic areas: A. current City boundary; B. Lynnwood MUGA boundary specified by the CPPs; and C. Lynnwood MUGA adopted by the City.

Lynnwood's first GMA Comprehensive Plan included a two-phase growth area, extending north and east of the City into unincorporated Snohomish County. The first phase included areas likely to be annexed within the first 5-10 years. The second phase extended to the City limits of Mukilteo on the north and Mill Creek on the east. It included about 17 square miles, or about 2.5 times the land area within the present City limits.

During 2000 and 2001, Lynnwood staff and Planning Commission worked with the County and our seven neighboring cities on a program to coordinate growth areas and establish mutual boundaries. In November 2002, the Lynnwood City Council adopted the City's Municipal Urban Growth Area (MUGA). This new MUGA resulted in an unclaimed "gap" north of Lund's Gulch and south of 148th Street and an overlap of a portion of Mill Creek's adopted growth area east of I-5. In 2007, the City Council expanded the MUGA to incorporate that gap and to extend the eastern boundary to North Road (which action increases the overlap with the Mill Creek MUGA). See map on page LU-33.

Physical Characteristics

Physical features influence development patterns in a community. Land with development constraints such as poor soils, wetlands, or steep slopes will limit or preclude development potential on a site. The delineations of these areas and conditions were analyzed and established in conjunction with the preparation and adoption of the Environmentally Sensitive Areas Ordinance and Map (Note: the Map is included in the *Background Report*). In Lynnwood, the land is generally developable, with major constraints in the Scriber Creek/Scriber Lake areas from flood plains, wetlands, and fish and wildlife habitat areas.

Lynnwood is primarily situated on an upland plateau north and west of I-5. The topography of the area is gently sloping with elevations ranging from about 240 feet to 610 feet above mean sea level. Lund's Gulch, located in the northwest part of the City, is a significant landform. It is a deep ravine with extremely steep slopes.

Existing Conditions

Land Use Patterns

Lynnwood's location along the Interstate 5 corridor, mid-way between Seattle and Everett, has greatly influenced its development as the commercial and retail center of Snohomish County. Approximately one quarter of Lynnwood's land area is currently developed for commercial uses. An additional two-fifths is occupied by residential development, with various institutional uses (e.g., schools, churches, parks, etc.) interspersed. The City's land use pattern is a suburban setting with commercial developments along the arterial roadways, multiple-family residential development adjacent to commercial areas and single-family residences, and neighborhoods with parks and schools and natural areas. Industrial land uses are located primarily south of 196th St. SW and east of Highway 99.

Lynnwood's total land area is 4,943 acres. The three largest land uses are residential which comprises 2,110 acres, or 43 percent of the City's land area, commercial with 811 acres, or 16 percent and rights-of-way which comprises 847 acres, or 17 percent. More than 80% of the residential land is in single-family neighborhoods. These neighborhoods provide an important element of community identity. The Generalized Existing Land Use Map is included in the *Background Report*.

Analysis and Forecasts

Land Capacity

There is a very limited amount of vacant land in the City of Lynnwood. In order to accommodate growth in the City, new development will be built on vacant parcels, underutilized parcels, and on redeveloped parcels.

The methodology the City staff used in its land capacity analysis involved using the population and employment growth projections from the State Office of Financial Management via the Puget Sound Regional Planning Council, and the growth allocation projections from Snohomish County. The population and proposed growth allocation figures were analyzed in light of the vacant land and redevelopment possibilities in the

~~City. In addition, the analysis considered anticipated residential and non-residential development capacity by individual land use analysis zone.~~



Explanation of proposed change: Revised for brevity, readability, and accuracy. The general description of Lynnwood and its planning area is better suited for the Introduction to the Comprehensive Plan rather than the introduction to the Land Use Element. The proposed Comprehensive Plan language assumes the reader has some basic knowledge of Lynnwood.

~~SUMMARY OF LAND USE PLANNING ISSUES~~

~~Following is a summary of current, and in some cases long-term, land use planning issues in Lynnwood. The Comprehensive Plan responds to these issues through the inclusion of actions and policies set forth in the land use element.~~

- ~~• The City's limited vacant land will affect the type of future development and will create opportunities for more compact development patterns.~~
- ~~• Redevelopment of underutilized and aging properties will create development opportunities and will need to be properly planned.~~
- ~~• There are annexation opportunities as well as challenges and problems to the north and east of the current City limits which could create an increase in public service demands.~~
- ~~• Additional planning, and plans implementation, needs to be undertaken for the five identified subarea specific planning units (Highway 99, Edmonds Community College, Civic Center, Park Central and the Subregional Center).~~
- ~~• Preserving and enhancing open space, natural resources, and environmentally sensitive areas will be important to assuring a satisfactory balance between the natural and built environments.~~
- ~~• Design review and other enhanced development standards will be important actions in the creation of a more visually appealing City.~~
- ~~• The retail sector currently forms the core of the economic life of Lynnwood. The City needs to maintain and expand this sector while increasing opportunities for other types of business and employment in the City.~~
- ~~• It will be vital to create opportunities for both jobs and housing in the City. The types of future land uses in commercial areas will have a bearing on the type of housing Lynnwood will need to develop. For example, new mixed-use development might include innovative design that allows residences above businesses, in the same building, or in a residential loft/studio environment where residents can both live and work.~~
- ~~• Development of transit-supportive and mixed-use land uses in the Subregional Center Area will be key steps in creating a vibrant new town center.~~

Existing Land Use Element with 'Track Changes' and annotations

- ~~Redevelopment of properties along some sections of Highway 99 is important to the economic vitality and aesthetic appeal of this area.~~
- ~~Land use incompatibility between some adjacent uses and/or between various land use districts needs to be addressed.~~
- ~~Protection, preservation, and enhancement of single-family neighborhoods are high priorities.~~
- ~~There is a concern that the residents of multi-family dwellings use a disproportionately high percentage of public services.~~
- ~~Private property rights are protected under federal and state laws. Land use limitations or permit requirements will need to impose only the minimum burden required to promote the general health, safety and welfare of the community.~~
- ~~Sound Transit is committed to extending its light rail line north from Seattle to Lynnwood by 2023. Generating maximum benefit for both Sound Transit and Lynnwood from this substantial public investment will mean coordinating plans for the extension so that access to rail stations and rail operations do not adversely impact properties, businesses and residents in Lynnwood, and vice versa.~~



Explanation of proposed change: Revised for brevity, readability, and accuracy. In general, statements of fact are re-written as Findings, while statements of policy are moved to the Policy sections that follow.

LAND USE PLAN CONCEPT

Plan Concept

~~The basic concepts of the Land Use Element of the Comprehensive Plan are: 1) to create a strong and vibrant Central Business District (in the Subregional Center), 2) to provide room and opportunities for new commercial and industrial uses, 3) to provide a complete range of housing types and values, 4) to protect and enhance single-family neighborhoods, 5) to provide for efficient and compatible infill development, to achieve balance among competing interests, and 6) to coordinate growth in the City's urban growth area.~~

~~The Comprehensive Plan supports regional growth management policies encouraging urban areas to absorb a greater share of projected regional growth and to support the development of high-capacity transit systems. At the same time, the Plan would protect existing residential areas from incompatible development by focusing a moderate level of employment and residential growth within:~~

- ~~An education activity centers at Edmonds Community College~~
- ~~A commercial and mixed-use activity center along Highway 99, and~~

Existing Land Use Element with 'Track Changes' and annotations

- ~~A mixed-use, urban center in the Alderwood Mall/44th Ave. W. /I-5 area, known as the Subregional Center. This center includes (but is not limited to) the Lynnwood City Center~~

~~Overall, the Comprehensive Plan allows and encourages intensification of existing land uses and allows a more diverse mixture of uses. This should increase the probability for providing public transit services, and for non-motorized travel. Encouraging high-density residential development within the subregional center, coupled with increasing employment opportunities, could help to reduce development pressures on other areas of the city. The Comprehensive Plan and growth and development projections are consistent with the "urban centers" concept adopted by Puget Sound Regional Council and by Snohomish County.~~

~~The City Center (in the Subregional Center) is the key activity center for accommodating a large amount of the projected population and employment growth in the City. The City adopted a separate subarea plan for this area in 2005. That plan describes a vision of and policies "to create, within 20 years, a compact, intense and lively city center that offers Lynnwood new opportunities for culture, commerce and habitation." A second location for growth through redevelopment is the Highway 99 Corridor. Development in this corridor began prior to World War II, with connection of the military road (now Highway 99) from Seattle to Everett. Today, properties along the highway are occupied with a broad mix of land uses and businesses, including auto dealerships, shopping centers, free-standing stores and businesses, and Asian businesses and markets. The Highway 99 Corridor Strategies report states that Lynnwood's Highway 99 Corridor appears to include ample opportunity for redevelopment. Continued growth expected for the Puget Sound region coupled with Lynnwood's desirable location positions the City well in terms of future demand for all land uses.~~

~~In the process of preparing the 2000 Comprehensive Plan Update, the Planning Commission did an extensive review of the existing land use pattern and planned uses within the city. The analysis was segmented into five geographic sectors of the city. Information on the sector analysis process is contained in the *Background Report*. The Planning Commission then considered different Land Use Plan alternatives. Four alternatives were proposed and analyzed. Information on each of the alternatives is contained in the *Background Report*. After thorough consideration of the alternatives and listening to and weighing public comment on the alternatives, the Planning Commission selected a preferred alternative. The selected alternative is a composite of two of the considered alternatives and is very similar to the 1995 adopted land use plan. Because the selected plan is very little changed from the 1995 plan it confirms the basic correctness of the 1995 plan. It says that no major changes are necessary. This contributes to policy stability and gives predictability for private property owners.~~

~~The land uses delineated by the Comprehensive Plan map are generally distributed consistent with existing land use and zoning. Neighborhoods are characterized as low-density single-family residential areas. Medium density multiple-family is generally located near arterial roadways and as a transitional use between commercial and lower density residential uses. High-density multiple-family development is allowed in the Subregional Center and College District. Commercial land uses are primarily located along the regional transportation corridors such as I-5, Highway 99 and 196th Street.~~

Existing Land Use Element with 'Track Changes' and annotations

~~The City Center is planned for increased development and diversification of land uses that includes office buildings, housing, transit facilities, and mixed use developments. Business/Technical and industrial land uses are located in areas that are currently utilized for similar uses. Existing park, open space, school and public facilities are designated on the Comprehensive Plan. Potential future parks and other public facilities are identified in the Parks and Capital Facilities elements.~~

~~A description of the various land use categories is contained in the following section. Table 5 lists acreage and percent of total land by use category, according to the Comprehensive Plan.~~

~~The relationship between the Comprehensive Plan and zoning (zoning regulations, zoning map and zoning designations) and other land development related municipal codes under the new Comprehensive Plan is more definitive and connected than past plans and practices. Prior to adoption of GMA, Comprehensive Plans were regarded as a "guide" or "blueprint" which suggests zoning measures that should be taken rather than requiring them. Now under GMA, the Comprehensive Plan is given a much more significant role in land use planning and regulation. The GMA Comprehensive Plan is in effect the City's pre-eminent land use planning document along with the zoning code and map.~~

~~The Comprehensive Plan provides the policy direction and basis for land use decisions. Development regulations such as zoning, subdivision, planning and environmental codes must be consistent with and implement the Comprehensive Plan.~~

~~The Comprehensive Plan Map designates the appropriate land use for all properties in the City. The land use categories provide a broad description of land use, building and site design standards. Other related objectives and policies in the Comprehensive Plan provide additional direction for the use and development of land. The zoning code and zoning map define in greater detail the development regulations and permitted uses for each property within the range (density, intensity and land uses) defined by the Land Use Categories. The land use planning choices made in this Plan will serve as the basis for any property rezoning and for development project review.~~

~~The Zoning Code and the Official Zoning Map will be amended and properties rezoned to bring the zoning classifications into consistency with the Comprehensive Plan Map and land use categories.~~

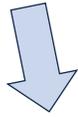


Explanation of proposed change: The narratives above are an unusual blend of statements of fact and of policy. Normally, Comprehensive Plans segregate factual statements (i.e. contextual information) from policy statements (desired outcomes). Also, a fair amount of the verbiage was written for an earlier iteration of the Comprehensive Plan and can now be eliminated without a loss of clarity.

Some of the above text was retained and re-written, while other portions were deleted. This section was re-written in

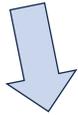
entirety for brevity, readability, and accuracy. The proposed Comprehensive Plan language assumes the reader has some basic knowledge of Lynnwood. See Findings LU-1 – LU-12, beginning on page 3.1.

LAND USE PLAN DESCRIPTION



Explanation of proposed change: The descriptions of land use designations below constitute policy choices and accordingly have been moved to the Land Use Policies section. The descriptions below were reformatted as tables to promote readability and brevity. See Policy LU-3 in revised Element (page 3.4).

~~The following section provides a description of each of the land use categories included on the Comprehensive Plan. Categories may in several cases be implemented by more than one zoning district. The Plan is more general and provides guidance to these implementing decisions on specific zones. In some cases, there will need to be zoning text amendments to implement the Plan.~~



Explanation of proposed change: Narrative below moved to Table LU-3A. Text changed to table format for brevity. See page 3.4 in revised Element.

~~Low-Density Single-Family Residential (SF-1)~~

~~**Purpose:** This Plan category is intended to provide for standard suburban style housing and will be the majority of residential land use in the city.~~

~~**Principal Use:** Detached single-family residences at a minimum density of four dwelling units per net acre.~~

~~**Subordinate Uses:** Institutional, educational or cultural, as long as such use supports the residential use and that this use would not significantly impact nearby residences.~~

~~**Locational Criteria:** Areas designated for this category of use should be well separated or buffered from incompatible or disruptive land uses and should not be subjected to higher volumes of vehicular traffic.~~

~~**Site Design:** Lot sizes within subdivisions shall comply with the City's minimum development code requirements and, in no case, shall cause the overall density to be less than four dwelling units per net acre. Some lots smaller than 8,400 square feet may be allowed through lot-size averaging within subdivisions, and through the planned unit development process. Lot coverage by structures shall be limited so as to provide substantial yard space around the residence.~~

~~**Building Design:** Either one or two stories high with an additional story permitted if located partially below ground level in a basement.~~

~~**Other Provisions:** One accessory dwelling unit may be added to a lot in this category, provided that the single family character of the property and the neighborhood is not impaired. An accessory unit shall not be included in the calculation of allowable density.~~



Explanation of proposed change: Narrative below moved to Table LU-3A. Text changed to table format for brevity. See page 3.4 in revised Element.

~~**Medium-Density Single-Family Residential (SF-2)**~~

~~**Purpose:** This Plan category is intended to provide for an alternative to the standard suburban style of housing.~~

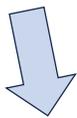
~~**Principal Use:** Single family detached and attached residences in a density range of 5.1 to 8.0 dwelling units per net acre.~~

~~**Subordinate Uses:** Institutional, educational or cultural, as long as such use supports the residential use and that this use would not significantly impact nearby residences.~~

~~**Locational Criteria:** The higher density of this housing type requires locations with good access to arterial or collector streets.~~

~~**Site Design:** Minimum Lot Size – 7,200 square feet. Smaller lots shall only be allowed as an approved planned unit development. Lot coverage by structures shall be limited to provide private open space on each lot; the amount of open space will generally be less than in the SF-1 category.~~

~~**Building Design:** Residences on these lots shall be either one or two stories high, with an added story located partially below ground level in a basement. Attached residences shall only be allowed as an approved planned unit development, and shall have no more than two residences connected by a common wall.~~



Explanation of proposed change: Narrative below moved to Table LU-3A. Text changed to table format for brevity. See page 3.4 in revised Element.

