



AGENDA

Lynnwood Planning Commission

Meeting

Thursday, September 22, 2016 — 7:00 pm

Lynnwood Fire Station 15, Training Room
18800 44th Ave. W, Lynnwood, WA 98036

A. CALL TO ORDER – ROLL CALL

B. APPROVAL OF MINUTES

1. July 14, 2016 meeting and August 11, 2016 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

None

E. WORK SESSION TOPICS

1. 2016 Comprehensive Plan Amendments and Rezones
2. Chapter 21.46 – Commercial Zone Amendments and Mapping Amendments (CAM-004093-2016/CPL-3761-2016)
3. Detached Accessory Dwelling Units (DADUs) (CAM-003688-2016)

F. OTHER BUSINESS

G. COUNCIL LIAISON REPORT

H. DIRECTOR'S REPORT

I. COMMISSIONERS' COMMENTS

J. ADJOURNMENT

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

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**CITY OF LYNNWOOD
PLANNING COMMISSION MINUTES
July 14, 2016 Meeting**

Commissioners Present:	Staff Present:
Robert Larsen, First Vice Chair	Paul Krauss, Comm. Devt. Director
Michael Wojack, Second Vice Chair	Gloria Rivera, Senior Planner
Maria Ambalada	David Mach, Resident Capital Engineer
Doug Jones	
Richard Wright	
Shanon Tysland	
Commissioners Absent:	Other:
Chad Braithwaite	Councilmember George Hurst

Call to Order

The meeting was called to order by First Vice Chair Larsen at 7:00 p.m.

Approval of Minutes

1. Approval of minutes of the June 23, 2016 Meeting

Motion made by Commissioner Wojack, seconded by Commissioner Jones, to approve the June 23, 2016 Planning Commission minutes as presented. Motion passed unanimously (6-0).

Citizen Comments

None

Work Session

1. Traffic Impact Fee Deferral Ordinance (Public Works

Resident Capital Engineer David Mach reviewed the proposed revisions to the Traffic Impact Fee code. He explained that five years ago the City Council passed an LMC that allows for traffic impact fees. This means if there is a new development that comes to town, and they are going to generate additional or new traffic (or PM Peak Hour Trips) the fees are between \$5,000 to \$8,000 for each trip generated. The money goes into a fund and can only be used to fund transportation projects for capacity improvements. There are currently 10-15 projects that are identified as Transportation Impact Fee projects. This roughly generates \$.5 million to \$1 million annually, but it fluctuates significantly depending on development cycles.

1
2 Right now the fees are collected at the time of building permit. Recently the state
3 legislature changed state law to require jurisdictions to allow for a deferral system
4 for single-family residential developers. A proposed ordinance reflecting this
5 change is contained on page 15 of the Planning Commission packet. The
6 ordinance allows for the option for the developer to pay a \$250 fee to delay
7 having to pay the \$8000 fee which now can be paid at final inspection. The
8 proposed language fulfills the intent the legislature had. It is a requirement and is
9 supposed to be implemented by September 1 of this year. Following this
10 meeting, staff intends to meet with City Council in early August for a work
11 session, followed by a public hearing and potential adoption of the ordinance.
12

13 Consultant Victor Salmo with TSI added that they tried to keep the process as
14 simple as possible by allowing the deferral at final inspection instead of with
15 certificate of occupancy or even as late as the closing of the sale of the home. He
16 noted that the ordinance also locks the impact fee in, so if the City increases the
17 impact fee during the period of the deferral the developer would pay the amount
18 that was in place at the time they requested it.
19

20 Vice Chair Larsen asked how concurrency relates to the current action. Resident
21 Capital Engineer David Mach replied that impact fees are just a way to generate
22 money to pay for additional capacity, and concurrency is a process to track how
23 increased traffic is affecting the city. He reviewed the concurrency process.
24

25 Commissioner Ambalada asked how much of the cost of the impact fees is
26 passed on to the buyer of the property. Resident Capital Engineer Mach replied
27 that the fees are definitely reflected in the cost of the home. He noted that if
28 Lynnwood didn't charge traffic impact fees the City would have to come up with
29 the funds for road improvements another way or lower its Level of Service
30 standards. The thought behind traffic impact fees is to have development pay for
31 future growth. In Lynnwood those fees are set at only 50% of the actual cost so
32 one trip will actually cost \$10,000-12,000 to add the extra capacity. The City has
33 to come up with the balance through grants or other funding sources.
34

35 Vice Chair Larsen pointed out that there really aren't any traffic impacts until
36 people move into the house, and the builder usually doesn't have the financing
37 he needs to help pay for the mitigation until people buy the house. This change
38 helps to link the occupancy and the related demand with the money to pay for the
39 fees. He thinks this is a reasonable request.
40

41 Commissioner Wojack referred to the two developments going in on 40th. He
42 asked if the City has the capital to cover the improvements up front until the
43 deferred fees come in in situations where immediate transportation
44 improvements are required. Community Development Director Paul Krauss
45 explained that the two projects Commissioner Wojack referred to had to do a
46 traffic analysis. They are building new public streets and making street

1 connections that improve the city street system. They are also making frontage
2 improvements on the streets that they front on. Beyond that the system is
3 adequate to handle the demand. The cost of the impact fee is to build out the
4 larger system. Regarding the City's ability to handle the deferred payments, he
5 noted that this is the law so they have to abide by it. He commented that there
6 was pushback by the planning community because it delays getting the money
7 into public hands to do the improvements. Commissioner Wojack commented
8 that he likes the way this is written. Mr. Salmo commented that the legislature
9 gave the cities a little more time to spend the funds recognizing that project
10 development and the environmental and design processes can take a while. Now
11 cities have ten years to spend the fees or return them.

12
13 Commissioner Ambalada suggested that the City should be more transparent to
14 the public about what this money is for.

15
16 *Motion made by Vice Chair Larsen, seconded by Commissioner Wright, to*
17 *forward the Traffic Impact Fee Deferral Ordinance as presented to the Council*
18 *with a recommendation to pass. Motion passed unanimously (6-0).*

19
20 **Public Hearing**

- 21
22 1. Code Amendments to Chapters 21.44, 21.57, and 21.58 LMC & Text
23 Amendment to the Economic Development Element of the
24 Comprehensive Plan (CAM-003953-2016)

25
26 Senior Planner Gloria Rivera reviewed the changes to the development code and
27 the associated changes to the maps. She stated that one of the main reasons for
28 presenting this code amendment is to encourage mixed use development in a
29 certain zone. She stated there has been an inconsistency in the code in Chapter
30 21.57 (College District Mixed Use Zone) and 21.58 (College District Overlay
31 Boundary) which effectively cancels each other out. There are still some single-
32 family houses in that area although they are zoned multi-family. When the code
33 was written it made them non-conforming uses so if people wanted to make
34 improvements to their homes they have not been able to do that. She has had
35 many inquiries about that. Staff is recommending things such as college and
36 university buildings, transit stops and stations, retail stores or service buildings
37 under 5,000 square feet, offices or food and beverage services under 4,000
38 square feet, multiple residential dwellings between 20-43 units per acre including
39 senior housing, art or performance theaters, child daycare centers, group
40 residential such as dormitories, and hotels as permitted uses. She reviewed
41 prohibited uses, exemptions, and development standards.

42
43 LMC 21.57 says you don't have to have a minimum lot area, but there is a
44 boundary in LMC 21.58 which overlays everything that says you have to have an
45 acre. It has been very hard for people to accumulate an acre to develop. Staff's
46 recommendation is to reduce the requirement to a half acre for a development.

1 Another change made was to change the maximum lot coverage from 80% to
2 90% because the City is looking for denser development in this area.

3
4 21.57.400(b) proposed changes are as follows: allow shared parking within 500
5 feet of the principal use, include 204th Street between Highway 99 and the
6 campus to have pedestrian environments, and delete repeated language
7 regarding multi-story buildings. There were several changes in Outdoor Spaces
8 to delete reference to an outdoor lighting plan for the College District because
9 there actually was no plan. 204th Street, 196th Street SW, and 64th Avenue West
10 were included in the requirement to situate trees along the street front. Under
11 Other Limitations and Uses, 21.57.400(d) allows off street parking inside or
12 behind buildings with the exception of parking on the college campus, regulates
13 the allowed signs and prohibits freestanding, pole signs, and roof signs except on
14 196th Street and 64th Avenue West, and states that when your development is
15 next to residential zone that you have to provide buffer strips, plantings, and
16 fences. 21.57.500 addresses design guidelines.

17
18 Staff is proposing a few changes to the Public Zone to allow private/public
19 collaboration on projects and to increase accessory uses for universities and
20 schools. The recommendation is to keep in park-and-pool lots, but take out the
21 park-and-ride lots. In section 3, the temporary use permit applying to hot air
22 balloons was removed. Staff is also recommending the strikeout of section 4 and
23 5 which is the electric vehicle charging station and the battery exchange station
24 because those are uses that would be allowed in buildings anyway. Under
25 Conditional Uses, the requirement to have a conditional use permit to have a
26 legal or professional office was removed.

27
28 Senior Planner Rivera stated that staff has received some comments on this.
29 Leisure Care who owns a large senior residence on 196th Street expressed
30 concern about what would happen to them if the zone changes because they
31 couldn't have the type of operation they have now. To address this, staff is
32 recommending including senior housing in the allowed uses. The other request
33 was from Community Transit.

34 35 Comments and Questions:

36
37 Vice Chair Larsen said he was happy to see that they reduced the minimum lot
38 requirement. He thinks this will really help. He wishes it could go even smaller.
39 He is a little concerned about the lot coverage going from 80-90% He asked if the
40 front setback will change. Senior Planner Rivera replied it does not change. He
41 hopes the parking reduction of 50% will work, but since it is a college district it
42 shouldn't be an issue.

43
44 Vice Chair Larsen opened the public hearing at 7:33 p.m. and solicited public
45 testimony.

1 George Osborne, 606 Lee Street, Seattle, WA, stated he has been involved in
2 real estate development for many years and did the public/private housing for
3 Edmonds Community College. In his retirement he is working off of 200th where
4 there is a church and commercial use. He is worried about the focus on mixed
5 use. He stated that mixed use works very well with short blocks and narrow
6 streets. Long blocks and wide streets do not work. Mixed use also means that
7 the retail is really deep because of the depth of the residential units above it
8 which is an issue. He commented that there is a lot of empty retail space in
9 Seattle right now because mixed use has been required. The concept is great,
10 but the demand is going down as buying online is becoming more and more
11 common. He noted that the banks don't want to loan money for this so it's hard to
12 get funding. He stated that the market will ask for mixed use when the need is
13 there, but requiring it through planning will tend to drop the development rate. He
14 spoke in support of keeping single-family homes. Mr. Osborne also expressed
15 concern about the setbacks (minimum of zero and a maximum of 15 feet)
16 because it would not allow for a courtyard and modulation. He stated that the
17 ability to modulate the façade is what creates interest for walking. He added that
18 he is an owner and developer of Thornton Place at Northgate. They were
19 required to have a ton of retail space and feel very fortunate to have filled it. He
20 thinks the only reason they did is because Rapid Transit and UW Medicine used
21 a lot of it. He also spoke against reducing parking because people still have cars.

22
23 Seeing no further comments the public testimony portion of the hearing was
24 closed at 7:41 p.m.

25
26 Staff comments:

27
28 Director Krauss commented that the parking in the code is the minimum; there is
29 no maximum. They are providing the option to do less because that area has
30 excellent transit service. Regarding mixed use, he noted that the developer
31 across the street from the college has already designed a building with first floor
32 retail. It isn't too deep because they have a floor of parking behind the retail.
33 Where the City has had mixed use requirements they have been flexible in terms
34 of the amount and the location. He noted there are 15,000 students across the
35 street and a lot of high-density development in this area. The City has been
36 approached to do mixed use development several times, but developers find they
37 can't do what they'd like to do because of the existing code. In terms of building
38 modulation, they have the same requirements in City Center and expect
39 buildings to be modulated. Public plazas and other features are also encouraged.
40 He reviewed how they are working with the Fire Department to ensure fire
41 protection without requiring fire lanes.

42
43 Vice Chair Larsen asked if mixed use would be a requirement in the College
44 District. Senior Planner Rivera said it is an option, but would not be required.
45 Vice Chair Larsen asked how the mixed use changes on Highway 99 have been
46 working out. Director Krauss discussed a residential development with about 300

1 units approaching the Highway 99 edge. It was originally being proposed as
2 mixed use, but they ultimately decided to do a straight residential project. The
3 SRO development at the corner of 196th and 200th was encouraged to look at
4 mixed use development, but at that time they were convinced there wasn't a
5 market for it. There may be a proposal to redevelop the shopping center where
6 Safeway was as a mixed use development, so there is some interest.

7
8 Commissioner Wojack referred to Building and Uses under Development
9 Standards and asked how the requirement to match the architectural styles of
10 surrounding development is working. Senior Planner Rivera noted there is a
11 requirement for some degree of compatibility but it is very vague. Director Krauss
12 noted they could look at that again. He noted that currently the Design Guidelines
13 are applied administratively.

14
15 *Motion made by Vice Chair Larsen, seconded by Commissioner Wright, to pass*
16 *to City Council Code Amendments to Chapters 21.44, 21.57, and 21.58 LMC &*
17 *Text Amendment to the Economic Development Element of the Comprehensive*
18 *Plan (CAM-003953-2016) as presented with a recommendation for approval.*
19 *Motion passed unanimously (6-0).*

20
21 2. College District Comprehensive Plan Amendments and Rezone (CPL –
22 003757-2016 RZN-003759-2016)

23
24 Senior Planner Rivera stated this would get rid of duplication and include the new
25 action taken above in the text amendments. The other items are mapping
26 amendments which would: expand the College District Mixed Use Zone, amend
27 the Land Use Map to amend the College District Mixed Use Zone and change
28 the Land Use designation on the college property to Public Facilities. Director
29 Krauss explained the golf course is leased by the City but is on college property.

30
31 The public testimony portion of the public hearing was opened at 7:58 p.m.

32
33 Public Testimony:

34
35 None

36
37 Seeing no public comments, the public testimony portion of the public hearing
38 was closed at 7:58 p.m.

39
40 Commissioner Comments and Questions:

41
42 Vice Chair Larsen noted that the change on the golf course away from park use
43 to the college is a big step, but a timely one. He also spoke in support of the
44 other changes.

45

1 Commissioner Wojack concurred with the golf course change. He asked how
2 long the current lease is. Kevin McCain, Vice President for Finance and
3 Operations, Edmonds Community College stated the existing lease is in place for
4 five more years and then it is set to renew for another 30 or 35 years. They are
5 working with the City on an update to that lease.

6
7 Commissioner Ambalada asked Director Krauss asked if there is any property
8 adjacent to the golf course for the City to have a business center. Director Kraus
9 replied that there is not.

10
11 *Motion made by Commissioner Wright, seconded by Commissioner Ambalada,*
12 *to move this item forward to the City Council with a recommendation for*
13 *approval. Motion passed unanimously (6-0).*

14 15 **Other Business**

16 17 **Council Liaison Report**

18
19 Councilmember Hurst commented that the City Council has expressed a couple
20 times that the work the Planning Commission does is much appreciated.

21 22 **Director's Report**

23
24 Director Krauss had the following comments:

- 25 • Staff has been active in preparing a Draft Budget. The process is more
26 complex this year as the City has moved to new financial software and is
27 also starting the Budgeting for Outcomes process which is new for
28 everyone. This is the first time that consistency with supporting the city
29 vision is the key defining attribute for moving items forward. All programs
30 and efforts must show how they meet the goals for the city. There are also
31 some new changes in how costs are allocated. This will give the public
32 more ability to understand the budget and will give the Council a better
33 ability to make decisions.
- 34 • Development activity is continuing very rapidly. There is a proposal by
35 General Growth to redevelop the east side of the mall by tearing down
36 Sears and filling that space with something walkable with street-frontage
37 retail. They have a very aggressive schedule for development and hope to
38 be under construction next spring. The City is also working with the
39 Cosmos Corporation who is prepared to move forward with a 350-unit/16-
40 story building where the 3-story medical building is near Toys-R-Us. This
41 will be all-concrete construction which will be a first for the City. It will also
42 be a mixed use development with retail along Alderwood Parkway. The
43 developer is very excited about what the mall is doing across the street.
- 44 • Sound Transit has a plan to go to the voters which the City is pleased
45 with.

- 1 • He thinks the plan that the Commission approved tonight goes a long way
2 to completing the vision that the Commission talked about when they
3 talked about Highway 99, but weren't able to actually link the
4 196th/Highway 99 node with Edmonds Community College. This plan will
5 do that.
6

7 **Commissioners' Comments**
8

- 9 • Vice Chair Larsen said he is hopeful that mixed use will work out for the
10 City. He is also looking forward to seeing how Trinity Lutheran Church
11 uses the Highway 99 zoning. Director Krauss concurred and noted that
12 the community center will be a major draw for many different types of
13 people throughout the day and the evening.
14 • Commissioner Wright commented that the new building down by Toys-R-
15 Us will be the first vertical structure in the City of Lynnwood that casts a
16 shadow on the freeway.
17 • Commissioner Wojack expressed concern about the joint commission
18 meeting because the individual commissions didn't open their respective
19 meetings, nor was there a roll call or detailed minutes. Director Krauss
20 replied that each of the boards and commissions that attended had it
21 scheduled as a meeting. The City Attorney was consulted as to how to
22 handle the noticing and the minutes, and the City followed that process.
23 Commissioner Wojack expressed concern that the correct procedures
24 might not have been followed in that setting. Director Krauss commented
25 that there was not official action taken; it was basically a work session
26 format. The minutes were commensurate with what the Council does
27 when they have a work session.
28

29 **Adjournment**
30

31 The meeting was adjourned at 8:18 p.m.
32
33
34

35 _____
36 Chad Braithwaite, Chair

**CITY OF LYNNWOOD
PLANNING COMMISSION MINUTES
August 11, 2016 Meeting**

Commissioners Present:	Staff Present:
Chad Braithwaite, Chair	Todd Hall, Planning Manager
Robert Larsen, First Vice Chair	Chanda Emery, Senior Planner
Michael Wojack, Second Vice Chair	Gloria Rivera, Senior Planner
Commissioners Absent	
Maria Ambalada	
Doug Jones	
Richard Wright	Other:
Shanon Tysland	Councilmember George Hurst

Call to Order

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

Approval of Minutes

1. Approval of minutes of the July 14, 2016 Meeting

This item was continued to the next meeting due to lack of a quorum.

Citizen Comments

None

Public Hearing

None

Work Session

1. Detached Accessory Dwelling Units (DADUs) (CAM-003688-2016)

Senior Planner Chanda Emery provided a briefing on Detached Accessory Dwelling Units (DADUs). The Planning Commission looked at DADUs in 2009 and worked with staff to allow DADUs to be constructed in Lynnwood by recommending approval of legislation that would allow them in the RS-7 and RS-8 zones. However, when this was approved by the City Council it went through without the word “detached” in the code. As a result, the current ADU code contains language that allows for attached units with what appears to be the intention of having both. She presented the current ADU code for Planning Commission’s comments. She recommended including the word “detached” in

1 the code for clarification. The DADUs would be subject to the same development
2 standards that are in place for ADUs which was drafted with the intent to protect
3 the single-family character of neighborhoods. No changes to the Development
4 Standards are being recommended. The primary purpose of the code
5 amendment tonight is to allow for affordable housing options for home owners. It
6 is meant to give flexibility and the opportunity to build a DADU if one chooses to
7 do so. As an affordable housing option it supports the goals and the policies
8 listed in the Comprehensive Plan and meets the requirements of the Growth
9 Management Act. Staff is recommending a public hearing at the next meeting.

10
11 Commissioner Wojack asked about the minimum lot size requirements. Senior
12 Planner Emery commented that for the RS-8 zone it is 8,400 square feet. She
13 added that staff is also recommending removing the RS-7 zone from this code so
14 there would be less impact on single-family neighborhoods in general.

15
16 Commissioner Larsen asked about size restrictions for the DADUs. Senior
17 Planner Emery replied that the detached units are subject to lot coverage
18 restrictions for single-family zones which is 35%. There are also size limitations
19 which are quite small compared to other jurisdictions. The City is trying to avoid
20 having a duplex appearance. It was meant to give people the opportunity to build
21 a unit above a garage, but keep the single family character using the same
22 design standards you would see in RS-8.

23
24 Commissioner Larsen asked if the City is getting requests from people to build
25 these. Senior Planner Emery stated she has a running list of interested parties
26 and has told them that this is on the agenda for tonight. Many indicated an
27 interest in coming to the public hearing.

28
29 Chair Braithwaite asked if it really is affordable housing since they are costly to
30 build. Senior Planner Emery agreed that it can be viewed in different ways. She
31 noted that ADUs are quite a controversial topic in planning because a lot of
32 people are concerned that you would be creating rentals and things like that. She
33 noted that ADUs are really quite small. The cost of something to be built over a
34 garage would be less than if you were building a brand new detached unit from
35 the ground up. It allows the option for families to keep family members nearby.
36 Chair Braithwaite stated he has concerns about the impacts changes like this
37 which allow higher density will have on traffic and other city services. He looks
38 forward to hearing other peoples' perspectives at a public hearing.

39
40 Commissioner Wojack said he likes that section 7 covers a lot of maximum size
41 restrictions. He recalled that the homeowner also has to file something with the
42 county. Ms. Emery explained that they have to file an affidavit showing proof that
43 they are living there at least six months out of the year. Commissioner Wojack
44 commented he has three in his neighborhood that are flop houses. He expressed
45 concern that the quality has gone down and that there is less money coming to
46 the cities. He stated that he is from Flint, Michigan and watched things go

1 downhill there, but they didn't have the restrictions that Lynnwood has included in
2 its code.

3
4 Commissioner Larsen (microphone off) expressed concern about where the extra
5 density in the city is going. He encouraged staff to work with developers to
6 provide incentives for more affordable housing. He commented he would love to
7 have a discussion sometime about priorities and the bigger picture of all the
8 changes toward higher density. He said he shares concerns of the other
9 commissioners about this.

10
11 Chair Braithwaite asked about setback requirements. Planning Manager Hall
12 stated it would be the same as RS-8 which is 25 feet in the front and rear and 15
13 feet combined on the sides. Senior Planner Emery clarified that DADUs would be
14 in the rear yard setback.

15
16 2. Chapter 21.46 – Commercial Zone Amendments and mapping
17 Amendments (CAM-004093-2016/CPL-3761-2016)

18
19 Senior Planner Gloria Rivera reviewed the Staff Report, the tables, the draft
20 ordinance, and the maps included in the packet, taking comments after each
21 section.

22
23 Comments:

24
25 Commissioner Larsen (microphone off) referred to the table on page 31
26 regarding senior housing and suggested adding clarifying language. Chair
27 Braithwaite asked about the difference in types of senior housing. Senior Planner
28 Rivera commented that this would be further defined in the omnibus ordinance
29 coming later this year.

30
31 Commissioner Wojack referred to the table on Retail Activities on page 34 and
32 noted that businesses such as florist shops, greenhouses, and nurseries would
33 not serve just the local neighborhood. There would likely be people driving to
34 these businesses. The way Neighborhood Commercial is written it sounds like it
35 should just be neighborly businesses. He suggested that it might be better
36 permitted under General Commercial. Senior Planner Rivera noted that the QFC
37 on 196th would fall under this Neighborhood Commercial proposal. They
38 definitely get enough business from the local area. She noted it was not analyzed
39 based on traffic flow.

40
41 Commissioner Wojack referred to Section 21.46.116 regarding Multiple-Family
42 Housing and asked if attics would be allowed for housing if people wanted to live
43 there. Senior Planner Rivera thought as long as it was allowed in the Building
44 Code it would probably be acceptable.

45

1 Commissioner Wojack referred to the section on Transition of Buffer Strips
2 (21.46.220) and said he likes the restriction on the trees which requires
3 separating them to 15 feet. Trees in his neighborhood were planted 5 feet apart
4 years ago, and most are starting to die as they get bigger. It's nice to see them
5 spaced out a little better. He then referred to Caretaker and Watchman's
6 Quarters and asked if this is even used anymore. Senior Planner Rivera
7 explained it is still used occasionally.

8
9 Commissioner Larsen asked about changes to businesses in neighborhoods
10 (microphone off). Senior Planner Rivera suggested looking at the maps which
11 would show where the changes are occurring. She noted that places where
12 changes to Neighborhood Commercial are being proposed for the most part are
13 already on arterials. Planning Manager Todd Hall added that the main intent was
14 to try to consolidate the different B zones into one group. He noted that there
15 were only very minor nuances between some of the B zones.

16
17 Commissioner Wojack commented that the maps make a lot of sense and show
18 that they are zones and not just zoning for certain businesses.

19
20 Commissioner Braithwaite referred to the table 21.46.01 and commented that it
21 seems there are still a lot of auto uses that are duplicative. He suggested
22 condensing the table more. Likewise, table 21.46.08 appears to have categories
23 that could be consolidated (maybe just Electronics). He then referred to table
24 21.46.09 and asked if an event like the carnival in Mountlake Terrace would be
25 allowed. Planning Manager Hall replied that a special event permit would be
26 used for something like that. On the table for Industrial Uses he recommended
27 differentiating uses that have additional impacts like emissions or water
28 discharge requirements. Senior Planner Rivera explained staff's reasoning and
29 suggested they could differentiate between light and heavy uses. Chair
30 Braithwaite commented that there are a lot of industrial uses that don't have a
31 dramatic impact on the community and can be a positive addition to the
32 community by providing jobs and contributing to the economic base.

33
34 Chair Braithwaite referred to the Clothes for Kids store near 168th, and asked for
35 confirmation that it would still be allowed since "Charitable or Relief Supplies
36 Collection or Storage" was being crossed out on table 21.46.13. Senior Planner
37 Rivera thought that would be considered more of a thrift store. Chair Braithwaite
38 noted it is more of a staging facility for the charitable work that they do. Senior
39 Planner Rivera suggested leaving that in and making it a permitted use. Planning
40 Manager Hall clarified that a small consignment type shop might be allowed in
41 Neighborhood Commercial zone, but not something like a Goodwill or Value
42 Village. Chair Braithwaite concurred. He also recommended that places like the
43 food bank should be allowed and not have to jump through hoops.

44
45 Chair Braithwaite asked if changing uses on lots could be considered a form of
46 taking or eminent domain when they are diminishing the usefulness of the

1 property from the owner’s perspective. Senior Planner Rivera replied that “taking”
2 would mean they would take all the uses. She didn’t think they would be
3 diminishing anybody’s ability to operate their business.

4
5 Commissioner Larsen said that to him the notion of Neighborhood Commercial
6 has to do with scale and access. Some of what they are now calling
7 Neighborhood Commercial, such as QFC, is far bigger and more intensive than
8 the smaller uses. He suggested using some other term that more accurately
9 reflects what they are allowing such as Limited Commercial. Planning Manager
10 Hall said he understood and noted that all of these uses were previously allowed
11 in the different B zones. He discussed possible ways to address this. He noted
12 that a lot of the small pockets were spot zones that were taken over by the City
13 years ago. No matter what they call it, it will always be limited to the size of the
14 lot.

15
16 Senior Planner Rivera commented that right now the B-3 zone provides for
17 medical, retail, professional, personal service uses, offices and services not more
18 than two stories, and must serve the everyday needs of the residents of the
19 surrounding neighborhood. Multi-family may be permitted on parcels subject to
20 location and a Conditional Use Permit. They provide for Neighborhood
21 Commercial Centers in appropriate locations along arterial streets, preserve
22 existing Neighborhood Commercial Centers which are at appropriate locations
23 with residential neighborhoods, which may not be located on arterial streets or at
24 a transition zone between residential zones and more intensive commercial
25 zones. Planning Manager Hall commented that some of the existing uses that
26 are there (such as QFC) may be currently operating at a larger scale than
27 intended, but the definition is worded so that it is more of a neighborhood-
28 oriented business zone, not necessarily the intensity.

29
30 Chair Braithwaite referred to the lot across from PetSmart shown on map 3 of 4
31 on page 72, and noted that this lot has a very steep slope which would
32 dramatically limit development. He recommended reconsidering the use on this.
33 Senior Planner Rivera commented that the thing that has curtailed development
34 of that site is the slope and the fact that they have to have really large setbacks
35 from the south side because of the single-family residential there.

36
37 Senior Planner Rivera asked for the Planning Commission’s recommendation.
38 Commissioner Wojack recommended getting the other four members in to fine
39 tune it a little more before a public hearing. Commissioner Larsen spoke in
40 support of moving forward to a hearing. Chair Braithwaite said he was
41 comfortable having a public hearing as long as they could continue to debate it.
42 He added that with the four people absent it would probably be wise to have
43 another work session.

44
45 **Other Business**

1 None

2

3 **Council Liaison Report**

4

5 Councilmember Hurst (microphone off) had the following comments:

- 6 • Council is considering another review of the criteria for commissions so
7 any comments about that topic would be welcome.
- 8 • He agreed with Commissioner Larsen that a joint meeting with the
9 Planning Commission and Council would be a good idea.

10

11 **Director's Report**

12

13 Planning Manager Hall had the following comments:

- 14 • Director Krauss is on vacation.
- 15 • He distributed a flyer about the Senior Center BBQ Picnic coming up on
16 Saturday, August 20.
- 17 • The second meeting in August and the first meeting in September will be
18 cancelled. There will likely be some meeting date changes in October as
19 well, but more information about that will come later.

20

21 **Commissioners' Comments**

22

23 Commissioner Wojack asked if the Council would be contacting the commissions
24 for their comments or if they should just provide them to Council Liaison Hurst.
25 Council Liaison Hurst wasn't sure, but said he could always take comments.

26

27 **Adjournment**

28

29 The meeting was adjourned at 8:37 p.m.

30

31

32

33

34 _____
Chad Braithwaite, Chair

**Topic: 2016 Comprehensive Plan
Amendments and Rezones**

Agenda Item: E.1

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

Staff ReportStaff Contacts: Todd Hall, Planning Manager; Gloria Rivera, Senior Planner;
Sarah Olson, Deputy Director, Parks, Recreation & Cultural Arts Department**Introduction**

This year's docket of proposed amendments to the Lynnwood Comprehensive Plan consists of eleven (11) amendments. The amendments are being processed in two batches. The initial six (6) were recommended for approval by Planning Commission on June 23, 2016 and approved by City Council on July 25, 2016. As part of this evening's briefing, Staff is presenting four (4) of the five (5) remaining amendments. The College District Comprehensive Plan and Zoning Amendments were presented at a public hearing on July 14th.

Action

After a review of the proposed amendments, deliberate on the amendments and make a recommendation to the City Council for final approval.