~~**High-Density Single-Family Residential (SF-3)**~~

~~**Purpose:** This Plan category is intended to provide for a higher density alternative to current mobile home housing. It shall only serve as a feasible alternative for mobile home parks which are in need of redevelopment.~~

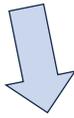
~~**Principal Use:** Single family detached and attached residences in a density range of seven to twelve dwelling units per net acre.~~

~~**Subordinate Uses:** Institutional, educational or cultural, as long as such use supports the residential use and that this use would not significantly impact nearby residences in a negative way.~~

~~**Locational Criteria:** The higher density of this housing type requires locations with good access to arterial or collector streets, and within on-quarter mile distance from SR99. The SF-3 Plan designation shall only be applied to mobile home parks existing at the time of adoption of Ordinance No. 2472 (January 12, 2004).~~

~~**Site Design:** Minimum lot size — 4,000 square feet. Smaller lots shall only be allowed as an approved planned unit development. Lot coverage by structures shall be limited to provide open space on each lot; the amount of open space will generally be less than in the SF-1 and SF-2 categories.~~

~~**Building Design:** Residences on these lots shall be either on or two stories high, with an added story located partially below ground level in a basement. Attached residences shall only be allowed as an approved planned unit development, and shall have no more than four residences connected by common walls.~~



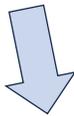
Explanation of proposed change: Narrative below moved to Table LU-3A. Text changed to table format for brevity. See page 3.4 in revised Element.

~~**High-Density Single-Family Residential — MUGA (SF-4)**~~

~~**Purpose:** This Plan category is intended to designate high-density development of single family homes located either on small lots or in air-space condominium (including LDMR) developments that were approved by or vested and then approved under the zoning regulations of Snohomish County prior to annexation to the City of Lynnwood. It is not anticipated that this designation will be used to support similar development in Lynnwood post-annexation.~~

~~**Principle Use:** Single family detached and attached residences at a density that generally does not exceed 14 units per acre, although higher densities will be designated with this land use category if they were approved prior to annexation or where the application was vested and then approved subsequent to annexation.~~

~~**Locational Criteria:** This land use category will be applied to properties approved by or where the application was vested prior to and subsequently approved following the effective date of annexation. It will not be applied to any other properties.~~



Explanation of proposed change: Narrative below moved to Table LU-3B. Text changed to table format for brevity. See page 3.5 in revised Element.

~~**Low-Density Multi-Family Residential (MF-1)**~~

~~**Purpose:** This Plan category is intended to provide for multi-family housing in a low-density living environment.~~

Principal Use: Multi-family residences in a density range of 8.1 to 12.0 dwelling units per net acre.

Subordinate Uses: Institutional, educational or cultural, as long as such use supports the residential use and that this use would not significantly impact nearby residences.

Locational Criteria: The higher density of this housing type requires locations with good access to arterial or collector streets.

Site Design: Most of the parking for residents shall be provided in garages or carports; additional parking (for residents or guests) may be uncovered, provided that such parking does not detract from the appearance of the development or any adjoining public streets. Lot coverage should be limited in order to provide substantial usable private recreation space and landscaping.

Building Design: Residences in this category may be built as attached residences with a maximum of four units in a single building; freestanding single-family residences are not permitted in this category. Buildings in this category shall be no more than two stories high.



Explanation of proposed change: Narrative below moved to Table LU-3B. Text changed to table format for brevity. See page 3.5 in revised Element.

Medium Density Multi-Family Residential (MF-2)

Purpose: This Plan category is intended to provide for multi-family housing in a medium density living environment.

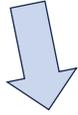
Principal Use: Multi-family residences in a density range of 12.1 to 20.0 dwelling units per net acre.

Subordinate Uses: Institutional, educational or cultural, as long as such use supports the residential use and that this use would not significantly impact nearby residences.

Locational Criteria: The higher density of this housing type requires locations with good access to arterial or collector streets.

Site Design: Parking for residents and guests shall be provided in garages, carports or in uncovered parking areas. Lot coverage shall be limited in order to provide usable private recreation space and landscaping; in general, the amount of open space and landscaping will be less than that in the MF-1 category but shall still provide a reasonable opportunity for on-site recreation.

Building Design: Residences in this category may be built as townhouses or apartments/condominiums; freestanding single-family residences are not permitted in this category. Buildings containing these residences shall be no more than four stories high and typically will be two or three stories high.



Explanation of proposed change: Narrative below moved to Table LU-3B. Text changed to table format for brevity. See page 3.5 in revised Element.

~~High Density Multi-Family Residential (MF-3)~~

~~**Purpose:** This Plan category is intended to provide for multi-family housing in a high-density living environment.~~

~~**Principal Use:** Multi-family residences in a density range of 20.1 to 43 units per net acre.~~

~~**Subordinate Uses:** Institutional, educational, cultural, office, and related accessory and supportive retail and service uses, provided such uses are compatible with the residential environment.~~

~~**Locational Criteria:** High-density residential development should be located on sites with convenient arterial street access, in close proximity to transit facilities/routes, and close to shopping, employment and/or educational opportunities. It is anticipated that this density of housing will only be located within or adjacent to the subregional center, and within the College District.~~

~~**Site Design:** Locational advantages may be maximized through such means as incorporating structured on-site parking, using multi-story and high-rise design, and taking advantage of opportunities for mixed use development. On-site open space, landscaping, and recreational amenities should be emphasized in the design of all high-density residential developments.~~

~~**Building Design:** Residences within this category may be constructed and owned as apartments, condominiums, townhouses, or similar arrangement. Such housing styles as manufactured homes, single-family conventional homes, duplexes and others that are not suitable for development at densities of 20 units per acre or more should not be permitted in MF-3 areas.~~



Explanation of proposed change: Narrative below moved to Table LU-3C. Text changed to table format for brevity. See page 3.5 in revised Element.

~~Mobile and/or Manufactured Home Park Residential (MH-1)~~

~~**Purpose:** This Plan category is to provide a land use plan designation for existing and future Mobile and/or Manufactured Home Parks (MHP) in the City of Lynnwood. The difference in terminology used to describe these housing units relates to whether the units were built to the HUD Code adopted on June 15, 1976. Manufactured home units all meet the HUD Code. Mobile homes do not fully meet the Code. For a complete definition of the terms, read the Background Report to the Comprehensive Plan.~~

~~**Application:** This Plan designation shall be utilized as an overlay designation. Initial application/mapping will include the following existing parks:~~

- ~~1.—Bearden's Park~~
- ~~2.—Candlewood Estates~~
- ~~3.—Center Mobile Home Park~~
- ~~4.—J&L Mobile Home Park~~
- ~~5.—Kingsbury East~~
- ~~6.—Kingsbury West~~
- ~~7.—Kingsbury West Annex~~
- ~~8.—Lynnwood~~
- ~~9.—Meadowdale~~
- ~~10.—Royalwood~~
- ~~11.—Squire~~
- ~~12.—Spacette Mobile Home Community~~

~~If a property owner wishes to establish a new park in the future, the owner may apply to map the MH-1 land use designation to a property in the annual amendment process. In addition to other criteria, a location for the development of a new park must demonstrate good access to arterial and collector streets and reasonable proximity to services including transit.~~

~~**Principal Use:** Single-family mobile and/or manufactured homes in a density range of four to fourteen dwelling units per acre.~~

~~**Subordinate Uses:** Institutional, educational, or cultural, as long as such use supports the residential use and that this use would not significantly impact nearby residences in a negative way.~~

~~**Site Design:** Minimum site size — one (1) acre. On each lot, four (4) to fourteen (14) mobile/manufactured homes per net acre may be located. Mobile and/or manufactured home parks may be reconfigured and upgraded in accordance with LMC 21.70.~~

~~**Building Design:** Residences within the mobile and/or manufactured home park shall be as they currently exist and/or meet current manufactured home requirements. Nothing shall prevent park ownership and/or management from upgrading the park to residences meeting current manufactured home standards. Units shall not be connected by any common wall(s).~~



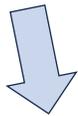
Explanation of proposed change: Narrative below relates to preservation of affordable housing and therefore moved to Housing Element.

~~**Implementation Process:** Preservation of mobile home parks will be accomplished through Development Agreements where the owner voluntarily agrees to maintain the park for a minimum of five years in exchange for financial incentives as described below. The Development Agreements should renew~~

~~automatically per the terms of the Agreement, unless the owner informs the City and residents of the park of termination of the Agreement at least one year in advance of end of the term.~~

~~**Incentives:** The City has a valid interest in insuring the preservation and creation of housing opportunities for households of limited means. Existing mobile home parks, and ones that may be developed in the future, fulfill this role. Market forces, rising costs and rising property values are creating an environment that makes it difficult for owners to economically justify maintaining their properties as mobile home parks. The City Council should consider adoption of the following incentives to keep mobile home parks in operation:~~

- ~~• Water → 50% of current rate for 5-year development agreement term; 75% for 7-year or longer term~~
- ~~• Sewer → 50% of current rate for 5-year development agreement term; 75% for 7-year or longer term~~
- ~~• Storm → 50% of current rate for 5-year development agreement term; 75% for 7-year or longer term~~
- ~~• Waiver of application and other fees for processing a development agreement pursuant to this program;~~
- ~~• Waiver of building permit and other processing and inspection fees for maintaining or improving a mobile home park participating in this program;~~
- ~~• Such other incentives as the City Council may from time to time approve by ordinance;~~
- ~~• Potential property tax reductions based upon expectation of lower assessed value from income-based approach that considers the effect of the development agreement on property value. Longer terms could be expected to result in greater reductions in assessed value. Any changes in assessed value would come from independent action by the County Assessor, and be subject to all applicable State and County laws concerning commercial property appraisal.~~



Explanation of proposed change: Narrative below moved to Table LU-3D. Text changed to table format for brevity. See page 3.6 in revised Element.

~~**Mixed Use (MU)**~~

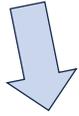
~~**Purpose:** This Plan category is intended to provide the opportunity for a high intensity development of mixed uses that will result in a pedestrian friendly environment and support transit development and usage.~~

~~**Principal Uses:** Residential, office, or retail uses will be permitted within the same building or on the same site(s).~~

~~**Locational Criteria:** This category of use is suitable for location only within the subregional center and the college district.~~

~~**Site Design:** A combination of surface and structured on-site parking is anticipated. On-site open space, landscaping, and recreational amenities should be emphasized when residential use is included in the mix of uses.~~

~~**Building Design:** Most buildings will be multi-story. Residential uses will typically be located on the upper floors above commercial uses.~~



Explanation of proposed change: Narrative below moved to Table LU-3D. Text changed to table format for brevity. See page 3.6 in revised Element.

~~**Highway 99 Corridor**~~

~~**Purpose:** This plan category is intended to identify the area where the City will encourage redevelopment of properties, consistent with the strategies in the Highway 99 Corridor economic study, by allowing a wide range of commercial uses AND allowing mixed use, transit-supportive development at major intersections ("nodes") in the corridor.~~

~~**Principle Uses:** Throughout the corridor, principle land uses will include retail, office (all types), service, and eating and entertainment uses. Existing light industrial uses will be allowed to remain, but no new uses of this type will be allowed. At major intersections (designated by zoning), mixed-use development (including multiple family residential) will be strongly encouraged. At properties not designated for mixed use, auto dealerships and other retail uses that require large parking lots will be permitted.~~

~~**Locational Criteria:** The corridor crosses the City in the north-south direction, from 216th St. SW to 164th St. SW, and continues north in the City's MUGA to 148th St. SW. Except at major intersections, properties either with frontage on the highway or that can be accessed through properties with frontage (or directly from an intersecting street) will be designated to this land use category.~~

~~Properties at major intersections along the corridor will be designated for mixed used development, with densities and design requirements that will support transit-supportive development. In select locations (particularly at major intersections), this land use category may extend east or west of properties with highway frontage in order to create areas that will encourage redevelopment consistent with the intent on this designation and the economic development strategies.~~

~~**Site Design:** Development of "corridor" properties will often be at higher intensity and densities and greater lot coverage than is currently found along the Highway 99 Corridor. This will be particularly likely at major intersection "nodes" having high levels of transit service, where development could one day be dense enough to warrant structured parking. The appropriate relationship of buildings to Highway 99 will be defined.~~

~~**Building Design:** All new development will be required to comply with design guidelines specifically developed to support Corridor strategies.~~

~~**Performance Standards:** On-site activities shall not significantly affect adjoining properties outside the corridor.~~



Explanation of proposed change: Narrative below moved to Table LU-3E. Text changed to table format for brevity. See page 3.6 in revised Element.

~~**Local Commercial (LG)**~~

~~**Purpose:** This Plan category is intended to provide areas for development of a limited range of commercial services at a low level of development.~~

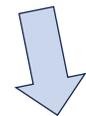
~~**Principal Uses:** Personal, professional and public services and offices, sale of convenience and comparison goods for the local community.~~

~~**Locational Criteria:** These commercial areas should have direct access to either a collector or arterial street and should be situated to have minimal impact on surrounding residential areas.~~

~~**Site Design:** Substantial landscaping shall be planted along street frontages and within parking areas. Landscaping shall also be planted at other property lines and near buildings (as part of an integrated design plan). Parking for customers and employees will generally be located in open parking lots. Shared parking between adjacent uses will be encouraged. The overall design of the site should closely follow the principles of good modern urban design.~~

~~**Building Design:** Buildings in this category will generally be low-rise structures facing public streets and parking areas.~~

~~**Performance Standards:** On-site activities shall not significantly impact adjoining properties in a negative way.~~



Explanation of proposed change: Narrative below moved to Table LU-3E. Text changed to table format for brevity. See page 3.7 in revised Element.

~~**Community Commercial (CC)**~~

~~**Purpose:** This Plan category is intended to provide the opportunity for the development of a moderate range of commercial services at a medium level of development intensity.~~

~~**Principal Uses:** Personal, professional and public services and offices, retail sales of goods for the community, hotels, motels and entertainment businesses.~~

~~**Locational Criteria:** Commercial areas of this type must be located in areas having arterial street access and transit services.~~

~~**Site Design:** Substantial landscaping shall be planted along street frontages and within parking areas. Landscaping shall also be planted at other property lines and near buildings (as part of an integrated design plan). Parking for customers and employees is typically provided in surface parking lots. Shared parking between adjacent uses and sites will be encouraged. The overall design of the site should closely follow the principles of good modern urban design.~~

~~**Building Design:** Retail uses in this category will generally be low-rise structures, with other uses occupying multi-story structures.~~

~~**Performance Standards:** On-site activities shall not significantly impact adjoining properties in a negative way.~~



Explanation of proposed change: Narrative below moved to Table LU-3E. Text changed to table format for brevity. See page 3.7 in revised Element.

Regional Commercial (RC)

~~**Purpose:** This Plan category is intended to provide the opportunity for the development of a wide range of commercial services at a high level of development intensity (more than Community Commercial but less than City Center intensity).~~

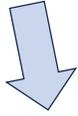
~~**Principal Uses:** Personal, professional and public services and offices, retail sales of goods for the region, including the local community and surrounding communities, hotels, motels and entertainment businesses.~~

~~**Locational Criteria:** Commercial areas of this type must be located in areas having arterial street access and transit service.~~

~~**Site Design:** Substantial landscaping shall be planted along street frontages and within parking areas. Landscaping shall also be planted at other property lines and near buildings (as part of an integrated design plan). Parking for customers and employees may be located in either in open parking lots or well-designed parking garages. Shared parking between adjacent uses and sites will be encouraged. The overall design of the site should closely follow the principles of good modern urban design.~~

~~**Building Design:** Retail uses in this category will generally be low-rise structures, with other uses occupying multi-story structures.~~

~~**Performance Standards:** On-site activities shall not significantly impact adjoining properties in a negative way.~~



Explanation of proposed change: Narrative below moved to Table LU-3D. Text changed to table format for brevity. See page 3.6 in revised Element.

~~City Center Subarea Plan (CCP)~~

~~**Purpose:** This Plan category provides a link to the subarea plan for the City Center district.~~

~~**Principal Uses:** See adopted City Center Subarea Plan.~~

~~**Locational Criteria:** As outlined on the Lynnwood Comprehensive Plan map. For further information see the subarea plan.~~

~~**Site Design:** See adopted City Center Subarea Plan.~~

~~**Building Design:** See adopted City Center Subarea Plan.~~

~~**Performance Standards:** See adopted City Center Subarea Plan."~~



Explanation of proposed change: Narrative below moved to Table LU-3D. Text changed to table format for brevity. See page 3.6 in revised Element.

~~Urban Mixed Use Centers (MUGtr)~~

~~**Purpose:** This Plan category is intended to provide for a high density development pattern that contains a mix of residential and non-residential land uses in a compact, pedestrian-oriented environment. These Centers are supportive of and will be supported by major regional high capacity transit systems and other transportation facilities and services.~~

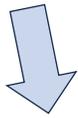
~~**Principle Uses:** Offices, retail, restaurants, entertainment and cultural uses, services and multiple family residences (as part of a mixed use development), and light industrial and other employment uses.~~

~~**Locational Criteria:** This category should be designated at properties/locations with direct access to and service by the region's high capacity transit system. Initially, this land use category will be applied to the properties in annexation areas that have been designated as "urban centers" and/or "transit pedestrian villages" by Snohomish County prior to annexation by Lynnwood. Over time, it may be applied to properties adjoining these centers as may be appropriate for encouraging the successful development of the center.~~

~~**Site Design:** Buildings will typically cover a substantial portion of a site; often lot coverage may be more than is typical for existing development in Lynnwood. In some cases, the entire site may be occupied by structures. Parking will be located either in open parking areas or in parking structures (either as separate structures or under buildings with other land uses). Well-designed direct pedestrian connections between properties and to transit facilities are a required component of new development.~~

~~**Building Design:** Buildings will be architecturally pleasing in appearance, with modulation and articulation of walls, ground-floor transparency, architectural highlighting of pedestrian entries, exterior pedestrian amenities and complementary colors, all as provided by design guidelines.~~

~~**Performance Standards:** On-site activities shall not substantially adversely impact adjoining lower density properties.~~



Explanation of proposed change: Narrative below moved to Table LU-3D. Text changed to table format for brevity. See page 3.6 in revised Element.

~~**Alderwood – City Center Transition Area**~~

~~**Purpose:** This Plan category is intended to provide for a transitional area between the Alderwood Mall and the City Center. The Mall is the retail center of south Snohomish County and experiences a high level of activity, consistent with its retail character. The City Center is intended to be the business center of Snohomish County, with the character and intensity of an urban, mixed use downtown area. This Transition Area will contain a mix of land uses that complements these two areas but at a lower intensity so as to minimize impacts on the residential area to the west (across 36th Ave. W.).~~

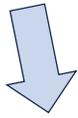
~~**Principle Uses:** Offices, retail (excluding big-box stores), restaurants, services and multiple family residences (as part of a mixed use development).~~

~~**Locational Criteria:** This land use category will be applied to the properties between the Alderwood Mall and the City Center and east of 36th Ave. W.~~

~~**Site Design:** Buildings will typically cover up to 50 percent of a site, with open parking or parking structures, landscaping, and open space occupying the rest of a site. Usually parking will be located in open parking areas, although some parking may be located in parking structures (either as separate structures or under buildings with other land uses). Pedestrian connections between properties and through the area to both the City Center and Alderwood will be required.~~

~~**Building Design:** Buildings will be architecturally interesting in appearance, with modulation and articulation of walls, ground-floor transparency, architectural highlighting of pedestrian entries, exterior pedestrian amenities and complementary colors, all as provided by the Citywide Design Guidelines. Building height and location will be managed so as to minimize shading and view blockage for the residential area west of 36th Ave. W.~~

~~**Performance Standards:** On-site activities shall not substantially impact adjoining properties. Traffic flow from this area shall be managed so as to minimize impacts to the residential area west of 36th Ave. W.~~



Explanation of proposed change: Narrative below moved to Table LU-3E. Text changed to table format for brevity. See page 3.7 in revised Element.

Business/Technical Park (BTP)

Purpose: This plan category is intended to provide areas where there is a mixture of professional/business office use with some industrial uses that have low intensity characteristics.

Principal Uses: Offices for business, personal, professional and public services and facilities; research and development, small-scale light manufacturing and fabrication; and related storage, wholesale and retail.

Locational Criteria: This plan category is best located within or near the subregional center, or within the Highway 99 corridor.

Site Design: Buildings will typically cover up to 50 percent of the parcel. Most of the rest of the site will be developed for parking, although substantial landscaping shall be planted along street frontages and within parking areas. Landscaping shall also be planted at other property lines and near buildings (as part of an integrated design plan). Parking for customers and employees will generally be located in open parking lots, although well-designed parking garages may be permitted. The quality of building and site design, building materials and the extent of site improvements will be greater than those in the Industrial category.

Building Design: Buildings at properties in this category will generally be low-rise structures. Access into these buildings will be through a combination of doors designed for persons and roll-up doors of vehicles.

Performance Standards: On-site activities shall not significantly affect adjoining properties.



Explanation of proposed change: Narrative below moved to Table LU-3E. Text changed to table format for brevity. See page 3.7 in revised Element.

Industrial (I)

Purpose: This plan category is intended to provide areas for industrial use.

Principal Uses: Light manufacturing and fabrication; warehouses, public facilities and retail uses that may locate only in limited portions of retail areas due to potential off-site or secondary adverse effects (with controls to reduce and mitigate adverse secondary impacts).

Subordinate Uses: Retail or wholesale sales of products produced on-site may be permitted, provided that such sales activity is clearly accessory to the production of goods and it does not impair the industrial character or use of the site or the surrounding area.

~~**Locational Criteria:** This plan category is best located within the southwestern sector of the city.~~

~~**Site Design:** Buildings will typically cover up to 30 percent of the parcel. Most of the rest of the site will be developed for parking, although substantial landscaping shall be planted along street frontages and within parking areas. Landscaping shall also be planted at other property lines and near buildings (as part of an integrated design plan). Parking for customers and employees will generally be located in open parking lots, although well-designed parking garages may be permitted.~~

~~**Building Design:** Buildings in this category generally will be low-rise structures. Access to interior space will be through a combination of doors designed for persons and roll-up doors for vehicles.~~

~~**Performance Standards:** On-site activities shall not substantially impact adjoining properties.~~



Explanation of proposed change: Narrative below moved to Table LU-3F. Text changed to table format for brevity. See page 3.7 in revised Element.

~~**Public Facilities (PF)**~~

~~**Purpose:** This plan category is intended to provide land area for public and semi-public uses and facilities.~~

~~**Principal Uses:** Public and semi-public uses and facilities.~~

~~**Locational Criteria:** Location of these facilities will be influenced by the appropriateness of the site and location to the type of service being provided, land availability, and compatibility with surrounding land uses.~~

~~**Site Design:** Buildings will typically cover up to 30 percent of the parcel. Parking for customers and employees will generally be located in open parking lots, although well-designed parking garages may be permitted.~~

~~**Building Design:** Buildings in this category may be low-rise structures. Buildings in or next to residential areas shall be designed to complement residential design characteristics.~~



Explanation of proposed change: Narrative below moved to Table LU-3F. Text changed to table format for brevity. See page 3.7 in revised Element.

~~**Park/Recreation/Open Space (PRO)**~~

~~**Purpose:** This plan category is intended to provide land area for the active and passive park and recreational needs of the city, and, to set aside areas for natural conservation.~~

Principal Uses: ~~Public parks, designated open space and public recreational or educational facilities. Structures at properties in this category shall be limited to facilities needed to support the designated or planned park or open space use of the properties.~~

Locational Criteria: ~~Location of these facilities will be influenced by multiple factors, including but not limited to: proximity to the population served, land availability, and amenity value of the site.~~

Building Design: ~~Buildings shall be low-rise structures. Buildings in or next to residential areas shall be designed to complement residential design characteristics.~~

LAND USE GOALS, OBJECTIVES, POLICIES and ACTIONS STRATEGIES

Explanation of proposed change: For simplicity, staff combined "Subgoals", "Objectives" and "Policies" into a single category titled, "Policies". Resulting organization is as follows:

Goals (the over-arching intent and vision).

Policies ("Subgoals", "Objectives" and "Policies" -- values and guidance that support the Goals).

Strategies (synonymous with "Actions" -- specific and discrete steps/tasks to be undertaken to achieve and implement Goals and Policies).



GOAL:

The scale, character, and configuration of land uses throughout Lynnwood will preserve and protect existing residential neighborhoods, protect environmentally sensitive areas, support physical activity and public health, minimize the threat of natural and manmade hazard, promote commerce and business, and accommodate population and employment growth. ~~A balanced land use pattern that prevents urban sprawl, preserves and enhances residential neighborhoods, protects environmentally sensitive areas, protects people and property from environmental hazards, promotes economic development, and encourages community redevelopment at appropriate locations, resulting in a high quality physical environment for residents, workers, and visitors.~~



Explanation of proposed change: Rephrased so that attributes of land use pattern create outcomes. See page 3.7 of revised Element.

SUBGOALS & OBJECTIVES:

Explanation of proposed change: As stated above, "Subgoals" and "Objectives" melded with "Policies" for simplicity.



Explanation of proposed change: Staff created a "General" heading for land use policies that apply to many or all subcategories of policies. For example, description of all land use designations moved here. See page 3.4 of revised Element.

LAND USE, GENERAL

Policy LU-1. The Comprehensive Plan Future Land Use Map (Figure LU-1) and the Official Zoning Map designates geographic areas appropriate for each of the City's land use designations and zones. For those properties within the City's corporate limits, the City's Official Zoning Map implements the Comprehensive Plan by assigning a zoning classification consistent with the Future Land Use Map designation.



Explanation of proposed change: Specific reference added to link Future Land Use Map and Zoning Map. See page 3.4 of revised Element.

~~Policy LU-1.~~ **Policy LU-2.** Decisions regarding Future Land Use Map designations, zoning, and development regulations shall strive to achieve the optimum balance between: reasonable measures to achieve population and employment growth targets; environmental protection; physical property characteristics; adequacy of infrastructure and public services; land use compatibility; and mitigation of potential adverse impacts.

Existing Land Use Element with 'Track Changes' and annotations



Explanation of proposed change: New policy added to provide general guidance regarding land use designations. See page 3.4 of revised Element.



Explanation of proposed change: Table LU-3 below contains the descriptions of the land use designations deleted above. See page 3.4 of revised Element.

Policy LU-3. Comprehensive Plan land use designations are as provided by Table LU-3 below.

Table LU-3. Land Use Designations

A. Single Family Residential (SF) Land Use Designations				
<u>Abbr.</u>	<u>Designation</u>	<u>Primary Land Use</u>	<u>Locations</u>	<u>Design</u>
<u>SF-1</u>	<u>Low Density</u>	<u>Detached homes on individual parcels.</u>	<u>Any location where adequate separation or buffer from incompatible land use can be provided.</u>	<u>Minimum lot size of 8,400 sf. ft. with typical density of 4-5 dwellings per acre. Lot configuration shall support public safety and emergency response. Lots shall have frontage upon a public street or a separate tract.</u>
<u>SF-2</u>	<u>Medium Density</u>	<u>Detached homes on individual parcels. Duplexes may be authorized by PUD.</u>	<u>Locations that provide transition from SF-1 to more-intensive designations.</u>	<u>Minimum lot size of 7,200 sq. ft. with typical density of 5-8 dwellings per acre. Lot configuration shall support public safety and emergency response. Lots shall have frontage upon a public street or a separate tract. Smaller lots may be authorized by PUD.</u>
<u>SF-3</u>	<u>High Density</u>	<u>Detached homes on individual parcels. Up to four attached homes per parcel may be authorized by PUD.</u>	<u>Redeveloped mobile home parks that existed as of January 12, 2004, and located within ¼ mile of Highway 99.</u>	<u>Minimum lot size of 4,000 sq. ft. with a typical density of 7-12 dwellings per acre. Smaller lots may be authorized by PUD.</u>
<u>SF-4</u>	<u>High Density MUGA</u>	<u>Detached or attached homes on small, individual parcels.</u>	<u>Properties with vested rights to comparable development and subsequently annexed into Lynnwood.</u>	<u>Minimum lot size of approximately 3,100 sq. ft. with a typical density of up to 14 dwellings per acre.</u>
B. Multifamily Residential (MF) Land Use Designations				
<u>Abbr.</u>	<u>Designation</u>	<u>Primary Land Use</u>	<u>Locations</u>	<u>Design</u>
<u>MF-1</u>	<u>Low Density</u>	<u>Attached dwellings</u>	<u>Locations that provide transition from Single Family to more-intensive designations.</u>	<u>Typical density of 8-12 dwellings per acre. Structures may contain up to 4 dwellings. Lot configuration shall support public safety and emergency response. Lots shall have frontage upon a public street or a separate tract. Compliance with Citywide Design</u>

Existing Land Use Element with 'Track Changes' and annotations

B. Multifamily Residential (MF) Land Use Designations				
<u>Abbr.</u>	<u>Designation</u>	<u>Primary Land Use</u>	<u>Locations</u>	<u>Design</u>
				<u>Guidelines.</u>
<u>MF-2</u>	<u>Medium Density</u>	<u>Attached dwellings</u>	<u>Locations with good access to arterial and collector streets.</u>	<u>Typical density of 12-20 dwellings per acre. Lot configuration shall support public safety and emergency response. Lots shall have frontage upon a public street or a separate tract. Buildings may be 1-4 stories in height. Compliance with Citywide Design Guidelines.</u>
<u>MF-3</u>	<u>High Density</u>	<u>Attached dwellings</u>	<u>Locations: a) with good access to arterial and collector streets; b) in close proximity to transit service and to goods and services; and c) within or near the Regional Growth Center or the College District.</u>	<u>Typical density of 20-43 dwellings per acre. Onsite open space and recreation area provided. Compliance with Citywide Design Guidelines.</u>

C. Mobile Home Park (MF) Land Use Designations				
<u>Abbr.</u>	<u>Designation</u>	<u>Primary Land Use</u>	<u>Locations</u>	<u>Design</u>
<u>MH-1</u>	<u>Mobile home park (overlay designation for any SF or MF designation)</u>	<u>Mobile home park (recreational vehicles and travel trailers not permitted)</u>	<u>Initial application of this overlay designation included the following existing parks:</u> <ol style="list-style-type: none"> <u>1. Bearden's Park, 6020 202nd St. SW</u> <u>2. Candlewood Estates, 3832 164th St. SW</u> <u>3. Center Mobile Home Park, 5920 200th St. SW</u> <u>4. J&L Mobile Home Park, 5907 202nd St. SW</u> <u>5. Kingsbury East, 17408 44th Ave. W</u> <u>6. Kingsbury West, 5220 176th St. SW</u> <u>7. Kingsbury West Annex, 5220 176th St. SW</u> <u>8. Lynnwood Mobile Park, 5717 186th Pl. SW</u> <u>9. Meadowdale, 17410 44th Ave. W</u> <u>10. Royalwood Mobile Estates, 18501 52nd Ave. W</u> <u>11. The Squire, 4515 176th St. SW</u> <u>12. Spacette Mobile Home Community, 7028 208th St. SW</u> 	<u>Minimum lot size is 1 acre, with typical density of 4-14 dwellings per acre. Onsite open space and recreation area provided.</u>

D. Mixed Use Land Use Designations				
<u>Abbr.</u>	<u>Designation</u>	<u>Primary Land Use</u>	<u>Locations</u>	<u>Design</u>
<u>MU</u>	<u>Mixed Use</u>	<u>Multifamily dwellings with</u>	<u>Within the Regional Growth Center or the</u>	<u>Multi-story buildings with dwellings located over or behind street-level retail</u>