Background

The Lynnwood Municipal Code (LMC) provides a process for annual consideration of amendments to the City's Comprehensive Plan (Chapter 18.04 LMC). Review of these amendments is a major component of the Planning Commission's annual work program. The Community Development Director compiles and maintains for public review a Proposed Amendment List (PAL), or annual "docket," concerning amendments to the Comprehensive Plan and subarea plans. The decision criteria for taking action on amendments are specified in the Implementation section of the Comprehensive Plan. Decision criteria for rezones (reclassifications) are specified in LMC Chapter 21.22.600.

Amendments

Tonight's briefing includes the following amendments:

- A. **Kid City LLC Comprehensive Plan Amendment and Rezone (CPL-003740-2016 / RZN-004078-2016)** This amendment is a privately-initiated amendment to the Future Land Use Map (FLUM) to change the designation of a parcel located at 6009 168th St. SW from Low-Density Single-Family (SF-1) to Local Commercial (LC). A rezone is also proposed which would rezone the property currently zoned Residential 8400 Sq Ft (RS-8) to Neighborhood Commercial (B-3). The parcel currently has a legally non-conforming day care center, including a single-family residence. Under the current zoning designation, a day care is only allowed as an accessory use to a school or place of worship.

The property was part of a City-wide rezone ordinance (Ord. 2390, October 10, 2001) to achieve consistency with the 2020 Comprehensive Plan.

- B. Parks, Recreation and Open Space Element Comprehensive Plan Amendment (CPL-003730-2016)** This amendment is an update to the existing Parks, Recreation, and Open Space (PROS) Element to include the results of the recently completed 2016-2025 Parks, Arts, Recreation, and Conservation (PARC) Comprehensive Plan. The PARC Plan was compiled using citizen input, need and demand analysis to create major themes, strategic directions, goals, policies and actions for the City's Parks, Recreation & Cultural Arts Department. These goals, policies, actions and recommendations for revised level of service for the next ten years and will serve as the foundation for a revised PROS Element. These changes are in alignment with the Washington State Growth Management Act, the Washington Recreation and Conservation Office, and the City of Lynnwood's Community Vision.
- C. Community Character Element Comprehensive Plan Amendment (CPL-003731-2016)** This amendment is a staff-initiated amendment to update the existing Community Character Element to incorporate the results of the recently completed 10-Year Healthy Communities Action Plan. The Action Plan was compiled using citizen input to create goals, policies and actions for the City over 2016-2025. These goals, policies, and actions serve as the foundation for a revised Community Character Element. These changes are in alignment with the City of Lynnwood's Community Vision and the Parks, Recreation and Cultural Arts Department's mission to "create a healthy community through people, parks, programs and partnerships."

Analysis and Comment

For Comprehensive Plan amendments, the Planning Commission shall base its recommendations on its preliminary evaluation of the need, urgency and appropriateness of the amendments, and criteria set forth in the Implementation Element of the Comprehensive Plan.

The criteria used in the review and approval of plan amendment requests are listed as follows:

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

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

For rezones, the Planning Commission shall base its recommendations for reclassifying properties within the City on the decision criteria noted in Chapter 21.22.600:

1. The reclassification is substantially related to the public health, safety, or welfare; and
2. The reclassification is warranted because of changed circumstances or because of a need for additional property in the proposed land use zone classification or because the proposed zoning classification is appropriate for reasonable development of the subject property; and
3. The subject property is suitable for development in general conformance with zoning standards under the proposed zoning classification; and
4. The reclassification will not be materially detrimental to uses or property in the immediate vicinity of the subject property; and
5. The reclassification has merit and value for the community as a whole; and
6. The reclassification is in accord with the comprehensive plan; and
7. The reclassification complies with all other applicable criteria and standards of the Lynnwood Municipal Code.

Each of the applicants has provided background and analysis for their respective amendments and rezones (see attachments). Based on the applicants analysis of the criteria for Comprehensive Plan Amendments and rezones (listed above), staff finds that all proposed amendments and rezones, with the exception of the Kid City LLC application, meet the criteria and recommend approval of the proposed items.

Kid City LLC Analysis and Staff Recommendation

Staff originally recommended that this request be dropped from the docket due to inconsistencies with the City Comprehensive Plan. The Commission may recall that this property was one of hundreds that were rezoned by the City in 2001 to bring them into legal consistency with the City's adopted Comprehensive Plan. Kid City is therefore a

“grandfathered” non-conforming use that can remain in operation for an unlimited period of time. When the use ceases to exist it can be replaced only with uses consistent with the current zoning. The owner indicated that her request to rezone the property for commercial uses was being required by lenders for financing purposes.

At the Planning Commission and City Council meetings in May, both bodies made recommendations to keep the application on the docket. The City Council recognized the inconsistencies with the City Comp Plan and Zoning but asked Staff to explore potential options that could create an exemption for this use with the City Attorney, including the potential for approving the Comprehensive Plan amendment and rezone with the condition that the amendment and rezone would automatically expire at such time the day care use on the property is discontinued. In other words, Kid City’s request would revert the property’s FLUM and zoning designations to the status before the 2001 City-wide rezone (Ord. 2390 noted above).

Staff met with the City Attorney to discuss the proposal. Staff asked the City Attorney if she could identify ways to provide some sort of exemption for this property that would maintain consistency with the Plan, treat similar property owners in an equitable manner and not result in the creation of a precedent that could have the effect of introducing similar commercial uses in residential neighborhoods throughout the City. The Attorney indicated that there are no options for approving this use that did not result in creating these problems. It is the opinion (attached) of the City attorney based on case law review that a proposed “conditional ordinance” would treat the Kid City application differently from other properties that contain a legal nonconforming use. The proposed conditional rezone could be viewed as “spot zoning,” which is defined as an arbitrary and unreasonable zoning action by which a small area is singled out of a larger area and specifically zoned for use classification that is totally different from and inconsistent with the classification of the surrounding land area, and not in accordance with the comprehensive plan.

Based on the City’s review of the application as it pertains to the criteria of for review and approval, and based on the legal opinion of the City attorney, Staff recommends denial of the Kid City LLC application.

Previous Planning Commission / City Council Action

Planning Commission approved the PAL on May 12, 2016

City Council approved the PAL on May 23, 2016

Planning Commission recommended approval of first six (6) amendments and rezones on June 23, 2016

City Council approved the first six (6) amendments and rezones on July 25, 2016

Adm. Recommendation

Discuss the proposed amendments. At a future meeting, tentatively scheduled for October 26, 2016, hold a public hearing to hear public testimony regarding the

proposed amendments and rezones. At the conclusion of the hearing, deliberate on the amendments and make a recommendation to City Council to hold a public hearing to review the proposed amendments as presented by Staff.

Attachments

1. Comprehensive Plan Amendment and Rezone background information
2. Maps for site specific amendments
3. City Attorney memo regarding Kid City application

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ITEM A

KID CITY LLC COMPREHENSIVE PLAN AMENDMENT AND REZONE

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RECEIVED

MAR 31 2016

**CITY OF LYNNWOOD
PERMIT CENTER**

March 30, 2016

**“Kid City”
IECO #16-0773
A Comprehensive Plan Amendment and Concurrent Rezone Request**

PROJECT NARRATIVE

- **Comprehensive Plan Decision Criteria**
- **Description of Proposal; Required Item #8**
- **LMC 18.04.070 Analysis; Required Item #2**
- **List of Permits Required; Required Item #7**

Comprehensive Plan Decision Criteria

The purpose of this Narrative is to demonstrate that the proposed comprehensive plan map amendment complies with the following Decision Criteria:

ANNUAL COMPREHENSIVE PLAN DOCKET – DECISION CRITERIA The Implementation Element of the Comprehensive Plan states the following criteria for taking action on proposed Plan amendments: “Each component of a Comprehensive Plan Amendment package shall be reviewed and approved only if it meets all of the following criteria:

- A. “The proposal is consistent with the provisions of the Growth Management Act and will not result in Plan or regulation conflicts; and
- B. “The proposal will change the development or use potential of a site or area without creating significant adverse impacts on existing sensitive land uses, businesses, or residents; and
- C. “The proposed amendment can be accommodated by all applicable public services and facilities, including transportation; and
- D. “The proposal will help implement the goals and policies of the Lynnwood Comprehensive Plan; and
- E. “The proposal will not have significant impacts beyond the Lynnwood City Limits.”

Description of Proposal:

To provide the reader with a brief description of the proposal, we have prepared the following narrative:

This request is for a comprehensive plan amendment with concurrent rezone from the comprehensive plan designation of SF-1, Low Density Single Family Residential/RS-8, Residential 8400 square feet zone to Local Commercial/ B-3 zone, Neighborhood Commercial.

The site, "Kid City", is an existing, legally non-conforming day care center on a .44 acre parcel which fronts on 168th Street SW immediately north of Meadowdale High School and within a few blocks of Meadowdale Park, Meadowdale Elementary and Middle Schools and Beverly Elementary School. The site has been used as a day care for over two decades. Under the current zoning, the use of day care would only be allowed if it were an accessory use to a school or place of worship. As a non-conforming use, it cannot be enlarged, extended, increased or intensified; it cannot be relocated on the same site; and any alterations or repairs are limited. This amendment is sought to bring the comprehensive plan designation and zone into conformance with the existing use.

This narrative will serve to demonstrate that the request is consistent with GMA; the City of Lynnwood Comprehensive Plan, and in the interests of the public health, safety and welfare.

LMC 18.04.070 Analysis:

Following is an analysis of how the project complies *with LMC 18.04.070*. We provide the relevant citations, and then our analysis. The 5 decision criteria are underlined; official citations are shown in *italics*; our comments follow in standard script.

A. **The proposal is consistent with the provisions of the Growth Management Act and will not result in Plan or regulation conflicts:**

Growth Management Act.

In Washington State, comprehensive plans are directed by the Growth Management Act (GMA), Chapter 36.70A RCW. GMA provides a context and specific requirements for jurisdictions planning under the act. This context is outlined in the framework planning goals contained in RCW 36.70A.020, as follows:

1. Urban growth. *Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.*

The site is located on an urban arterial, with all necessary infrastructure existing. It is nearby numerous public schools and parks. Access to Highway 99 and I-5 is very convenient. Urban services and amenities are close by. As a location with adequate existing public facilities and services, this goal is satisfied.

2. Reduce sprawl. *Reduce the inappropriate conversion of undeveloped land into sprawling, low-density development.*

The site is currently developed with a long standing use on a convenient “T” intersection across from the high school. Neighborhood Commercial use at this location, serving the needs of educators, families and students in the neighborhood, is appropriate and needed. The presence of 4 schools within 4 blocks of the site, plus parks and playfields, means people frequent this location, and need the services which can be provided here. As a developed parcel of land with an existing high intensity use, in an appropriate location, this goal is satisfied.

3. *Transportation.* *Make adequate provision of efficient multimodal transportation systems.* N/A.

4. *Housing.* *Encourage the availability of affordable housing to 23 all economic segments of the population of this state, promote a variety of residential 24 densities and housing types and encourage preservation of existing housing stock.* N/A.

5. *Promote economic opportunity.* *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.*

The site is an existing business which may wish to expand, diversify, and improve, consistent with this goal. As an existing business with all necessary infrastructure in place, this is an ideal spot for increased economic opportunity. By promoting the retention and expansion of an existing business, this goal is satisfied.

6. *Respect private property rights.* N/A

7. *Ensure predictability and timeliness in permit review processes.* N/A

8. *Conserve natural resources.*

As an existing business located where necessary urban infrastructure is already present, keeping and allowing the enlargement and/or improvement of this business will conserve natural resources.

9. *Retain open space and provide recreational opportunities.* N/A

10. *Protect and enhance the environment.*

As an existing business located where necessary urban infrastructure is already present, keeping and allowing the enlargement and/or improvement of this business will have less impact on the environment than a new business. Additionally, since this business is located conveniently to residential neighborhoods and schools and parks, there will be fewer vehicular trips generated than by a business located in a more isolated area.

11. *Provide opportunities for citizen participation in the planning process.* N/A

12. *Make adequate provision of necessary public facilities and services.* N/A

13. *Preserve historic and archaeological resources.* N/A

14. *Shoreline Management Act (SMA) goals specified by RCW 90.58.020.* N/A

B. The proposal will change the development or use potential of a site or area without creating significant adverse impacts on existing sensitive land uses, businesses, or residents.

The site is currently a day care facility, which is an allowed use in the proposed comprehensive plan designation of Local Commercial and the implementing zone of Neighborhood Commercial. The site is already intensely developed, with buildings and parking areas covering roughly 75% of the site. The primary effect of this plan designation change would be to bring this legally non-conforming use into conformance. The amendment/rezone would also allow improvements to and expansions of the existing use; diversification or a change of use to another use allowed under the new zone; and necessary maintenance and upgrading of the existing use that is not allowed for non-conforming uses. Considering the existing presence of a successful business at this corner for many years, significant adverse impacts to other businesses or residents is not anticipated. There are no sensitive lands on or near the site. For these reasons, this criteria is met.

C. The proposed amendment can be accommodated by all applicable public services and facilities, including transportation.

The site is already served by all urban infrastructure, including sewer, water and power. Four schools lie within four blocks of the site. An arterial with sidewalks on both sides provides access to the site. Highway 99 and I-5 are easily and quickly accessed from the site. For these reasons, the criteria listed above are all met.

D. The proposal will help implement the goals and policies of the Lynnwood Comprehensive Plan.

Below we have cited comprehensive plan policies which have a direct relation to the requested amendment and rezone, and will demonstrate with our answers how the proposal implements and/or conforms with these:

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.

The existing use is already being adequately served by capital facilities, utilities and public services.

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.

The existing use is already part of the neighborhood...it has been a use here for many years. Commercial use of this corner cannot therefore be seen as incompatible. Neighborhood business uses are understood to be compatible with residential 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).*

This property, and the existing commercial use of this site, is already adequately served by fire protection, police protection, etc.

- G. *Be consistent with federal and state law, including the Growth Management Act.*

Consistency with GMA is demonstrated within this narrative.

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.*

The proposal is consistent and implements the comprehensive plan, as demonstrated in this narrative.

- B. *The proposal must be consistent with and implement the purpose of the zone.*

Per Table LU-6., Land Use Designations, sub-table E, Commercial and Industrial Land use Designations, the following direction is provided: The designation "LC", or Local Commercial, is intended to provide the primary land use described as Neighborhood-oriented retail and service. Locations targeted for this use include property with direct access from an arterial or collector street, and locations where non-residential uses will adversely impact nearby residences. The existing use is a neighborhood-oriented service with direct access from an arterial or collector street. A retail use at this location would be logical as well. The proposed designation therefore implements the language provided in this table, and therefore implements the purpose of the Local Commercial zone.

- C. *The proposal must be compatible with the zones and uses of surrounding properties.*

The Neighborhood Commercial use is understood to be compatible with residential neighborhoods.

- D. *There must be significant changes in the circumstances of the subject property or surrounding properties to warrant consideration of the proposed rezone.*

The instant property is already developed as a commercial use. This action would simply bring the comprehensive plan and zoning maps into conformance with the actual use.

- E. *There must be infrastructure capacity to adequately serve the proposed uses of the subject property.*

All the necessary infrastructure is available to the site: sewer, water, power, adequate roads, transit, schools, parks, and fire and police protection.

- F. *The property must be practically and physically suited to the uses allowed in the proposed zone.*

The site is already in use as a commercial site. The site is a good one for neighborhood commercial as it lies at a 'T' intersection on an arterial, across the street from Meadowdale High School. It lies at the heart of a large residential neighborhood which has no retail services within walking distance (it is nearly a mile to the nearest store). Additionally, the site is flat and has no critical areas on it; good access exists to the site; and all necessary infrastructure is in place and functioning.

G. *The benefit to the public health, safety, and welfare is sufficient to warrant the change in zoning.*

The existing day care facility serves the public already; lying within four blocks of two elementary schools, and in the midst of a large residential neighborhood, the need is obvious. The ability to maintain, improve, enlarge, extend, increase, intensify, relocate on the site, and diversify is needed in order for the site to continue to exist here.

H. *The proposal must be consistent with other adopted plans, program goals, and policies of the City.*

This narrative demonstrates that these goals are met by the proposal.

Policy LU-34. 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.

The existing use is a child care facility, which is a commercial use. The request is for a commercial designation.

Policy LU-45. 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.

The proposal implements this policy. It provides neighborhood commercial land use within a Lynnwood neighborhood; specifically daycare. The nearest shopping areas are located at Highway 99, over 4,500 feet (about 9/10's of a mile) from the site.

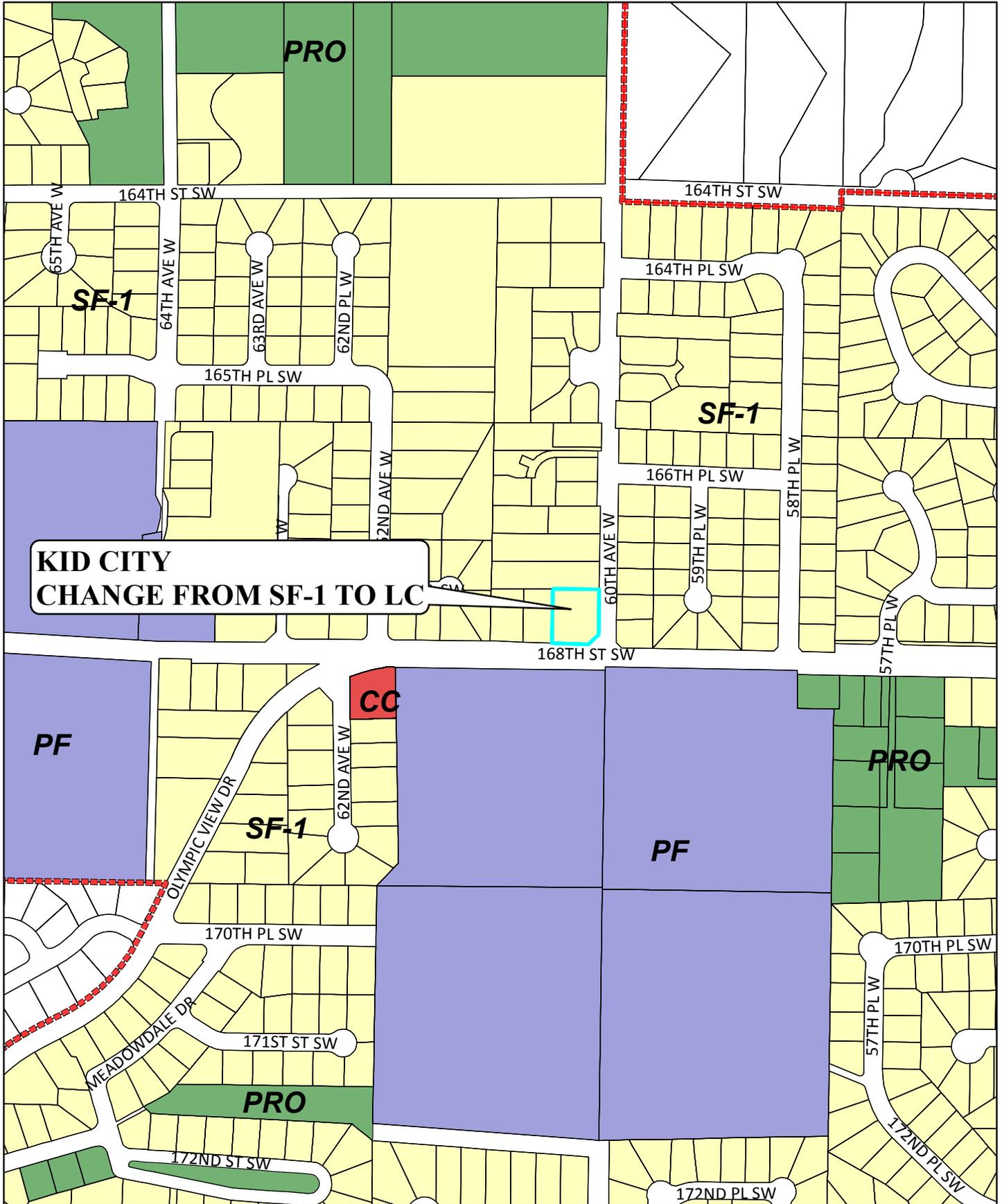
E. "Could the proposal could have significant impacts beyond the Lynnwood City Limits."

That would be inconceivable.

• List of Permits Required:

The instant proposal to rezone the property would not require any permits. If the use is ever enlarged, extended, increased, intensified, relocated on the site, altered, extensively repaired, or diversified, building permits would be required.

Future Land Use



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City of Lynnwood

OCT 22 2001

SCANNED

**City of Lynnwood
ORDINANCE NO. 2390**

AN ORDINANCE AMENDING THE CITY OF LYNNWOOD MUNICIPAL CODE AND OFFICIAL ZONING MAP TO ACHIEVE CONSISTENCY WITH THE 2020 COMPREHENSIVE PLAN; PROVIDING FOR AMENDMENTS TO SECTION 21.44.100 LMC AND TO THE OFFICIAL ZONING MAP OF THE CITY; PROVIDING FOR SUBMISSION TO THE STATE, FOR SEVERABILITY, FOR AN EFFECTIVE DATE AND FOR SUMMARY PUBLICATION.

WHEREAS, the City of Lynnwood completed a five-year review and update of its Comprehensive Plan in October, 2001, which included a citywide Consistency Review process to identify and correct conflicts between the Comprehensive Plan and Zoning; and

WHEREAS, RCW 36.70A.040(3)(d) requires development regulations to be consistent with and to implement the comprehensive plan; and

WHEREAS, amendments were proposed to the text of the City's Zoning Code and the Official Zoning Map to achieve or maintain Plan/Zone consistency and, after proper notice, public hearings were conducted by the Lynnwood Planning Commission and City Council to receive public testimony pertaining to those amendments; and

WHEREAS, the Planning Commission's recommended Comprehensive Plan Preferred Alternative was submitted for the mandatory 60-day state agency review and all review comments were considered by the Lynnwood City Council in December 2000 prior to proceeding with the Plan/Zone Consistency Review; and

WHEREAS, all proposed zoning amendments are determined to be consistent with the Comprehensive Plan, which was subject to environmental review and a Determination of Significance, Adoption of an Environmental Impact Statement (EIS) for the 1995 Comprehensive Plan, and an Addendum to the EIS, issued on November 6, 2000; and

WHEREAS, the City Council conducted public hearings, supplemented with numerous work sessions, during the summer of 2001, culminating in the final public hearing on all proposed amendments to the Comprehensive Plan and Zoning Code, which was opened on September 10, 2001 and continued to completion of public testimony on September 24; and

WHEREAS, the Lynnwood City Council, after consideration of the public input, determined that adoption of these amendments to the text of the Zoning Code and the Official Zoning Map are necessary, desirable and in the public interest and welfare.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LYNNWOOD

DO ORDAIN AS FOLLOWS:

SECTION 1. Zoning Code Text Amendments.

1. LMC 21.44.100(A)(2) is hereby amended to add the following permitted uses:
 - j. Transit Center
 - k. Park-n-Ride Lots
 - l. Park-n-Pool Lots

2. LMC 21.44.100(B) is hereby amended to add the following conditional use:
 4. Legal and professional services.

SECTION 2. Official Zoning Map Amendments. The Official Zoning Map of the City of Lynnwood is hereby amended as described in the listed amendments contained in Exhibit "A" and incorporated into the citywide Official Zoning Map, attached hereto as Exhibit "B".

SECTION 3. Submission of Plan to the State. The Director of Community Development is hereby directed to submit a copy of the adopted amendments to the Zoning Code and Map to the State Office of Community Development within ten days of adoption of this ordinance.

SECTION 4. Severability. If any section, subsection, sentence, clause, phrase or word of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase or word of this ordinance.

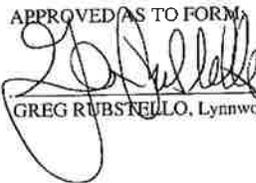
SECTION 5. Effective Date and Summary Publication. This ordinance shall become effective five days after passage and publication. Publication shall be by summary publication consisting of the Ordinance title.

PASSED this 8th day of October, 2001, and signed in authentication of its passage this 9th day of October, 2001.


TINA ROBERTS-MARTINEZ, Mayor

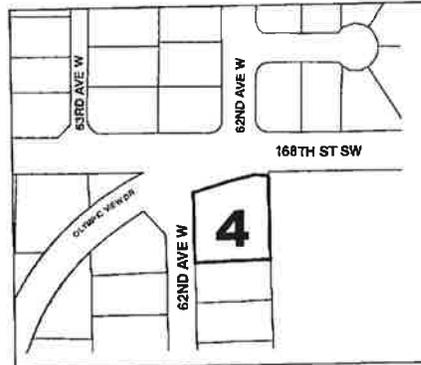
ATTEST:


MICHAEL BAILEY, Finance Director

APPROVED AS TO FORM:

GREG RUBSTELLO, Lynnwood City Attorney

Site #4:

From: B-4 (Restricted Business)
To: B-2 (Limited Business)



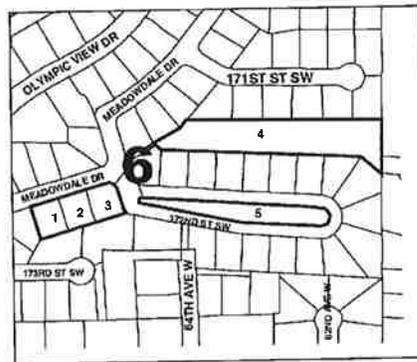
Site #5:

From: BN (Neighborhood Business)
To: RS-8 (Single-family Residential)



Site #6:

From: RS-8 (Single-family Residential)
To: P-1 (Public & Semi-public)



Todd Hall

From: Rosemary A. Larson <RLarson@insleebest.com>
Sent: Thursday, July 21, 2016 5:06 PM
To: Todd Hall; Paul Krauss
Subject: Conditional Comprehensive Plan Amendment and Rezone Issue

Attorney/Client Communication

Todd and Paul:

A property owner (Kid City LLC) has requested a comprehensive plan amendment and related rezone, which is currently on the City's 2016 Comprehensive Plan Proposed Amendment List. You requested information regarding the City's authority to approve the Comprehensive Plan amendment and rezone on the condition that the amendment and rezone would automatically expire at such time as an existing use on the property is discontinued.

Background/Issue.

I understand that in 2001, the subject property was part of a City-wide rezone to achieve consistency with the 2020 Comprehensive Plan. At that time, the property was rezoned from Neighborhood Business (BN) to Single Family Residential (RS-8). As a result, an existing day care center business on the property became a legal nonconforming use regulated by Chapter 21.12 LMC. The property also contains a single family residence which remains a permitted use. Kid City has continued to operate the day care business on the property, and informed the City that it is having difficulty in obtaining financing for improvements to the day care business due to the day care's legal nonconforming use status. Kid City requested that the property's Comprehensive Plan Future Land Use Map (FLUM) designation be changed from Low-Density Single Family (SF-1) to Local Commercial (LC), and the zoning designation be changed from RS-8 to Neighborhood Commercial (B-3). These amendments would result in the day care being a permitted use.

In essence, Kid City's request would return the property's FLUM and zoning designations to the status before the 2001 City-wide rezone. Staff expressed concern that this would not be consistent with the City's current land use planning for the area, and so may not be in the best interests of the City as a whole. Thus, to address Kid City's issue, the City is considering the possibility of amending the FLUM designation and rezoning the property as requested, with a condition that the property will revert automatically to the existing FLUM designation (SF-1) and zoning (RS-8) at such time as the existing day care use ceases. Or, the FLUM amendment and rezone ordinances could contain "sunset" provisions, stating that the ordinances expire upon the termination or discontinuation of the day care use. You asked for information regarding the City's authority to enact this type of a conditional ordinance.

Discussion.

In certain situations, it is possible to enact conditional legislation. For example, a Washington court approved legislation containing a provision that conditioned the holding of referendum election on payment of the election costs by a private entity. *Brower v. State*, 137 Wn.2d 44, 54 (1998) ("conditioning the operative effect of a statute upon a future event specified by the Legislature does not transfer the state legislative power to render judgment to the persons or entity capable of bringing about that event [because] the Legislature, itself, determines the statute would be expedient only in certain circumstances. ... The substance of the act is complete in itself and the Legislature is the body which rendered the judgment as to the expediency of conditioning the operation of the statute upon the specified event"). This is true even if the legislation's effectiveness is conditioned on the act of a private party who may benefit from the legislation. *Brower*, 137 Wn.2d at 55. While *Brower* involved a condition that made legislation operative, in theory the same principle could apply to a condition that made legislation expire (and legislation does on occasion contain "sunset" clauses).

However, none of the cases that I reviewed that approved conditional legislation involved zoning or comprehensive planning. Unlike the conditional legislation that courts have approved, in enacting, amending or repealing zoning and comprehensive planning ordinances, the local legislative body must follow specific statutory procedures, such as planning commission review and holding public hearings. See generally Chapter 36.70A RCW. In addition, “rezone” ordinances must meet judicial standards and any established local code criteria. Arguably, a provision that a comprehensive plan amendment or rezone will automatically expire upon the occurrence of a future event (termination of a use on specific property) circumvents the statutorily required procedures, and/or judicial or local code rezone criteria.

More importantly for this case, the proposed conditional ordinances would treat the Kid City property in a different manner from other properties that contain a legal nonconforming use. As noted above, the Kid City property was the subject of a rezone in 2001. At the time, the owner was operating the day care on the property. Nonetheless, the City Council determined that it was appropriate to rezone the property, to a zoning district in which the day care use is not permitted. As a result, the existing day care became a legal nonconforming use. The use may continue, but must comply with Chapter 21.12 LMC, just like any other legal nonconforming use in the City. Kid City does not want to its day care to be subject to Chapter 21.12, and therefore requested the FLUM amendment and rezone. However, the owners of all other properties in the City that contain a legal nonconforming use must comply with Chapter 21.12. If the City Council passes an ordinance that treats Kid City and its legal nonconforming use differently from other property owners with legal nonconforming uses, there is an issue as to whether the ordinance would violate the Constitutional equal protection clause. To survive an equal protection challenge where no suspect class is involved, an ordinance must meet the following test: (1) the legislation must apply alike to all members of within a designated class; (2) there must be reasonable grounds to distinguish between those within and without the class; and (3) the classification must have a rational relationship to the legislation’s purpose. See *Haberman v. WPPSS*, 109 Wn.2d 107, 139 (1987). Equal protection “requires not only that laws be equal on their face, but also that they be executed so as not to deny equality.” *State v. Bryan*, 145 Wn.App. 353, 361 (2008). Arguably, to single out the Kid City property for conditional rezoning to avoid the requirements of Chapter 21.12, would violate equal protection principles. Such an ordinance would treat Kid City in a different manner from other entities operating or owning legal nonconforming uses, and I am not aware of any reason for treating the Kid City property differently from other properties containing legal nonconforming uses.