Existing Land Use Element with ‘Track Changes’ and annotations

D. Mixed Use Land Use Designations				
<u>Abbr.</u>	<u>Designation</u>	<u>Primary Land Use</u>	<u>Locations</u>	<u>Design</u>
		<u>commercial of office uses</u>	<u>College District.</u>	<u>or office use. Onsite open space and recreation area provided. Compliance with Citywide Design Guidelines.</u>
<u>H99</u>	<u>Highway 99</u>	<u>Non-node properties: retail, auto sales, office, service, food and drink. Existing light industrial uses allowed as permitted use.</u> <u>Node properties: Same as above, but with mixed-use and without auto sales.</u>	<u>Properties along Highway 99. Locations near rapid transit stops may be designated as “Node” and zoned HMU.</u>	<u>Single or multi-story buildings with orientation to automobiles and pedestrians. Compliance with Citywide Design Guidelines (non-node properties) or Design Guidelines for Highway 99 (node properties).</u>
<u>CCTR</u>	<u>City Center</u>	<u>Multifamily dwellings, retail, office, service, food and drink, hospitality and entertainment uses.</u>	<u>As designated by the City Center Sub-Area Plan and the Comprehensive Plan Future Land Use Map.</u>	<u>Multi-story buildings with orientation to pedestrians. Compliance with City Center Design Guidelines.</u>
<u>UCMU</u>	<u>Urban Center Mixed Use (formerly Mixed Use Urban Center - MUCTR)</u>	<u>Multifamily dwellings, non-residential uses, and mixed use.</u>	<u>Properties served by high-capacity transit and substantial infrastructure for the movement of automobiles. Primarily for MUGA properties designated “Urban Center” or “Transit Pedestrian Village” by Snohomish County.</u>	<u>Multi-story buildings in a compact, walkable configuration. Direct pedestrian routes between development and transit facilities required. Compliance with Citywide Design Guidelines.</u>
<u>ACCT</u>	<u>Alderwood – City Center Transition Area</u>	<u>Multifamily dwellings, non-residential uses, and mixed use. Big-box retail not permitted.</u>	<u>As designated by the Comprehensive Plan Future Land Use Map.</u>	<u>To be determined. Compliance with Transition Area Design Guidelines.</u>

E. Commercial and Industrial Land Use Designations				
<u>Abbr.</u>	<u>Designation</u>	<u>Primary Land Use</u>	<u>Locations</u>	<u>Design</u>
<u>LC</u>	<u>Local Commercial</u>	<u>Neighborhood-oriented retail and service.</u>	<u>Direct access from an arterial or collector street, and locations where non-residential uses will adversely impact nearby residences.</u>	<u>Low-rise buildings oriented toward the public street. Substantial landscaping to buffer and screen non-residential uses. Off-street parking located to the side or rear of the primary structure(s). Shared access and parking is encouraged.</u>
<u>CC</u>	<u>Community</u>	<u>Retail, office, and service uses, eating</u>	<u>Direct access from an arterial street with</u>	<u>Low and mid-rise buildings oriented toward the public street. Onsite</u>

Existing Land Use Element with 'Track Changes' and annotations

E. Commercial and Industrial Land Use Designations				
<u>Abbr.</u>	<u>Designation</u>	<u>Primary Land Use</u>	<u>Locations</u>	<u>Design</u>
	<u>Commercial</u>	<u>and drinking, hospitality and entertainment uses.</u>	<u>transit service available nearby.</u>	<u>landscaping to buffer and screen non-residential uses. Shared access and parking is encouraged.</u>
<u>RC</u>	<u>Regional Commercial</u>	<u>Retail, office, and service uses, eating and drinking, hospitality and entertainment uses.</u>	<u>Direct access from an arterial street with transit service available nearby.</u>	<u>Low and mid-rise buildings oriented toward the public street. Onsite landscaping to buffer and screen non-residential uses. Shared access and parking is encouraged.</u>
<u>BTP</u>	<u>Business and Technical Park</u>	<u>Retail and wholesale, office and indoor, light manufacturing and processing.</u>	<u>Within or near the Regional Growth Center, along Highway 99, or adjacent to Industrial areas.</u>	<u>Low-rise buildings with onsite landscaping to buffer and screen non-residential uses. Shared access and parking is encouraged. Buildings to exhibit enhanced design features to promote land use and visual compatibility.</u>
<u>I</u>	<u>Industrial</u>	<u>Wholesale activities, Manufacturing, processing, assembly of goods.</u>	<u>Within the southwest sector of Lynnwood.</u>	<u>Low-rise buildings with onsite landscaping to buffer and screen non-residential uses. Shared access and parking is encouraged.</u>

F. Other Land Use Designations				
<u>Abbr.</u>	<u>Designation</u>	<u>Primary Land Use</u>	<u>Locations</u>	<u>Design</u>
<u>PF</u>	<u>Public Facility</u>	<u>Public and semi-public uses and facilities.</u>	<u>Where needed, where reasonable means of access is available, and where the public use will not significantly impact surrounding land uses.</u>	<u>Low-rise structures with onsite landscaping to screen non-residential uses. Buildings will be designed to be compatible with nearby residences.</u>
<u>PRO</u>	<u>Park, Recreation and Open Space</u>	<u>Publicly-owned parks and open space.</u>	<u>Where demand exists and where the recreational use will not significantly impact surrounding land uses.</u>	<u>Low-rise structures with onsite landscaping to screen non-residential uses. Buildings will be designed to be compatible with nearby residences.</u>

Policy LU-4. Land use policies and regulations should:

- A. Provide separation and/or buffering between incompatible land uses; and
- B. Facilitate the co-location of dissimilar uses where desired and where compatibility can be achieved.

~~**Subgoal: Compatibility**~~

~~**Assure that the Future Land Use Plan properly separates and buffers those land uses which are incompatible while permitting the mixing of compatible uses in appropriate ways and in appropriate areas.**~~

Existing Land Use Element with 'Track Changes' and annotations



Explanation of proposed change: Rephrased as Policy LU-4 (above). See page 3.7 of revised Element.

Objectives:

~~LU-1: The Community Development Department will identify and map areas in Lynnwood appropriate for mixed residential and commercial use by June 22, 2000.~~



Explanation of proposed change: This objective has been completed. See Future Land Use Map.

~~LU-2: The Community Development Department will prepare updated land use regulations that will guide the appropriate type, density, and design of land uses in mixed-use districts.~~



Explanation of proposed change: Rephrased as Policy LU-6.G (below). See page 3.9 of revised Element.

~~**Subgoal: Density**~~

~~Assure that the density of development is consistent with the local and regional development patterns, with available and planned infrastructure, with Growth Management Act requirements, and with surrounding land uses.~~



Explanation of proposed change: Rephrased as Policy LU-6.A & B (below). See page 3.9 of revised Element.

~~**Subgoal: Development Balance**~~

~~Assure that the ratio of land areas for various developed uses accommodates regional market needs while maintaining a good balance between urban developed and natural, or open, land allocations.~~



Explanation of proposed change: Rephrased and expanded as Policy LU-6. See page 3.9 of revised Element.

~~**Subgoal: Single-Family Housing Retention**~~

~~Assure preservation of existing single-family neighborhoods and community identity through protection from conflict with or encroachment of incompatible land uses or activities.~~



Explanation of proposed change: Rephrased as Policy LU-6.C. See page 3.9 of revised Element.

Objectives:

~~LU-34: As a measure of success, the city will strive to maintain a mix of 80% single-family to 20% multifamily by area across all areas designated as residential on the future land use map.~~



Explanation of proposed change: Analysis has demonstrated that Objective LU-34 above is not feasible. According to the Office of Financial Management, Lynnwood's housing mix (as of April 2013) is:

Single family dwelling: 51.2%, Two or more dwelling: 45.1%, and Mobile home/special housing: 3.7%.

Rephrased as Policy LU-6.C, which calls for no net loss in the number of single family dwellings. See page 3.9 of revised Element.

~~**Subgoal: Sustainable Neighborhoods**~~

~~Improve the sustainability of single-family neighborhoods through an appropriate mix of public and private investment leading to improved resource efficiency, resiliency, and livability. Promote neighborhood design features that promote physical activity, use of alternative modes of transportation, and conservation of energy and resources.~~



Explanation of proposed change: Rephrased for clarity and moved to Policy LU-6.E. See page 3.9 of revised Element.

~~**Subgoal: Specific Subarea Plans**~~

~~Develop and implement specific subarea plans that provide more detailed guidance on development and redevelopment than contained in the Comprehensive Plan.~~

Objectives:

~~LU-11: Review the status of the Park Central (Scriber Lake-Wilcox Park area) subarea plan and schedule, by the end of 2009, any additional work that needs to be done, including zoning adjustments.~~



Explanation of proposed change: This section reorganized under heading of "Neighborhoods and Subareas". See Policies LU-19-21 and Strategies LU-C & D. See page 3.12 of revised Element.

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Explanation of proposed change: This objective has been fulfilled.

~~LU-14: By September 1, 2009, conduct a review of development and aesthetic qualities within the Highway 99 Corridor and propose a course of action to improve the corridor.~~



Explanation of proposed change: This objective has been fulfilled.

~~LU-15: By April 1, 2011, submit a proposal for an improvement plan and project for the 196th Street Corridor.~~



Explanation of proposed change: This objective has been fulfilled.

LU-32: Adopt a land use designation and land use policies, zoning regulations and design guidelines for the transitional area between the City Center and Alderwood Mall.

~~LU-34: Insure that extending light rail service to Lynnwood includes one light rail station in the Core District of the City Center – serving the City Center – and a separate station at the Lynnwood Transit Center – serving commuters.~~

~~LU-35: Adopt subarea plans for the areas around planned light rail stations in Lynnwood.~~



Explanation of proposed change: Land use objectives LU-34 and LU-35 are rephrased for clarity and renumbered as Policies LU -23 and LU-24. See page 3.12.

~~**Subgoal: Urban Design, Aesthetics and Community Character**~~

~~Establish and administer plans, policies, and regulations to improve the function and appearance of existing and new development and thereby enhance the livability and image of Lynnwood.~~



Explanation of proposed change: Rephrased and renumbered as Policy LU-25 (to be moved to or referenced in the Community Character Element). See page 3.14 of revised Element.

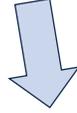
Objectives:

~~LU-16: Subarea specific plans will provide detailed urban design plans and guidelines that will be followed in the implementation of public and private improvements within the planning unit.~~



Explanation of proposed change: Rephrased and renumbered as Policy LU-26 (to be moved to or referenced in the Community Character Element). See page 3.14 of revised Element.

Subgoal: Neighborhood Preservation and Renewal



Explanation of proposed change: Neighborhood policies rephrased to reflect current conditions. See page __ of revised Element.

~~Establish and administer plans, policies, regulations, and programs to assure the preservation and renewal of residential neighborhoods within Lynnwood.~~

~~Objectives:~~

~~LU-18:—Establish the purpose and functioning of neighborhood planning areas.~~

~~LU-19:—With citizen and Planning Commission input, and City Council approval, establish neighborhood planning boundaries.~~

~~LU-20:—Establish sample bylaws and organizing procedures for neighborhood planning organizations.~~

~~LU-21:—Establish two pilot neighborhood planning organizations, with Commission and Council approval.~~

~~LU-22:—Prepare a socio-economic profile and a survey of housing conditions, infrastructure conditions, and level of public services completed within the two pilot neighborhoods.~~

~~LU-23:—Prepare a neighborhood renewal plan and program for the two pilot neighborhoods with the approval of the two pilot neighborhoods and the Planning Commission and City Council.~~

~~Subgoal: Environment~~

~~Assure that developed uses of land avoid and protect environmentally sensitive areas and that such uses avoid and are protected from environmental hazard areas.~~



Explanation of proposed change: Rephrased as Policy LU-5. See page 3.9 of revised Element.

~~Subgoal: Consistency~~

~~Assure that the interrelatedness of all other plan elements with the land use element has been well considered and that consistency between the elements has been achieved, and is maintained as the Comprehensive Plan maybe amended. And, assure continuing consistency between the Plan and implementing regulations.~~

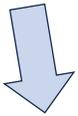
Objectives:

~~LU-26: Before adoption of the Lynnwood 2000 Comprehensive Plan the Community Development Department will assure that there has been a thorough analysis of the consistency among the various elements of the Plan and that consistency has been achieved.~~

~~LU-27: Revise the Zoning Districts Map, as necessary, to be consistent with the Land Use Plan Map and adopt at the same time the amended Comprehensive Plan is adopted.~~



Explanation of proposed change: Rephrased as Policies LU-12 – LU-14 on page 3.11.

~~**Subgoal: Growth Area**~~

Explanation of proposed change: Growth area policies and objectives rephrased and grouped as "Lynnwood MUGA and Planning Area". See Policies LU-15 – LU-17, beginning on page 3.11.

Assure that the Future Land Use Plan provides sufficient land within the Lynnwood urban growth area to meet the growth needs of the community in all categories of land use over the next twenty years while maintaining a compact land use pattern and being well coordinated with the development of surrounding cities and unincorporated county areas.

Objectives:

LU-29: Continue to participate with Snohomish County and our neighboring cities to achieve agreement in the delineation of Municipal Urban Growth Areas.

LU-30: Establish a growth management system that will regulate the development of land so that proper mitigation of related impacts occurs, and adequate public facilities and services are provided.

LU-31: Monitor, evaluate, and update land use regulations, standards, and programs to ensure effective performance.

LU-32: Include mixed-use development and other density-promoting measures in Lynnwood's Comprehensive Plan.

LU-33: Plan and fund a network of streets, pathways and trails that support walking and biking within and between Lynnwood's neighborhoods, retail, Senior Center, schools, parks and city centers.

POLICIES

The following policies will be used in the decisions made and the actions taken to implement the land use element of the Comprehensive Plan.

1. General Land Use

- Policy LU-1.1:** The Land Use Plan Map shall be consistent with the goals, objectives, and policies of the Comprehensive Plan, and it shall serve as the basis for future zoning categories and designations.
- Policy LU-1.2:** Land development regulations adopted to implement the adopted Comprehensive Plan shall, at a minimum, address the following issues:
- a) Regulation of the use and development of land;
 - b) Regulation of the subdivision of land;
 - c) Protection of designated environmentally sensitive areas and historical property;
 - d) Ensuring safe and adequate vehicular access, on-site parking and traffic flow;
 - e) Regulation of signs;
 - f) Minimizing adverse impacts between adjacent land uses;
 - g) Providing incentives and methods to encourage specific land uses;
 - h) Including urban amenities and architectural design standards;
 - i) Evaluating the related impacts of proposed development to determine consistency with adopted plans and programs, level of service standards, pertinent regulations and appropriate mitigation measures;
 - j) Establishing development review processes and procedures that are timely and responsive;
 - k) Complying with legal limitations on the regulation of land use and development and allow constitutionally protected forms of expression.
- Policy LU-1.3:** Land Use Plan designations shall be periodically re-evaluated to ensure consistency and coordination among the land use, capital facilities and transportation plans.
- Policy LU-1.4:** The regulation of the use and development of private property shall be consistent with federal and state laws, including the Growth Management Act.
- Policy LU-1.5:** Procedures, standards, and criteria shall be established to provide for a clearly understandable, fair, and expeditious process for the evaluation and decision on land use and development applications such as Comprehensive Plan amendments, rezones, subdivisions, conditional use permits and other related permits.
- Policy LU-1.6:** Proposals for rezoning shall be evaluated utilizing the following criteria:

- a) The proposal must be consistent with and implement the Comprehensive Plan.
- b) The proposal must be consistent with and implement the purpose of the zone.
- c) The proposal must be compatible with the zones and uses of surrounding properties.
- d) There must be significant changes in the circumstances of the subject property or surrounding properties to warrant consideration of the proposed rezone.
- e) There must be infrastructure capacity to adequately serve the proposed uses of the subject property.
- f) The property must be practically and physically suited to the uses allowed in the proposed zone.
- g) The benefit to the public health, safety, and welfare is sufficient to warrant the change in zoning.
- h) The proposal must be consistent with other adopted plans, program goals, and policies of the City.