Put another way, the proposed conditional rezone ordinance could be viewed as “spot zoning.” Spot zoning is arbitrary and unreasonable zoning action by which a small area is singled out of a larger area and specially zoned for use classification that is totally different from and inconsistent with the classification of the surrounding land area, and not in accordance with a comprehensive plan. *Narrowsview Preservation Assoc. v. City of Tacoma*, 84 Wn.2d 416, 421 (1974). Courts will overturn a rezone under this theory if it grants a discriminatory benefit to one or a group of owners to the detriment of their neighbors or the community at large, without adequate public advantage or justification. *Bassani v. County Commissioners*, 70 Wn.App. 389, 396 (1993). The reasons for invalidating a rezone as illegal spot zoning usually include one or more of the following: (1) the rezone primarily serves a private interest; (2) the rezone is inconsistent with a comprehensive plan or the surrounding territory; or (3) the rezone constitutes arbitrary and capricious actions. Municipal Research Services Center, FAQ (What is spot zoning (particularly in the case of a rezone) and is it always illegal?). As noted by one commentator, the issue with spot zoning is not the differential regulation of adjacent land alone, but that there is a lack of public justification for such discrimination. Where differential zoning merely accommodates some private interest and bears no rational relationship to promoting a legitimate public interest, it is “arbitrary and capricious” and hence “spot zoning.” Richard Settle, *Washington Land Use and Environmental Law and Practice*, Section 2.11(c). Courts do not often overturn zoning ordinances as illegal spot zoning, as local governments have wide discretion in zoning matters. However, the proposed conditional rezone seems to fit the definition of spot zoning. (The same “spot zoning” argument might apply to a lesser extent to the FLUM amendment and rezone proposed by Kid City, even without the condition, but the addition of the condition highlights the rezone’s purpose of avoiding nonconforming use requirements, which would clearly be a private interest.)

Further, and to the extent relevant, in certain circumstances the proposed condition might not be effective. As noted above, it has been suggested that the FLUM amendment and rezone could be approved on the condition that the property will revert automatically to the current SF-1 FLUM designation and the RS-8 zoning at such time as the day care use ceases or is abandoned (or that the FLUM amendment and rezone ordinances automatically expire when the day care use ceases). However, under Washington's "vested rights doctrine," a property owner is entitled to have a development proposal processed under the land use regulations in effect at the time a complete building permit (or subdivision or short plat) application is filed, regardless of subsequent changes in zoning or other land use regulations. *Erickson & Assoc. v. City of Seattle*, 123 Wn.2d 864, 867-68 (1994); RCW 19.27.095; RCW 58.17.033. The vested rights doctrine generally refers to the notion that a land use application, under proper conditions, will be considered only under the land use statutes and ordinances in effect at the time of a complete application's submission. *Assoc. of Rural Residents v. Kitsap County*, 141 Wn.2d 185, 193 (2000); *West Main Assoc. v. City of Bellevue*, 106 Wn.2d 47, 50-1 (1986). Arguably, if the property owner applied for a building permit for a structure for a use that was allowed under the amended FLUM (Local Commercial) and rezone (Neighborhood Commercial), while the day care was still in operation on the site, the City would have to process the permit application and allow that use. While the day care might be discontinued later, resulting in the automatic expiration of the FLUM amendment and rezone under the condition, the other use could have already commenced and have legal nonconforming status. In this circumstance, the condition would not be effective to prevent uses allowed under Neighborhood Commercial zoning from occurring on the property. At the very least, issues exist as to whether the City would be able to enforce the condition to prevent those other uses from occurring.

On the other hand, if the conditions on the FLUM amendment and rezone are effective, enforceable and prevent all uses permitted under the Local Commercial FLUM designation and Neighborhood Business zoning (other than day care) from occurring on the property, then the FLUM amendment and rezone are largely illusory, as the owner will not actually be able to use the property for the uses permitted by the new zoning, with the exception of the existing day care. Again, this supports the position that the conditional FLUM amendment and rezone single out one nonconforming use for special treatment that is not available to other nonconforming uses.

Please note that most of the comments in this email would not apply if the City Council simply determines that the proposed FLUM amendment and rezone, without the condition, are appropriate, in accordance with the criteria for these actions, and otherwise in the best interests of the City.

Let me know if you need anything else on this,

Rosemary

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ITEM B

PARKS, RECREATION AND OPEN SPACE ELEMENT

COMPREHENSIVE PLAN AMENDMENT

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MEMORANDUM

DATE: March 29, 2016
TO: Todd Hall, Planning Manager
FROM: Parks, Recreation & Cultural Arts Deputy Director Olson 
RE: **Comprehensive Plan Amendment Application**

RECEIVED
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CITY OF LYNNWOOD
PERMIT CENTER

Statement

The Lynnwood Parks, Recreation & Cultural Arts (PRCA) Department respectfully submits this Comprehensive Plan Amendment Application for text edits to the Parks, Recreation and Open Space Element. The following required items are provided:

Other Provisions

None proposed

Rationale

The PRCA Department proposes this update to the Parks, Recreation and Open Space Element to incorporate the results of the recently completed 2016-2025 Parks, Arts, Recreation & Conservation (PARC) Comprehensive Plan. The PARC Plan was compiled using citizen input, need and demand analysis to create major themes, strategic directions, goals, policies and actions for the City's Parks, Recreation & Cultural Arts Department. These goals, policies, actions and recommendation for revised level of service for the next ten years and will serve as the foundation for a revised City Comprehensive Plan Element. These changes are in alignment with the Washington State Growth Management Act, the Washington Recreation and Conservation Office, and the City of Lynnwood's Community Vision.

Washington RCW 36.70 – Growth Management Act requires comprehensive plans and development regulations of counties and cities include an “Open Space and Recreation” element to “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.”

The Washington Recreation and Conservation Office, which provides for local park development and acquisition matching grants, requires grant applicants to submit adopted plans every six years for eligibility.

The City's Vision “Lynnwood Moving Forward: Our Community Vision” includes seven guiding principles including “to be a welcoming city that builds a healthy and sustainable environment,” and “to invest in preserving and expanding parks, recreation, and community programs.”

Consistency

5A: The proposed changes are consistent with the GMA and does not propose any conflicts with the Comp Plan or regulations.

5B: N/A

5C: N/A

5D: Yes

5E: None proposed

6 PARKS, RECREATION & OPEN SPACE

INTRODUCTION

Parks, recreation and open space are essential to a high quality of life in a community. Since incorporation in 1959, the City of Lynnwood has acquired and developed many park and open space lands and established an excellent recreation program. As Lynnwood and the Puget Sound region grow and change, it is vital to be prepared to accommodate new growth and diversity while maintaining and enhancing the quality of life we have grown to enjoy.

This element of the Comprehensive Plan is based on the Council-adopted 2016 -2025 Parks, Arts, Recreation & Conservation (PARC) Plan (Resolution 2016-04). The PARC Plan is a ten-year guide and strategic plan for managing and enhancing park and recreation services in Lynnwood. It establishes a path forward for providing high quality, community-driven parks, trails, open spaces and recreational opportunities. The Plan reinforces the City’s vision for its park and recreation system, provides an update to service standards for parks and trails and addresses departmental goals, objectives and other management considerations toward the continuation of quality recreation opportunities to benefit the residents of Lynnwood. This Plan was developed with the input and direction of Lynnwood residents. The Plan inventoried and evaluated existing park and recreation areas, assessed the needs for acquisition, site development and operations and offers specific policies and recommendations to achieve the community’s goals.

Deleted: includes a summary of the existing conditions and issues relevant to the City’s parks, recreation and open space system. The element includes a demand and needs assessment and concludes with the goals, objectives and policies for the City’s parks, recreation and open space system.

PLANNING CONTEXT

The Parks, Recreation and Open Space Element of the Comprehensive Plan is optional under the Growth Management Act (GMA), but the City is choosing to incorporate this element into the Plan because it is a vital part of a high quality community.

The GMA goals pertaining to the parks, recreation and open space element are:

Open Space and Recreation: Encourage the retention of open space, development of recreational opportunities, conserve wildlife habitat and increase access to natural resource lands.

Environment: Protect the environment and the state's high quality of life.

Regional Planning: Lynnwood's Comprehensive Plan is consistent with VISION 2040’s policies related to parks, recreation, and open space. The Plan calls for preservation, acquisition, and development of parks, recreation, and open space facilities, including multi-modal, non-motorized facilities, consistent with the regional vision.

County-Wide Planning Policies: Countywide planning policies do not specifically address neighborhood or community parks and recreation issues within cities or their urban growth areas. It is, however, the County's policy to provide greenbelts and open space to provide separation from adjacent urban areas, and regional park facilities within urban growth areas. Snohomish County’s Parks and Recreation Comprehensive Plan states that “parks are necessary for development.” This policy provides the opportunity for cities to work with the County to provide park land within urban growth areas.

1 | **City Vision:** The Parks, Recreation and Cultural Arts (PRCA) Department supports the City’s Vision to
2 invest in preserving and expanding parks, recreation, and community programs, by developing a network
3 of pedestrian and bike trails, encouraging partnerships and participation in community events, creating
4 civic pride, promoting healthy lifestyles, providing senior services, and promoting parks and cultural arts
5 for economic growth.

6 **SUMMARY OF ISSUES**

7 The following is a summary of issues relating to parks, recreation and open space in the City. It is the
8 intent of the Comprehensive Plan to propose solutions to these issues through the implementation of
9 programs and policies in this element.

10 **Obesity Epidemic**

11 The nation is facing an obesity epidemic that has prompted the U.S. Surgeon General to issue a call to
12 action to the parks and recreation profession. His call is to “reclaim the culture of physical activity” in our
13 country. Scientific research now indicates that walking a minimum of 22 minutes a day can greatly
14 decrease one’s chances of acquiring diabetes or heart disease. These two health issues cause 70% of
15 deaths in the U.S. and account for over \$1 trillion in costs. This call to action is now re-emphasizing the
16 preventative side of health where the costs are much lower. However, in Lynnwood, many barriers still
17 exist which prevent residents from reaching these goals. The PARC Plan and the Healthy Communities
18 Action Plan make specific recommendations on how the City can eliminate barriers within the City’s
19 infrastructure and reinforce the need to have safe and accessible places to walk and ride a bicycle and
20 improve access to healthy, affordable foods through policy change and program opportunities.

21 **Creating A Sense of Community**

22 Lynnwood residents consistently have voiced their concern and dissatisfaction about the lack of gathering
23 places and spaces to celebrate the City’s heritage, arts and diversity. A solution lies in the creation of
24 Town Square Park in the proposed City Center. This park would serve as Lynnwood’s “living room” and
25 be the prime location for a farmer’s market and other celebration activities and events. The proposed park
26 also could serve as an economic catalyst for other development.

27 **Social Equity**

28 Much has been written lately about this subject. Maintaining social equity across programs and facilities
29 can be difficult enough in communities with stable demographics. In Lynnwood, the City is experiencing
30 dramatic shifts in its population and diversity, and the challenge will be to keep up. The PRCA
31 Department must continue to find ways to provide complete and safe access to its parks and facilities and
32 strive to be a facilitator for ensuring that all of the City’s residents have equal access to its resources,
33 services and programs.

34 **Increased Capitalization of a Creative Class**

35 Lynnwood is already in the midst of attracting a creative class. Staff have witnessed a surge of new
36 residents who are moving here because of economic conditions and a more affordable housing market.
37 The proof is found in the applications received to be involved in City boards and commissions. The talent
38 pool of applicants has been impressive, and this likely will not change. The challenge will be for the City
39 to find opportunities for them to be engaged and involved. The PRCA Department should be strategically
40 involved in the interaction with this class and create an environment where their ideas can be processed
41 and supported as much as possible.

42

1 **Embracing New Technology & Business Practices**

2 The PRCA Department has embraced new technology and embodies many business principles. The
3 Department has increased cost recovery and established solid revenue goals. It will need to continue to
4 improve in this critical area and look for alternatives to create more efficiencies in service delivery and
5 pricing strategies. As the City continues to move forward in a budgeting for outcomes (BFO) process, it
6 will be important for the Department to create data driven analytics and cost/benefit type calculations to
7 justify operational expenditures and capital investments.

8 **Aging Population**

9 The challenges of planning for an aging population have been on the Department’s radar for some time.
10 Today’s active seniors are looking at retirement age differently, as many are retooling for a new career,
11 finding ways to engage with their community and focusing on their health and fitness. It will be critical
12 for the Department to take a comprehensive approach to its aging population’s needs. Accessibility and
13 barrier-free parking and paths, walkability and connectivity will be paramount to future planning.
14 Providing programming for today’s older adults includes not only active and passive recreation, but also
15 the type of equipment needed to engage in certain activities. The existing physical space on the Civic
16 Campus is too small and needs to be expanded for older adult services.

17 **Park Facilities & Park Conditions**

18 While park settings tend to have a wide range of facilities to encourage physical activity, research has
19 revealed there are specific amenities that promote higher levels of activity. Park users engage in higher
20 levels of physical activity in parks that have playgrounds, sports facilities and trails. The condition of the
21 park and its facilities also determines its use. Park aesthetics and amenities are important to use patterns.
22 Also, perceived safety in how safe one feels in and around parks is a determining factor. In Lynnwood, it
23 has been documented there are some facilities and equipment that require attention. Accessibility to parks
24 and equipment will also merit a stronger focus and consideration. Evidence from research informs staff
25 that park distribution, park proximity, park facilities and conditions have an impact on people’s desire to
26 engage in physical activity. It will be necessary to re-evaluate current park designs and maintenance
27 policies. Investing in amenity and access improvements to counteract disparities has the potential to
28 provide long-term solutions in addressing the obesity epidemic. The PRCA Department must play a key
29 role in enabling healthy lifestyles for its citizens by modifying and altering its parks and trail system and
30 recreation programming.

31 **Responding to Homelessness**

32 The homeless and unsheltered population in Lynnwood has grown, and many are taking advantage of the
33 public nature of City parks to establish makeshift shelters in what is intended to be shared community
34 space. Sometimes their belongings or behaviors cause a nuisance and often their presence dissuades park
35 patrons from using or even entering a public park. These situations cause frustration for park employees
36 who work hard to maintain inviting spaces. The Department has been involved in conversations with the
37 City’s Homelessness Task Group, and it will continue to be part of a solution-oriented process to help
38 alleviate some of the issues faced in City parks. It will be imperative for the Department to continue to be
39 engaged in finding solutions that will work for this City.

40 **Level of Service Revised**

41 In the 2015 Lynnwood Comprehensive Plan, estimates for level of service targets were calculated with
42 the prediction that Lynnwood would experience a 53% increase in population from 2011 to 2035 within
43 City limits, with additional population growth projected for the MUGA. It also recognizes that the
44 possible MUGA annexation both north and east of its existing borders would trigger the future demand
45 for recreation facilities and conservation. Currently, there are no developed parks or recreation facilities
46 within the MUGA area. Using the adopted park standard of ten acres per 1,000 persons, the

Deleted: Mission: Creating a Healthy Community¶

Lynnwood is not immune to the obesity epidemic and other health issues. In 2005, 31 percent of Lynnwood residents were overweight, and an additional 26 percent were obese. Only 37 percent of Lynnwood residents meet national recommendations for moderate physical activity. Eighty-one percent of Lynnwood adults consume less than five servings of fruits and vegetables daily. These statistics can be discouraging, but there is hope.¶

Healthy Communities is about health equity. A healthy community promotes well-being and offers a high quality of life. Its efforts rely on a combination of policy, infrastructure improvements and programming to help make the healthy choice the easy choice. The Healthy Communities Program works to identify and advocate for policies and environmental changes that make healthy food more available and affordable, increase access to safe opportunities for physical activity, and provide residents with information they can use to find their own ways to practice healthy living with a long term goal of impacting obesity rates and preventing chronic disease. Lynnwood Healthy Communities is working towards safer sidewalks, trails, and bicycle lanes making it easier, safer and more convenient for people to move about. Healthier food choices in school cafeterias and restaurants, well-supported food banks, and local farmers markets offer options for healthier food. A healthy community is one where people have good physical and emotional health. A healthy community has strong social networks and provides individual community members with opportunities for personal growth and improvement.¶

Policies and environments that shape and define a community will also affect the health outcomes of its citizens. Policy and infrastructure improvements have some of the greatest impact on the health of our community as opportunities to “level the playing field” for all members of a community including disproportionately-impacted populations. Local policies and the physical environment influence daily choices that affect our health. A Healthy Community makes the healthy choice the easy choice.¶

Deleted: Need

Comprehensive Plan estimated the future need for core parks exceeds 300 acres of new land, plus an additional 210 acres of special use and open space lands. These figures are compounded by the projected demand within the MUGA, which is estimated at an additional 340 acres of park lands by 2025. If the level of service standard were to remain at 10 acres per thousand, the City would face a substantial cost for an aggressive park and open space land acquisition campaign. Taking into consideration that most of Lynnwood's future population growth within the current City boundaries will be concentrated into denser, urbanized neighborhoods provides the City an opportunity to revise the City's level of service with a focus on the distribution and quality of parks and recreational facilities by assessing the City's need by assessing park proximity; park pressure; variety, type and condition of park amenities; trail connectivity; trail network; and leveraging trails for community health and economic health.

EXISTING CONDITIONS

The City's current parks, recreation and open space inventory amounts to approximately 389 acres and includes park facilities within the City and in the MUGA, that offer both active and passive recreational opportunities. The park facilities within the City are categorized into the following functional classifications for planning and programming purposes, according to size and function.

Core Parks: Core Parks (mini, neighborhood and community parks) traditionally provide a combination of active and passive uses, including play equipment, picnic areas, athletic fields, and trails. The City currently operates 13 developed parks in the Core Parks category, with 2 park properties undeveloped. With a service level of 3.5 acres per 1,000 residents, the Core Parks category shows a surplus of 5.9 developed acres but a need for 25.3 additional acres to be acquired and developed by 2026 to meet the minimum level of service within the City. Currently Core Parks account for 140.68 acres of park land, or about 36% of the total park, recreation and open space inventory within the City.

Special Use Areas: Five facilities in Lynnwood are classified as "Special Use Areas" based on their current purpose and/or activity - the Municipal Golf Course, the Recreation Center, the Senior Center, Heritage Park, and Veterans Park - for a total of 98.28 acres.

Open Space: The City's Open Space classification includes large natural areas, environmental parks and urban greenbelts. It is the City's policy to preserve natural resources for the conservation of important habitats and for passive recreational use whenever possible. 132.97 acres in and adjacent to Lynnwood are preserved as Parks and Recreation-maintained open space. Scriber Lake Park, Scriber Creek Park and Gold Park are included in this category because they are environmental parks that do not have active recreation elements.

Regional Parks: Regional Parks are not included in the City's parks and open space inventory. Regional parks are typically large facilities that draw from multiple jurisdictions and are often located in unincorporated urban growth areas. These facilities are historically provided at the County level, whereas neighborhood and community parks are provided by cities, both within their boundaries and in their municipal urban growth areas. Meadowdale Beach County Park is an example of a regional park in unincorporated Snohomish County.

DEMAND AND NEEDS ASSESSMENT

Over the years, the City of Lynnwood has continued to improve and expand its inventory of recreational resources. Residents are well served by a variety of leisure opportunities, but with population growth comes an increasing demand for more parks, open space and recreation facilities in order to attain the adopted Parks Level of Service Standard (LOS).

Deleted: Other services provided by the City of Lynnwood, such as transportation and utilities are able to quantify performance through counts, calculations and future-oriented modeling. The nature and variety of services provided by Parks, Recreation and Cultural Arts makes quantification and performance measurement rather difficult.¶ In 1983, level of service guidelines were published by the National Recreation and Parks Association (NRPA) based upon providing a set number of park acres and park facilities per thousand persons. Yet, these guidelines go to great lengths to distance themselves from becoming "standards." Rather, the guidelines are a suggested model and local adjustments are encouraged.¶ As to service measure, communities have the flexibility to use any system that is perceived to be of value to the community. Historically, the City has used 10 acres/1,000 population as its standard. In 2014, the City retained a consultant to create revisions to the adopted LOS. Specifically, there will be an emphasis on acquisition needs, capital development, preservation, connectivity/mobility needs as well as indoor facility needs. The current Level of Service need will be outlined in the updated Parks, Arts, Recreation & Conservation (PARC) Comprehensive Plan due to be completed in 2015. ¶ As the City of Lynnwood continues to evolve, there will very likely be greater pressure to provide services that will not only meet the needs of our residents, but those that reside in the MUGA. If annexation is successful, there will be considerable pressure to provide additional parks in the MUGA. Additional population growth within existing boundaries is also a real concern. Examples include the proposed population increases in the City Center, near Alderwood Mall, and along the Highway 99 corridor. Additional planning will be needed to develop recreation facilities needed to meet the expected service demand.¶

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Deleted: Because of its primary historical purpose, Heritage Park is included in this category.

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Deleted: Map 1: Existing Parks, Open Space & Trails

Figure P-1: Existing Parks, Open Space & Trails

An inventory of existing parks, open space and special use facilities is reflected in Table P-1.

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Deleted: Level of Service: The adopted Parks LOS Standard in Lynnwood is 10 acres/1000 population. This standard is expressed as minimum acres of park, recreation and open space recommended for each 1,000 persons, using the 2010 Census population of 35,836. The standard is further delineated as 5 acres/1000 population for Core Parks (mini, neighborhood and community parks), and 5 acres/1000 population for Other Park Land (open space and special use facilities). The City Center Sub-Area Plan recommends a separate Parks Level of Service Standard within the City Center area.¶

Moved down [2]: The demand and need for parks, recreation and open space in Lynnwood has been assessed through analyses of existing conditions, potential park sites, available resources and level of service. Trends in recreation were considered and public input was obtained through surveys and community meetings.

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Classification	Acreage	
	In-City	MUGA
Core Parks	-	-
Mini Parks	6.71	-
Neighborhood Parks	37.48	17.00
Community Parks	96.49	-
Subtotal	140.68	17.00
Open Space	71.91	61.06
Special Use	98.28	-
Total Acreage	388.93	-

5

6

Level of Service: The demand and need for parks, recreation and open space in Lynnwood has been assessed through analyses of existing conditions, potential park sites, available resources and level of service. Trends in recreation were considered and public input was obtained through surveys and community meetings. The adopted Parks LOS Standard in Lynnwood is being revised to 3.5 acres/1,000 population. This standard is expressed as minimum acres of park, recreation and open space recommended for each 1,000 persons, using the 2015 population of 36,420. The formerly-adopted standard of 10 acres/1,000 persons (5 acres/1,000 of core parks and 5 acres/1,000 for other park land) resulted in a 2015 deficit of more than 49 acres of developed parks and 12 acres of other park land, each growing to a deficit of 93 acres and 56 acres respectively by 2026.

The existing and future demand and need for parks, recreation and open space within the City limits is reflected on Table P-2. The City Center Sub-Area Plan recommends a separate Parks Level of Service Standard within the City Center area.

Table P-2: Level of Service Standard

Metric	Measurement			
<u>Level of Service (LOS) Standard</u>	<u>3.5 acres per 1,000 residents</u>			
<u>2015 Population</u>	<u>36,420 residents</u>			
<u>2026 Population</u>	<u>45,319 residents</u>			
<u>Parkland Acreage (Core Parks - City Only)</u>	<u>Total</u>		<u>Developed</u>	
<u>City-owned & maintained</u>	<u>140.68</u>	<u>acres</u>	<u>133.34</u>	<u>acres</u>
<u>Total</u>	<u>140.68</u>	<u>acres</u>	<u>133.34</u>	<u>acres</u>
<u>Level of Service</u>	<u>2015</u>	<u>2026</u>	<u>2015</u>	<u>2026</u>
<u>Effective Level of Service based on total acreage (acres/1,000 residents)</u>	<u>3.86</u>	<u>3.10</u>	<u>3.66</u>	<u>2.94</u>
<u>Net LOS to Standard (acres/1,000 residents)</u>	<u>0.36</u>	<u>(0.40)</u>	<u>0.16</u>	<u>(0.56)</u>
<u>Performance to Standard</u>	<u>110%</u>	<u>89%</u>	<u>105%</u>	<u>84%</u>
<u>Acreage surplus (deficit)</u>	<u>13.21</u>	<u>(17.94)</u>	<u>5.87</u>	<u>(25.28)</u>

Population projections to 2026 were applied to determine future impacts on the City's existing parks system. In addition to maintaining and improving the City's existing facilities, additional park facilities will be needed to meet current and future demands and the adopted LOS within the City, and in the City's urban growth areas.

The Municipal Urban Growth Areas: New residential and commercial development in Lynnwood's MUGA is generating demand for parks, recreation facilities and open space. In future north annexation areas, approximately 93 acres of open space in the Swamp Creek corridor have been preserved jointly by Snohomish County and the City of Lynnwood. The City has also acquired a 9-acre future park site (Manor Way) adjacent to this annexation area, and a 7.7-acre future park site (Doc Hageman Park) east of Interstate 5.77 acres of wetlands has been acquired adjacent to Lund's Gulch for preservation of the headwaters of Lund's Creek. The City successfully acquired an additional 13 acres north of the Lund's Gulch in 2015 bringing the total Lund's Gulch preservation area to over 90 acres.

There are currently no active use park facilities in the City's MUGA, which had an estimated 2015 population of 37,493. As a result, Lynnwood's parks are over-burdened with non-resident use. Applying our current Parks Level of Service Standard to today's MUGA population would require approximately 131 acres of developed parks. To provide park facilities needed by the growing population in the MUGA, the City will continue to seek equitable methods of acquisition and development with Snohomish County and other jurisdictions.

Moved (insertion) [2]

Moved (insertion) [1]

Deleted: The demand and need for parks, recreation and open space in Lynnwood has been assessed through analyses of existing conditions, potential park sites, available resources and level of service. Trends in recreation were considered and public input was obtained through surveys and community meetings.

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Moved up [1]: The existing and future demand and need for parks, recreation and open space within the City limits is reflected on Table 1.

Deleted: The existing and future demand and need for parks, recreation and open space within the City limits is reflected on Table 1.

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Deleted: Both potential annexation of the MUGA population and the new City Center population are reflected in the 2025 population estimate.

Deleted: Within City Boundaries: The adopted Parks Level of Service Standard is a minimum of 10 acres/1000 population. The current level of service for combined park classifications achieved is 9.4 acres/1000 population. There remains a need for an additional 62.7 acres in the Core Parks category to meet the demand for 179.2 acres of active park land. The inventory also shows a deficit of 1.9 miles of trails outside of parks.

By the year 2025, it is estimated that Lynnwood's population will increase to approximately 86,000. This includes potential annexation of the MUGA population and also the estimated City Center population of 5,400. Continued park acquisition and development will be necessary to meet the demand for parks, open space and recreation facilities in 2025. Table 1 summarizes the existing and future demand and need within the City.

Within

Deleted: currently is in negotiations to

Deleted: . If acquisition of this site is successful, the total wetlands preservation area around Lund's Gulch will total

Deleted: 2011

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Deleted: and open space

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1 If annexation within the MUGA is approved by the voters, additional parkland and facilities will be
2 needed. The City will develop a comprehensive plan of funding options including park impact fees to
3 assist in this matter. NOTE: Snohomish County already has impact fees within the MUGA area the City
4 proposes to annex.

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5 GOALS, POLICIES AND STRATEGIES

GOAL 1

Lynnwood's parks, recreation facilities and community programming bring residents together, encourage and amplify healthy lifestyles, and foster community pride, identity and livability.

Deleted: Provide a comprehensive system of parks, open space and recreation facilities that serves the needs of current and future residents, and visitors to Lynnwood. To meet the recreational needs of the community, provide a park system that includes mini, neighborhood and community parks.

RECREATION & HEALTHY CHOICES

- 6
- 7 **Policy P-1.1** Provide a variety of recreational services and programs that promote the health and
8 well-being of residents of all ages and abilities.
- 9 **Policy P-1.2** Provide facilities and programs that promote a balance of recreational opportunities
10 all age groups.
- 11 **Policy P-1.3** Maintain and enhance Lynnwood's recreation and senior centers to provide
12 recreational opportunities, community services and opportunities for residents to
13 connect, learn and play.
- 14 **Policy P-1.4** Examine program accessibility, barriers and opportunities to adjust or add services
15 that meet the needs of inequitably served areas or populations.
- 16 **Policy P-1.5** Establish a language translation and interpretation plan to enhance promotion of and
17 service delivery to linguistically isolated users and community members.
- 18 **Policy P-1.6** Identify opportunities to create public gathering spaces that enable residents of all
19 ages to connect with each other.
- 20 **Policy P-1.7** Participate in neighborhood outreach for engagement, improvement, and creating
21 neighborhood identities.

Deleted: Acquire park land in accordance with the Budget and Capital Facilities Plan for the development of parks at the adopted level of service of 10 acres/1,000 population.



- 22
- 23 **Strategy P-1.1** Continue to expand and diversify popular youth and teens programs to meet the
24 growing need for engaging, affordable, safe options for children.
- 25 **Strategy P-1.2** Design programming and services to meet the needs of diverse users, including at-
26 risk communities or those with special needs.
- 27 **Strategy P-1.3** Maintain and enhance program scholarships and other mechanisms to support
28 recreation access for low-income residents.
- 29 **Strategy P-1.4** Continue to provide and expand opportunities for seniors to engage in social,
30 recreational, educational, nutritional, and health programs designed to encourage
31 independence, in partnership with community agencies.
- 32 **Strategy P-1.5** Evaluate and improve recreational services and programs to meet identified cost
33 recovery goals. Maintain staff development and certifications (e.g. CPR/First Aid,
34 lifeguard certification, playground safety, etc.) to retain high safety standards in
35 facilities and on play equipment.
- 36 **Strategy P-1.6** Plan the provision of indoor programming space for youth/teen and senior activities,
37 performing arts and sports.

- 1 **Strategy P-1.7** Examine the need for additional community recreation facility space to meet indoor
- 2 recreation needs for athletics, recreation classes and meeting space.
- 3 **Strategy P-1.8** Construct covered walkway for weather protection of Recreation Center swim
- 4 patrons (CFP 201500102).
- 5 **Strategy P-1.9** Expand dedicated youth, teen and senior activity space with remodel and/or expand
- 6 in an existing City building or off-site lease space (CFP 20150103).
- 7 **Strategy P-1.10** Expand Recreation Center (Phase II) to add approximately 75,000 square feet of
- 8 indoor recreation and leisure space for arts, teens, seniors, gymnasium space and
- 9 multipurpose space (CFP BP2006023B).

ARTS, CULTURE & HERITAGE

- 12 **Policy P-1.8** Work with the community and local organizations to foster a greater number and
- 13 variety of cultural events and support community celebrations.
- 14 **Policy P-1.9** Reflect the City’s identity by incorporating art, history and culture into the park and
- 15 recreation system.
- 16 **Policy P-1.10** Seek opportunities to support and expand heritage facilities.
- 17 **Policy P-1.11** Initiate a neighborhood program to support and nurture neighborhood programs and
- 18 gatherings.
- 19

■ ■ ■
- 20 **Strategy P-1.11** Support the goals and initiatives of the Cultural Arts Plan and the Heritage Plan.
- 21 **Strategy P-1.12** Continue to support community events that provide opportunities for social
- 22 engagement and bring families and neighbors together.
- 23 **Strategy P-1.13** Partner with the Edmonds School District, community organizations and other
- 24 providers to offer both drop-in and structured programs in art, music and dance, as
- 25 well as educational and environmental activities for youth.
- 26 **Strategy P-1.14** Identify appropriate locations within parks and greenways for the installation of
- 27 public art, interpretive signs, or cultural displays.
- 28 **Strategy P-1.15** Coordinate the operation of Heritage Park facilities: Visitor Information Center,
- 29 Heritage Resource Center, Genealogy Research Library, Interurban Car 55, Water
- 30 Tower, heritage programming and demonstration gardens.
- 31 **Strategy P-1.16** Complete phased development of Heritage Park, including renovation of all the
- 32 historic structures including Water Tower (CFP 1997015C), development of the
- 33 Interurban Car track and pulley mechanism, play area, trail, demonstration gardens,
- 34 and development of museum programming in the park (CFP PK1997015D).
- 35 **Strategy P-1.17** Initiate new cultural arts improvements and enhancements with the restoration of
- 36 historic signs (CFP 201500100) for a permanent exhibit and/or the creation of
- 37 screens for PUD power boxes in the City Center (CFP 201500101).

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GOAL 2

Lynnwood's parks and open spaces meet local needs for active and passive recreation, enhance the environmental and visual quality of the community, and healthy living.

PARK DESIGN & DEVELOPMENT

- Policy P-2.1** Design and develop park sites and facilities to maximize recreational value and experience while minimizing maintenance and operational costs and negative environmental and community impacts.
- Policy P-2.2** Strive to reduce barriers to participation and improve safety to provide universal access to facilities and programs.
- Strategy P-2.1** Design new parks and provide improvements to existing parks which promote public safety and security, and provide accessibility to all in accordance with Americans with Disabilities Act (ADA) standards.
- Strategy P-2.2** Develop an ADA Transition Plan to more deeply address and prioritize accessibility in parks and facilities.
- Strategy P-2.3** Prioritize park development in areas where service gaps exist (where households are more than ½ mile from a developed park) such as in the Alderwood Transition Area.
- Strategy P-2.4** Prioritize development of existing park sites in areas of the City facing population growth and residential and commercial development.
- Strategy P-2.5** Acquire and develop Town Square Park in City Center Area (CFP PK2005059A).
- Strategy P-2.6** Develop new neighborhood park, Rowe Park, in west Lynnwood, per 2004 master plan (CFP PK2001039B).
- Strategy P-2.7** Continue development and renovation of Scriber Lake Park per the master plans (CFP PK2003046C).
- Strategy P-2.8** Develop the 188th St SW Mini Park (CFP PK1999033A).
- Strategy P-2.9** Implement improvements to Gold Park to add parking, picnic facilities, continue invasive plant removal and trail development (CFP PK1997011C).
- Strategy P-2.10** Develop master plan for future public use of Lund's Gulch in partnership with community stakeholders.
- Strategy P-2.11** Implement specific renovations and improvements at Lynndale Park (phase IV in the central play area, CFP PK1997017B), Wilcox Park (CFP 201500105), South Lynnwood Park (CFP 201300155), Veterans Park and Daleway Park (phase II, CFP PK1997020B).
- Strategy P-2.12** Work collaboratively with Community Development to identify parks and open space sites, related improvements, and implementation strategies for the City Activity Centers.
- Strategy P-2.13** Plan for strategic acquisition of properties adjacent to parks or in underserved areas of the city.

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<#>Plan for the location of parks in the proximity of underserved neighborhood and/or high-density developments.¶
<#>Design new parks and provide improvements to existing parks to promote public safety and security, and provide accessibility to all in accordance with Americans with Disabilities Act standards.¶
<#>Provide a variety of recreational opportunities to serve a diverse population.¶
<#>Manage and maintain parks, open space and recreation, through a regular schedule of maintenance and capital renewal efforts, to optimize use and protect public investment.¶

■ ■ ■ ■ ¶
<#>Conduct study, adopt and implement feasible funding method(s) for acquisition of park lands including park impact fees, metropolitan park district, partnerships, grants, user fees, City funding, interjurisdictional cost-sharing, land developer contributions and other sources.¶

PARK DEVELOPMENT¶

Deleted: Develop new neighborhood park, Rowe Park, in west Lynnwood, per master plan completed in 2004, when funding is available.¶
Develop an off-leash dog park in an existing City park or an acquired site in the City.¶
Continue development at Meadowdale Neighborhood Park per the 2001 Master Plan with expanded parking and picnic shelters. Explore partnership for development and management of a pocket farm.¶
Develop the 188th St SW mini park in an underserved neighborhood.¶
Acquire site and develop Town Center Park in City Center area. ¶
Continue Scriber Lake Park renovation per master plan completed in 2005. Seek funding for additional phases to fully develop the park as a safe and active community park.¶
Provide improvements to Gold Park including trail development, ethnobotanical garden and invasive plant removal to increase use and public safety in park. Support continuing volunteer efforts by Edmonds Community College and other volunteer groups.¶
Develop Master Plan for future public use of Lund's Gulch in partnership with community stakeholders such as the Brackett's Landing Foundation and Friends of Lund's Gulch and environmental education organizations. ¶

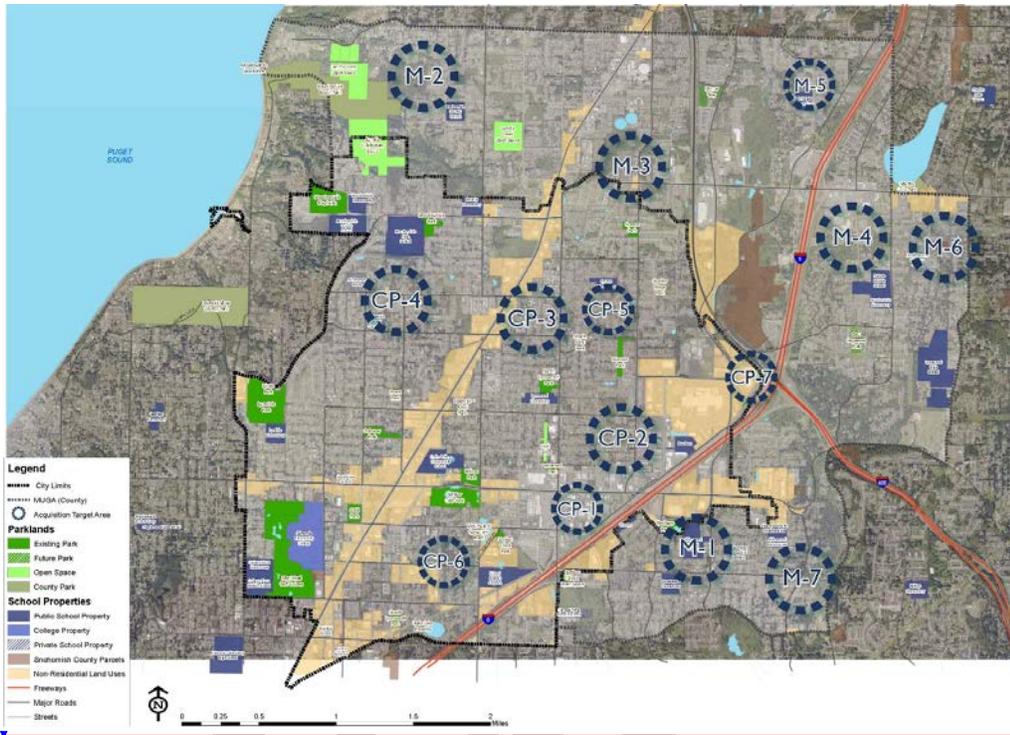
ACTIVITY CENTERS¶

Work with Community Development to identify parks and open space sites, related improvements (...)

Deleted: MUNICIPAL URBAN GROWTH AREAS (MUGA)

Deleted: Pursue cooperative planning efforts with Snohomish County to fund acquisition of open space for conservation and future park development in the Municipal Urban Growth Area to meet the recreational needs of future annexation areas.

Deleted: Partner with Snohomish County to provide frontage and parking improvements to Doc Hageman Park.



Deleted: Map 2: Proposed Parkland Acquisition Target Areas

Figure P-2: Proposed Parkland Acquisition Target Areas

SPECIAL USE FACILITIES

Deleted: OPEN SPACE SYSTEM

Policy P-2.3 Establish and operate specialized recreational facilities (e.g. sports facilities, off leash dog areas, skate parks, community gardens) to respond to identified public needs, as appropriate.

Deleted: Provide a system of open space to preserve and protect the area's remaining native forests, wetlands, streams and wildlife habitats, and to provide natural buffers to the built environment at the minimum adopted level of service of 3 acres/1000 population for Open Space.

Policy P-2.4 Explore public/private partnership opportunities to develop an environmental education center.



Strategy P-2.14 Encourage the development of specialized facilities that generate revenues to offset the cost of their operation and maintenance.

Strategy P-2.15 Provide additional picnic shelters for events such as family gatherings, community events and other meetings.

Strategy P-2.16 Identify opportunities to create, expand or increase suitable sites for community gardening and/or urban farming.

Strategy P-2.17 Implement identified improvements to the Golf Course that will sustain the business and make it a viable amenity to the system (CFP 201200151).

- 1 **Strategy P-2.18** Develop a master plan for improvements to the Meadowdale Playfields athletic
- 2 complex, including renovation of the soccer and softball fields (CFP PK2003048A).
- 3 **Strategy P-2.19** Develop an off-leash dog area at an acquired site where off-leash use is safe and
- 4 would have limited environmental impacts (CFP PK2004052B).
- 5 **Strategy P-2.20** Explore options with off-leash area advocates for the creation of a non-profit
- 6 organization to help support and fund the ongoing operations and maintenance of off-
- 7 leash dog areas within the city.
- 8 **Strategy P-2.21** Identify opportunities to create, expand or increase suitable sites for community
- 9 gardening and urban farming.
- 10 **OPEN SPACE & NATURAL AREA CONSERVATION**
- 11 **Policy P-2.5** Provide a system of open space to preserve and protect the area’s remaining native
- 12 forests, wetlands, streams and wildlife habitats, and to provide natural buffers to the
- 13 built environment based on a regional conservation plan that identifies the strategic
- 14 lands valued for future conservation.
- 15 **Policy P-2.6** Preserve and protect in public ownership areas with significant environmental
- 16 features such as view corridors, landforms, steep slopes and plant and animal habitats
- 17 from the impacts of development.
- 18 **Policy P-2.7** Conserve significant natural areas to meet habitat protection needs and to provide
- 19 opportunities for residents to recreate and connect with nature, as appropriate.
- 20
- 21 **Strategy P-2.22** Pursue opportunities to provide appropriate public access (e.g. trails, viewpoints and
- 22 wildlife viewing areas) within natural areas to support passive recreation and
- 23 environmental education.
- 24 **Strategy P-2.23** Encourage conservation easements for open space within urban areas to buffer and
- 25 enhance the built environment.
- 26 **Strategy P-2.24** Support volunteer and interjurisdictional efforts for restoration and preservation of
- 27 the four major watersheds in South Snohomish County: Scriber Creek, Lund’s Gulch,
- 28 Swamp Creek, and Halls Creek.
- 29 **Strategy P-2.25** Actively work to improve the condition of City-owned natural areas through invasive
- 30 species removal; planting of native species; restoration of urban forests, creeks,
- 31 wetlands and other habitat; and improvement of hydrological conditions.
- 32 **Strategy P-2.26** Continue and encourage stewardship of open space and natural areas through the
- 33 Adopt-A-Trail and Park Service programs.
- 34 **Strategy P-2.27** Consider the preparation of an Urban Forestry Management Plan to articulate a long-
- 35 term strategy for tree protection, urban forestry management and public education
- 36 and outreach.
- 37 **Strategy P-2.28** Provide environmental educational opportunities in natural areas with interpretive
- 38 signage, nature trails and overlooks.
- 39 **Strategy P-2.29** Partner with Public Works on the development of a stream corridor management
- 40 policy to outline protection of environmentally sensitive areas while improving
- 41 access to natural areas and recreation corridors.

Deleted: <#>¶
 <#>Preserve and protect in public ownership areas with significant environmental features such as view corridors, landforms, steep slopes and plant and animal habitats from the impacts of development.¶
 <#>Support volunteer and interjurisdictional efforts for restoration and preservation of the four major watersheds in South Snohomish County: Scriber Creek, Lund’s Gulch, Swamp Creek and Hall Creek.¶
 <#>Continue acquisition of open space properties in the Swamp Creek, Scriber Creek and watersheds.¶
 <#>Continue to encourage stewardship of open space and natural areas through the Park Stewards program.¶
 <#>Preserve open space corridors and trail linkages between parks, neighborhoods, schools and commercial centers. Where possible, acquire key linkages between parks and trail segments to create connected trail system.¶
 <#>Provide neighborhood access to natural areas with trailheads and parking, in accordance with Title 17 LMC and ESA regulations.¶
 <#>Provide environmental educational opportunities in natural areas with interpretive signage, nature trails and overlooks.¶
 <#>Acquire open space within urban areas to buffer and enhance the built environment.¶
 <#>Provide passive recreational opportunities in acquired natural areas.¶
 <#>Work with Public Works and community volunteers in the enhancement of City-owned stormwater detention areas for passive community appreciation.¶

FACILITIES AND PROGRAMS

- 1 **Strategy P-2.30** Maintain Tree City USA designation with continued review of tree policy and
 2 management.
- 3 **Strategy P-2.31** Develop a ‘Right Tree, Right Place’ policy to guide tree planting along right-of-ways
 4 and under power lines.
- 5
- 6 **GOAL 3** Lynnwood’s PRCA Department coalesces the community and stewards its
 7 human social and physical capital and resources to expand recreational
 8 opportunities for residents.
- 9 **ADMINISTRATION**
- 10 **Policy P-3.1** Provide leadership and sufficient staff resources to maintain the overall parks and
 11 recreation system to the City’s requirements.
- 12 **Strategy P-3.1** Conduct regular performance audits and analysis to ensure alignment with
 13 “Budgeting for Outcomes” budgeting processes.
- 14 **Strategy P-3.2** Annually update the Capital Facilities Plan to reflect the recreational needs of the
 15 community.
- 16 **Strategy P-3.3** Work with Community Development and Economic Development to revise proposed
 17 level of service and park development in the City Center Plan.
- 18 **Strategy P-3.4** Evaluate need to provide limited-commission status to park operation staff to
 19 improve staff and community safety in parks.
- 20 **Strategy P-3.5** Work with Human Resources, Finance and City Council to review personnel policies
 21 including employee benefits.
- 22 **MAINTENANCE & ASSET MANAGEMENT**
- 23 **Policy P-3.2** Actively manage Lynnwood’s park and recreation assets through a regular schedule
 24 of maintenance and capital renewal efforts to optimize use, reduce unplanned
 25 reactive maintenance and protect public investment.
- 26 **Strategy P-3.6** Maintain a standardized and systematic inventory and assessment of park system
 27 infrastructure, including quantity, location, condition and expected useful life.
- 28 **Strategy P-3.7** Develop and update an Asset Management Plan for major assets to support improved
 29 stewardship, reduce costs and increase maintenance and replacement efficiency.
- 30 **Strategy P-3.8** Plan for and finance the backlog of deferred maintenance projects and upgrades for
 31 ADA compliance to ensure a safe, secure and accessible park infrastructure (CFP
 32 PK2000034A).
- 33 **Strategy P-3.9** Encourage and promote volunteer park improvements and maintenance projects from
 34 a variety of individuals, service clubs, churches and businesses.
- 35 **Strategy P-3.10** Explore and evaluate fitness equipment maintenance and replacement options for the
 36 Recreation Center.

Deleted: <#>Provide the minimum adopted level of service of 2 acres/1000 population for Special Use facilities.¶
 <#>Provide facilities and programs that promote a balance of recreational opportunities all age groups.¶
 <#>Provide improvements to facilities that meet sustainability goals.¶
 <#>Improve access to Community Gardens through acquisition, development and management of urban gardens for community use. ¶
 <#>Maintain staff development and certifications (e.g. CPR/First Aid, lifeguard certification, playground safety, etc.) to retain high safety standards in facilities and on play equipment.¶
 <#>Coordinate the operation of Heritage Park facilities with the Heritage Park Partners Advisory Committee, including the Visitor Information Center, Heritage Resource Center, Genealogy Research Library, Interurban Car 55, Water Tower, heritage programming and demonstration gardens. ¶

Deleted: TRAIL SYSTEM

Deleted: Design and construct trails to required standards to serve a variety of users at varying skill levels to the adopted ...

Deleted: <#>Support other City departments in the implementation of the “Multi-Choice Transportation System Plan,” which proposes a comprehensive City-wid ...

Deleted: Plan and construct the northward extension of the Scriber Creek Trail to generally follow the creek route, from Scriber Lake Park north to the Meadowdale area a ...

Deleted: Coordinate development of the South Lund’s Gulch Trail with Snohomish County, Brackett’s Landing Foundation and volunteers. The trail is planned to begin in ...

Deleted: Coordinate with Public Works to provide a seamless Interurban Trail corridor through Lynnwood by completing “missing links” in the Interurban Trail, specifically ...

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Deleted: Master plan Interurban Trail corridor upgrades and improvements including landscape and beautification, additional bench and picnic table amenities ...

Deleted: <#>Develop a master plan for Wilcox Park, Scriber Lake Park and the adjoining School District property, reflecting how these facilities can be connected for ...

Deleted: INTERJURISDICTIONAL COORDINATION

Deleted: Coordinate parks, open space and facility planning and development with appropriate jurisdictions and agencies for mutually beneficial partnerships.

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PARTNERSHIPS

Policy P-3.3 Pursue and maintain effective partnerships with governmental agencies and private and non-profit organizations to plan and provide recreation activities and facilities in an effort to maximize opportunities for public recreation.



Strategy P-3.11 Enhance partnerships with the Edmonds School District and City of Edmonds to maximize public use of recreation facilities on school sites, especially athletic fields and gymnasiums, and to encourage provision of community education programming at schools.

Strategy P-3.12 Coordinate with neighboring jurisdictions and Snohomish County to provide a connected trail network that provide continuous walking and biking access between regional parks and other key destinations.

Strategy P-3.13 Explore partnership opportunities with Verdant Health Commission, local hospitals and businesses to develop, fund and promote park and recreation activities, programs and amenities.

Strategy P-3.14 Explore partnership opportunities with the Snohomish Sports Commission to attract sporting events and tournaments.

FUNDING

Policy P-3.4 Use traditional and new funding sources to adequately and cost-effectively maintain and enhance the quality of Lynnwood’s park and recreation system.



Strategy P-3.15 Conduct a park impact fee study for the City and its MUGA to help finance park and trail capital needs related to population growth.

Strategy P-3.16 Consider the potential benefits of voter-approved initiatives, such as bonds and levies, to fund and manage certain park and recreation program areas.

Strategy P-3.17 Utilize strategic capital investments in parks, trails, open spaces, recreation and art to encourage and support economic development and revitalization.

Strategy P-3.18 Pursue alternative funding options and dedicated revenues, including a levy lid lift, for the acquisition and development of parks and facilities, such as through private donation, sponsorships, partnerships, state and federal grant sources, among others.

Strategy P-3.19 Update admission fees, rental fees, and discounts on a periodic basis to reflect market rates.

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<#>Work with other agencies or service providers to provide adequate recreational programs, facilities and special events for community use.
<#>Work with non-profit organizations and other community volunteers on parks, trails and open space service projects.
<#>Create sponsorship opportunities for entrepreneurs, both non-profit and for-profit, to enrich the park experience and implement innovative approaches to revenue generation for parks and recreation facilities, events and programs.
<#>Partner with Edmonds School District to improve access to existing school recreation sites for shared school/park use. Partner with ESD, the City of Edmonds and other potential funding partners to improve Meadowdale Playfields.
<#>Pursue cooperative planning efforts with Snohomish County to provide parks and open space in future annexation areas.
<#>Work with local businesses, land owners and other agencies, to enhance and further strengthen the Farmers Market in Lynnwood.
<#>Work with Edmonds Community College and support volunteer efforts to make improvements to Gold Park.

Deleted: MONITORING AND EVALUATION

Deleted: Monitor, evaluate and update parks, recreation facilities and open space to ensure balanced, efficient and cost-effective programs.

GOAL 4

Lynnwood provides a comprehensive system of parks, open space and recreation facilities that serves current and future needs.

PARK & OPEN SPACE ACQUISITION

Policy P-4.1 Acquire additional parklands necessary to adequately serve the City’s current and future population based on adopted service levels (CFP PK1998031A).

Policy P-4.2 Plan for the location of parks in the proximity of underserved neighborhood and/or high-density developments.



Strategy P-4.1 Provide core parks to a service standard of 3.5 acres per 1,000 persons.

Strategy P-4.2 Provide equitable park distribution and prioritize park acquisition in under-served areas where households are more than ½ mile from a developed park.

Strategy P-4.3 Prioritize park acquisition in areas of the City facing population growth, and residential and commercial development.

Strategy P-4.4 Pursue acquisition of park-adjacent parcels to provide for needed parking expansion or valuable natural area/open space conservation.

Strategy P-4.5 Evaluate opportunities to acquire lands declared surplus by other public agencies for park and recreation use.

Strategy P-4.6 Proactively seek parklands identified within this Plan, in both developed and undeveloped areas, to secure suitable locations for new parks to serve future residents. Evaluate acquisition opportunities based on criteria such as improvement to existing level of service, connectivity, preservation and scenic or recreational opportunities for residents.

Strategy P-4.7 Continue acquisition of open space properties in the Swamp Creek and Scriber Creek watersheds.

Strategy P-4.8 Identify, acquire and preserve historically significant properties.

MUGA PLANNING

Policy P-4.3 Pursue cooperative planning efforts with Snohomish County to fund acquisition of open space for conservation and future park development in the MUGA to meet the recreational needs of Lynnwood’s annexation areas.

Policy P-4.4 Pursue an interlocal agreement with Snohomish County to facilitate joint management of park impact fees collected within the MUGA to facilitate timely expenditure of funds and strategic acquisitions.



Strategy P-4.9 Establish or improve urban public services in newly annexed areas, as funds are available, to meet established levels of service.

Strategy P-4.10 Acquire the Alderwood Middle School for future conversion to park use (CFP 201500108).

- 1 Strategy P-4.11 Acquire identified conservation lands along Scriber Creek, Swamp Creek and Lund’s
- 2 Gulch.
- 3 Strategy P-4.12 Acquire additional sites for future MUGA parks as noted in this Plan.
- 4 Strategy P-4.13 Partner with Snohomish County to provide frontage and parking improvements to
- 5 Doc Hageman Park.
- 6 Strategy P-4.14 Develop Doc Hageman Park (phase I and II) as a potential annexation project (CFP
- 7 PK2002041C).
- 8 Strategy P-4.15 Develop Manor Way Park as a potential annexation project (CFP PK1997002B).
- 9 Strategy P-4.16 Acquire a site for the future parks operations and maintenance satellite location as a
- 10 centrally-located equipment storage facility in the MUGA.
- 11 Strategy P-4.17 Conduct a feasibility study for an environmental education center public/private
- 12 partnership located in Lund’s Gulch.
- 13 Strategy P-4.18 Renew and maintain conversations with Snohomish County staff regarding the
- 14 collection and management of MUGA park impact fees and joint planning for
- 15 targeted acquisitions.

GOAL 5

Lynnwood’s PRCA Department fosters and expands the physical and social connections linking the City together and bridging to its neighbors.

TRAILS & LINKAGES

- 19 Policy P-5.1 Develop a network of shared-use recreational, pedestrian and bicycle trails to enable
- 20 connections within parks and between parks, neighborhoods, public amenities and
- 21 regional trail corridors.
- 22 Policy P-5.2 Design and construct trails to serve a variety of users at varying skill levels.
- 23 Policy P-5.3 Support other City departments in the implementation of the Multi-Choice
- 24 Transportation System Plan.
- 25 Policy P-5.4 Develop additional nonmotorized trails outside of parks to meet a targeted
- 26 walkability score and promote Lynnwood as a “walkable city.”
- 27

■ ■ ■
- 28 Strategy P-5.1 Integrate the siting of proposed trail segments into the development review process;
- 29 require development projects along designated trail routes to be designed to
- 30 incorporate trail segments as part of the project.
- 31 Strategy P-5.2 Provide trailhead accommodations, as appropriate, to include parking, signage,
- 32 restrooms and other amenities.
- 33 Strategy P-5.3 Implement trail signage standards, route and wayfinding signage for trails and
- 34 associated facilities and informational maps and materials identifying existing and
- 35 planned trail facilities.
- 36 Strategy P-5.4 Master plan and implement Interurban Trail corridor upgrades and improvements;
- 37 support interjurisdictional efforts to provide consistent and aesthetic improvements
- 38 along the length of the Interurban Trail (CFP PK1998025C).

- 1 **Strategy P-5.5** Partner with Public Works on the implementation of the Bike2Health Project and for
- 2 an assessment of sidewalk and crosswalk needs for schools (safe-routes-to-schools).
- 3 **Strategy P-5.6** Partner with utilities, agencies and private landowners to secure trail easements and
- 4 access to open space for planned trail connections such as Tunnel Creek Trail at
- 5 Lynnwood Place (CFP 201500106).
- 6 **Strategy P-5.7** Conduct a master plan and alignment study for the Center to Sound Trail which will
- 7 link City Center, Scriber Lake and Lund's Gulch. Design and construct the northward
- 8 extension of the Scriber Creek Trail from Scriber Lake Park north to the Meadowdale
- 9 area and Lund's Gulch (CFP PK1998025C).
- 10 **Strategy P-5.8** Coordinate with Snohomish County, Brackett's Landing Foundation and volunteers
- 11 on the development of the South Lund's Gulch Trail.
- 12 **Strategy P-5.9** Coordinate with Snohomish County for the development of recreational trails within
- 13 the MUGA to enhance linkages between future parks and the Interurban Trail.
- 14 **Strategy P-5.10** Work with Sound Transit to provide transit service to trailheads, parks, and
- 15 recreation facilities such as redevelopment of the Scriber Creek Trail (CFP
- 16 201500107).

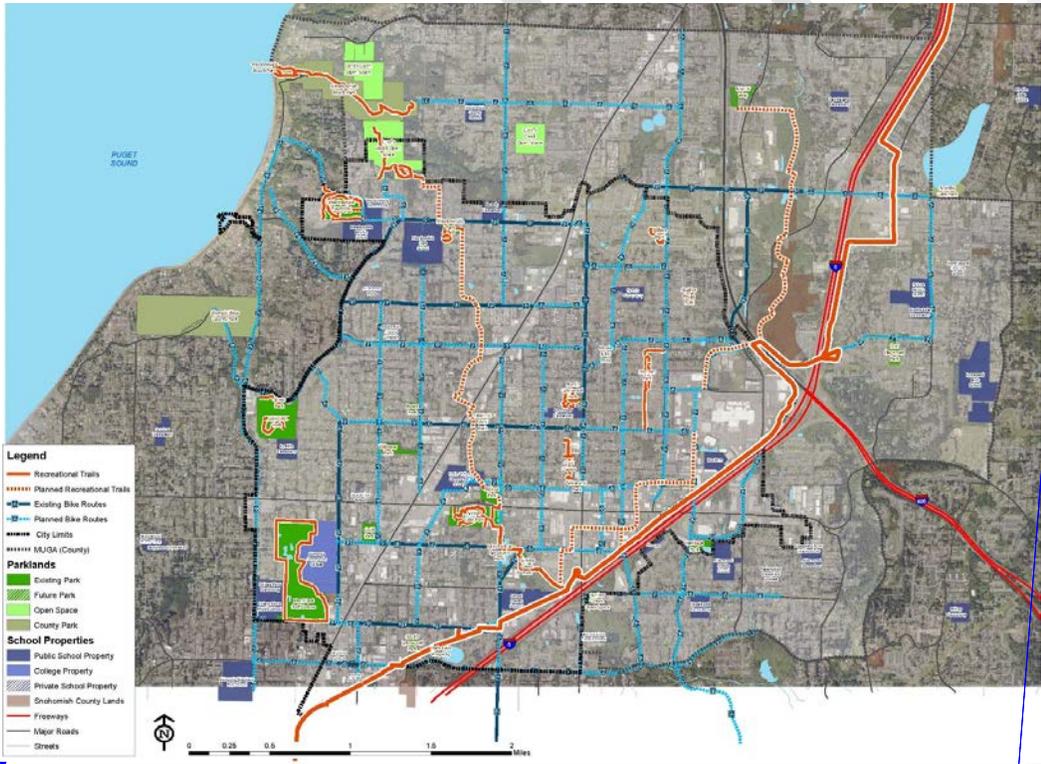


Figure P-3: Proposed Recreation Trails & Bike Routes

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COMMUNITY INVOLVEMENT

Policy P-5.5 Encourage and support active and ongoing participation by diverse community members in the planning and decision-making for parks and recreation.



Strategy P-5.11 Involve residents and stakeholders in system-wide planning, park site facility design and recreation program development. Use a diverse set of communication and informational materials to solicit community input, facilitate project understanding and build public support.

Strategy P-5.12 Employ innovative strategies to improve community involvement in park and recreation planning efforts.

Strategy P-5.13 Identify under-represented segments of the community and work to improve their capacity to participate in park planning and decision-making.

Strategy P-5.14 Pursue opportunities to partner with residents and neighborhood groups to improve, maintain and monitor local parks, natural areas and trails.

Strategy P-5.15 Provide clear maps of City parks, trails and recreation facilities online, in the parks and recreation catalog, at trailheads and public counters, and in newspaper articles or notices.

Strategy P-5.16 Survey, review and publish local park and recreation preferences, needs and trends at least once every six years.

INTERAGENCY COORDINATION

Policy P-5.6 Coordinate parks, open space and facility planning and development with neighboring jurisdictions and agencies for mutually-beneficial partnerships.



Strategy P-5.17 Work with other agencies or service providers to provide adequate recreational programs, facilities and special events for community use.

Strategy P-5.18 Partner with Edmonds School District, the City of Edmonds and other potential funding partners to improve Meadowdale Playfields (CFP PK2003048A).

Strategy P-5.19 Pursue cooperative planning efforts with Snohomish County to provide parks and open space in future annexation areas.

Strategy P-5.20 Work with Edmonds Community College and support volunteer efforts for improvements to Gold Park.