Policy LU-1.7: Applications for planned unit developments, which may allow relaxation of City development regulations, shall be evaluated to ensure that the design and development of the development will further the goals, objectives and policies of this Comprehensive Plan.

Policy LU-1.8: Whenever possible, boundaries between uses should occur along physical features such as water or slopes. Streets as boundaries should be avoided except in the case of arterials of such a scale that any use, which can tolerate the street, would be unlikely to be adversely impacted by any uses located across the street.

Policy LU-1.9: Fill-in development of vacant parcels which were passed over by earlier development, but which are served by utilities and streets that meet current standards should be encouraged in order to maximize efficiency of existing capital improvements.

Policy LU-1.10: Encourage development at an intensity that is related to the adequacy of public services (such as fire protection, police protection and public safety, courts, health care, schools, libraries and others).

2. Residential Uses

Policy LU-2.1: Land use regulations shall encourage infill housing and redevelopment of underutilized housing sites.

Policy LU-2.2: Innovative-housing techniques shall be utilized to provide for housing infill diversity and affordability. These techniques will include small-lot subdivisions, zero lot line housing, duplexes, and accessory dwelling units.

Policy LU-2.3: Customary non-residential uses such as home occupations, and public and semi-public uses shall be allowed on residentially designated property. These uses must directly support the residential use of and

shall not impair the residential character of the surrounding area. Allowable public and semi-public uses shall include (but not be limited to) churches, childcare, schools, libraries, museums, other cultural facilities, agricultural and horticultural activities, transit facilities and public utility facilities.

Policy LU-2.4: Performance related regulations shall be established and used to allow multi-family residential densities and building height to exceed designated zoning densities and building height in the ~~subregional~~ Regional Growth center, in order to promote the provision of housing and to support commercial activities in the center. A density increase may be allowed for a residential development that provides affordable housing or that locates new residences above the ground floor in mixed-use buildings. In general, this density increase should not exceed the allowable density by more than 40 percent. A greater density increase beyond 40 percent may be allowed for a development that would provide an exceptional design and that would minimize or eliminate the development's impact on surrounding properties. Building height may be increased so as to allow development of the increased density while providing substantial ground level landscaping.

Policy LU-2.5: With acknowledgement of the unique and important form of housing provided by mobile home and manufactured home parks, Land-land use regulations shall ~~recognize that existing mobile home and manufactured home parks offer a unique and important form of housing, and shall~~ allow for the continued viability, maintenance and upgrading of ~~these~~ existing parks.



Explanation of proposed change: Rephrased and renumbered as Policy LU-39.

Policy LU-2.6: Regulations and guidelines shall be established to improve the appearance, function and livability of multi-family developments with high quality design and improvements for open space, landscaping, buffers, lighting, parking, on-site traffic circulation, trails and pedestrian facilities, solid waste facilities, recreation, streetscape, building scale and architectural features.

Policy LU-2.7: Regulations that allow a diversity of housing types and densities in new developments shall be based upon design and performance related standards such as the size, shape, location and natural features of the site, adjacent land uses, proposed amenities and mitigation of development related impacts.

Policy LU-2.8: Properties designated by the Future Land Use Map as appropriate for multifamily residential development should exhibit one or more of the following characteristics: ~~Determine the appropriate zone and density for properties designated multi-family on the Future Land Use Plan using, as a framework, the following characteristics.~~

- a) The ~~site-property~~ site-property is located along an arterial roadway and transit corridor.
- b) The ~~site-property~~ site-property is located near commercial, service, community or employment centers.

- c) The property is of adequate size and appropriate shape to accommodate the desired density while also providing open space, off-street parking and landscaping, and onsite recreation area. The development proposed for the site would include a site plan that exhibits a well-designed arrangement of on-site structures and improvements (including buffering and landscaping) and which includes one or more of the following design elements:
- i) ~~Recreational amenities (indoor or outdoor) that substantially exceed code requirements;~~
 - ii) ~~Proposed building locations and separation and screening between buildings so that residents will enjoy privacy in their living units;~~
 - iii) ~~Preservation of natural areas, substantial stands of trees and other on-site features that are identified by the City as appropriate for preservation.~~
 - iv) ~~Substantial on-site usable open space.~~
- d) Multifamily development upon the property will result in Site creates a transition between lower densities residential and non-residential uses.
- e) ~~Site~~The property is located in an area already developed with significant amounts of multi-family developments or non-residential uses.
- f) Multi-family development ~~of the site~~upon the property will not ~~disrupt or~~ negatively impact adjacent single-family property.
- g) Multifamily development upon the property can be appropriately served by public facilities, utilities and services, consistent with adopted plans and levels of service. Site will be developed with the infrastructure improvements to properly mitigate development-related impacts.
- h) Multifamily development upon the property will not result in unmitigated adverse impacts, including impacts associated with building height, bulk and scale, noise, traffic, parking, lighting, etc. Site will be developed so that building heights, noise, lights traffic and other development related impacts are adequately mitigated to protect adjacent residential development.



Explanation of proposed change: Rephrased and renumbered as Policy LU-41.

- i) ~~The development proposed for the site exhibits a high quality exterior design, including:~~
 - i) ~~Exterior architecture that creates a visually pleasing appearance using a balance between horizontal and vertical design elements and coordinating colors;~~
 - ii) ~~A site plan that creates a varied and pleasing streetscape and environment for residents;~~

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- ~~iii) Landscaping that forms a substantial element of the total exterior appearance of the development, that creates an interesting and inviting environment for residents, and that softens the appearance of parking areas;~~
- ~~iv) Treatment of the perimeter of the site that minimizes impact on adjoining development.~~



Explanation of proposed change: Decisions regarding Future Land Use Map designations are best made without consideration of the appearance of new development. Aesthetic issues are best addressed through development regulations, not the Comprehensive Plan's Future Land Use Map.

- ~~j) The development proposed for the site provides on-site amenities in addition to those required by the Zoning Code that will improve the livability and function of the development.~~



Explanation of proposed change: Deleted because this criteria is overly vague, and as written suggests that development amenities beyond Code requirements are needed for approval.

- ~~kj) The site and proposed development comply with or promote other goals, objectives or policies in the Comprehensive Plan.~~

~~If a property proposed for zoning substantially complies with these characteristics, then the property should be rezoned to permit a density within the upper half of the density range allowed in the applicable land use designation. If a property proposed for rezoning does not substantially comply with most of the characteristics, then the property should be rezoned to the lower half of the density range allowed by the applicable land use designation. Approval of a rezone based on these characteristics shall include a binding agreement to insure that the property will develop as approved.~~



Explanation of proposed change: Deleted as: 1) the Zoning Code provides numerous choices for residential density; and 2) the use of development agreements is the preferred method conditioning land use permit approvals.

Policy LU-2.9:

~~Establish regulations and determine the appropriate design and density~~Review applications for Single Family 2 (SF-2) planned unit developments using the provisions of Title 21 LMC, as a framework, the and following characteristics policy objectives:-

- a) The site has easy access to retail and other commercial services, particularly stores selling groceries.
- b) The site is adjacent to or has easy access to community facilities.

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- c) The development potential of the site is ~~not adversely affected~~severely limited by wetlands, streams, steep slopes or other development constraints.
- d) ~~The s~~Site provides a transition between lower density single-family development and other uses.
- e) Roads that connect the site to arterials and local shopping areas are ~~fully~~appropriately developed to City standards.
- f) The surrounding street network provides alternative access routes to/from the development and ~~major~~ employment and commercial areas in the City.
- g) The development proposed for the site would include a site plan that exhibits a well-designed arrangement of dwellings ~~units~~ and improvements and which may include:
 - i. Recreational amenities;
 - ii. Proposed building locations and separation and screening between buildings so that residents ~~will~~may enjoy privacy in their ~~living units~~homes;
 - iii. Preservation or enhancement of natural areas, substantial stands of trees and/or other natural features;
 - iv. On-site common and usable open space.
- ~~h) The development proposed for the site exhibits a high quality exterior design, including:~~
 - ~~i. Exterior architecture that creates a visually pleasing appearance using a balance between horizontal and vertical design elements and coordinated colors;~~
 - ~~ii. A site plan that creates a varied and pleasing streetscape and environment for residents;~~
 - ~~iii. Landscaping that forms a substantial element of the total appearance of the development, that creates an interesting and inviting environment for residents;~~
 - ~~iv. Treatment of the perimeter of the site that minimizes impacts on adjoining development and enhances the neighborhood;~~
 - ~~v. Improvements that provide non-motorized and pedestrian circulation, access and facilities.~~
- ~~i) The site adjoins property designated for uses other than single-family residences.~~
- ~~jh)~~ The site will be developed with the infrastructure improvements to properly mitigate development-related impacts.
- ~~ki)~~ The site is located in an area that is ~~already developed to a density in the upper half of the allowed density range~~designated for development compatible with SF-2 uses and density.
- ~~tj)~~ The site and proposed development comply with or promote other goals, objectives or policies in the Comprehensive Plan.

~~If a property proposed for a planned unit development rezoning substantially complies with these characteristics, then the planned unit development should allow a density within the upper half of the density range allowed in the SF-2 land use category. If a property proposed for a planned unit development rezoning does not substantially comply with most of these characteristics, then the density of the planned unit development should be limited to the lower half of the density range allowed in the SF-2 land use category. Approval of a planned unit development rezoned based on these characteristics shall include a binding agreement to insure that the property will develop as approved.~~



Explanation of proposed change: Text Revised to reflect current conditions, and text deleted as: 1) compliance with the adopted Citywide Design Guidelines will achieve the stated policy objectives; 2) the criterion above are subjective and unquantifiable.

~~Policy LU-2.10: Residential development shall be allowed at less than the plan designated density range on properties where the development potential is constrained by environmental or infrastructure factors.~~



Explanation of proposed change: Deleted as the City's Critical Areas regulations dictate the extent of development that may occur upon property with critical areas.

Policy LU-2.11: Subdivision regulations and standards shall promote public health, safety, aesthetics, and general welfare. Such regulations and standards shall allow for efficient use of land, minimize adverse impacts on surrounding development, provide adequate public utilities, proper access and traffic circulation, streets, sidewalks, and other public facilities.

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

3. Non-Residential Uses

Policy LU-3.1: Incentives and performance related standards shall be established to allow residential uses and mixed-use developments on ~~Office-Community~~ Commercial and Regional Commercial designated properties, at appropriate locations ~~within the Subregional Regional Growth Center, Community-College District,~~ and Highway 99 Corridor Subareas.

Policy LU-3.2: ~~Institutional and quasi-commercial land Accessory or customary~~ uses such as churches, child care, group homes, schools, and transit, utility and public facilities shall be allowed in commercial areas ~~provided that such uses can be properly accommodated and support the needs of the area.~~

Policy LU-3.3: Adult entertainment uses shall be allowed in specified portions of the Industrial land use categories, subject to restrictions (such as locational, signage, landscaping and operational controls) designed to reduce and

mitigate ~~the~~ adverse, secondary impacts of such uses while allowing ~~constitutionally~~ protected forms of expression.

~~**Policy LU-3.4:** Regional commercial (RC) land uses shall be delineated in the land development regulations to specify the appropriate desired uses and developments in accordance with the Comprehensive Plan, subarea specific plans, and other planning efforts.~~

Policy LU-3.5: When reviewing nonresidential proposals that involve discretion, the extent to which nonresidential development would reduce existing housing stock, or reduce land available for residential development, should be weighed.



Explanation of proposed change: Wording updated to reflect current conditions and terminology. Policy LU-3.4 proposed to be removed as it is overly vague.

4. Mixed Use

Policy LU-4.1: Zoning districts and development regulations shall ~~be established to~~ implement the Mixed-Use land use category shown on the Future Land Use Plan map.

Policy LU-4.2: Incentives shall be provided to encourage mixed-use developments in the ~~Subregional~~ Regional Growth Center.

Policy LU-4.3: Areas in the ~~Subregional~~ Regional Growth Center appropriate for mixed-use development shall be identified and the appropriate ~~density extent~~ of ~~such~~ development shall be ~~established~~ specified by applicable development regulations.

Policy LU-4.4: Encourage mixed-use development ~~(including multiple family residences)~~ at major intersections along Highway 99, as provided by the Highway 99 Subarea Plan and associated development regulations. ~~that development sites are large enough to enable high-quality urban design and inclusion of site amenities.~~ Allow mixed-use development upon other properties along Highway 99 where land use compatibility can be achieved.



Explanation of proposed change: Wording updated to reflect current conditions and terminology. See Policies LU-49 through LU-52 on page 3.17.

5. Industrial Uses

Policy LU-5.1: ~~Development regulations for industrial property and business zoning performance standards shall be established to ensure that the location of such uses will be in close proximity to major transportation facilities and that the scale will not adversely affect adjacent or nearby residential uses should facilitate efficient business operation while also minimizing adverse land use impacts upon nearby, less-intensive land uses.~~



Explanation of proposed change: Revised as performance standards do not determine land use location. Locational decisions are made via the Comprehensive Plan's Future Land Use Map. See Policy LU-53 on page 3.17.

Policy LU-5.2: ~~Development standards that require building and site design shall be established in order to ensure quality and harmonious industrial and business development, and to minimize adverse impacts on surrounding properties. Since Lynnwood's industrial properties are located in close proximity to residential areas, industrial developments shall incorporate a combination of architectural detailing, creative use of building materials, landscaping, and screening to promote neighborhood compatibility.~~



Explanation of proposed change: Revised for clarity. See Policy on LU-54 on page 3.17.

6. Public Facilities

Policy LU-6.1: The siting of public facilities shall follow these guidelines:

- a) Public facilities should be ~~centrally~~ located in their service area. Siting and design decisions should support efficient and effective operations and maximize compatibility with the surrounding area.
- b) Facilities that serve a single neighborhood should be located in such neighborhoods.
- c) Facilities that serve two or more neighborhoods should, where possible, be located near the common boundary(ies) of the neighborhoods.
- d) Facilities that serve the entire City shall be easily accessible from all parts of the City and should minimize and then mitigate use-generated traffic or other impacts to residential neighborhoods.
- e) Facilities that serve regional needs shall be located in close proximity to regional transportation systems (freeways, arterials, or major public transit lines); such facilities shall minimize and then mitigate use-generated traffic or other impacts to residential neighborhoods.
- f) Regional facilities shall also be located in close proximity to supporting services.
- g) Public facilities serving regional needs should also be located near supporting or complementary uses and away from residential areas.

H. Public facilities should not generate unmitigated significant adverse impacts on the natural or built environment.

I. Public facilities visible from a public right-of-way should exhibit architectural detailing and similar design features that promote land use compatibility and community pride.

J. The siting and design of public facilities should not result in disproportionate impact upon a single segment of the community.

K. Essential public facilities should be regulated either as a permitted land use, or a use allowed with approval of a conditional use permit.



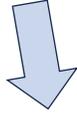
Explanation of proposed change: Additional provisions added to help ensure public facilities are appropriately sited and designed. See Policy LU-55 beginning on page 3.17.

7. Neighborhoods

- Policy LU-7.1:** Work with affected persons and groups to develop plans and strategies that will improve and stabilize neighborhoods.
- Policy LU-7.2:** Allow a range of complementary compatible residential and limited neighborhood commercial land uses in existing and developing neighborhoods. Complementary uses include places of worship, child day care, adult day care, and similar institutional uses that provide a residential service and do not cause a substantial impact to adjoining residences. Limited commercial land uses may be allowed where residences are more than convenient walking distance (about one-half mile) from other shopping areas, and may include small retail stores, professional and personal services, and eating and drinking establishments providing convenience goods for residents of the immediate area.
- Policy LU-7.3:** Facilitate neighborhood identity through public improvement and activities.
- Policy LU-7.4:** Provide for a rental housing inspection program to promote the long-term viability of neighborhoods.
- Policy LU-7.5:** Encourage the creation of pedestrian-friendly developments and neighborhoods.
- Policy LU-7.6:** ~~In all categories, n~~Non-residential developments that adjoin residential properties shall provide transitional screening so that commercial-non-residential activities do not significantly affect the livability of the residential properties.
- Policy LU-7.7:** Residential areas shall be protected from encroachment by developments that would influence available residential land towards nonresidential use diminish the City's capacity to accommodate population growth targets specified by the Countywide Planning Policies.
- Policy LU-7.8:** The city will consider the unique requirements design standards for single family and multifamily neighborhoods that implement policy objectives relating to sustainability and climate change. for enhancing the sustainability of existing single-family neighborhoods during the development of climate change and sustainability plans.



Explanation of proposed changes: Revisions for readability and clarity. See Policy LU-56 - LU-63 beginning on page 3.18.



Explanation of proposed changes: Revised and moved to Community Character Element.

~~8. Urban Design~~

~~**Policy LU-8.1:** Complete an urban design plan that describes concepts, principles and methods for strengthening the City's image and "sense of place" and enhance the City's livability.~~

~~**Policy LU-8.2:** Develop design guidelines and standards, and a design review process for development that improves the quality of residential, commercial, industrial, mixed use, and public development and supports the urban design plan.~~

~~**Policy LU-8.3:** Establish a program to preserve historically and culturally significant sites, buildings, structures, landscapes, trees and artifacts.~~

~~**Policy LU-8.4:** Provide adequate setbacks, buffers, landscaping, visual screens, and appropriate building scale and architecture to make development compatible with nearby residential and other land uses.~~

~~**Policy LU-8.5:** Develop specific design guidelines and development standards for the Activity Centers and areas with special or unique characteristics.~~

~~**Policy LU-8.6:** Establish signage standards that provide for business visibility while enhancing the visual character and image of the City.~~

~~**Policy LU-8.7:** Provide incentives and recognition to those property owners that rehabilitate, restore, retain or reproduce historical elements of their properties.~~

~~**Policy LU-8.8:** Provide a program for the early identification and resolution of conflicts between the preservation of cultural and historic resources and future land uses.~~

~~**Policy LU-8.9:** Establish development programs and regulations for the preservation of a major tree stands and canopies and other native vegetation on development sites. Emphasis should be given to retaining masses of trees rather than isolated freestanding trees.~~

~~**Policy LU-8.10:** Guidelines and regulations to improve and increase the use of trees and landscaping, as an important feature of land development and the community shall be established.~~

~~**Policy LU-8.11:** A comprehensive street and landscaping tree plan that will enhance streetscape, provide identity and continuity, soften the appearance of pavement and separate pedestrians from vehicular traffic shall be prepared and implemented.~~

~~**Policy LU-8.12:** Attractive gateways shall be established at all principal entry points to the City.~~

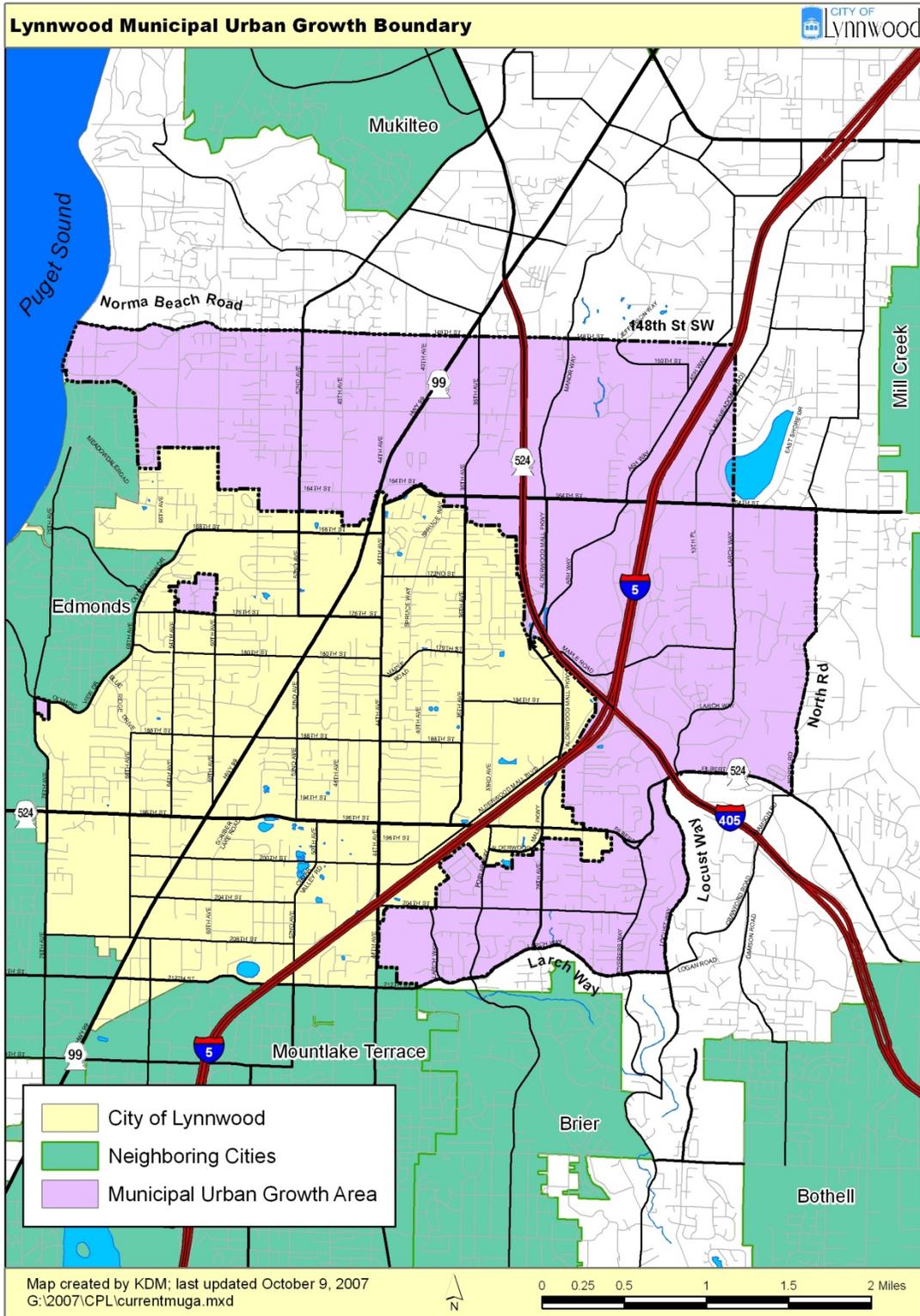
~~**Policy LU-8.13:** Reconstruction of streets located within principal gateways shall incorporate high quality landscape and streetscape design and features.~~

Existing Land Use Element with 'Track Changes' and annotations

- ~~Policy LU-8.14: Special design features and standards shall be employed to strengthen the individual character of planned activity centers.~~
- ~~Policy LU-8.15: The number, size and height of signs shall provide for business and product identification while creating an aesthetically pleasing visual environment.~~
- ~~Policy LU-8.16: Signs shall be designed and placed on a site in a way that provides an integrated development appearance and is aesthetically pleasing as viewed from the street and surrounding properties.~~
- ~~Policy LU-8.17: The City shall implement a program requiring nonconforming signs to be made conforming or be removed.~~
- ~~Policy LU-8.18: The visual character of buildings shall be enhanced by means of architectural design and landscape elements to create a human scale and positive visual character for the streetscape and abutting residential uses.~~
- ~~Policy LU-8.19: Screening of elements such as recycling and waste collection areas, compactors and dumpsters, loading and service areas, and mechanical equipment shall be required so that these elements do not create a negative impact to the streetscape and nearby residential areas.~~



Existing Land Use Element with 'Track Changes' and annotations



LAND USE

INTRODUCTION

This Element describes existing land use conditions within the Lynnwood Municipal Urban Growth Area (MUGA), and sets forth goals, policies, and strategies for future conditions. Other Elements of this Comprehensive Plan support and facilitate the land use goals contained in this Element. Conversely, realization of Lynnwood's land use aspirations will be dependent upon successful implementation of the other Elements of this Comprehensive Plan.

The current configuration of Lynnwood's land uses and streets is the cumulative result of innumerable individual decisions made over extended periods of time by property owners, investors, businesses, and public agencies. Many of those decisions occurred even before Lynnwood became a city in 1959. Similarly, this Land Use Element is a blend of policy decisions made since Lynnwood's incorporation. The 2009 Community Vision is an important and fundamental guide to this Element's policies and strategies. The Land Use Element strives to bring about positive change through both new construction and preservation.

LAND USE FINDINGS

- Finding LU-1.** Six of the Growth Management Act's (GMA) 13 goals directly relate to land use, as summarized below:
- RCW 36.70A.020(1) **Urban growth.** Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.
 - RCW 36.70A.020(2) **Reduce sprawl.** Reduce the inappropriate conversion of undeveloped land into sprawling low-density development.
 - RCW 36.70A.020(4) **Housing.** Encourage the availability of affordable housing to all economic segments of the population of this state, promote a variety of residential densities and housing types and encourage preservation of existing housing stock.
 - RCW 36.70A.020(5) **Economic Development.** Encourage economic development throughout the state that is consistent with adopted comprehensive plans, promote economic opportunity for all citizens of this state, especially for unemployed and for disadvantaged persons, promote the retention and expansion of existing businesses and recruitment of new businesses, recognize regional differences impacting economic development opportunities, and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the state's natural resources, public services, and public facilities.
 - RCW 36.70A.020(6) **Property Rights.** Private property shall not be taken for public use without just compensation having been made. The property rights of landowners shall be protected from arbitrary and discriminatory actions.
 - RCW 36.70A.020(9) **Open space and recreation.** Retain open space, enhance recreational opportunities, conserve fish and wildlife habitat, increase access to natural resource lands and water, and develop parks and recreation facilities.

RCW 36.70A.020(10) **Environment.** Protect the environment and enhance the state's high quality of life, including air and water quality, and the availability of water.

Finding LU-2. Lynnwood’s Comprehensive Plan must be consistent with, and implement, multi-county planning policies called for by GMA. VISION 2040, adopted by the Puget Sound Regional Council (PSRC) in 2008, serves as the multi-county planning policies for King, Snohomish, Pierce, and Kitsap Counties. Implementation of these policies will create a regional system of central places framed by open space and served by a high-capacity transit system. These multi-county planning policies encourage economic development, efficient delivery of adequate public services, diversity in housing, regional transportation planning, and environmental protection. VISION 2040 designates Lynnwood as a “Core City” and designates 894 acres of Lynnwood as the Lynnwood Regional Growth Center (see Future Land Use Map, Figure LU-1). That designated area includes the Alderwood Mall area and the City Center.

Finding LU-3. Lynnwood’s Comprehensive Plan must be consistent with, and implement the countywide planning policies called for by GMA. The Countywide Planning Policies for Snohomish County (CPPs) encourage orderly and efficient development patterns with higher-density development within designated Urban Growth Areas.

Finding LU-4. By law, authority to delineate Lynnwood’s Urban Growth Area (UGA) boundary (and population and employment growth targets) rests with Snohomish County. Lynnwood is one of nine communities (and unincorporated Snohomish County) within the Southwest Municipal Urban Growth Area (MUGA). In 2007, Lynnwood adopted an UGA boundary that includes a greater portion of the MUGA than set forth by Snohomish County (Lynnwood Ord. 2695). The Land Use Element makes reference to three geographic areas: A. current City boundary; B. Lynnwood MUGA boundary specified by the CPPs; and C. Lynnwood MUGA adopted by the City.

Finding LU-5. The CPPs require that Lynnwood plan for, and accommodate 2035 population and employment growth targets as follows:

Note: Need to insert target ranges – high, medium, low...

Table LU-1. Initial Lynnwood Population and Employment Targets - 2035
(Based upon City Boundaries as of December 13, 2012)

	2011 actual	2035	Change	Percent Change
Population	35,860	54,404	18,544	7.8
Employment	24,226	42,229	17,963	12.2

Source: Countywide Planning Policies for Snohomish County, Appendix B, June 30, 2013

Finding LU-6. *Note: Need to insert baseline information regarding reasonable measures....*

Finding LU-7. The topography of the Lynnwood area is gently sloping with elevations ranging from 0 to 610 feet above mean sea level. Lund’s Gulch, a stream channel for Lund’s Gulch Stream, is a deep ravine with steep sidewalls. Environmentally-sensitive areas in Lynnwood include wetlands, streams, steep slopes, and some Puget Sound shoreline at the City’s Waste Water Treatment Plant.

Finding LU-8. Lynnwood is essentially a fully-developed community but a significant amount of new construction is expected to occur through redevelopment. Due to Lynnwood’s

strategic location at the juncture of I-5, I-405, SR-525 and (future) Lynnwood Link, the community is a principal retail and service center. Approximately one quarter of Lynnwood's land area is designated for commercial use.

Finding LU-9. As calculated by the Washington State Office of Financial Management, Lynnwood's existing housing stock is as follows:

Table LU-2. Lynnwood Housing Stock - 2013

Dwelling Type	Dwellings	Percent of Total
Single family	7,662	51.2
Two or more dwellings per parcel	6,749	45.1
Mobile homes and special housing	556	3.7
Total	14,967	100.0

Source: Office of Financial Management, April 1, 2013

Finding LU-10. Edmonds Community College (ECC) is located within Lynnwood and is an important community asset.

Finding LU-11. Sound Transit's development of the Lynnwood Link Extension and Community Transit's continued deployment of the Swift Bus service will expand mobility options within and to/from Lynnwood. Voter approval of Sound Transit 3 (ST3) is expected to include an extension of light rail northward through Lynnwood to Everett.

Finding LU-12. Natural hazards posing some threat to Lynnwood properties include: earthquake; flooding; landslide; severe weather; and wildfire. Natural hazards that pose an indirect threat to Lynnwood include: avalanche, dam failure, volcano, and Tsunami. In order to minimize damage and disruption caused by a natural hazard, the Land Use Element incorporates the objectives of the Snohomish County Natural Hazards Mitigation Plan.

Finding LU-13. Fundamental objectives of the Lynnwood Comprehensive Plan include:

- A. To create a strong and vibrant City Center and Highway 99 Corridor where transit service and other essential infrastructure is readily available.
- B. To provide room and opportunities for new commercial and industrial uses.
- C. To accommodate a full range of housing types and values.
- D. To protect and enhance single-family neighborhoods
- E. To provide for efficient and compatible infill development.
- F. To coordinate and manage growth in the City's urban growth area.
- G. To enable the Edmonds Community College and Edmonds School District to achieve organizational goals.

LAND USE GOALS, POLICIES AND STRATEGIES

GOAL

The scale, character, and configuration of land uses throughout Lynnwood will preserve and protect existing residential neighborhoods, protect environmentally sensitive areas, support physical activity and public health, minimize the threat of natural and manmade hazard, promote commerce and business, and accommodate population and employment growth.

LAND USE, GENERAL

- Policy LU-1.** The Comprehensive Plan Future Land Use Map (Figure LU-1) and the Official Zoning Map designates geographic areas appropriate for each of the City’s land use designations and zones. For those properties within the City’s corporate limits, the City’s Official Zoning Map implements the Comprehensive Plan by assigning a zoning classification consistent with the Future Land Use Map designation.
- Policy LU-2.** Decisions regarding Future Land Use Map designations, zoning, and development regulations shall strive to achieve the optimum balance between: reasonable measures to achieve population and employment growth targets; environmental protection; physical property characteristics; adequacy of infrastructure and public services; land use compatibility; and mitigation of potential adverse impacts.
- Policy LU-3.** Comprehensive Plan land use designations are as provided by Table LU-3 below.