Strategy P-5.21 Consider sponsorship opportunities for entrepreneurs, both nonprofit and for-profit, to enrich the park experience and implement innovative approaches to revenue generation for parks and recreation facilities, events and programs.

Strategy P-5.22 Continue partnership development with Verdant Health Commission to provide public health and safety programs which meet community needs.

Strategy P-5.23 Continue to explore additional facility partnerships and/or joint-use operating agreements with Edmonds School District for use of sports fields and/or indoor gymnasiums.

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Deleted: Encourage community input by providing opportunities for public involvement in park, recreation and open space planning.¶
Annually update the Parks, Recreation and Open Space Element of the Comprehensive Plan, in accordance with the Recreation and Conservation Office guidelines.¶
Continue public information programs to increase public awareness of the City's parks, recreation and open space system.¶
Develop the 2015-2025 Lynnwood Parks, Arts, Recreation and Conservation (PARC) Comprehensive Plan to help guide the planning, acquisition and development of parks, facilities, open space and recreation programs.¶
Annually update the Capital Facilities Plan with capital projects that reflect the recreational needs of the community.¶

Page Break

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ITEM C

COMMUNITY CHARACTER ELEMENT

COMPREHENSIVE PLAN AMENDMENT

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MEMORANDUM **RECEIVED**

MAR 31 2016

**CITY OF LYNNWOOD
PERMIT CENTER**



DATE: March 29, 2016
TO: Todd Hall, Planning Manager
FROM: Parks, Recreation & Cultural Arts Deputy Director Olson
RE: **Comprehensive Plan Amendment Application – Community Character Element**

Statement - The Lynnwood Parks, Recreation & Cultural Arts (PRCA) Department respectfully submits this Comprehensive Plan Amendment Application for text edits to the Community Character Element. The following required items are provided:

Other Provisions - None proposed

Rationale - The PRCA Department proposes this update to the Community Character Element to incorporate the results of the recently completed 10-Year Healthy Communities Action Plan. The Action Plan was compiled using citizen input to create goals, policies and actions for the City over 2016-2025. These goals, policies, and actions will serve as the foundation for a revised City Comprehensive Plan Element. These changes are in alignment with the City of Lynnwood’s Community Vision and the PRCA Department’s mission to “create a healthy community through people, parks, programs and partnerships.”

Washington RCW 36.70 – Growth Management Act requires comprehensive plans and development regulations of counties and cities include a “pedestrian and bicycle component to include collaborative efforts to identify and designate planned improvements for pedestrian and bicycle facilities and corridors that address and encourage enhanced community access and promote healthy lifestyles” and “finds that regular physical activity is essential to maintaining good health and reducing the rates of chronic disease...finds that providing opportunities for walking, biking, horseback riding, and other regular forms of exercise is best accomplished through collaboration between the private sector and local, state, and institutional policymakers. This collaboration can build communities where people find it easy and safe to be physically active. It is the intent of the legislature to promote policy and planning efforts that increase access to inexpensive or free opportunities for regular exercise in all communities around the state.” [2005 c 360 § 1.].

The City’s Vision “Lynnwood Moving Forward: Our Community Vision” includes seven guiding principles including “to be a welcoming city that builds a healthy and sustainable environment,” and “to invest in preserving and expanding parks, recreation, and community programs.”

Consistency

5A: The proposed changes are consistent with the GMA and does not propose any conflicts with the Comp Plan or regulations.

5B: N/A

5C: N/A

5D: Yes

5E: None proposed

3 COMMUNITY CHARACTER

INTRODUCTION

The goal of this element is to identify the unique physical and social aspects of Lynnwood while establishing goals and policies that support, preserve and protect existing single-family neighborhoods and enhance the community. RCW 36.70A.080 allows jurisdictions planning under the Growth Management Act to prepare and adopt optional elements. The City of Lynnwood, the City, has chosen to include a Community Character Element in recognition of the importance of identifying Lynnwood as a unique regional center in the Puget Sound. The contents of this Element are grouped under the following headings: Urban Design; Public Spaces and Identity; Signage and Wayfinding; Sustainability; Culture & Diversity; ~~Healthy Communities~~; and Light and Noise Pollution.

BACKGROUND

The City of Lynnwood has a diverse population encompassing a variety of cultural communities. Lynnwood is known as a city that values, maintains, and enhances the resources that establish the public realm, including schools, libraries, museums and other cultural facilities, streets and public rights-of-way, governmental facilities and public open spaces. The city strives to promote the use of these places for public gatherings and cultural expression.

The City of Lynnwood embraces diversity and is working to raise awareness and understanding of its peoples, to nurture the ethnic and cultural traditions of our citizenry. The City is also working to become a sustainable community. This may be accomplished by supporting the efforts of its residential and business community, and by changing operational practices to include environmentally-beneficial and cost saving measures.

Lynnwood is a community that honors its past while looking forward to a vibrant and prosperous future. It is a community that honors its history, both culturally and physically, while encouraging new and innovative development through quality urban design, [the arts](#) and neighborhoods that foster community gathering. Lynnwood recognizes the city's position as a regional commercial hub while valuing its role as a welcoming community and a place to live, work and play.

URBAN DESIGN

At just under 8 square miles, 16 square miles including the Municipal Urban Growth Area, Lynnwood is a city that has developed over time as a residential suburban community with a thriving regional commercial presence. Much of the city's current building stock was built during the 1960s and 1970s without any architectural standards or review. The community's "urban center" has shifted over the last several decades. Highway 99 was the urban center after World War II, until it shifted to the Alderwood Mall area after its construction in the early 1970s. Through recent efforts by the community, a City Center Plan has been developed to help Lynnwood achieve this vision.

Along with the foundation of urban design principles, the appearance of the community is largely determined by the design quality of buildings and structures. The City values urban design through the implementation of its Citywide Design Guidelines, City Center Design Guidelines, Highway 99 Design Guidelines and Transition Area Design Guidelines. These sets of guidelines help improve the current image of the city, define a sense of place, and create functional and aesthetically pleasing development.

Comment [SO1]: HC will cover arts and historical resources

Deleted: Historic Resources;

1 The Urban Design section of the Community Character Element seeks to tie together the importance of
2 creating a sense of place through urban design and the appearance of the community through quality
3 commercial and residential development.

**GOAL 1:
Form and
Identity**

Value urban design as one of the primary drivers for community cohesiveness and a stronger civic identity.

- 4 **Policy CC-1.1** Recognize the basic elements of urban form – neighborhoods, centers, corridors,
5 employment centers and open spaces – all of which help define Lynnwood’s sense of
6 place.
- 7 **Policy CC-1.2** Ensure that land use and transportation decisions are consistent with zoning and
8 design guidelines in order to improve the visual and functional character of the city.
- 9 **Policy CC-1.3** The visual character of buildings shall be enhanced by means of architectural design
10 and landscape elements to create a human scale and enhance and integrate visual
11 character for the streetscape and abutting residential uses.
- 12 **Policy CC-1.4** Special design features and standards shall be employed to strengthen the urban
13 character and identity of the community.
- 14 **Policy CC-1.5** Attractive gateways shall be established at principal entry points to the City.
- 15 **Policy CC-1.6** Reconstruction of streets located within principal gateways shall incorporate high
16 quality landscape and streetscape design and features.
- 17 **Policy CC-1.7** The design and character of Lynnwood’s employment centers shall be improved
18 through streetscape improvements, including landscaping and public amenities,
19 signage, buffering and screening and continued investment in existing buildings.
- 20 **Policy CC-1.8** Ensure that all development abutting the freeway corridors includes special design
21 features which provide an attractive entrance to the city and presents the city in an
22 attractive manner (closely planted large plantings, unobtrusive signs, shielded
23 lighting, terraced building mass).

**GOAL 2:
Design
Quality**

Encourage design for all development within the City that promotes a sense of place.

- 24 **Policy CC-2.1** Encourage well-designed developments which create desirable public spaces,
25 preserve important features, and enhance community character.
- 26 **Policy CC-2.2** Continue to develop and implement the City’s urban design plans and guidelines that
27 provide concepts, principles and methods for strengthening the City’s image and
28 "sense of place" and enhance the City’s livability.
- 29 **Policy CC-2.3** Development regulations, such as adopted design guidelines, sign regulations, and
30 landscape regulations, should be used to: foster an enhanced community aesthetic;
31 improve compatibility between differing land uses; and to enhance the livability and
32 image of Lynnwood.
- 33 **Policy CC-2.4** The Project Design Review (PDR) process should continue to be utilized to confirm
34 development proposals’ consistency with adopted Design Guidelines, with the dual

1 objectives of improving land use compatibility and community appearance; and
2 facilitating predictable and expeditious permit review.

3 **Policy CC-2.5** Provide adequate setbacks, buffers, landscaping, visual screens, and appropriate
4 building scale and architecture to make development compatible with nearby
5 residential and other land uses.

**GOAL 3:
Neighborhoods**

Safe and attractive neighborhoods through effective design, streetscape improvements, signage, open spaces, preservation of trees, preservation of existing single family neighborhoods through code administration and enforcement, and limitation of non-residential uses within single-family neighborhoods.

6 **Policy CC-3.1** Neighborhood-specific or subarea design guidelines and/or infrastructure
7 improvement plans should be used to address issues unique to a specific area; and to
8 foster neighborhood identity and “sense of place”.

9 **Policy CC-3.2** Initialize a City-wide Neighborhood Improvement Project that will encourage
10 residents to improve the visual appearance and uniquely identify their neighborhood
11 through public investments such as streetscape improvements, unique signage, and
12 neighborhood green spaces.

13 **Policy CC-3.3** Identify barriers that create physical divides within or between neighborhoods, such
14 as freeways, large arterials or other physical constraints. Explore ways to unify
15 neighborhoods such as trails, greenways or pedestrian bridges.

16 **Policy CC-3.4** Improve connectivity within and between neighborhoods through capital
17 improvements such as sidewalks, bike lanes, and paths.

18 **Policy CC-3.5** Establish development programs and regulations for preservation of major tree stands
19 and canopies and other native vegetation on development sites. Emphasis should be
20 given to retaining masses of trees rather than isolated freestanding trees.

21 **Policy CC-3.6** A comprehensive street and landscaping tree plan that will enhance neighborhood
22 streetscape, provide identity and continuity, soften the appearance of pavement and
23 separate pedestrians from vehicular traffic shall be prepared and implemented.

24 **Policy CC-3.7** Encourage landscaped edges along residential corridors on collector streets,
25 improving neighborhood character and providing a more livable environment.

26 **Policy CC-3.8** Maintain the appearance and safety of neighborhoods through frequent and effective
27 code administration and enforcement.

28 **Policy CC-3.9** Discourage the intrusion of non-residential uses and activities within single-family
29 neighborhoods through effective design and landscaping.

30 **Policy CC-3.10** Promote community neighborhood revitalization events, such as intersection
31 rehabilitation and community gardens; such projects/events enhance community
32 pride, image and sense of place.

33 **LIGHT POLLUTION**

34 Excessive, poorly designed outdoor lighting wastes electricity, disturbs natural habitats, and significantly
35 limits views of the night-time sky. Night lighting is an important safety feature. However, lighting should
36 be designed and directed to minimize upward lighting. Night lighting is a necessity but, through good
37 design and code administration and enforcement, it’s possible to maintain darker skies in the residential
38 neighborhoods of Lynnwood and to enhance our views of stars and planets. The City of Lynnwood seeks

1 to minimize light pollution, glare, light trespass, and conserve energy and resources while maintaining
2 night time safety and security.

**GOAL 4:
Light Pollution**

Reduce impacts from light polluting sources, while still providing for safety and protection of personal and private property.

Subgoal CC-1: Light Pollution: Promote dark night skies in Lynnwood.

- 3 **Policy CC-4.1** Reduce light pollution and promote dark skies by limiting brightness of exterior
4 fixtures and shielding adjacent uses from light sources, while maintaining public
5 safety.
- 6 **Policy CC-4.2** Light sources, including signs, shall be shielded or shaded to prevent light
7 spillover on surrounding areas or cast excessive light on any residential use or
8 street.
- 9 **Policy CC-4.3** Materials with high light reflective qualities should not be used in construction of
10 buildings where reflected sunlight or artificial light would throw intense glare on
11 adjacent areas or streets.
- 12 **Policy CC-4.4** Require the use of efficient, full cut-off lighting which emits no light above the
13 horizontal plane.
- 14 **Policy CC-4.5** Prohibit unshielded exterior lamps and limit lighting of trees and vegetation
15 through the use of shielded fixtures and foot-candle limits.
- 16 **Policy CC-4.6** Promote outdoor lighting which either dims significantly or completely turns off
17 during day-time hours.
- 18 **Policy CC-4.7** Engage with Snohomish County PUD to replace existing street lighting with high
19 efficient LED lights. City should also consider replacing city-owned lighting
20 with LED lights.
21
22

NOISE POLLUTION

24 Noise is a pollutant that can have a significant negative impact on humans and other animals. Excessive
25 noise makes neighborhoods and communities less desirable and can cause neighborhood deterioration.
26 Noise also impacts people’s physical and mental health.

27 The City of Lynnwood needs to pay particular attention to noise levels within residential neighborhoods,
28 in order to protect the residents’ comfort and quality of life. Neighborhood protection and enhancement
29 are high priorities of the City Council and are emphasized in the 2035 Comprehensive Plan.

30 The City’s various mixed-use zones, including the College District Mixed-Use zone, Highway 99 Mixed
31 Use and Mixed Use zones surrounding Alderwood Mall, allow a mix of residential, office and
32 commercial uses. Design and development code provisions were drafted to control land uses, densities,
33 design and construction to hold noise and traffic to acceptable levels.

34 Residential areas that are directly adjacent to commercial uses, industrial uses, I-5 or Highway 99 should
35 have the benefit of more protection measures. Fences and concrete noise walls can greatly reduce sound,
36 but the aesthetics of the community also need to be preserved. When they are not designed with
37 aesthetics in mind, concrete walls can produce a negative feeling of enclosure. Where the city abuts
38 freeways, we can work with the Department of Transportation to mitigate freeway noise while addressing
39 aesthetic concerns.

40

**GOAL 5:
Noise Pollution**

Reduce noise pollution due to commercial and industrial uses, as well as impacts from regional highways and local roads.

- 1 **Policy CC-5.1** Protect residents from excessive roadway noise by requiring appropriate mitigation
2 measures, such as landscaped buffers, noise attenuating walls and windows.
- 3 **Policy CC-5.2** Mitigate potential noise pollution from new development on adjoining properties.
- 4 **Policy CC-5.3** Maintain and administer building codes, regulations, and other applicable standards
5 that mitigate noise impacts.
- 6 **Policy CC-5.4** Enforce the City's noise emission standards.
- 7 **Policy CC-5.5** Limit noise to levels that protect the public health and that allow residential,
8 commercial and manufacturing areas to be used for their intended purposes through
9 noise regulations.
- 10 **Policy CC-5.6** In city operations, reduce where possible, the use of noise-polluting equipment.
- 11 **Policy CC-5.7** Support the use of technologies and engineering practices to lessen noise produced
12 by traffic, aircraft, construction, and commercial and industrial facilities located near
13 residential areas.
- 14 **Policy CC-5.8** Promote actions, such as equipment modifications and operational limits, that reduce
15 noise from transportation modes, construction sites, industrial uses, and commercial
16 business establishments.
- 17 **Policy CC-5.9** Require buffering or other noise reduction and mitigation measures to reduce noise
18 impacts from commercial and industrial areas on residential areas. Doors and
19 windows, and any exterior mechanical equipment should be located or buffered to
20 minimize noise impacts to surrounding properties.
- 21 **Policy CC-5.10** Work with businesses and the community to provide education about the impacts of
22 noise pollution on health and our quality of life.
- 23 **Policy CC-5.11** Building standards should be modified to require noise attenuating walls and
24 windows to decrease noise impacts on adjacent residents.

25 **PUBLIC SPACES & IDENTITY**

26 Many of the places that residents and visitors associate with the most are public parks, schools, and public
27 buildings. Public parks provide gathering spaces for neighborhoods. Schools and community centers are
28 often a community's "social hub." City Hall and fire stations help strengthen civic identity and give a
29 community a sense of pride. Urban plazas, while not often publicly-owned, also provide a place for
30 gathering. Even streets are considered part of the public realm and offer public space. In short, the public
31 realm is an important facet of a community's character and image.

32 The goals and policies in this section strive to create public spaces that are memorable and inviting, create
33 focal points for the City Center, Highway 99 and neighborhoods, and help Lynnwood residents identify
34 where they live.

**GOAL 6:
Gathering
Spaces**

Create a variety of inviting gathering spaces throughout the community that provide an opportunity for events and help connect the residents of Lynnwood.

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- 1 **Policy CC-6.1** Develop a variety of gathering spaces, including parks, public plazas and other
2 informal open spaces that are inviting to both residents and visitors of Lynnwood and
3 which offer places for recreation and interaction.
- 4 **Policy CC-6.2** Gathering spaces, especially in the City Center, shall be designed and oriented where
5 the impacts of surrounding buildings is minimized to the extent possible.
- 6 **Policy CC-6.3** Each space shall be designed with safety in mind, orienting buildings around spaces
7 to provide security and enhance liveliness.
- 8 **Policy CC-6.4** Each gathering space shall provide amenities specific to its primary use, such as
9 benches and play structures within parks; benches, sculptures or other forms of art
10 within urban plazas; or trails within open spaces or greenbelts.
- 11 **Policy CC-6.5** Begin exploring opportunities to move City Hall and the Lynnwood Public Library to
12 a new location within the City Center as recommended in the City Center Sub-Area
13 Plan.

**GOAL 7:
Streetscape**

Arterial streets within Lynnwood should be considered as important public spaces that contribute to the City's image, character and livability.

- 14 **Policy CC-7.1** Where appropriate and where space allows along the public rights-of-way, promote
15 the active use of public space, such as outdoor seating areas, dining areas or
16 hardscaped plazas, to help activate the street.
- 17 **Policy CC-7.2** Encourage streetscape design that enhances intersections and corridors within and
18 between neighborhoods.
- 19 **Policy CC-7.3** Streetscape improvements should improve all areas of public streets, especially for
20 pedestrians, by incorporating appropriately-scaled lighting, sidewalks, bike lanes, and
21 other amenities such as benches and trash receptacles.
- 22 **Policy CC-7.4** Encourage organized public events that utilize public streets such as farmers markets,
23 fairs, concerts or other seasonal outdoor performances.

**GOAL 8:
Visual
Character**

Protect and enhance Lynnwood's aesthetic and visual character through landscaping, tree preservation, public art and code administration and enforcement.

- 24 **Policy CC-8.1** Use visual buffers or screening between incompatible uses, such as residential and
25 industrial uses, to lessen the impact and provide for a more aesthetically pleasing site.
- 26 **Policy CC-8.2** Implement guidelines and regulations to improve and increase the use of trees and
27 landscaping as an important feature of land development.
- 28 **Policy CC-8.3** Where feasible, work with utility companies to underground overhead utility lines
29 upon redevelopment.
- 30 **Policy CC-8.4** Recognize the value of tree canopy by preserving trees within neighborhoods and
31 within new development sites.

- 1 **Policy CC-8.5** Utilize public art in civic spaces and private developments that enhance and
- 2 strengthen the visual appeal of the city.
- 3 **Policy CC-8.6** Encourage private developers to incorporate artwork into projects, especially within
- 4 the City Center and at the identified Prominent and Gateway intersections.
- 5 **Policy CC-8.7** Encourage art displays throughout the city, such as building murals, window art or
- 6 other tangible pieces that may be displayed at public parks and open spaces.
- 7 **Policy CC-8.8** Make code administration and enforcement a top priority in the city in order to
- 8 maintain and improve visual quality of the community.
- 9 **Policy CC-8.9** Educate home and business owners regarding the importance of keeping their
- 10 property well-maintained.
- 11 **Policy CC-8.10** Preserve, encourage and enhance open space as a key element of the community's
- 12 character through parks, trails, water features, and other significant properties that
- 13 provide public benefit.

**GOAL 9:
Entrances and
Gateways**

Establish identifiable Entrances, Gateways and Nodes to the City (i.e. 44th Ave. W. / 196th St. SW).

- 14 **Policy CC-9.1** Identify and support the establishment of gateways at key entry points into the City,
- 15 and emphasize these entrances with distinctive design elements such as symbolic
- 16 markers, wider sidewalks, signage, improved lighting, decorative paving patterns,
- 17 monuments, landscaping, public art or other design features. Incorporate the City's
- 18 Brand Visuals whenever possible.

SIGNAGE & WAYFINDING

20 Signage within a community not only serves as a navigational tool to residents and visitors, and also helps

21 create a sense of identity. Signage should help the travelers get to where they need to be, help identify

22 and define centers, corridors and neighborhoods. Signage can serve as a marketing tool that directs

23 visitors to shopping and major points of interest within the city, as well as presenting the city's brand.

24 Finally, signage is critical for identifying the city's businesses. Policies that help businesses provide for

25 signage while following design character and themes of the community are provided in this section.

**GOAL 10:
Street,
Wayfinding &
Business
Signage**

Enhance the visual appeal of the city by creating signage that identifies Lynnwood, is consistent throughout the city, and links the community's resources to its citizens.

- 26 **Policy CC-10.1** Allow Lynnwood's commercial sector to promote their business through flexible
- 27 design guidelines and regulations.
- 28 **Policy CC-10.2** Utilize wayfinding, gateway and neighborhood signs as mechanisms to help identify
- 29 and market the city.
- 30 **Policy CC-10.3** Develop a public signage and wayfinding system that supports safe and efficient
- 31 transportation and reinforces the branding and identity of Lynnwood. The signage
- 32 and wayfinding system should facilitate non-motorized as well as motorized

- 1 transportation, and promote awareness of, and access to, public parks and other
- 2 public facilities.
- 3 **Policy CC-10.4** Continue to support signage standards that provide for business visibility while
- 4 enhancing the visual character and image of the City.
- 5 **Policy CC-10.5** The number, size and height of signs shall provide business and product
- 6 identification while creating an aesthetically pleasing visual environment.
- 7 **Policy CC-10.6** Signs shall be designed and placed on a site in a way that provides an integrated
- 8 development appearance and is aesthetically pleasing as viewed from the street and
- 9 surrounding properties.
- 10 **Policy CC-10.7** Encourage master sign plans for multi-tenant buildings for commercial, office and
- 11 industrial projects with multiple buildings (i.e. shopping centers or business parks).

12 **HEALTHY COMMUNITIES**

13 A healthy community is one where people have good physical and emotional health and is about health
 14 equity. A healthy community has strong social networks and provides individual community members
 15 with opportunities for personal growth and improvement. It promotes well-being and offers a high
 16 quality of life. Its efforts rely on a combination of policy, infrastrucure improvements and programming to
 17 help make the healthy choice the easy choice.

18 The [City's Healthy Communities Initiative's](#), works to identify and advocate for policies and
 19 environmental changes that make healthy food more available and affordable, increase access to safe
 20 opportunities for physical activity, and [creates and supports strong, vibrant, social networks](#). [Healthy](#)
 21 [Communities](#) provides residents with information they can use to find their own ways to practice healthy
 22 living with a long term goal of impacting obesity rates and preventing chronic disease. Lynnwood
 23 Healthy Communities is working towards safer sidewalks, trails, and bicycle lanes making it easier, safer
 24 and more convenient for people to move about. Healthier food choices in school cafeterias and
 25 restaurants, well supported food banks, and neighborhood farmers markets offer options for healthier
 26 food. [Efforts which promote social interaction and community cohesiveness through civic engagement,](#)
 27 [events, culture, arts, and heritage programming are essential to improving community health.](#)

28 [The goals, policies and strategies included in this Element are derived from the 2016 council-adopted 10-](#)
 29 [year Healthy Communities Action Plan, Cultural Arts Plan, and Heritage Strategic Plan.](#)

30

31 **GOAL 11:** [Make it easy and safe for Lynnwood residents to be physically active](#)
 32 **Active Living** [daily.](#)

33 **BUILT ENVIRONMENT**

34 **Policy CC-11.1** [Improve Lynnwood's built environment to support and promote walking, biking and](#)
 35 [participation in other physical activities by improving the built environment to make](#)
 36 [Lynnwood a safe, attractive, and accessible place to walk and bike.](#)



38 **Strategy CC-11.1** [Update and implement the Multi-Choice Transportation Plan.](#)

Deleted: Program

Deleted: GOAL 11:¶
Planning

Deleted: 2

Deleted: Increase physical activity by making it easy and safe to be physically active daily. Creating pedestrian and bicycle friendly corridors, trails and pathways that encourage non-vehicle trips and active living.

Comment [SO2]: Need to update goal, policy and strategy number from here to end of chapter.

Deleted: <#>Provide the minimum adopted level of service of 2 acres/1000 population for Special Use facilities.¶
 <#>Provide facilities and programs that promote a balance of recreational opportunities all age groups.¶
 <#>Provide improvements to facilities that meet sustainability goals.¶
 <#>Improve access to Community Gardens through acquisition, development and management of urban gardens for community use. ¶
 <#>Maintain staff development and certifications (e.g. CPR/First Aid, lifeguard certification, playground safety, etc.) to retain high safety standards in facilities and on play equipment.¶
 <#>Coordinate the operation of Heritage Park facilities with the Heritage Park Partners Advisory Committee, including the Visitor Information Center, Heritage Resource Center, Genealogy Research Library, Interurban Car 55, Water Tower, heritage programming and demonstration gardens. ¶

¶ ¶ ¶
 <#>Plan for Recreation Center Phase II construction of a new community center that will provide programming space for youth/teen and senior activities, performing arts and sports. Develop a master plan for improvements to the Meadowdale Playfields athletic complex, including renovation of the soccer and softball fields, to meet the community's demand for athletic fields, allow for year-round use, and provide a competitive athletic facility.¶
 <#>Complete phased development of Heritage Park, including renovation of all the historic structures including Water Tower, development of the Interurban Car 55 track and pulley mechanism, play area, trail, demonstration gardens, and development of museum programming in the park.¶
 <#>Work with the Lynnwood Parks and Recreation Foundation and community

Deleted: Continue the Healthy Communities program, which includes but is not limited to the establishing safe pedestrian and bicycle friendly corridors through, Walking School Buses, Safe Routes to School, and improved sidewalks, bicycle lanes, trails and connected corridors.

- 1 **Strategy CC-11.2** Establish ongoing, dedicated, capital funding to complete pedestrian and bicycle
- 2 infrastructure.
- 3
- 4 **Strategy CC-11.3** Update City land use, zoning, design codes, and development review guidelines
- 5 to reinforce and support multi-choice transportation options.
- 6
- 7 **Strategy CC-11.4** Establish safe pedestrian and bicycle friendly corridors through Walking School
- 8 Buses, Safe Routes to School, and improved sidewalks, bicycle lanes, trails and
- 9 connected corridors.
- 10
- 11 **Strategy CC-11.5** Ensure continuous and ample sidewalks along principal, minor, and collector
- 12 arterials are integrated with abutting land uses. Sidewalk design may include
- 13 separation from streets, connections to walkways and trail systems, landscaping,
- 14 and other amenities that enhance the community.
- 15
- 16 **Strategy CC-11.6** Implement multi-choice transportation system improvements to fill in missing
- 17 links, create better connectivity to key destinations, focus on generator needs,
- 18 and enhance the overall walkability and bikeability of the City.
- 19


- 20 **Policy CC-11.2** Identify opportunities to install new amenities and features along multi-choice
- 21 corridors that serve as attractions, improve aesthetics and serve to increase utilization
- 22 of the non-motorized infrastructure
- 23


- 24 **Strategy CC-11.7** Develop and implement an adopt-a-trail program to ensure maintenance and
- 25 upkeep of existing trails in Lynnwood.
- 26
- 27 **Strategy CC-11.8** Partner with neighborhoods to inventory and prioritize neighborhood
- 28 infrastructure needs and desired community amenities.
- 29
- 30 **Strategy CC-11.9** Where appropriate and feasible, provide lighting, seating, landscaping, street
- 31 trees, trash receptacles, public art, bike racks, railings, handicap access, and other
- 32 amenities for sidewalks, walkways and trails without interfering with pedestrian
- 33 circulation.
- 34
- 35 **Strategy CC-11.10** Develop and implement wayfinding signage and monumentation standards that
- 36 will prominently identify trails, multi-use corridors and recreational areas and
- 37 highlight local destinations and amenities accessible from corridors.
- 38
- 39 **Strategy CC-11.11** Update the Tree Fund Ordinance to allow use of and incorporate trees and
- 40 landscape material for aesthetic enhancements.
- 41
- 42 **Strategy CC-11.12** Create street tree care policy with certified arborists/pruners and incentives for
- 43 property owners to manage and care for their street trees.
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Policy CC-11.3 Improve or expand the number of active spaces available for community use.



Strategy CC-11.13 Partner with school district to enhance community use of facilities for physical activity.

Strategy CC-11.14 Identify and address gaps or needs in the park system and increase the number of park amenities that improve access to physical activity.

Strategy CC-11.15 Identify dedicated funding sources such as impact fees, bonds or grant funding for infrastructure improvements that improve access to physical activity.

Strategy CC-11.16 Promote and enhance developer incentives to incorporate open space and/or recreation facilities in future development projects.

ACTIVE PROGRAMMING

Policy CC-11.4 Develop and/or promote programs that encourage all residents to walk, bike and be active daily.



Strategy CC-11.17 Evaluate and address service gaps to improve access and better support equitable opportunities to be physically active.

Strategy CC-11.18 Explore and expand partnerships to increase program opportunities, especially for diverse populations.

Strategy CC-11.19 Enhance promotion and communication of program opportunities that are accessible to the full community.

Deleted: ¶

GOAL 12:
Healthy Eating Increase and support access to healthy, affordable, local foods for all Lynnwood residents.

Deleted: 3

Deleted: for all Lynnwood residents

Deleted: Sustainable Food Systems

FOOD CHOICE

Policy CC-12.1 Identify and support policies and programs that increase access to food and promote healthy food choice.



Strategy CC-12.1 Encourage restaurants and public service venues to offer healthier menu items.

Strategy CC-12.2 Develop a voluntary, healthy-restaurant certification program.

Strategy CC-12.3 Explore menu labeling policy for chain restaurants.

Deleted: ¶

1 Strategy CC-12.4 Establish policy and practices to expand healthy food options and limit sugary
2 beverages and junk food sold in public service venues.



4 Policy CC-12.2 Increase educational opportunities for residents aimed at identifying, purchasing,
5 storing and preparing healthy foods.



7 Strategy CC-12.5 Partner with organizations to expand healthy cooking education.

8 Strategy CC-12.6 Explore opportunites to expand community kitchen facilities.

9 Strategy CC-12.7 Enhance promotion of food education and food access programs that are
10 accessible to the full community.



12 Policy CC-12.3 As a way to increase access to healthy foods for youth and families after school
13 and during summer breaks.