Table LU-3. Land Use Designations

A. Single Family Residential (SF) Land Use Designations				
Abbr.	Designation	Primary Land Use	Locations	Design
SF-1	Low Density	Detached homes on individual parcels.	Any location where adequate separation or buffer from incompatible land use can be provided.	Minimum lot size of 8,400 sf. ft. with typical density of 4-5 dwellings per acre. Lot configuration shall support public safety and emergency response. Lots shall have frontage upon a public street or a separate tract.
SF-2	Medium Density	Detached homes on individual parcels. Duplexes may be authorized by PUD.	Locations that provide transition from SF-1 to more-intensive designations.	Minimum lot size of 7,200 sq. ft. with typical density of 5-8 dwellings per acre. Lot configuration shall support public safety and emergency response. Lots shall have frontage upon a public street or a separate tract. Smaller lots may be authorized by PUD.
SF-3	High Density	Detached homes on individual parcels. Up to four attached homes per parcel may be authorized by PUD.	Redeveloped mobile home parks that existed as of January 12, 2004, and located within ¼ mile of Highway 99.	Minimum lot size of 4,000 sq. ft. with a typical density of 7-12 dwellings per acre. Smaller lots may be authorized by PUD.
SF-4	High Density MUGA	Detached or attached homes on small, individual parcels.	Properties with vested rights to comparable development and subsequently annexed	Minimum lot size of approximately 3,100 sq. ft. with a typical density of up to 14 dwellings per acre.

A. Single Family Residential (SF) Land Use Designations				
Abbr.	Designation	Primary Land Use	Locations	Design
			into Lynnwood.	

B. Multifamily Residential (MF) Land Use Designations				
Abbr.	Designation	Primary Land Use	Locations	Design
MF-1	Low Density	Attached dwellings	Locations that provide transition from Single Family to more-intensive designations.	Typical density of 8-12 dwellings per acre. Structures may contain up to 4 dwellings. Lot configuration shall support public safety and emergency response. Lots shall have frontage upon a public street or a separate tract. Compliance with Citywide Design Guidelines.
MF-2	Medium Density	Attached dwellings	Locations with good access to arterial and collector streets.	Typical density of 12-20 dwellings per acre. Lot configuration shall support public safety and emergency response. Lots shall have frontage upon a public street or a separate tract. Buildings may be 1-4 stories in height. Compliance with Citywide Design Guidelines.
MF-3	High Density	Attached dwellings	Locations: a) with good access to arterial and collector streets; b) in close proximity to transit service and to goods and services; and c) within or near the Regional Growth Center or the College District.	Typical density of 20-43 dwellings per acre. Onsite open space and recreation area provided. Compliance with Citywide Design Guidelines.

C. Mobile Home Park (MF) Land Use Designations				
Abbr.	Designation	Primary Land Use	Locations	Design
MH-1	Mobile home park (overlay designation for any SF or MF designation)	Mobile home park (recreational vehicles and travel trailers not permitted)	Initial application of this overlay designation included the following existing parks: 1. <u>Bearden's Park</u> , 6020 202 nd St. SW 2. <u>Candlewood Estates</u> , 3832 164 th St. SW 3. <u>Center Mobile Home Park</u> , 5920 200 th St. SW 4. <u>J&L Mobile Home Park</u> , 5907 202 nd St. SW 5. <u>Kingsbury East</u> , 17408 44 th Ave. W 6. <u>Kingsbury West</u> , 5220 176 th St. SW 7. <u>Kingsbury West Annex</u> , 5220 176 th St. SW 8. <u>Lynnwood Mobile Park</u> , 5717 186 th Pl. SW 9. <u>Meadowdale</u> , 17410 44 th Ave. W	Minimum lot size is 1 acre, with typical density of 4-14 dwellings per acre. Onsite open space and recreation area provided.

C. Mobile Home Park (MF) Land Use Designations				
Abbr.	Designation	Primary Land Use	Locations	Design
			10. <u>Royalwood Mobile Estates</u> , 18501 52 nd Ave. W 11. <u>The Squire</u> , 4515 176 th St. SW 12. <u>Spacette Mobile Home Community</u> , 7028 208 th St. SW	

D. Mixed Use Land Use Designations				
Abbr.	Designation	Primary Land Use	Locations	Design
MU	Mixed Use	Multifamily dwellings with commercial or office uses	Within the Regional Growth Center or the College District.	Multi-story buildings with dwellings located over or behind street-level retail or office use. Onsite open space and recreation area provided. Compliance with Citywide Design Guidelines.
H99	Highway 99	Non-node properties: retail, auto sales, office, service, food and drink. Existing light industrial uses allowed as permitted use. Node properties: Same as above, but with mixed-use and without auto sales.	Properties along Highway 99. Locations near rapid transit stops may be designated as “Node” and zoned HMU.	Single or multi-story buildings with orientation to automobiles and pedestrians. Compliance with Citywide Design Guidelines (non-node properties) or Design Guidelines for Highway 99 (node properties).
CCTR	City Center	Multifamily dwellings, retail, office, service, food and drink, hospitality and entertainment uses.	As designated by the City Center Sub-Area Plan and the Comprehensive Plan Future Land Use Map.	Multi-story buildings with orientation to pedestrians. Compliance with City Center Design Guidelines.
UCMU	Urban Center Mixed Use (formerly Mixed Use Urban Center - MUCTR)	Multifamily dwellings, non-residential uses, and mixed use.	Properties served by high-capacity transit and substantial infrastructure for the movement of automobiles. Primarily for MUGA properties designated “Urban Center” or “Transit Pedestrian Village” by Snohomish County.	Multi-story buildings in a compact, walkable configuration. Direct pedestrian routes between development and transit facilities required. Compliance with Citywide Design Guidelines.
ACCT	Alderwood – City Center Transition Area	Multifamily dwellings, non-residential uses, and mixed use. Big-box retail not permitted.	As designated by the Comprehensive Plan Future Land Use Map.	To be determined. Compliance with Transition Area Design Guidelines.

E. Commercial and Industrial Land Use Designations				
Abbr.	Designation	Primary Land Use	Locations	Design
LC	Local Commercial	Neighborhood-oriented retail and service.	Direct access from an arterial or collector street, and locations where non-residential uses will adversely impact nearby residences.	Low-rise buildings oriented toward the public street. Substantial landscaping to buffer and screen non-residential uses. Off-street parking located to the side or rear of the primary structure(s). Shared access and parking is encouraged.
CC	Community Commercial	Retail, office, and service uses, eating and drinking, hospitality and entertainment uses.	Direct access from an arterial street with transit service available nearby.	Low and mid-rise buildings oriented toward the public street. Onsite landscaping to buffer and screen non-residential uses. Shared access and parking is encouraged.
RC	Regional Commercial	Retail, office, and service uses, eating and drinking, hospitality and entertainment uses.	Direct access from an arterial street with transit service available nearby.	Low and mid-rise buildings oriented toward the public street. Onsite landscaping to buffer and screen non-residential uses. Shared access and parking is encouraged.
BTP	Business and Technical Park	Retail and wholesale, office and indoor, light manufacturing and processing.	Within or near the Regional Growth Center, along Highway 99, or adjacent to Industrial areas.	Low-rise buildings with onsite landscaping to buffer and screen non-residential uses. Shared access and parking is encouraged. Buildings to exhibit enhanced design features to promote land use and visual compatibility.
I	Industrial	Wholesale activities. Manufacturing, processing, assembly of goods.	Within the southwest sector of Lynnwood.	Low-rise buildings with onsite landscaping to buffer and screen non-residential uses. Shared access and parking is encouraged.

F. Other Land Use Designations				
Abbr.	Designation	Primary Land Use	Locations	Design
PF	Public Facility	Public and semi-public uses and facilities.	Where needed, where reasonable means of access is available, and where the public use will not significantly impact surrounding land uses.	Low-rise structures with onsite landscaping to screen non-residential uses. Buildings will be designed to be compatible with nearby residences.
PRO	Park, Recreation and Open Space	Publicly-owned parks and open space.	Where demand exists and where the recreational use will not significantly impact surrounding land uses.	Low-rise structures with onsite landscaping to screen non-residential uses. Buildings will be designed to be compatible with nearby residences.

Policy LU-4. Land use policies and regulations should:

- A. Provide separation and/or buffering between incompatible land uses; and

- B. Facilitate the co-location of dissimilar uses where desired and where compatibility can be achieved.

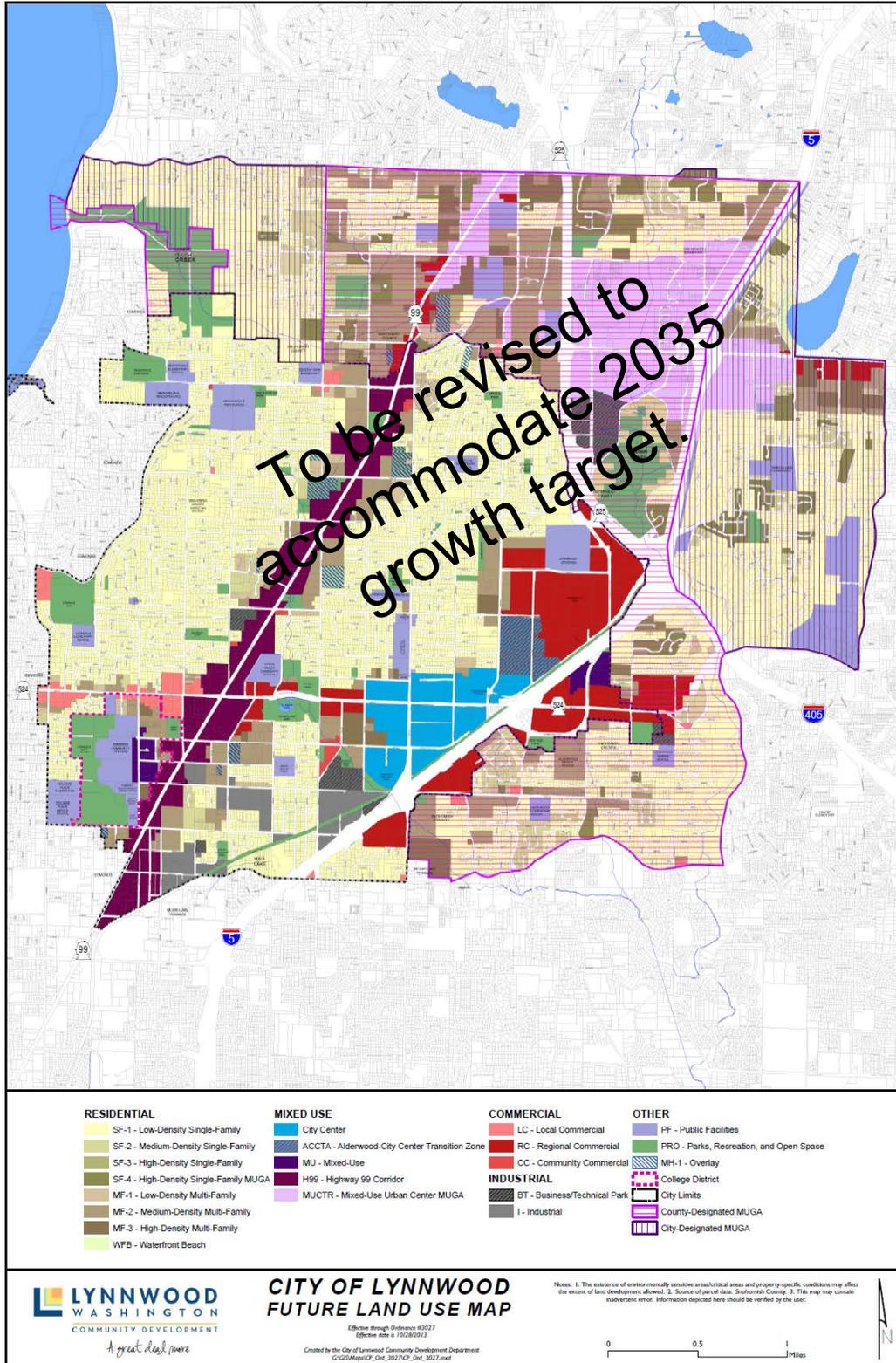


Figure LU-1. Future Land Use Map

Policy LU-5. Decisions regarding land use designations should include consideration of potential impacts related to critical areas and natural hazard areas.

Policy LU-6. Land use policies and regulations should:

- A. Allow land uses and levels of development capable of being served by capital facilities, utilities and public services, as determined by adopted levels-of-service (LOS) standards and plans.
- B. Provide for land use density/intensity ranging from low to high, and provide sufficient land for open space, recreation areas, capital facilities and utilities, and natural areas.
- C. Provide land capacity responsive to initial population and employment growth targets and consistent with adopted service and infrastructure plans.
- D. Promote the preservation of existing single-family neighborhoods by: a) precluding a net reduction in the number of single family dwellings (on a city-wide basis); and b) protecting single family areas from adverse impacts generated by incompatible land uses.
- E. Encourage development at an intensity that can be served by public infrastructure and services (such as fire protection, police protection and public safety, courts, health care, schools, and libraries).
- F. Support neighborhood design features that promote physical activity, use of alternative modes of transportation, and conservation of energy and resources.
- G. Be consistent with federal and state law, including the Growth Management Act.
- H. Be reviewed and amended periodically to address changes in land use law, environmental protection, related plans and planning requirements, technology, and societal norms.
- I. Where feasible, utilize natural physical features, such as streams, hillsides, or stormwater basins as the boundary between differing land use designations and zones.

Policy LU-7. The Future Land Use Plan Map (Figure LU-1) should implement the goals, objectives, and policies of the Comprehensive Plan, and serve as the basis for zoning decisions. As drawn, the amount of land area per land use designation is as depicted by Table LU-4 below:

Table LU-4. Land Area by Comprehensive Plan Land Use Designation, in Acres

Note: To be revised to accommodate 2035 growth target

Land Use Designation	City Boundary	County-Approved MUGA	City-Approved MUGA	Total
SF-1	1,856	720	957	3,533
SF-2	49	215	82	346
SF-3	33	17	93	143
MF-1	72	177	12	261
MF-2	287	22	51	360
MF-3	39	466	35	539
MU	38	97	-	135
H99	358	-	-	358
PF	260	80	153	493

Land Use Designation	City Boundary	County-Approved MUGA	City-Approved MUGA	Total
PRO	330	212	40	582
City Center	190	-	-	190
CC	12	-	-	12
LC	64	8	-	72
RC	349	67	23	438
BTP	35	50	-	85
I	104	-	-	104
ACCTA	50	-	-	50
WFB	-	-	12	1
MUCTR	-	450	90	540
MH-1 Overlay ¹	57	12	-	69
Total	4,126	2,581	1,547	8,254
Right-of-Way	910	615	304	1,829
Total w/ ROW	5,036	3,196	1,851	10,083

¹ Overlay designation is applied to an underlying designation and is not included in total land area calculation.

- Policy LU-8.** Land development regulations should be consistent with and implement the Comprehensive Plan, and address the following issues:
- A. Protection of critical areas and designated historical resources.
 - B. Minimize impacts upon, and from, natural hazard areas.
 - C. Provide safe and adequate vehicular access, off-street parking and traffic flow.
 - D. Regulation of signs.
 - E. Minimize the potential for adverse impacts between adjacent land uses.
 - F. Provide incentives to encourage specific land uses and/or design features.
 - G. Urban amenities and architectural design standards.
 - H. Evaluation of consistency with adopted plans and programs, level of service standards, pertinent regulations and appropriate mitigation measures.
 - I. Ensure permit review processes and procedures that are equitable, predictable, responsive, and expeditious.