15 Strategy CC-12.8 Partner with school district and other youth service organizations to increase
16 participation in food programs.

Deleted: Increase City community garden program in neighborhoods, schools, workplaces and the faith-based community, especially those areas that are underserved

17 **FOOD PRODUCTION**

18 Policy CC-12.4 Create policies and programs that increase and support opportunities for local food
19 production including the use of public lands for food production and gleaning for
20 community and individual benefit.



22 Strategy CC-12.9 Review and amend policy including land use regulations which support urban
23 agriculture.

24 Strategy CC-12.10 Provide developer incentives to incorporate urban agriculture such as roof top,
25 vertical or community gardens.

26 Policy CC-12.5 Identify opportunites to create, expand or increase the number of community gardens
27 in neighborhoods, workplaces, clinics, schools and faith-based organizations.



29 Strategy CC-12.11 Assess geographical opportunities for more gardens and available land.

30 Strategy CC-12.12 Develop a tool kit to support residential and organizational gardens.

Deleted: .

31 **GOAL 13:
Social
Connectivity**

Create and support strong, vibrant social networks that promote social interaction and community cohesiveness. Promote quality of life, healthy development and healthy behaviors across all life stages.

Deleted: 4

Deleted: Development

32 Policy CC-13.1 Identify, enhance or create, safe, inviting and accessible venues and community
33 places that encourage benefical social interaction and community cohesiveness.
34 Including parks and green spaces.



Deleted:

- 1 **Strategy CC-13.1** Identify opportunities to create public gathering spaces that enable residents of
- 2 all ages to connect with each other on public and private lands.
- 3 **Strategy CC-13.2** Acquire land and develop future Town Square Park in Lynnwood’s City Center.
- 4 
- 5 **Policy CC-13.2** Build neighborhood identity and improve communication between residents and the
- 6 City.
- 7 
- 8 **Strategy CC-13.3** Support the formation of neighborhood advisory groups to create a localized
- 9 identity with an emphasis on making sure all communities have active
- 10 representation with the City.
- 11 **Strategy CC-13.4** Coordinate interdepartmentally with community partners to examine
- 12 opportunities to support and improve the city’s neighborhoods.
- 13 **Strategy CC-13.5** Initiate a citywide Neighborhood Improvement Project that will encourage
- 14 residents to improve the visual appearance and uniquely identify their
- 15 neighborhood through public investments such as streetscape improvements,
- 16 unique signage, and neighborhood green spaces.
- 17 **Strategy CC-13.6** Support residential efforts to work and problem-solve neighborhood issues with
- 18 the City in positive and proactive ways.
- 19 **Strategy CC-13.7** Partner with neighborhoods and artists to incorporate art and interactive
- 20 amenities which serve to build and strengthen connections between residents, the
- 21 City, and with each other.
- 22 
- 23 **Policy CC-13.3** Bring community members, organizations and neighborhoods together to partner and
- 24 support community events and activities and improve communication of community
- 25 resources.
- 26 
- 27 **Strategy CC-13.8** Update policies to encourage neighborhood events and activities to enhance
- 28 community image/price and create a sense of place.
- 29 **Strategy CC-13.9** Support and promote art and cultural events, cross-cultural activities, and other
- 30 programs that network community members.
- 31 **Strategy CC-13.10** Expand intergenerational programs that support aging residents.
- 32 **Strategy CC-13.11** Support communications of community resources, services and events that
- 33 expand the reach to diverse communications.
- 34 **Strategy CC-13.12** Identify and support target groups and populations that grow of out community
- 35 need.

Deleted: Support and expand 62+ wellness, recreation, active living and social programs commensurate with Lynnwood’s changing age demographic.

37 **ARTS, CULTURE & EQUITY**

38 Lynnwood has a very diverse community consisting of many different cultures, ethnicities, and races.

39 With this diversity, there are varying levels of lifestyle and backgrounds, all of which contribute to the

40 richness of the community. The City of Lynnwood encourages the engagement of all citizens to help

41 understand and explore the diverse backgrounds that make up the community. This is accomplished

1 [through city-wide and neighborhood events, heritage and cultural events, and civic engagement](#)
 2 [opportunities.](#)

3 [In addition to ethnic and cultural diversity, the City also strives to become a cultural arts community by](#)
 4 [advocating for cultural arts through performing, visual and literary arts as well as public art displayed in](#)
 5 [public and private spaces. The City is fortunate to have several meaningful arts programs for the](#)
 6 [community to enjoy, including Shakespeare in the Park, an extensive public art collection at a variety of](#)
 7 [parks and public buildings, and art galleries at City Hall, Recreation Center, Lynnwood Convention](#)
 8 [Center Art Gallery and the Edmonds Community College Blackbox Theater. All of these cultural](#)
 9 [opportunities are provided by the efforts of community members, the arts community, and the City's Arts](#)
 10 [Commission, which is actively involved in supporting the arts to enrich the quality of life in Lynnwood.](#)

11 [People value and enjoy their leisure time, and the cultural arts are important elements in the lives of](#)
 12 [many. As Lynnwood grows, there will be an increased demand for affordable cultural opportunities close](#)
 13 [to home. It will be increasingly important to plan for facilities and programs that support and promote the](#)
 14 [cultural arts.](#)

GOAL 14:
Arts &
Cultural
Resources

[Support universal access to diverse arts to enrich our community's](#)
[quality of life and economic vitality.](#)

BUILDING COMMUNITY

17 **Policy CC-14.1** [Improve the quality of life in our City by promoting, preserving and sustaining the](#)
 18 [cultural arts. The arts are a catalyst for social interaction and creativity. By](#)
 19 [promoting and preserving the arts, and by identifying the resources needed to create](#)
 20 [and sustain a vibrant cultural community, we seek to enhance the quality of life for](#)
 21 [residents and visitors of Lynnwood and the South Snohomish County region.](#)

22 **Policy CC-14.2** [Promote and sustain a vibrant creative community, which is vital to economic](#)
 23 [vitality.](#)

24 **Policy CC-14.3** [Celebrate cultural heritage, develop a "sense of place," and provide social gathering](#)
 25 [spaces and events that are stabilizing and strengthening elements in creating a strong](#)
 26 [sense of community identity. As cultural voices, the arts play an important role in](#)
 27 [defining who we are.](#)

28 **Policy CC-14.4** [The Arts Commission will collaborate with other commissions and civic](#)
 29 [organizations to enhance the preservation of Lynnwood's cultural heritage and](#)
 30 [history.](#)



32 **Strategy CC-14.1** [Support cultural tourism as a means of educating visitors about the cultural](#)
 33 [history of Lynnwood.](#)

34 **Strategy CC-14.2** [Partner with neighborhoods to facilitate design charrettes aimed at identifying](#)
 35 [Lynnwood's unique neighborhood and district identities. Encourage and provide](#)
 36 [resources for neighborhoods to develop a neighbor community and identity.](#)

37 **Strategy CC-14.3** [Develop strategies to ensure stable funding and growth of city-provided arts](#)
 38 [staffing and quality programs, performances and exhibitions.](#)

- 1 [Strategy CC-14.4](#) [Encourage participation from the private and business sectors to provide art for](#)
2 [display in public places.](#)
- 3 [Strategy CC-14.5](#) [Provide accessible and affordable art activities and events for all ages.](#)
- 4 [Strategy CC-14.6](#) [Create, maintain and promote galleries spaces throughout the city.](#)
- 5 [Strategy CC-14.7](#) [Incorporate an artistic design to way-finding signage and maps.](#)
- 6 [Strategy CC-14.8](#) [Include an artistic urban design in city streetscapes, gateways, corridors, and](#)
7 [neighborhoods.](#)
- 8 [Strategy CC-14.9](#) [Advocate for a healthier community through use of art such as creative displays,](#)
9 [dance activities, and active arts programs.](#)
- 10 [Strategy CC-14.10](#) [Advocate for and participate in the planning and design of a possible regional](#)
11 [performing arts center.](#)

12 **OPENNESS & INCLUSION**

- 13 [Policy CC-14.5](#) [Ensure city publications about arts program are available in a variety of languages to](#)
14 [encourage participation.](#)
- 15 [Policy CC-14.6](#) [Prioritize amenities and programs that are multi-cultural in nature as well as](#)
16 [available, affordable and accessible.](#)
- 17 [Policy CC-14.7](#) [Expand the public art collection to include pieces and programs that represent the](#)
18 [cultural diversity of Lynnwood.](#)
- 19 
- 20 [Strategy CC-14.11](#) [Actively look for opportunities to collaborate with the Human Services](#)
21 [Commission, Diversity Commission and local organizations to ensure that the](#)
22 [City's arts program is meeting the needs of Lynnwood's diverse communities.](#)
- 23 [Strategy CC-14.12](#) [Provide opportunities for educating residents about different ethnic arts and](#)
24 [cultural traditions, and for building multicultural understanding.](#)

25 **ARTS OPPORTUNITIES**

- 27 [Policy CC-14.8](#) [Advocate for visual and performing arts opportunities in existing and proposed](#)
28 [facilities.](#)
- 29 [Policy CC-14.9](#) [Connect with artists and serve as a resource for artists to local opportunities and](#)
30 [events.](#)
- 31 [Policy CC-14.10](#) [Encourage City investments in arts and provide incentives to business to fund and](#)
32 [collaborate on art projects and programs.](#)
- 33 [Policy CC-14.11](#) [Maintain and expand the public arts purchasing program, including increasing the](#)
34 [number of art pieces displayed throughout Lynnwood.](#)
- 35 
- 36 [Strategy CC-14.13](#) [Provide and encourage interactive public art displays on City properties and](#)
37 [throughout Lynnwood.](#)
- 38
- 39 [Strategy CC-14.14](#) [Increase public awareness of the role and work of the Arts Commission.](#)
- 40

1 **Strategy CC-14.15** Increase public awareness of cultural arts programs and services through media,
2 use of new technology, City publications, community partnerships, and increased
3 accessibility to public art.

4 **Strategy CC-14.16** Encourage planning, review and oversight to provide sufficient opportunities and
5 facilities which encourage and support local artists in developing and presenting
6 their work.

7
8
9 **Strategy CC-14.17** Increase access and exposure to a variety of cultural arts by activating used
10 spaces and encouraging businesses to host art programs.

11
12 **Strategy CC-14.18** Provide free art activities for all ages at public events.

13 **ARTS EDUCATION**

14 **Policy CC-14.12** A key role of the Arts Commission is to advocate for lifelong learning in creativity
15 and the arts.

16 **Policy CC-14.13** Expand partnerships and collaborations for cultural opportunities (i.e. Edmonds
17 Community College, Edmonds School District, other jurisdictions, and Sno-Isle
18 Library) to present quality arts programs and performances to the community.

19 **Policy CC-14.14** Provide opportunities for citizens of all ages to participate in a variety of creative and
20 artistic endeavors such as afterschool programs, recreational classes, popup drawing
21 jams or senior programs.



23 **Strategy CC-14.19** Encourage artists to engage with the community through lecture series,
24 receptions and residency programs.

25
26 **Strategy CC-14.20** Create family-orientated art projects, performances and exhibits.

27
28 **Strategy CC-14.21** Advocate for arts opportunities in existing and proposed facilities.

29
30 **Strategy CC-14.22** Create a partnership or platform similar to the creative advantage model in
31 Seattle.

32
33 **CULTURAL HERITAGE**

34 **Policy CC-14.15** Create opportunities that create and preserve the diversity and cultural heritage of
35 Lynnwood.



37 **Strategy CC-14.23** Connect and partner with neighborhood, community, educational, business and
38 social services groups and organizations.

39 **Strategy CC-14.24** Help facilitate city-wide, neighborhood and community events, which include
40 opportunities for heritage and cultural events.

- 1 [Strategy CC-14.25](#) Support programs which engage citizens and community leaders in a holistic
- 2 approach including dialogue, education, and training about diversity issues.
- 3 [Strategy CC-14.26](#) Provide additional opportunities for citizens to become involved in city programs
- 4 and events through promotions and advisory body advocacy.

5 **EQUITY & INCLUSION**

- 6 [Policy CC-14.16](#) Develop, implement and assess City Department goals, objectives, policies and
- 7 procedures that improve equity in City operations and develops a workforce more
- 8 representative of the diversity of the community.
- 9 [Policy CC-14.17](#) Support the development of a City of Lynnwood Equity & Inclusion Plan.
- 10 [Policy CC-14.18](#) Increase awareness of City operations to all backgrounds and cultures within the city.
- 11 [Policy CC-14.19](#) City elected officials and City employees shall take an active role in ongoing equity
- 12 and inclusion efforts in the community.
- 13 [Policy CC-14.20](#) Develop internal policies that reflect a value for equity and the diverse needs of
- 14 citizens.

16 **HISTORIC PRESERVATION**

17 Lynnwood has a long and diverse heritage that began with [Coast Salish migratory patterns through the](#)
 18 [area to](#) logging and truck farms in the late 1800's leaving stump farms that evolved into truck farms and
 19 [eventually](#) into the transportation [and retail](#) hub of today. Preservation and recognition of historical
 20 resources will help give residents a stronger "sense of place." Protection and recognition of sites and
 21 educational programs will be the focus of preservation efforts in the City over the next 20 years, since
 22 many of its remaining historical resources are under development pressures. In order to achieve these
 23 ideas, the City will need to do the following:

- 24 • Identify and protect archaeological and historic resources within Lynnwood in order to
- 25 comply with state and federal regulations.
- 26 • Provide incentives to private owners for preservation, restoration and use of historic sites.
- 27 • Seek both public and private funding for restoration and enhancement of historical
- 28 resources.
- 29 • Recognize significant historical sites.

30 It is likely that additional needs may be identified and the user demands/priorities may change following
 31 adoption of this new Community Character Element. Future changes will be reviewed and appropriate
 32 adjustments made through the City's annual plan review and amendment process.

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**GOAL 15:
Heritage
Resources**

[Connect community members to the history and heritage of Lynnwood to
build a positive sense of place.](#)

Deleted: 20

Deleted: To preserve and provide residents a better understanding and awareness of the historic sites within the community.

Deleted: Historical Resources

34 **PARTNERSHIP**

- 35 [Policy CC-15.1](#) Collaborate with community partners to collect and promote the history and heritage
- 36 of Lynnwood.

Deleted: Subgoal CC-12: To identify, preserve and protect historically and culturally significant facilities, sites, buildings, structures, natural features and landscapes, trees and artifacts.

- 1 **Policy CC-15.2** Work closely with the Alderwood Manor Heritage Association, Historical
- 2 Commission, Sno-Isle Geneological Society, League of Snohomish County Heritage
- 3 Organizations, Heritage Park Partners Advisory Committee, Lynnwood Parks and
- 4 Recreation Foundation, Arts Commission, Parks and Recreation Board and other
- 5 heritage organizations in south Snohomish County to foster knowledge and
- 6 appreciation of our historical resources.
- 7

■ ■ ■
- 8 **Strategy CC-15.1** Expand programs through active engagement at Heritage Park and the Lynnwood
- 9 Library
- 10 **Strategy CC-15.2** Develop “history of the areas” learning material, including interactive material
- 11 (e.g. Lego trolley kit)
- 12 **Strategy CC-15.3** Establish / Enhance history & heritage web content
- 13 **Strategy CC-15.4** Develop Interurban Trail interpretive signs & markers
- 14 **Strategy CC-15.5** Strengthen volunteer programs (e.g. docents, park clean-up events)
- 15 **Strategy CC-15.6** Include historic elements in Lynnwood construction projects (e.g. Sound Transit,
- 16 private developers)
- 17 **Strategy CC-15.7** Participate with other local, county, state and national historical organizations to
- 18 educate the community about the value of local cultural and historical resources
- 19 through educational and informational exhibits, brochures, events and the
- 20 website.

HISTORIC RECOGNITION

- 23 **Policy CC-15.3** Identify culturally and historically significant resources and sites within the City of
- 24 Lynnwood.
- 25 **Policy CC-15.4** Develop a historic registry program and pursue registry of historic sites and
- 26 structures.
- 27 **Policy CC-15.5** Continue to develop, maintain, and preserve historical buildings, structures, artifacts,
- 28 and items of historic or cultural significant at Heritage Park for display,
- 29 demonstration, and through exhibits (i.e. restoration of the water tower,
- 30 demonstration gardens, complete the trolley tracks, and complete the Wickers
- 31 Museum).
- 32 **Policy CC-15.6** Commemorate Lynnwood’s history with signage, plaques and other projects (i.e.
- 33 Interurban Trail, neon signs, or historic street sign program).
- 34

■ ■ ■
- 35 **Strategy CC-15.8** Provide information that interprets the history of the Lynnwood/Alderwood
- 36 Manor area, including historical displays, programs, activities, museum
- 37 programming and interpretive signage.
- 38 **Strategy CC-15.9** Provide ways to recognize property owners, including an annual event, including
- 39 certificates of recognition and landmark plaques for those who rehabilitate,
- 40 restore, retain or reproduce historical elements of their properties.

Deleted: Develop a program to protect and preserve significant historical resources and sites and resolve conflicts between the preservation of cultural and historical resources and future land uses.¶
 Provide incentives through the historical preservation program such as utilization of the state special property tax valuation, partial income tax write-off for restoration and relaxation of Zoning Code standards to encourage property owners to rehabilitate, restore, retain or reproduce historical elements of their properties.¶
 Identify culturally and historically significant resources and sites within the City of Lynnwood.¶
 Establish and update on a regular a City historical resources inventory should be established and updated on a regular basis and establish a resource evaluation criteria to determine which historical resources to include on the inventory.¶
 Continue to develop, maintain, and preserve historical buildings, structures, artifacts, and items of historic or cultural significant at Heritage Park for display, demonstration, and through exhibits (i.e. restoration of the water tower, demonstration gardens, complete the trolley tracks, and complete the Wickers Museum).¶
 Provide information that interprets the history of the Lynnwood/Alderwood Manor area, including historical displays, programs, activities, museum programming and interpretive signage. ¶
 Commemorate Lynnwood’s history with signage, plaques and other projects (i.e. Interurban Trail, neon signs).¶
 Provide ways to recognize property owners, including an annual event, including certificates of recognition and landmark plaques for those who rehabilitate, restore, retain or reproduce historical elements of their properties.¶
 The City will take an active role in the preservation and restoration of historic elements in the community, including their display as applicable, while ensuring that they remain accessible to the community.

Deleted: Subgoal CC-13: Provide community education about the value of historical resources.

1
2 **PRESERVATION**

3 Policy CC-15.7 Advocate to preserve nature, parks, sites, buildings, and artifacts, and for City
4 policies and legislations that are informed by an understanding of history and
5 heritage.



7 Strategy CC-15.10 Renovate/restore the Water Tower at Heritage Park to be used as a working
8 demonstration, classroom and rental facility.

9 Strategy CC-15.11 Develop a playground at Heritage Park to attract more visitors to the park that fits
10 with the overall historic theme of the park.

11 Strategy CC-15.12 Issue a public call for historic photos and items for scanning and cataloging.
12 Archive, digitize, catalogue, and annotate historic documents and photos and
13 make publicly available

14 Strategy CC-15.13 Create Pocket Parks or Plazas near historic landmarks to create community
15 gatherings spaces with interpretive signage and/or art.

16 Strategy CC-15.14 Restore and display historic neon signs in an exhibit to honor Lynnwood’s mid-
17 century transportation days.

18 Strategy CC-15.15 Enhance and create green belts and parks

19 Strategy CC-15.16 Protect creeks and watershed areas



21 Policy CC-15.8 The City will take an active role in the preservation and restoration of historic
22 elements including sites and/or buildings in the community, including their display as
23 applicable, while ensuring that they remain accessible to the community



25 Strategy CC-15.17 Provide incentives through the historical preservation program such as utilization
26 of the state special property tax valuation, partial income tax write-off for
27 restoration and relaxation of Zoning Code standards to encourage property
28 owners to rehabilitate, restore, retain or reproduce historical elements of their
29 properties.

30 Strategy CC-15.18 Establish a Preservation Endowment Fund to support City-led acquisition and
31 preservation of historic sites and/or buildings.



33 Policy CC-15.9 Develop a program to protect and preserve significant historical resources and sites
34 and resolve conflicts between the preservation of cultural and historical resources and
35 future land uses.



37 Strategy CC-15.19 Utilize State Environmental Policy Act (SEPA) requirements to evaluate the
38 impacts of proposals on historical resources.

39 Evaluate transportation improvement projects and plans, through SEPA to determine their impact on
40 significant cultural and historical resources of the City.

Deleted: Provide a variety of approaches for educating the community about the value of historical resources.¶

<#>Participate with other local, county, state and national historical organizations to educate the community about the value of local cultural and historical resources through educational and informational exhibits, brochures, events and the website.¶

<#>Work closely with the Alderwood Manor Heritage Association, Historical Commission, Sno-Isle Geneological Society, League of Snohomish County Heritage Organizations, Heritage Park Partners Advisory Committee, Lynnwood Parks and Recreation Foundation, Arts Commission, Parks and Recreation Board and other heritage organizations in south Snohomish County to foster knowledge and appreciation of our historical resources.¶

<#>Develop and manage the Heritage Park Docent Program to provide guided tours of the park’s historical buildings, the Wickers Museum and Interurban Car No. 55.¶

Subgoal CC-14: To encourage the development of City historical projects using public and private resources.

Deleted: ¶

Deleted: Develop a program for non-profit organization, community volunteer and business support of City historical projects.¶

Establish a volunteer program (similar to the “Park Stewards” program) so non-profit organizations and community volunteers can work on City historical projects.¶

Commemorate Lynnwood’s history with signage and plaques.¶

Subgoal CC-15: To evaluate impacts of other proposals on historical resources through environmental review.¶

Utilize State Environmental Policy Act (SEPA) requirements to evaluate the impacts of proposals on historical resources.¶

- 1 Evaluate capital projects, plans and programs through SEPA to determine their impact to significant
- 2 cultural and historical resources of the City.
- 3 Evaluate utility system expansion and reconstruction through SEPA to determine impacts to culturally
- 4 and historically significant resources in the City.
- 5 A register of historically significant structures and sites should be established so SEPA review of such
- 6 structures would be required before redevelopment could occur per WAC 197-11-800(2)(f).

10
11

12 **SUSTAINABILITY**

13 A sustainable community is one that can meet the needs of the present population without compromising

14 the ability of future generations to meet their own

15 needs. Decisions made today by individuals and

16 the business community will play a large role on

17 what happens in the future. Decision makers at

18 the state and local level will make an impact on

19 whether sustainability will have a positive effect

20 on the communities they serve.

21 Sustainable cities are places where people enjoy

22 living, working, recreating and doing business.

23 Sustainability plays a large role in driving jobs

24 and services where the environment and public

25 health is protected. Sustainable communities

26 support walkability and access to transit. In order

27 to be a truly sustainable community, residents and

28 businesses must change their traditional practices

29 and seek to reduce consumption of renewable and non-renewable resources, reduce waste and pollution

30 and protect the environment. Most of the resources we use are not renewable, and therefore a community

31 must either find ways to conserve these resources or modify their behaviors and actions.

32 Sustainability is a critical part of Lynnwood’s future. A focus on green technologies, working with local

33 agencies and service providers, and reevaluating the City’s practices are just some of the ways

34 sustainability can be achieved over time.

35 The Sustainability section of the Community Character Element establishes the basis to promote, strive

36 for, and commit to the goal of becoming a sustainable community. It is the goal of the City to collaborate

37 with the community and its partners to create a “Sustainable Lynnwood.”

38 **PLANNING CONTEXT**

39 Sustainability is a very broad concept and principle. While the effective range of influence that a

40 community can have on sustainability is considerable, we will be most effective by focusing on a narrow

41 set of objectives: city operations; green buildings and neighborhoods; energy conservation; transportation;

42 environment; and waste reduction and recycling. At the same time, the city can adopt the basic

43 framework of sustainability as guideposts for its operations and decisions. The elements of this

44 framework are addressed in more detail below.

45 **WASHINGTON STATE GOVERNMENT RESPONSE**

Deleted: CULTURE & DIVERSITY¶

Lynnwood has a very diverse community consisting of many different cultures, ethnicities, and races. With this diversity, there are varying levels of lifestyle and backgrounds, all of which contribute to the richness of the community. The City of Lynnwood encourages the engagement of all citizens to help understand and explore the diverse backgrounds that make up the community. This is accomplished through city-wide and neighborhood events, heritage and cultural events, and civic engagement opportunities offered by the Neighborhoods and Demographic Diversity Commission. ¶

In addition to ethnic and cultural diversity, the City also strives to become a cultural arts community by advocating for cultural arts through performing, visual and literary arts as well as public art displayed in public and private spaces. The City is fortunate to have several meaningful arts programs for the community to enjoy, including Shakespeare in the Park, an extensive public art collection at a variety of parks and public buildings, an art gallery at the Lynnwood Public Library, Lynnwood Convention Center Art Gallery and the Edmonds Community College Blackbox Theater. All of these cultural opportunities are provided by the efforts of community members, the arts community, and the City’s Arts Commission, which is actively involved in supporting the arts to enrich the quality of life in Lynnwood. ¶

People value and enjoy their leisure time, and the cultural arts are important elements in the lives of many. As Lynnwood grows, there will be an increased demand for affordable cultural opportunities close to home. It will be increasingly important to plan for facilities and programs that support and promote the cultural arts.¶

GOAL 21:¶
Cultural Resources

1 While the federal government has been slow in responding to the challenge of global climate change,
2 many state governments – including Washington – have launched serious programs aimed at mitigating
3 greenhouse gas (GHG) emissions and adapting to climate change impacts.

4 Governor’s Climate Legislative and Executive Workgroup (CLEW)

5 On April 2, 2013, Governor Jay Inslee signed Engrossed Second Substitute Senate Bill 5802 (E2SSB
6 5802) creating the Climate Legislative and Executive Workgroup. The Workgroup is charged with
7 recommending a state program of actions and policies to reduce GHG emissions. In the bill, the newly
8 created workgroup is ordered to prepare an evaluation of approaches to reducing greenhouse gas
9 emissions. This initial evaluation report was completed in October 2013, with the following five
10 programs proposed to be developed and implemented in Washington:

- 11 1. A cap on carbon pollution emissions, focusing on larger emissions sectors such as
12 transportation, buildings and electricity.
- 13 2. Adopt measures to reduce use of electricity generated by coal-powered facilities in other
14 states.
- 15 3. Establish an energy smart building program to include promotion of new financing,
16 incentives and support.
- 17 4. Take actions to help finance the use of clean energy to include dedicated and sustained
18 funding to help research institutions, utilities and businesses develop, demonstrate and deploy
19 new renewable energy and energy-efficient technologies.
- 20 5. Adopt measures that will modernize our system for transporting goods and people by
21 increasing efficiency and reducing costs and emissions. Land use plans should incorporate
22 climate change considerations and better connect land use and transportation plans.

23 Carbon Emissions Reduction Taskforce (CERT)

24 The Carbon Emissions Reduction Taskforce (CERT) was a limited-time taskforce established by
25 Governor Inslee in 2014. The taskforce was comprised of 21 leaders from business, labor, health and
26 public interest organizations, and provided recommendations to the governor on design and
27 implementation of a market-based pollution program. The governor directed the taskforce to consider
28 measures to offset costs to consumers and businesses, and to design strategies to help energy-intensive
29 industries transition from carbon-based energy sources.

30 Washington’s Growth Management Act (GMA)

31 While the GMA does not directly address the issue of climate change, several broad GMA goals –
32 reducing sprawl, encouraging efficient multimodal transportation systems, preserving agricultural and
33 resource land, and protecting the environment – are common to most climate change action plans.

34 Washington State Department of Ecology Green Building

35 Department of Ecology’s Green Building Group provides technical assistance and educational resources
36 to local and state governments, not-for-profit organizations, and Washington residents and businesses to
37 support green building efforts. The Green Building Group is working to reach goals outlined in the Green
38 Building Initiative of the Beyond Waste Plan, Washington’s strategy for managing hazardous and solid
39 waste.

40 Projects that receive state funding shall be built to one of three green building standards, depending on the
41 structure; Evergreen Sustainable Development Standard for Affordable Housing, Leadership in Energy
42 and Environmental Design (LEED), or the Washington Sustainable Schools Protocol.

43 Washington State Department of Ecology Climate Change

1 Governor Inslee released a package of proposals to reduce carbon pollution and transition to clean in
2 2014. A key action of this package is the Carbon Pollution Accountability Act, which would require
3 larger emitters of greenhouse gasses to gradually reduce emissions, starting July 2016, to meet the State's
4 statutory emission limits. More information is available at the Department of Ecology's Climate Change
5 webpage.

6 **LYNNWOOD'S ROLE IN ENERGY & SUSTAINABILITY**

7 What can the City of Lynnwood, or any other community, do to help meet the climate change challenge?
8 Local government has a crucial role in guiding communities through the kinds of changes needed to slow
9 and eventually stabilize GHG emissions. Transportation and buildings are the two largest contributors to
10 GHG emissions. While state and federal governments can do their part by mandating higher efficiency
11 standards for vehicles and appliances, providing higher funding levels for transit, and supporting
12 development of alternative energy sources, these policies are only half-measures without complementary
13 changes in locally controlled land use patterns, building codes, and infrastructure that allow these larger
14 initiatives to have real impact.

15 **WHAT HAS LYNNWOOD DONE WITH REGARD TO SUSTAINABILITY?**

16 Our City has made some wise investments and decisions in the past few years in recognition of its
17 responsibility to reduce energy consumption and begin planning for climate change. By participating in
18 the Washington State Department of Enterprise Service's Energy Services contracting program, and
19 requesting energy grant funding from the Washington State Department of Commerce, the City is able to
20 make several investments in energy-efficient technologies, with annual estimated savings in excess of
21 \$50,000:

- 22 ▪ City Recreation Center (City's first LEED Silver Certified Building) (2011)
- 23 ▪ Replace inefficient lighting in street lights and city building exterior lamps with LEDs (2015-16)
- 24 ▪ Replace dewatering centrifuges with a low-power screw press at the Wastewater Treatment Plant
25 (2014)
- 26 ▪ Update pumps at the three wastewater lift stations with more energy efficient models (2015-16)
- 27 ▪ Update lighting and HVAC systems in the library and civic center complex (2015-16)

28 The City is also programmatically reducing energy consumption through the following:

- 29 ▪ Use outside air during cold winter days to cool servers and network equipment in the data center
- 30 ▪ Install and maintain citywide remote sensing and central control capabilities for the traffic signal
31 system and the utilities (water, wastewater, and stormwater) system to:
 - 32 ○ Optimize roadway capacity, shorten travel times, and reduce fuel consumption
 - 33 ○ Reduce response and resolution time by continuously monitoring service equipment and
34 receive immediate notification when problems arise. For the traffic system, this reduces
35 fuel consumed by vehicles queued in front of malfunctioning traffic signals. For the
36 utilities system, this reduces times when equipment may be using extra power to
37 compensate for a malfunction or broken component
 - 38 ○ Automatically adjust on/off frequency duration of pump cycles at reservoirs according to
39 smaller changes in random demand so pumps use less power

40 While Lynnwood's Comprehensive Plan has recognized and responded to a number of sustainability
41 issues, it has lacked a comprehensive approach to energy issues. In 2006, the City was awarded a
42 \$30,000 grant for the development of an Energy Element. While this grant, a first for Community, Trade

1 and Economic Development (CTED), was able to underwrite the development of an initial energy
2 inventory and explore policy options, matching city resources remain insufficient to either complete the
3 inventory or fully develop a model element.
4

**GOAL 16:
Sustainable
City**

Fully embrace sustainability as a key strategic principle providing direction
and focus for current and future critical city decisions.

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**Subgoal CC-4: The City will seek to establish practices through responsible community leadership
and government.**

8 **Policy CC-15.1** As long term goals, the City should consider establishing a Sustainability
9 Commission whose main purpose would be to foster the development of a
10 Sustainable City Action Plan which focuses on tangible goals and policies that will
11 help guide the City to establish green buildings, infrastructure and programs while
12 fostering a sense of community.

13 **Policy CC-15.2** Partner with Edmonds Community College and other organizations to facilitate the
14 identification, evaluation, and implementation of sustainable measures by the City.

15 **Policy CC-15.3** Consider Smart Growth principles as adopted by the Smart Growth Network for
16 design and development of Lynnwood. Principles may include mixing land uses,
17 compact building design, creating walkable neighborhoods, preservation of open
18 spaces and critical areas, facilitating a variety of transportation choices, and
19 collaborating with the community stakeholders in community planning and
20 development decisions.

Subgoal CC-6: Incorporate Sustainability principles into City operations and capital projects.

22 **Policy CC-15.4** Operational plans should incorporate sustainability principles through the
23 implementation of best management practices and energy-saving policies. Examples
24 of such operational plans include:

- 25 • Stormwater management
- 26 • Water and wastewater utility infrastructure
- 27 • Transportation infrastructure and traffic management
- 28 • Parks and recreation facilities
- 29 • Other capital facilities

30 **Policy CC-15.5** The City should consider requiring all new vehicles to be replaced with fuel-efficient
31 vehicles, utilizing alternative fuels such as compressed natural gas (CNG), electric,
32 hybrid, biodiesel and propane.

33 **Policy CC-15.6** Consider future replacement of all street sweeping vehicles from diesel fuel sources
34 to alternative fuels, such as electric-powered or liquefied natural gas (LNG).

35 **Policy CC-15.7** Update lighting and HVAC systems in all City operated facilities.

36 **Policy CC-15.8** Utilize sustainable principles and practices at the City's parks, golf course, and open
37 spaces, such as water conservation, grasscycling, recycling and pest and weed
38 management.

- 1 **Policy CC-15.9** The City should consider implementing an Environmentally Preferable Purchasing
 2 Policy, designed to encourage purchasing of locally manufactured and produced
 3 products and services which reduce toxicity, conserve natural resources, materials,
 4 and energy, and maximize recyclability.
- 5 **Policy CC-15.10** Consider implementation of a sustainable office and supply program, substituting
 6 non-green office furniture and products for green products.
- 7 **Policy CC-15.11** The City should develop a Shop Green program to educate consumers about green
 8 products and where to purchase them.
- 9 **Policy CC-15.12** Establish City purchasing guidelines that require the purchase of reusable and/or
 10 recycled products and require City operations to participate in take-back programs
 11 where available.

**GOAL 17:
Sustainable
Community**

Support a healthy community and environment through citizen involvement
 and fostering partnerships with local business, community groups and
 agencies.

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Subgoal CC-5: Support local food programs and healthy-living initiatives.

- 12
- 13
- 14 **Policy CC-16.1** Develop incentives that support local food production and processing to reduce
 15 energy use, increase food security and provide a healthy, local food supply.
- 16 **Policy CC-16.2** Support the development of a community garden (“pea patch”) program throughout
 17 the City, which helps foster a green community and serves as small scale, sustainable
 18 farming in an urban setting.
- 19 **Policy CC-16.3** Continue to support sustainable food production methods, such as the allowance of
 20 chickens and goats.
- 21 **Policy CC-16.4** Along with community-based partners, establish a “Shop Local” campaign, designed
 22 to educate and encourage residents to spend their money locally, which in turn
 23 supports City services and programs and creates and supports local jobs. In addition
 24 to financial benefits, shopping locally reduces vehicle miles travelled, reducing
 25 emissions and the carbon footprint.
- 26 **Policy CC-16.5** Creating pedestrian and bicycle friendly corridors, trails and pathways that encourage
 27 non-vehicle trips and active living.

**Subgoal CC-6: Protect environmental resources and reduce environmental impacts through
community education and partnerships with local agencies.**

- 28
- 29
- 30 **Policy CC-16.6** Continue to maintain the City’s designation as a “Tree City USA” community to
 31 protect and support sustainable urban forests.
- 32 **Policy CC-16.7** Actively promote tree planting in parks, open spaces and private properties to further
 33 enhance and support Lynnwood as a “Tree City.”
- 34 **Policy CC-16.8** Advocate native planting demonstration programs that teach residents and property
 35 owners the value of planting vegetation native to the Northwest.
- 36 **Policy CC-16.9** For vacant city-owned lots, consider implementing interim green uses such as
 37 community gardens.

- 1 **Policy CC-16.10** Support green neighborhood initiatives and education, such as tree plantings,
2 neighborhood cleanup days, community gardens, native meadow / field ground cover
3 plantings and educational seminars.
- 4 **Policy CC-16.11** Encourage residents to install landscaping that is less water dependent and drought
5 tolerant to reduce the consumption of water.
- 6 **Policy CC-16.12** Work with Edmonds School District and Edmonds Community College students to
7 establish and maintain community gardens.
- 8 **Policy CC-16.13** Through educational efforts sponsored by the Edmonds Community College,
9 encourage the removal of water intensive landscaping and replace with native,
10 drought-tolerant and/or edible landscapes on private properties. For City properties,
11 including City road widening projects where medians and or additional right-of-way
12 will need to be landscaped, encourage low water/low maintenance landscaping.
- 13 **Policy CC-16.14** Work with Snohomish PUD and other utilities that own surplus land to plant native
14 vegetation and help green rights-of-way.
- 15 **Policy CC-16.15** Support efforts by Puget SoundCorps, whose crews work on critical projects to help
16 restore and protect Puget Sound through a variety of work activities, including
17 restoring habitat areas at toxic cleanup sites, repairing stream and streamside habitat
18 damaged by unlawful uses of public lands, removing invasive species and conducting
19 educational activities that help support the Puget Sound Partnership.
- 20 **Policy CC-16.16** Promote green business practices that include goals and strategies for waste
21 reduction, energy efficiency, water conservation, green purchasing, etc. Also
22 encourage the formation of a local green business network to share information and
23 promote green business practices.

**GOAL 18:
Sustainable
Built
Environment**

Minimize the impact to the community by creating a built environment that incorporates sustainable construction, preserves and enhances buildings, and reduces dependency upon personal vehicles within the community.

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Subgoal CC-7: Provide a safe, efficient and sustainable transportation system which provides a multi-modal network for all residents, respects the environment, and is consistent with land use policies that promotes economic vitality.

- 28 **Policy CC-17.1** Along with transit agency goals for alternative transportation options, support carpool
29 programs and car-sharing companies to reduce single-occupant vehicles and limit the
30 number of vehicles on local and regional roadways.
- 31 **Policy CC-17.2** Encourage alternative modes of transportation, such as biking, walking or electric
32 vehicles to reduce the City's carbon emissions footprint.
- 33 **Policy CC-17.3** Continue to promote, expand and sustain the Pedestrian and Bicycle Skeleton System
34 to reduce vehicular use and promote a sustainable community.
- 35 **Policy CC-17.4** In collaboration with local biking groups, develop biking programs that educate and
36 inform residents about the benefits of biking in communities, such as Bike to Work
37 promotions.
- 38 **Policy CC-17.5** For neighborhoods adjacent to or along the Pedestrian and Bicycle Skeleton System,
39 incorporate traffic calming measures to promote pedestrian and bicyclist safety.

- 1 **Policy CC-17.6** Work with Community Transit to promote the Commute Trip Reduction program to
- 2 effectively reduce vehicle miles traveled and peak-period congestion..
- 3 **Policy CC-17.7** Support Community Transit’s implementation of its Long Range Transit Plan which
- 4 encourages bus ridership, expansion of Bus Rapid Transit (BRT) Swift Line and the
- 5 Commute Trip Reduction (CTR) program to continue the reduction of single-
- 6 occupant vehicle trips.
- 7 **Policy CC-17.8** New residential developments should be required to provide pedestrian connections
- 8 through blocks, where feasible, to improve connectivity and increase walkability of
- 9 the community.
- 10 **Policy CC-17.9** Consider a pilot “green streets” project that showcases low-impact development
- 11 techniques that emphasize sustainability through stormwater collection, drought
- 12 tolerant landscaping, pervious paving, and recycled materials. If successful, consider
- 13 expanded application of green streets measures.

14 **Subgoal CC-8: Promote green development standards and seek ways to preserve and rehabilitate**

15 **existing structures to meet green standards.**

- 16 **Policy CC-17.10** At a minimum, City buildings should be built or renovated to Leadership in Energy
- 17 and Environmental Design (LEED) Silver criteria (or equivalent). LEED
- 18 certification will only be required for those buildings specified by City Council.
- 19 **Policy CC-17.11** Historic buildings and structures within the City should be saved whenever feasible
- 20 and economically viable in order to encourage adaptive reuse of these facilities. In
- 21 cases when structures are no longer usable, materials should be reused for new
- 22 construction.
- 23 **Policy CC-17.12** Continue to concentrate compact, mixed-use, walkable transit-oriented centers,
- 24 specifically within the Regional Growth Center (which includes City Center), along
- 25 Highway 99, around Alderwood Mall and within the College Mixed-Use District.
- 26 **Policy CC-17.13** Work with green-building organizations such as “Built Green Washington” to
- 27 promote environmentally responsible building and construction.
- 28 **Policy CC-17.14** Encourage Lynnwood residents and business owners to invest in efficient building
- 29 practices, energy retrofits, weatherization and renewable energy systems for homes
- 30 and businesses through progressive code application and administration
- 31 **Policy CC-17.15** Where appropriate and feasible, install or replace non-pervious surfaces with
- 32 pervious materials (i.e. sidewalks, driveways, parking lots).
- 33 **Policy CC-17.16** Continue to update development standards to allow or require low impact
- 34 development standards such as infiltration of stormwater, bioswales, green roofs, rain
- 35 gardens or other established Best Management Practices (BMPs).
- 36 **Policy CC-17.17** Explore the use of sustainability rating systems to evaluate performance for land
- 37 development projects within the City, such as public buildings and parks, private
- 38 office buildings, office and industrial parks, streetscapes and plazas, roadway and
- 39 transportation infrastructure projects, residential and commercial developments and
- 40 public and private school campuses.

GOAL 19:
Energy and
Waste

Reduce Lynnwood’s energy dependency and solid waste impact by exploring and investing in sustainable energy technology and effective waste reduction measures.

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Reduction

Subgoal CC-9: Ensure all of the City of Lynnwood’s operational needs are met through energy efficiency, conservation and renewable energy resources.

Policy CC-18.1 The City should establish achievable energy conservation targets for all City-owned facilities. The City should find ways to reduce energy consumption in all existing buildings owned by the City.

Policy CC-18.2 The City should support Snohomish County PUD’s “Planet Power” and “Solar Express” programs, voluntary programs which help fund the development of green and renewable energy sources such as solar.

Policy CC-18.3 Energy saving measures for City streets should be implemented, such as the conversion of street lighting to LED or other efficient technologies.

Policy CC-18.4 Support local alternative fueling stations for both City and public use.

Policy CC-18.5 City should consider implementing an energy audit incentive program, which encourages and educates home and business owners as a way to increase energy efficiency in buildings.

Policy CC-18.6 Support a renewable energy program which encourages the use of renewable energy technologies, such as solar electricity, solar hot water, biogas, and geothermal heating and encourage replacement of inefficient home or commercial heating systems.

Policy CC-18.7 New City buildings or additions over 10,000 square feet will require placement of electric vehicle infrastructure (Level 1).

Subgoal CC-10: Reduce waste and increase recycling in the city through increased awareness and promoting concepts such as reduce, reuse, and recycle.

Policy CC-18.8 Implement Citywide program to educate home and business owners of the importance of waste and recycling collection. Encourage businesses to implement practices to reduce waste and highly encourage reusable or recyclable products when feasible.

Policy CC-18.9 Increase awareness and promote the U.S. Environmental Protection Agency’s Reduce, Reuse, Recycle campaign, both in schools and in the community.

Policy CC-18.10 Develop a Citywide public education campaign to reduce litter and waste by promoting the use of reusable products rather than disposable products (grocery bags, water bottles, utensils, etc.).

Policy CC-18.11 Continue to support Citywide cleanup events, such as hazardous waste and yard cleanup events.

Policy CC-18.12 A City-wide waste reduction and recycling program should be implemented for all City facilities. This may include but not limited to recycling, composting, reduction of paper, or banning the use of disposable (single-use) items at City facilities and sponsored functions.

GOAL 20: Climate Change

Establish an ongoing effort to address effects of climate change and collaborate with citizens and businesses to reduce local impacts.

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Subgoal CC-11: Develop a Lynnwood Climate Action Plan (CAP), a comprehensive, community-wide plan that identifies programs and actions to reduce greenhouse gas emissions and supports the State’s efforts in addressing climate change.

- Policy CC-19.1** The CAP shall be developed through the leadership of the Executive and Community Development Departments, in collaboration with other City departments.
- Policy CC-19.2** The CAP shall identify programs and actions to reduce environmental impacts and create a sustainable community. Measurable goals and actions shall address sectors such as buildings, transportation, energy, green economy, environment, water and waste reduction.
- Policy CC-19.3** The Mayor shall establish a “Green Team” consisting of at least one representative from each department. Members of the Green Team, working with their departments, shall be responsible for the development and review of measures for incorporation into the CAP.
- Policy CC-19.4** The Mayor shall appoint a Green Ribbon Task Force to guide the development of the CAP. This effort will be jointly coordinated by the Community Development and Economic Development departments.



**Topic: Chapter 21.46 and Chapter
21.48 – Commercial and PSRC
Zone Code Amendments
And Mapping Amendments**

Agenda Item: E.2

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

Staff Report

Staff Contact: Gloria Rivera, Senior Planner, Community Development

Summary

The purpose of this agenda item is to continue discussion of proposed amendments to Chapter 21.46 LMC and Chapter 21.48 LMC.

Action

None required.

Background**Code Amendments – Chapter 21.46**

One of the major codes which the staff is required to interpret and apply is Chapter 21.46 Commercial Zones of the Lynnwood Municipal Code. Many of the uses listed in the Use Tables are outdated or noninclusive of today's activities. In addition, many of the text requirements that apply to the uses are also outdated, inconsistent or basically do not make any sense when applied. Staff will be proposing amendments to both the use tables and text.

In summary for the table amendments, the Limited Business (B-2) and Community Business (B-1) zones are being repealed with some of the corresponding activities absorbed into the remaining three categories. The Neighborhood Commercial zone (B-3) is being renamed Neighborhood Commercial (NC). Chapter 5.92 is being repealed since the category of "Living Quarters for Homeless Mothers) in Table 21.46.10 is being removed. The definitions of "Public, dance" and "Dance halls, licenses" are being repealed since those uses will no longer exist for "Dance, Halls, licensed" in Table 21.46.09. Finally, changes will be made to the Zoning/Land Use Table (Table I-1) in the Implementation Chapter of the Comprehensive Plan.

Code Amendments – Chapter 21.48

Staff was asked to review Chapter 21.48 for a future Code amendment. In reviewing the code, it was noted that LMC 21.48.100 needed a reference change if Chapter 21.46 was amended. In addition many of the changes being made to Chapter 21.46 have similar areas that needed amended or deleted in Chapter 21.48. No map amendments are proposed for the PSRC zone.

Comprehensive Plan Amendment – Implementation Element

Finally, changes will be made to the Zoning/Land Use Table (Table I-1) in the Implementation Chapter of the Comprehensive Plan.

Please note the attached are only drafts and any additions or deletions are welcome.

Map Amendments

With the repeal of the B-2 and B-1 zones, corresponding changes need to be made to the Future Land Use Map and the zoning map.

B-2 (Future Land Use and Rezone Map Amendments)

- Community Commercial (CC)/Limited Business(B-2) on Specified Parcels to Medium-Density Multi Family (MF- 2)/ Multiple-Residential Medium Density (RMM) and Local Commercial (LC)/Neighborhood Commercial (NC)
 - Map Amendment #1 – Community Commercial (CC)/Limited Business (B-2) on a specified parcel to Medium-Density Multi-Family (MF-2)/ Multiple Residential Medium Density (RMM)
 - 16900 44th Avenue W/APN #00372700900701
 - Map Amendment #2 – Community Commercial (CC)/Limited Business (B-2) on specified parcels to Local Commercial (LC)/Neighborhood Commercial (NC)
 - 6206 168th Avenue W./APN #00758300100100
 - SE corner of 188th Avenue W and Hwy 99/APN #27041600300100
 - 19117 60th Avenue W./APN # 27041600302700
 - Cedar Valley Rd. & 52nd Ave. W (No address)/APN #00608400300302
 - 20006 Cedar Valley Rd/APN #00608400300104
 - 20016 Cedar Valley Rd./ APN #00608400300105
 - 20102 Cedar Valley Rd./APN #00608400300202
 - 5005 200th St. SW/APN #00608400100404
 - 5105 200th St SW/APN #00608400100403
 - 19910 50th Avenue W./APN #00608400100402

B-1 Rezone Map Amendments

- Community Business (B-1) on Specified Parcels to Neighborhood Commercial (NC), General Commercial (CG), Highway 99 Mixed Use (HMU) and Planned Commercial Development (PCD)
 - Community Business (B-1) on specified parcels as indicated on the zoning map to Neighborhood Commercial (NC)
 - Community Business (B-1) on specified parcels as indicated on the zoning map to General Commercial (CG)
 - Community Business (B-1) on specified parcels as indicated on the zoning map to Highway 99 Mixed Use

- Community Business (B-1) on specified parcels as indicated on the zoning map to Planned Commercial Development (PCD)

Next steps

Attached for review is the draft of proposed amendments to the use tables and to the text which staff hopes to present for a public hearing in September. The proposed changes are presented in the strike out and addition version as the tables would be presented and with full strike out and addition versions for all changes in the Ordinance.

Use Tables. As can be noted in the tables, many uses in the existing table are repetitive, are out of date for the times or are not inclusive enough in the current times. Proposed additions are underlined and proposed deletions are struck out.

Since the Planning Commission, following some of the Commission comments, the uses in Table 21.46.01 (Automotive Sales) has been pared down. Table 21.46.08 was repealed with services added as a use to retail uses in Table 21.46.11. Caretaker and Watchman Quarters was changed from a conditional use to a permitted use in Table 21.46.10. Uses in Table 21.46.11 were pared down and a limitation placed on new retail uses in the NC zone of 7,500 sq. ft. At the request of a potential developer, Distribution Center was added to 21.46.13 with a size limit of 100,000 sq. ft. Other comments expressed by the Commission will be addressed during the meeting.

Text Amendments. A summary of proposed text amendments to date is as follows:

- Repeal of definitions of 21.02.272 (“Public dance hall, license”) and 21.02.273 (“Public, dance”) – Repeal because of elimination of dance hall.
- 21.46.050(B)(2) Elimination of B-2 zone. There are only about 8 parcels zoned B-2 in the City which almost appears to be spot zoning. It is inconsistent with the “Purpose” statement which describes B-2 zones as covering several blocks.
- 21.46.050(B)(3) Elimination of B-1 zone. Many of the uses in the B-1 zone are identical to the General Commercial zone. Some B-1 uses have been incorporated in other sections of the tables.
- 21.46.100(A) – Director Discretion. Where uses are not covered in the Tables, discretion is given to the director.
- 21.46.105 Project Design Review. Would add “or” to the two sections to clarify language of the subsections.
- 21.46.110 Limitations on uses-general. If the B-1 is eliminated, the section no longer applies.
- 21.46.111 Limitation on uses – Auto-oriented uses. Under subsection A, would delete the reference to new car sales permitted as only an indoor use. Under subsection B, may consider deleting unattended stations as only a permitted use.
- 21.46.112 Limitations on uses-Restaurants. If the B-2 is eliminated, the section no longer applies.

- 21.46.113 Limitation on uses-Institutional uses. This section should have been deleted when the B-4 zone was deleted several years ago. It is no longer applicable.
- 21.46.116 Limitation on uses-Residential uses. Minor word changes to make the code easier to apply within the different zones. Also change is made to allow housing on the 2nd floor and above. Repeal of “Living Quarters for Homeless Teenage Girls.”
- 21.46.118 Limitation on uses – Light Industrial Uses. Deletion of language which does not seem to apply.
- 21.46.119 Limitation on uses – Other uses. Question whether subsection A is needed today. Subsection B is proposed for deletion since it hinders uses in an emergency situation through a CUP process.
- 21.46.120 General Commercial areas for controlled uses. The purpose of the prohibited use is to separate children from activities to which they would be drawn. “Wholesale uses” does not seem to be a kid-draw.
- 21.46.210 Additional development standards. The existing language in subsection B is terribly confusing regarding front yard landscaping. An attempt is being made to simplify it.
- 21.46.220 Transition or Buffer Strips. A change is recommended to make a better flow between sections in the code in Subsection A. In subsection E, a recommendation is made to allow the director flexibility regarding the intensity and type of landscaping between zones.
- 21.46.900 Other Regulations. A recommendation is made to delete subsection D to be relocated, is still necessary, in Chapter 21.18 Parking.
- 21.48.100 Permitted Uses. References NC and CG for allowed uses in the PSRC zone.
- 21.48.112 Limitations on Uses – Restaurants. Restaurants have been permitted in the PSRC zone in “loosely” connected tie-ins to larger lots). Restaurants in this zone should be permitted outright.
- 21.48.113 Limitations on Uses – Institutional. Breakout for churches with parking seems irrelevant since churches would have to demonstrate parking anyway with the parking code. Child-day care center would seem like an allowed use in the zone.
- 21.48.115 Limitation on Uses – Home Occupation. This would occur in rare instances when an existing house would be occupied in the commercial zone. Seems administratively complex to require a permit through a CUP process.
- 21.48.116 Limitations on uses – Residential Uses. Corrects some wording. Removes requirement for a conditional use permit for Assisted Care housing. Removes category of use for Living Quarters for Homeless Teenage Parents.
- 21.48.118 Limitations on uses – Industrial use. LMC 21.48.118(A)(2) does not seem relevant today. Removal of subsection (C) would discourage those uses in the PSRC zone.
- 21.48.119 Limitations on uses – Other uses. Repeals Conditional use requirement for Charitable or Relief Supplies Collection and Storage and removes Licensed Dance Halls as a use.
- 21.48.210 Additional development standards. Revision of parking standards for multi-family housing in the PRSC zone. The existing

language in subsection B is terribly confusing regarding front yard landscaping. An attempt is being made to simplify it.

- 21.02.275 Definitions – Distribution Center. Adds Distribution Center as a new definition to the LMC
- 21.02.049 Definitions – Assisted Living Facility. Adds a new definition and references other types of facilities specializing in assisted living.
- 21.02.441 Definitions – Housing for the Elderly and Physically Disabled. Repeals and is inclusive in definition of Senior Housing.
- 2102.530 Definitions – Nursing or Convalescent Center. Repeals and is inclusive in the definition of Assisted Living Facility
- 21.02.659 Definitions – Senior Housing. Adds new more inclusive definition for Senior Housing to include Congregate Care and Independent Living Community.
- Chapter 5.92. Repeal Chapter which references “Living Quarters for Homeless Women” since that activity is being dropped from the tables.
- Amend Table I-1 of the Implementation Element of the Comprehensive Plan. Changes reflect deletion of B-1 and B-2 and the renaming of B-3 to NC plus changes related to land use designations to reflect rezoning of the B-1, B-2 and PCD parcels.

Previous Planning Commission / City Council Action

N/A. Public hearings will be scheduled in the future.

Adm. Recommendation

Discuss proposed amendments.

Attachments

- A. Proposed changes in Use Tables
- B. Proposed Ordinance reflecting all changes
- C. Proposed amendments to Future Land Use and zoning maps.

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Table 21.46.01

Automotive Sales	NC	PCD	CG
Auto Parts, Accessory, and Supplies Stores	P	P*	P
Auto Glass Stores	-	P	P
Auto Lubrication Stores	-	P	P
Auto Wrecking Yards+	-	-	C
Automobile Mechanical Repair	-	-	P
Automobile Repair, including body and fender and mechanical repair, excluding outdoor storage, display or sales	-	-	P
Automobile Sales and Display+	-	P	P
Automobiles, rental or sale on open lot	-	P**	P
Electric Vehicle Charging Station Level1, Level 2 and Level 3, Principal Use	C	P	P
Electric Vehicle Charging Station, Level 1, Level 2 and Level 3, if accessory to a permitted or a conditionally permitted use only.	A	A	A
Battery Exchange Station (Electric Vehicles), Principal Use	C	C	C
Battery Exchange Station (Electric Vehicles), if accessory to a permitted use or conditionally permitted use only.	A	A	A
Battery Service and Sales	-	P*	P
Car Wash	-	-	P
Mobile or Manufactured Homes, open lots for sale or rental of	-	-	P
Park and Pool Lots+	C	-	C
Parking Garages and accessory refueling and servicing	-	P	P
Public and Private Parking Lots for Passenger Cars	-	P	P
Service Stations, full self, or gas+	C***	-	C
Tire Store, not including recapping	-	P	P
Tire Store, provided, that such activities be conducted indoors without outdoor storage, overnight parking, excessive noise or other adverse environmental impacts	-	P-	-
Tire, Oil Lubrication, Brake, Muffler Service Tune-up	-	P	P

* Provided, that such activities can be conducted indoors without outdoor storage, overnight parking, excessive noise or other adverse environmental impacts.

** (1) Only at properties either with frontage on the freeway right-of-way or within 1,500 feet of a freeway on- or off-ramp (measured in a straight line from the nearest point of the end of the freeway ramp (where the ramp connects to a public street) to the nearest point of the property).
 (2) Sale of used vehicles as a principal use of the property is prohibited.

*** Service stations shall not be located adjacent to or across the street from any residential zoning district.

Table 21.46.02

Business Service Uses	NC	PCD	CG
Business Services, not including furniture or equipment sales	P	P	P
Business and Professional Services not mentioned elsewhere in this section.	-	P	P

Table 21.46.03

Eating and Entertainment Uses	NC	PCD	CG
Fountains and Ice-Cream Stands	P	P	P-X
Indoor Amusement Enterprises, including skating rinks, bowling alleys, pool halls	-	P	P
Restaurants and Cafeterias providing on-premises services to seated patrons+	P	P	P-X
Restaurants, drive-in car service+	-	-	P-X
Restaurants, drive-through car service		P*	P
Taverns, Bars and Cabarets	-	P	P

*Drive-throughs in the PCD zone shall have the drive aisle and service window screened.

Table 21.46.04

Institutional Uses	NC	PCD	CG
Child Day Care+	P	P	P-X
Churches, not using complementary parking	P	P	P-X
Nursing and Convalescent Homes and Homes for the Elderly and Physically Disabled Assisted Living, Congregate Care and Senior Housing+	P	P	P-X
Libraries, Museums, Art Galleries and similar institutions	P	P	P-X
Municipal Services	P	P	P
Higher Education: Universities, Colleges, Technical, Business, Trade and Vocational Schools, excluding automotive and mechanical schools	P	P	P-X

Primary and Specialty Education: Preschools, Elementary, Secondary, Dance, Music, Art and similar schools	P	P	P-X
---	---	---	-----

Table 21.46.05

Medical Uses	NC	PCD	CG
Medical, Dental, Optical and Chiropractic Clinics	P	P	P
Veterinary Clinics+	P*	P	P-X

*Excluding outdoor kennels and runs

Table 21.46.06

Office Uses	NC	PCD	CG
Businesses or Professional Offices, including offices of a clerical or administrative nature	P	P	P
Offices as Home Occupations+	C	-	C

Table 21.46.07

Personal Service Uses	NC	PCD	CG
Banks and other financial institutions	P	P	P
Personal Service Shops	P*	P	P
Dressmaker and Tailoring Shops	P	P	P
Dry Cleaning and Laundry Plants	-	P	P
Dry Cleaning and Laundry, Self-Service	P	P	P
Dry Cleaning and Laundry, Pick-Up Station for work to be done elsewhere	P	P	P
Locksmith	P	P	P
Pet Grooming	P	P	P-X

* Notwithstanding the definition of personal service in LMC 21/02.566 or the provisions of Table 21.46.09, in the B-3 zone, gymnasiums and health clubs may be up to 5,000 square feet in building area.

Table 21.46.08

Repair Services Uses	NC	PCD	CG
Appliance Repair Shops and the like	P	P	P
Computer Repair	P	P	P
Shoe Repair	P	P	P

Table 21.46.09

Recreational Activities	NC	PCD	CG
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Amusement Centers located 300 feet or more from a single-family or multiple-family zone*	-	P	P
Amusement Centers located less than 300 feet from a single-family or multiple-family zone*	-	C	C
Indoor Amusement Enterprises, including skating rinks, bowling alleys and pool halls	-	P	P-X
Carnivals (see Chapter 5.30)	-	P	P
Circuses (see Chapter 5.30)	-	P	P
Dance Halls, licensed+	-	P	C
Handball Courts, Racquet Clubs, and Indoor and Outdoor Tennis Courts	-	-	P
Health Clubs	-	P	P
Outdoor Ancillary Playground and related equipment	-	-	C
Outdoor Commercial Recreation and Entertainment, including stadiums, race tracks, outdoor theaters, swimming pools, golf courses	-	-	P
Overnight Campgrounds	-	-	C

* As measured from the property line of the parcel on which the center is located to the property line of the nearest residentially zoned parcel.

Table 21.46.10

Residential Uses	NC	PCD	CG
Adult Family Homes	P	P	P
All uses permitted in single-family zones	-	P	-
Multiple-Family Housing Units+	C*	P	
Multiple-Family Housing Units (on parcels designated as Highway 99 Corridor on the Future Land Use Map	-	-	P
Caretaker or Watchman Quarters	CP	-	CP
Living Quarters for Homeless Mothers Parents+	P	P	P
Motels and Motor-Hotels	-	P	P-X
Respite Care	P	P	P

* One-acre minimum lot size, subject to standards and procedures established in Chapter 21.43 LMC for the Multiple Residential Medium Density Zone (RMM) with the exception that maximum building height is three stories or 45 feet, whichever is less. Also subject to additional careening or privacy measures as determined by the hearing examiner during the conditional use permit process, including but not limited to: distance, architectural design, significant tree cover, significant elevation changes, fencing, reduction or elimination of lighting immediately adjacent to single-family uses, and prohibition of activities immediately adjacent to single-family uses that will create noise, odor, or other impacts (i.e. garbage collection areas, recreational areas, parking lots). See Figure 21.46.1.