- Policy LU-9.** Proposals for rezoning shall be evaluated utilizing the following criteria:
- A. The proposal must be consistent with and implement the Comprehensive Plan.
 - B. The proposal must be consistent with and implement the purpose of the zone.
 - C. The proposal must be compatible with the zones and uses of surrounding properties.
 - D. There must be significant changes in the circumstances of the subject property or surrounding properties to warrant consideration of the proposed rezone.
 - E. There must be infrastructure capacity to adequately serve the proposed uses of the subject property.
 - F. The property must be practically and physically suited to the uses allowed in the proposed zone.

- G. The benefit to the public health, safety, and welfare is sufficient to warrant the change in zoning.
- H. The proposal must be consistent with other adopted plans, program goals, and policies of the City.

Policy LU-10. Applications for planned unit developments, which may allow variation from certain development regulations, shall be evaluated to ensure that the design and development of the development further the goals, objectives and policies of the Comprehensive Plan.

Policy LU-11. Fill-in development upon vacant parcels that can be readily served by utilities and streets should be encouraged to maximize the efficient delivery of such infrastructure.

CONSISTENCY

Policy LU-12. Adopted land use regulations, such as the Zoning Code, should be consistent with and implement the Comprehensive Plan.

Policy LU-13. The Land Use Element should be consistent with all other Comprehensive Plan Elements, and Lynnwood’s development regulations should be consistent with and implement the Land Use Element.

Policy LU-14. The Official Zoning Map should be consistent with and implement the Comprehensive Plan. When practicable, the Zoning Map should be amended concurrently with changes to the Future Land Use Map.

LYNNWOOD MUGA AND PLANNING AREA

Policy LU-15. The Future Land Use Plan should provide sufficient land capacity to: A) accommodate population and employment growth targets established pursuant to the GMA; B) achieve community vision and goals; C) maintain a compact land use pattern; and D) reflect coordination with surrounding jurisdictions.

Policy LU-16. In order to promote urban-scale development and the orderly delivery of public services, Lynnwood should continue to designate a MUGA that resolves “gap and overlap” areas adjacent to Lynnwood. While recognizing Snohomish County’s jurisdiction with regards to Urban Growth Area (UGA) boundaries, Lynnwood should continue to work with Snohomish County and neighboring municipalities, and designate a Lynnwood MUGA that can facilitate an orderly transition of “gap and overlap” lands from county to municipal governance.

Policy LU-17. Land use plans for MUGA area properties should be developed in collaboration with Snohomish County, neighboring jurisdictions, and public utility and service providers.

POPULATION AND EMPLOYMENT GROWTH

Policy LU-18. Land use policies and regulations should accommodate levels of development, population and employment consistent with the Growth Management Act, Multi-County Planning Policies, Countywide Planning Policies, and the City’s strategic objectives.

Policy LU-19. Accommodation of the population and employment growth specified by the Countywide Planning Policies should primarily occur within the designated Lynnwood Regional Growth Center and along Highway 99.



Strategy LU-A. The Land Use Element, including the Future Land Use Map, should anticipate and accommodate the population and employment growth targets specified by the Countywide Planning Policies and Table LU-1 above.

Strategy LU-B. Population and employment growth as called for by the Countywide Planning Policies should occur primarily within the Lynnwood Regional Growth Center and along Highway 99.

NEIGHBORHOODS AND SUBAREAS

Policy LU-20. Subarea plans should be prepared for areas of the City where: a) a more-detailed examination of issues is desired; and b) citywide land use policies/regulations will not achieve desired outcomes.

Policy LU-21. Where applicable, land use designations should support and reinforce neighborhood identity, as generally depicted by Figure LU-3.

Policy LU-22. The City should adopt land use policies, regulations, and design guidelines specifically for the Alderwood-City Center Transition Area, as redevelopment is expected to occur there, and such development should not result in unanticipated impacts upon the surrounding area.

Strategy LU-A. Support neighborhood improvement and preservation projects and programs as identified within Departmental work programs and budgets.

Strategy LU-B. Utilize demographic and public opinion survey results to promote understanding of the population of Lynnwood and its neighborhoods, and public service priorities throughout the community.

LAND USE NEAR TRANSIT ROUTES AND STATIONS

Policy LU-23. In addition to the light rail station planned as the northern terminus of Lynnwood Link, Lynnwood and other public agencies should plan for light-rail stations within the City Center, near Alderwood Mall, and near the 164th St SW MUCTR.

Policy LU-24. Subarea plans should be prepared for light rail and BRT transit stations to advance transit-oriented development (TOD) principles.

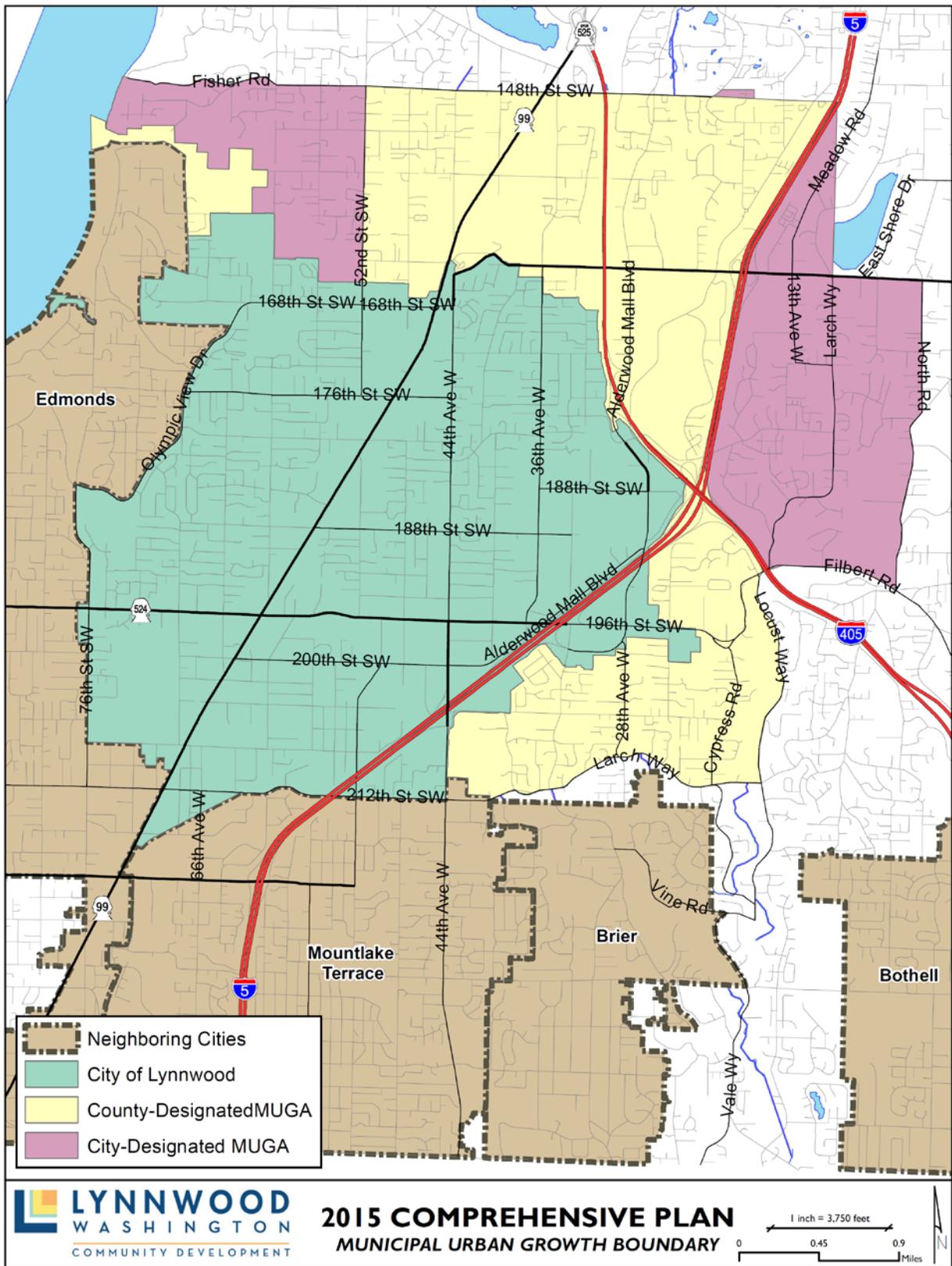


Figure LU-2. MUGA Boundaries

RESIDENTIAL USES

- Policy LU-25.** Land use regulations should encourage infill housing and redevelopment of underutilized housing sites.
- Policy LU-26.** Innovative-housing regulations should be considered to promote housing infill, diversity and affordability. Such regulations may include small-lot subdivisions, zero-lot-line housing, duplexes, and accessory dwellings.
- Policy LU-27.** Non-residential land uses customarily located within residential areas, such as churches, daycare, public schools, public utilities, and home occupations should be allowed on residentially designated property. Such uses should serve the surrounding residential area without generating adverse land use or environmental impacts.
- Policy LU-28.** Development regulations for the Regional Growth Center should allow for the greatest residential density and building height allowed in Lynnwood. Maximum residential density and building height would be especially appropriate for development that includes affordable housing or that locates residences above street-level retail.
- Policy LU-29.** With acknowledgement of the unique and important form of housing provided by mobile home and manufactured home parks, land use regulations shall allow for the continued viability, maintenance and upgrading of existing parks.
- Policy LU-30.** Properties designated by the Future Land Use Map as appropriate for multifamily residential development should exhibit one or more of the following characteristics:
- A. The property is located along an arterial roadway and transit corridor.
 - B. The property is located near commercial, service, community or employment centers.
 - C. The property is of adequate size and appropriate shape to accommodate the desired density while also providing open space, off-street parking and landscaping, and onsite recreation area.
 - D. Multifamily development upon the property will result in a transition between lower densities residential and non-residential uses.
 - E. The property is located in an area already developed with significant amounts of multifamily developments or non-residential uses.
 - F. Multifamily development upon the property will not negatively impact adjacent single-family property.
 - G. Multifamily development upon the property can be served by public facilities, utilities and services, consistent with adopted plans and levels of service.
 - H. Multifamily development upon the property will not result in unmitigated adverse impacts, including impacts associated with building height, bulk and scale, noise, traffic, parking, lighting, etc.
- Policy LU-31.** Review applications for Single Family 2 (SF-2) planned unit developments using the provisions of Title 21 LMC, and the following policy objectives.
- A. The site has easy access to retail and other commercial services, particularly stores selling groceries.
 - B. The site is adjacent to or has easy access to community facilities.

- C. The development potential of the site is not severely limited by wetlands, streams, steep slopes or other development constraints.
- D. The site provides a transition between lower density single-family development and other uses.
- E. Roads that connect the site to arterials and local shopping areas are appropriately developed to City standards.
- F. The surrounding street network provides alternative access routes to/from the development and employment and commercial areas in the City.
- G. The development proposed for the site would include a site plan that exhibits a well-designed arrangement of dwellings and improvements and which may include:
 - i. Recreational amenities;
 - ii. Proposed building locations and separation and screening between buildings so that residents may enjoy privacy in their homes;
 - iii. Preservation or enhancement of natural areas, substantial stands of trees and/or other natural features;
 - iv. Onsite common and usable open space.
- H. The site will be developed with the infrastructure improvements to properly mitigate development-related impacts.
- I. The site is located in an area that is designated for development compatible with SF-2 uses and density.
- J. The site and proposed development comply with or promote other goals, objectives or policies in the Comprehensive Plan.

Policy LU-32. Subdivision regulations and standards shall promote public health, safety, aesthetics, and general welfare. Such regulations and standards shall allow for efficient use of land, minimize adverse impacts on surrounding development, provide adequate public utilities, proper access and traffic circulation, streets, sidewalks, and other public facilities.

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

NON-RESIDENTIAL USES

Policy LU-34. Incentives and performance-related standards shall be established to allow residential uses and mixed-use developments on Community Commercial and Regional Commercial designated properties, at appropriate locations within the Regional Growth Center, College District, and Highway 99 Corridor Subareas.

Policy LU-35. Institutional and quasi-commercial land uses such as churches, child care, group homes, schools, and transit, utility and public facilities shall be allowed in commercial areas.

Policy LU-36. Adult entertainment uses shall be allowed in specified portions of the Industrial land use categories, subject to restrictions (such as locational, signage, landscaping and operational controls) designed to reduce and mitigate adverse, secondary impacts of such uses while allowing protected forms of expression.

Policy LU-37. When reviewing non-residential proposals that involve discretion, the extent to which non-residential development would reduce existing housing stock, or reduce land available for residential development, should be weighed.

MIXED USE

Policy LU-38. Zoning districts and development regulations shall implement the Mixed-Use land use designation shown on the Future Land Use Plan map.

Policy LU-39. Incentives shall be provided to encourage mixed-use developments in the Lynnwood Regional Growth Center.

Policy LU-40. Areas in the Regional Growth Center appropriate for mixed-use development shall be identified and the appropriate extent of development shall be specified by applicable development regulations.

Policy LU-41. Encourage mixed use development at major intersections along Highway 99, as provided by the Highway 99 Subarea Plan and associated development regulations. Allow mixed-use development upon other properties along Highway 99 where land use compatibility can be achieved.

INDUSTRIAL USES

Policy LU-42. Development regulations for industrial property should facilitate efficient business operation while also minimizing adverse land use impacts upon nearby, less-intensive land uses.

Policy LU-43. Since Lynnwood's industrial properties are located in close proximity to residential areas, industrial developments shall incorporate a combination of architectural detailing, creative use of building materials, landscaping, and screening to promote neighborhood compatibility.

PUBLIC FACILITIES

Policy LU-44. The siting and design of public facilities should follow these guidelines:

- A. Public facilities should be located in their service area.
- B. Facilities that serve a single neighborhood should be located in such neighborhoods. Siting and design decisions should support efficient and effective operations and maximize compatibility with the surrounding area.
- C. Facilities that serve two or more neighborhoods should, where possible, be located near the common boundary(ies) of the neighborhoods.
- D. Facilities that serve the entire City shall be easily accessible from all parts of the City and should minimize and then mitigate use-generated traffic or other impacts to residential neighborhoods.
- E. Facilities that serve regional needs shall be located in close proximity to regional transportation systems (freeways, arterials, or major public transit lines); such facilities shall minimize and then mitigate use-generated traffic or other impacts to residential neighborhoods.
- F. Regional facilities shall also be located in close proximity to supporting services.
- G. Public facilities serving regional needs should also be located near supporting or complementary uses and away from residential areas.

- H. Public facilities should not generate unmitigated significant adverse impacts on the natural or built environment.
- I. Public facilities visible from a public right-of-way should exhibit architectural detailing and similar design features that promote land use compatibility and community pride.
- J. The siting and design of public facilities should not result in disproportionate impact upon a single segment of the community.
- K. Essential public facilities should be regulated either as a permitted land use, or a use allowed with approval of a conditional use permit.

NEIGHBORHOODS

- Policy LU-45.** Work with affected persons and groups to develop plans and strategies to preserve and improve neighborhoods.
- Policy LU-46.** Allow a range of compatible residential densities and neighborhood commercial land uses within or near Lynnwood's neighborhoods. Complementary uses include places of worship, daycare, and similar institutional uses that do not cause a substantial impact to adjoining residences. Limited commercial land uses may be allowed where residences are more than convenient walking distance (about one-half mile) from other shopping areas, and may include small retail stores, professional and personal services, and eating and drinking establishments.
- Policy LU-47.** Facilitate neighborhood identity through public improvement and activities.
- Policy LU-48.** Provide for a rental housing inspection program to promote the long-term viability of neighborhoods.
- Policy LU-49.** Encourage the creation of pedestrian-friendly developments and neighborhoods.
- Policy LU-50.** Non-residential developments that adjoin residential properties shall provide transitional screening so that non-residential activities do not significantly affect the livability of the residential properties.
- Policy LU-51.** Residential areas shall be protected from encroachment by developments that would diminish the City's capacity to accommodate population growth targets specified by the Countywide Planning Policies.
- Policy LU-52.** The City will consider design standards for single family and multifamily neighborhoods that implement policy objectives relating to sustainability and climate change.