Table 21.46.11

Retail Uses +	NC **	PCD	CG
Apparel Shops	P	P	P
Appliance Stores, including incidental repair	-	P	P
Art Stores and Supplies	P	P	P
Audio Sales and Service	-	P	P
Bakery Retail Stores	P	P	P-X
Bicycle Sales and Repair	-P	P	P-X
Boat and Equipment Sales and Display, indoors	-	P	P
Boat and Trailer, open lots for sale of rental of	-	-	P
Building Supplies Stores, indoor	-	-	P
Carpet Stores	-	P	P
Computer Stores Sales and Service	P	P	P
Convenience Stores not located on the same or adjacent lot to a service station+	P	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, self-service station, gas station+	P*	-	C-X
Dairy Product Stores	P	P	P
Department Store	-	P	P
Drug Store	P	P	P
Dry Goods Store	P	P	P
Florist Shops, Accessory Greenhouses and Plant Nurseries	P	P	P
Fountains and Ice Cream Stands	P	P	P
Fresh Fruit, Vegetable or Produce Stand, Outdoors	P	P	P
Gift Shops	P	P	P
Grocery Stores	P	P	P
Hardware Sores	P	P	P
Hobby Shops	P	P	P
Music Stores and Supplies	P	P	P
News Stands	P	P	P
Office Supplies, not including furniture or equipment sales	P	P	P
Pet Shops	P	P	P-X
Retail Lumber Yards	-	-	C
Retail Stores not mentioned elsewhere in this section	-P	P	P
Shopping Centers, including only the uses	P	-	P

permitted in the applicable zone			
Stationery Store	P	P	P
Variety Store	-	P	P

* Shall not be located adjacent to or across the street from any residential zoning district.

** Retail uses approved after the adoption of Ordinance can be no larger than 7,500 square feet per tenant in the NC zone.

+Retail uses can include incidental service and repair for primary uses.

Table 21.46.12

Light Industrial Uses	B-3	PCD	CG
Assembly of Glass, Light Metal, Plastic, Electronic. Electrical or Wood Parts, which are extracted, stamped, manufactured or shaped elsewhere, not precluding minor processes such as cutting or drilling	-	-	P
Bottling or Packaging Plants in existing spaces of 10,000 sq. ft. or less*	-	-	P
Bottling or Packaging Plants in existing spaces of more than 10,000 sq. ft.	-	-	P
Cold Storage Lockers	-	P	P
Contractor's Offices and Shops in spaces of 10,000 sq. ft. or less*	-	-	P
Contractor's Offices and Shops in spaces of more than 10,000 sq. ft.*	-	-	C
Garment Factories in existing spaces of 10,000 sq. ft. or less*	-	-	P
Garment Factories in existing spaces of more than 10,000 sq. ft.*	-	-	C
Heavy Equipment Yards	-	-	C
Ice Storage and Dispensing	-	-	A
Research and Development	-	-	P
Printing, Publishing and Binding (no noise beyond the premises)	-	P	P
Public Utility Facilities+	P	P	P
Recycling Collection Centers	-	-	C
Research and Development	-	-	P
Warehouses in existing spaces of 10,000 sq. ft. or less*	-	-	P
Warehouses in existing spaces of more than 10,000 sq. ft. *	-	-	C
Wholesale stores in existing spaces of 10,000 sq. ft. *	-	-	P-X
Wholesale stores in existing spaces of more than 10,000 sq. ft.			C-X

* Inclusive of all aspects of the business.

Table 21.46.13

Other Uses	B-1	PCD	CG
Adult Establishment	-	-	CA
Adult Retail Uses	-	-	CA
Charitable or Relief Supplies Collection or Storage	-	-	C P
Customer Parking, outdoors	A	-	P
Distribution Center, not to exceed 100,000 square feet	-	-	P
Radio or Television Stations, not including Wireless Communications	-	P	P
Recycling Collection Centers+	-	-	C
Self-Service Storage Facilities	-	P	P
Temporary Special Events, per Chapter 5.30 LMC	-	P	P
Warehouse of 10,000 sq. ft. or less	-	-	P
Wholesale store of 10,000 sq. ft. or less	-	-	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	P	P
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	P
Wireless Communications Facility, Attached	P	P	P

* See LMC 21.46.110 through 21.46.119

Recommendation is to eliminate the CUP for the Charitable or Relief Supplies Collections.

Key:

- P = Permitted as a principal use
- A = Permitted as an accessory use with a principal permitted or approved conditional use
- C = May be permitted as a principal use upon approval of a conditional use permit.
- AI = Permitted as an accessory use if located in the building of a permitted principal use, and internally oriented with principal public access through the main access of the building.
- = Not permitted.
- X = Not permitted in controlled area.
- CA = Permitted only in controlled area. See LMC 21.46.120.

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1 CITY OF LYNNWOOD

2 ORDINANCE NO.

3 AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, RELATING TO
4 CHAPTER 21.02 DEFINITIONS (REPEALING SECTIONS 21.02.272 21.02.273, LMC
5 21.02.441 AND LMC 21.02.530 AND ADDING LMC 21.02.049, 21.02.275 AND
6 21.02.659); CHAPTER 21.46 COMMERCIAL ZONES, (AMENDING SECTIONS
7 21.46.050, 21.46.100, 21.46.110, 21.46.111, 21.46.112, 21.46.116, 21.46.118,
8 21.46.119, 21.46.120, 21.46.210, 21.46.220 AND 21.46.900, AND REPEALING
9 SECTIONS 21.46.112 AND 21.46.113); CHAPTER 21.48 PLANNED REGIONAL
10 SHOPPING CENTER ZONE (AMENDING SECTIONS LMC 21.48.100, LMC
11 21.48.113, LMC 21.48.116, LMC 21.48.118 AND 21.48.210 AND REPEALING
12 SECTIONS LMC 21.48.112, LMC 21.48.115 AND LMC 21.48.119); AND REPEALING
13 CHAPTER 5.92 IN ITS ENTIRETY OF THE LYNNWOOD MUNICIPAL CODE, AND
14 AMENDING TABLE I-1 OF THE IMPLEMENTATION ELEMENT OF THE
15 COMPREHENSIVE PLAN, PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND
16 SUMMARY PUBLICATION.

17
18 WHEREAS, under Chapters 35A.11 and 35A.63 RCW, the City Council of the City of
19 Lynnwood has the authority to adopt ordinances relating to the use of real property
20 located within the City; and

21
22 WHEREAS, from time to time, it is appropriate to amend the City's land use and
23 development regulations in order to improve efficiency and draft effective application of
24 legislation enacted by Ordinance by the City Council; and

25
26 WHEREAS, on , 2016 on the Community Development Director, acting as Lynnwood's State
27 Environmental Policy Act (SEPA) Responsible Official, issued a threshold determination for this
28 draft ordinance; and

29
30 WHEREAS, on 2016 The State of Washington granted the City of Lynnwood expedited
31 review for the: proposed ordinance amends the city's zoning code. This proposal was submitted for
32 the required state agency review under RCW 36.70A.106.

33
34 WHEREAS, on , 2016, the Planning Commission held a public hearing on a draft zoning
35 ordinance; and

36
37 WHEREAS, on , 2016, the City Council held a public hearing on the draft zoning ordinance;
38 and

39
40 WHEREAS, the City Council after due consideration finds that the regulations contained in
41 this ordinance are consistent with and implement the City's Comprehensive Plan, and are
42 consistent with applicable state law, and will benefit the public health, safety and general welfare;

43
44 NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LYNNWOOD DOES ORDAIN AS
45 FOLLOWS:

46
47 **Section 1.** REPEAL (DEFINITIONS) Section 21.02. 272 entitled “Public, dance”, of the Lynnwood
48 Municipal Code, is repealed.

49
50 **Section 2.** REPEAL (DEFINITIONS) Section 21.02.273 entitled “Dance hall, licenses”, of the
51 Lynnwood Municipal Code, is repealed.

52
53 **Section 3.** Section 21.46.050. entitled “Purpose” of the Lynnwood Municipal Code, is amended to
54 read as follows:

55
56 **21.46.050 Purpose**

57 A. General. The purpose of the regulations set forth in this chapter are:

- 58 1. To regulate the location, height, bulk, and size of buildings constructed for
59 business and commercial uses, thereby assuring adequate light and air in
60 commercial zones;
- 61 2. To provide a range of use zones of varying degrees of restrictiveness in the types
62 of businesses permitted; thereby providing for the development of shopping
63 centers and the various other types of businesses and/or commercial areas;
- 64 3. To facilitate the economical provision of utilities; to provide for convenient,
65 efficient, and safe access to commercial zones by vehicles, and by pedestrians;
66 and
- 67 4. To encourage general improvement of the appearance of commercial areas.

68
69 It is further intended that the establishment of several zones for business and commercial
70 uses, differentiated by the types of business uses permitted by the height and character of
71 structures allowed, will provide additional protection for residential areas wherever they
72 exist in close proximity to business zones, excluding in such transitional areas those uses
73 which would be detrimental to nearby residences by reason of traffic generation or other
74 characteristics of the business.

75 B. Individual Zones. The purpose of the individual zones are as follows:

- 76 1. Neighborhood Commercial (~~B-3~~ NC) The Neighborhood Commercial zone is
77 intended to provide for compatible retail, professional, and personal service uses,
78 and offices and services including municipal services of not more than two
79 stories which generally serve the everyday needs of the residents of the
80 surrounding neighborhood. Multi-family residential units may be permitted on
81 select ~~B-3~~ NC parcels subject to location (Figure 21.46.1) and a conditional use
82 permit. Neighborhood Commercial zones should be located:
 - 83 a. To provide for neighborhood commercial centers at appropriate locations
84 along arterial streets within residential areas;
 - 85 b. To preserve existing neighborhood commercial centers which are at
86 appropriate locations within residential areas, but which may not be located along
87 an arterial street; or
 - 88 c. As a transition zone between residential zones and more intensive
89 commercial zones.

90
91 The boundaries between Neighborhood Commercial zones and adjacent
92 residential zones should be well defined and have significant buffering standards
93 to discourage encroachment into and/or degradation of those residential zones.
94 The size of individual zones should be scaled to the intensity of residential
95 development in the area.

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2. ~~Limited Business (B-2). This zone is intended to provide areas for the location of office buildings of unrestricted height and size to accommodate executive, administrative, clerical, professional, and other compatible or complementary uses, including internally oriented businesses which serve the office businesses or their personnel, and including municipal service. It is intended that this zone should be so located that it will completely occupy a large area of several city block, without intermingling of other uses, in order that the typically high aesthetic quality of office buildings will be consistent throughout a large area and each such building will benefit by the presence of the others. Other uses which characteristically are of similar aesthetic quality are permitted, including financial institutions. Whereas other business zones provide goods and services for households, the Limited Business zone is intended to provide employment opportunities for the community, in an organized office zone which will enhance the image of the city.~~
3. ~~Community Business (B-1). The purpose of the Community Business zone is to create a diversified central business area, consisting of retail stores, offices, service establishments, recreation and entertainment, medical and professional services, and such other activities and uses, including municipal services, as are common to a central business district. By excluding most uses which rely on outdoor sales, display or storage, it is intended to encourage the concentration of a maximum variety of indoor stores and shops within the areas to which the classification is applied, as a contribution to the convenience of shoppers and patrons. It is recognized that the characteristics of the uses permitted in this classification produce an environment undesirable for residential purposes, and that the residential uses in a commercial area may decrease the capacity of business to render maximum services. For these reasons, most residential uses area excluded from this classification. One exception found to be in the public interest is housing and/or long term care for the elderly and the physically disabled who, due to functional limitations imposed by advanced age and/or physical impairment, benefit from living in close walking proximity to shopping, transit, medical clinics, and other services. Another exception is specified parcels located in the Highway 99 corridor as designated on the city of Lynnwood future land use map. As the convenience of locations and scheduling has advanced with the bus transit system along Highway 99, location of multiple family housing in the vicinity of the highway creates the opportunity of less demand for single family vehicle trips. The multiple family housing especially when located adjacent to convenience retail creates a sustainable environment with goods and services located a walkable distance from compact residential development. Contrary to the typical central business district, which by being heavily concentrated in a small area is convenient for the pedestrian shopper, but cannot provide sufficient automobile parking space, it is intended that the central business district area shall have adequate off street parking through the provision that with each new building, enough spaces are provided to meet the anticipated parking demands generated by the building, either by ground level our of doors parking or by parking garages.~~
4. 2. General Commercial (CG) The purpose of the General Commercial zone is to provide for a variety of commercial, retail, and other uses, including municipal services. These uses are primarily related to auto borne clientele, rather than pedestrian clientele. ~~These uses tend to locate along arterials and, by nature of their activity create a high degree of turning movements which impede the flow of arterial traffic and create traffic hazards. The commercial development~~

~~extending along arterials generally reflects a low aesthetic quality at locations which have a maximum exposure to residents and visitors. Because of the adverse impact of this type of development, it is not the intent of this section to encourage this type of development, but to provide a legitimate classification for existing strip development and to encourage the improvement of these facilities.~~

It is further intended that certain uses which have been heretofore been permitted but which are more of an industrial nature shall be allowed only by a conditional use permit thereby providing that the existing establishments shall not be nonconforming but any new establishments may be confined to appropriate locations. With the expansion of the bus system serving Highway 99, the location of multiple-family residential housing in the vicinity of the highway allows the opportunity to create a more sustainable environment. Multiple-family housing on sites on specified parcels within the Highway 99 corridor as designated on the city of Lynnwood future land use map, allows compact multiple-family residential development a walkable distance from convenience retail with goods and services and reduces single-vehicle trips due to the availability of transit.

§ 3. Planned Commercial Development (PCD) The Planned Commercial Development zone is intended to allow and encourage the controlled development of commercial uses and services, including municipal services in areas where, because of traffic flows, adjacent uses or other land use factors, conventional commercial development and other alternative land uses are not desirable. It is intended that the PCD zones may be located adjacent to existing planned regional shopping centers, major highways or industrial and business park developments where appropriate, but not adjacent to single-family residential neighborhoods as designated by the comprehensive plan. The purpose of the zone is to allow the planned commercial development of contiguous parcels under multiple ownerships with a degree of coordination and control not possible under other zoning classifications.

Property may only be reclassified to PCD after the comprehensive plan has been amended to designate the area as appropriate for the PCD zone. A design concept for the area included in each PCD zone shall be developed simultaneously with a proposal for amending the comprehensive plan to allow PCD in that zone. The design concept shall indicate major circulation and utility proposals for the zone. Consideration shall be given to internal and external vehicular and pedestrian circulation. The primary purpose of the design concept is to allow advance consideration of coordinated development of parcels in the zone. The design concept shall consist of a site plan and textual guidelines for development of the specific zone. The textual guidelines shall be developed to address specific concerns or attributes of the individual zone which may not be adequately dealt with in the zoning code.

Section 4. Section 21.46.100. entitled "Permitted structures and uses" of the Lynnwood Municipal Code, is amended to read as follows:

21.46.100 Permitted structures and uses

A. No building, structure or land use shall be used and no building or structure shall be erected, or structurally altered, except for one or more of the uses permitted by Table

196 21.46.01 through 21.46.13 or by discretion of the community development director
 197 for a use found to be consistent with the intent of the zone.

198
 199 **Section 5.** Section 21.46.100. entitled “Permitted structures and uses” , Table 21.46.01 of the
 200 Lynnwood Municipal Code, is amended to read as follows:
 201

202 Table 21.46.01

Automotive Sales	B-3 NC	B-2	PCD	B-1	CG
Auto Parts, Accessory, and Supplies Stores	P	-	P*	P	P
Auto Glass Stores	-	-	P	P	P
Auto Lubrication Stores	-	-	P	P	P
Auto Wrecking Yards+	-	-	-	-	C
Automobile Mechanical Repair	-	-	-	C	P
Automobile Repair, including body and fender and mechanical repair, excluding outdoor storage, display or sales	-	-	-	C	P
Automobile Rental, Sales and Display+	-	-	P	P	P
Automobiles, rental or sale on open lot	-	-	P**	-	P
Electric Vehicle Charging Station Level 1, Level 2 and Level 3, Principal Use	C	C	P	P	P
Electric Vehicle Charging Station, Level 1, Level 2 and Level 3, if accessory to a permitted or a conditionally permitted use only.	A	A	A	A	A
Battery Exchange Station (Electric Vehicles), Principal Use	C	C	C	C	C
Battery Exchange Station (Electric Vehicles), if accessory to a permitted use or conditionally permitted use only.	A	A	A	A	A
Battery Service and Sales	-	-	P*	P	P
Car Wash	-	-	-	C	P
Mobile or Manufactured Homes, open lots for sale or rental of	-	-	-	-	P
Park and Pool Lots+	C	C	-	C	C
Parking Garages and accessory refueling and servicing	-	P	P	P	P
Public and Private Parking Lots for Passenger Cars	-	C	P	P	P
Service Stations, full self, or gas+	C***	-	-	C	C
Tire Store, not including recapping	-	-	P	P	P
Tire Store, provided, that in the PCD zone, such activities be conducted indoors without	-	-	P-	-	P

outdoor storage, overnight parking, excessive noise or other adverse environmental impacts					
Tire, Oil Lubrication, Brake, Muffler Service Tune-up	-	-	P	P	P

203
 204 * Provided, that such activities can be conducted indoors without outdoor storage, overnight
 205 parking, excessive noise or other adverse environmental impacts.

206
 207 ** (1) Only at properties either with frontage on the freeway right-of-way or within 1,500 feet of
 208 a freeway on- or off-ramp (measured in a straight line from the nearest point of the end of the
 209 freeway ramp (where the ramp connects to a public street) to the nearest point of the property).
 210 (2) Sale of used vehicles as a principal use of the property is prohibited.

211
 212 *** Service stations shall not be located adjacent to or across the street from any residential
 213 zoning district.

214
 215 **Section 6.** Section 21.46.100. entitled “Permitted structures and uses” , Table 21.46.02 of the
 216 Lynnwood Municipal Code, is amended to read as follows:

217
 218 **Table 21.46.02**

Business Service Uses	B-3 NC	B-2	PCD	B-1	CG
Business Services, not including furniture or equipment sales	P	AI	P	P	P
Business and Professional Services not mentioned elsewhere in this section.	-	-	P	P	P

219
 220 **Section 7.** Section 21.46.100. entitled “Permitted structures and uses” , Table 21.46.03 of the
 221 Lynnwood Municipal Code, is amended to read as follows:

222
 223 **Table 21.46.03**

Eating and Entertainment Uses	B-3 NC	B-2	PCD	B-1	CG
Fountains and Ice Cream Stands	P	AI	P*	P	P-X
Indoor Amusement Enterprises, including skating rinks, bowling alleys, pool halls	-	-	P	P	P
Restaurants and Cafeterias providing on-premises services to seated patrons+	P	AI	P	P	P-X
Restaurants, drive-in car service+	-	-	-	P	P-X
Restaurants, drive-through car service			P*	P	P
Taverns, Bars and Cabarets	-	-	P	P	P

224
 225 * Drive-throughs in the PCD zone shall have the drive aisles screened.
 226

227 **Section 8.** Section 21.46.100. entitled “Permitted structures and uses” , Table 21.46.04 of the
 228 Lynnwood Municipal Code, is amended to read as follows:

229
 230

Table 21.46.04

Institutional Uses	B-3 NC	B-2	PCD	B-1	CG
Child Day Care+	P	-	P*	P	P-X
Churches, not using complementary parking	P	P	P	P	P-X
Nursing and Convalescent Homes and Homes for the Elderly and Physically Disabled Assisted Living, Congregate Care and Senior Housing+	P	P	P	P	P-X
Libraries, Museums, Art Galleries and similar institutions	P	P	P	P	P-X
Municipal Services	P	P	P	P	P
Higher Education: Universities, Colleges, Technical, Business, Trade and Vocational Schools, excluding automotive and mechanical schools	P	P*	P	P	P-X
Primary and Specialty Education: Preschools, Elementary, Secondary, Dance, Music, Art and similar schools	P	C*	P	P	P-X

231 * Minimum building site of three acres; see also LMC 21.02.175.

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Section 9. Section 21.46.100. entitled “Permitted structures and uses” , Table 21.46.05 of the
 Lynnwood Municipal Code, is amended to read as follows:

Table 21.46.05

Medical Uses	B-3 NC	B-2	PCD	B-1	CG
Medical, Dental, Optical and Chiropractic clinics	P	P	P	P	P
Veterinary Clinics+	P*	-	P	P	P-X

237 *Excluding outdoor kennels and runs

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Section 10. Section 21.46.100. entitled “Permitted structures and uses” , Table 21.46.06 of the
 Lynnwood Municipal Code, is amended to read as follows:

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 245

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Table 21.46.06

Office Uses	B-3 NC	B-2	PCD	B-1	CG
Business or Professional Office, including offices of a clerical or administrative nature	P	P	P	P	P
Offices as Home Occupations+	C	€	-	€	C

247

248

249

Section 11. Section 21.46.100. entitled “Permitted structures and uses” , Table 21.46.07 of the Lynnwood Municipal Code, is amended to read as follows:

250

251

252

Table 21.46.07

Personal Service Uses	B-3 NC	B-2	PCD	B-1	CG
Banks and other financial institutions	P	P	P	P	P
Personal Service Shops	P*	AI	P	P	P
Dressmaker and Tailoring Shops	P	-	P	P	P
Dry Cleaning and Laundry Plants	-	-	P	P	P
Dry Cleaning and Laundry, Self-Service	P	-	P0	P	P
Dry Cleaning and Laundry, Pick-Up Station for work to be done elsewhere	P	AI*	P	P	P
Locksmith	P	-	P	P	P
Pet Grooming	P	P	P	P	P-X

253

* Notwithstanding the definition of personal service in LMC 21/02.566 or the provisions of Table 21.46.09, in the B-3 zone, gymnasiums and health clubs may be up to 5,000 square feet in building area.

254

255

256

257

Section 12. Section 21.46.100. entitled “Permitted structures and uses” , Table 21.46.08 of the Lynnwood Municipal Code, is repealed.

258

259

260

Table 21.46.08

Repair Services Uses	B-3 NC	B-2	PCD	B-1	CG
Appliance Repair Shops and the like	P	-	P	P	P
Computer Repair	P	-	P	P	P
Shoe Repair	P	-	P	P	P

261

262

263

Section 13. Section 21.46.100. entitled “Permitted structures and uses” , Table 21.46.09 of the Lynnwood Municipal Code, is amended to read as follows:

264

265

266

267

Table 21.46.09

Recreational Activities	B-3 NC	B-2	PCD	B-1	CG
Amusement Centers located 300 feet or more from a single-family or multiple-family zone*	-	-	P	P	P
Amusement Centers located less than 300 feet from a single-family or multiple-family zone	-	-	C	C	C
Indoor Amusement Enterprises, including skating rinks, bowling alleys and pool halls	-	-	P	P	P-X
Carnivals (see Chapter 5.30)	-	P	P	P	P
Circuses (see Chapter 5.30)	-	P	P	P	P
Dance Halls, licensed+	-	-	P	C	C
Handball Courts, Racquet Clubs, and Indoor and Outdoor Tennis Courts	-	C	-	C	P
Health Clubs	-	-	P	P	P
Outdoor Ancillary Playground and related equipment	-	-	-	C	C
Outdoor Commercial Recreation and Entertainment, including stadiums, race tracks, outdoor theaters, swimming pools, golf courses	-	-	-	-	P
Overnight Campgrounds	-	-	-	-	C

269 * As measured from the property line of the parcel on which the center is located to the property
 270 line of the nearest residentially zoned parcel.
 271

272 **Section 14.** Section 21.46.100. entitled “Permitted structures and uses” , Table 21.46.10 of the
 273 Lynnwood Municipal Code, is amended to read as follows:
 274
 275

Table 21.46.10

Residential Uses	B-3 NC	B-2	PCD	B-1	CG
Adult Family Homes	P	P	P	P	P
All uses permitted in single-family zones	P	-	P	-	-P
Multiple-Family Housing Units+	C*	C	P		
Multiple-Family Housing Units (on parcels designated as Highway 99 Corridor on the Future Land Use Map	-	-	-	P	P
Caretaker or Watchman Quarters	CP	C	-	C	CP
Living Quarters for Homeless Mothers Parents+	P	P	P	P	P
Motels and Motor -Hotels	-	P	P	P	P-X
Respite Care	P	-	P	P	P

276 * One-acre minimum lot size, subject to standards and procedures established in Chapter 21.43
 277 LMC for the Multiple Residential Medium Density Zone (RMM) with the exception that
 278 maximum building height is three stories or 45 feet, whichever is less. Also subject to additional
 279 careening or privacy measures as determined by the hearing examiner during the conditional use
 280 permit process, including but not limited to: distance, architectural design, significant tree cover,
 281 significant elevation changes, fencing, reduction or elimination of lighting immediately adjacent
 282 to single-family uses, and prohibition of activities immediately adjacent to single-family uses
 283 that will create noise, odor, or other impacts (i.e. garbage collection areas, recreational areas,
 284 parking lots). See Figure 21.46.1.

285
 286 **Section 15.** Section 21.46.100. entitled “Permitted structures and uses” , Table 21.46.11 of the
 287 Lynnwood Municipal Code, is amended to read as follows:
 288
 289

Table 21.46.11

Retail Uses +	B-3 NC**	B-2	PCD	B-1	CG
Apparel Shops	P	-	P*	P	P
Appliance Stores, including incidental repair	-	-	P	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	P	P
Boat and Trailer, open lots for sale of rental of	-	-	-	-	P
Building Supplies Stores, indoor	-	-	-	-	P
Carpet Stores	-	-	P	P	P
Convenience Stores not located on the same or adjacent lot to a service station+	P	-	P	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, self-service station, gas station+	P*	-	-	€	C-X
Dairy Product Stores	P	-	P	P	P
Department Store	-	-	P	P	P
Drug Store	P	-	P	P	P
Dry Goods 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, Outdoors	P	-	P	P	P
Gift Shops	P	AI	P	P	P
Grocery Stores	P	-	P	P	P

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

- 290 * Shall not be located adjacent to or across the street from any residential zoning district.
291 ** Retail uses approved after the adoption of Ordinance can be no larger than 7,500 square feet
292 per tenant in the NC zone.
293 +Retail uses can include incidental service and repair for primary uses.

295 **Section 16.** Section 21.46.100. entitled “Permitted structures and uses” , Table 21.46.12 of the
296 Lynnwood Municipal Code, shall be repealed in its entirety.

297
298 **Table 21.46.12**

Light Industrial Uses	B-3	B-2	PCD	B-1	CG
Assembly of Glass, Light Metal, Plastic, Electronic, Electrical or Wood Parts, which are extracted, stamped, manufactured or shaped elsewhere, not precluding minor processes such as cutting or drilling	-	-	-	-	P
Bottling or Packaging Plants in existing spaces of 10,000 sq. ft. or less*	-	-	-	-	P
Bottling or Packaging Plants in existing spaces of more than 10,000 sq. ft.	-	-	-	-	P
Cold Storage Lockers	-	-	P	P	P
Contractor’s Offices and Shops in spaces of 10,000 sq. ft. or less*	-	-	-	-	P
Contractor’s Offices and Shops in spaces of more than 10,000 sq. ft.*	-	-	-	-	C
Garment Factories in existing spaces of 10,000 sq. ft. or less*	-	-	-	-	P
Garment Factories in existing spaces of more than 10,000 sq. ft.*	-	-	-	-	C
Heavy Equipment Yards	-	-	-	-	C
Ice Storage and Dispensing	-	A	-	A	A
Research and Development	-	P	-	P	P

Printing, Publishing and Binding (no noise beyond the premises)	-	AI	P	P	P
Public Utility Facilities+	P	-	P	P	P
Recycling Collection Centers	-	-	-	-	C
Research and Development	-	P	--	P	P
Warehouses in existing spaces of 10,000 sq. ft. or less*	-	-	-	-	P
Warehouses in existing spaces of more than 10,000 sq. ft. *	-	-	-	-	C
Wholesale stores in existing spaces of 10,000 sq. ft. *	-	-	-	-	P-X
Wholesale stores in existing spaces of more than 10,000 sq. ft.					C-X

299 *Inclusive of all aspects of the business.

300

301 **Section 17.** Section 21.46.100. entitled “Permitted structures and uses” , Table 21.46.13 of the
 302 Lynnwood Municipal Code, is amended to read as follows:

303

304

Table 21.46.13

Other Uses	B-3 NC	B-2	PCD	B-1	CG
Adult Establishment	-	-	-	-	CA
Adult Retail Uses	-	-	-	-	CA
Charitable or Relief Supplies Collection or Storage	-	-	-	C	CP
Customer Parking, outdoors	A	A	-	P	P
Distribution Center, not to exceed 100,000 square feet	-	-	-	-	P
Radio or Television Stations, not including Wireless Communications	-	P	P	P	P
Recycling Collection Centers+	-	-	-	-	C
Self-Service Storage Facilities	-	P	P	P	P
Temporary Special Events, per Chapter 5.30 LMC	-	-	P	P	P
Warehouse of 10,000 sq. ft. or less					P
Wholesale store of 10,000 sq. ft. or less					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	P	P	P
Wireless Communications Facility 300 feet or more from residential zones (as measured from the wireless communications support	P	P	P	P	P

structure to the property line of the nearest residentially zoned parcel) +					
Wireless Communications Facility, Attached	P	P	P	P	P

305 * See LMC 21.46.110 through 21.46.119

306

307 Key:

308 P = Permitted as a principal use

309 A = Permitted as an accessory use with a principal permitted or approved conditional
310 use

311 C = May be permitted as a principal use upon approval of a conditional use permit.

312 AI = Permitted as an accessory use if located in the building of a permitted principal
313 use, and internally oriented with principal public access through the main access of the
314 building.

315 - = Not permitted.

316 -X = Not permitted in controlled area.

317 CA = Permitted only in controlled area. See LMC 21.46.

318

319 **Section 18.** Section 21.46.105. entitled “Limitations on Uses - General” of the Lynnwood Municipal
320 Code, is amended to read as follows:

321

322 **21.46.105 Project design review.**

323 A. Design Guidelines for Nonresidential Uses. The following structures and parking
324 facilities permitted outright **or** by conditional use permit in any commercial zone shall
325 comply with Lynnwood Citywide Design Guidelines for All Districts and Commercial
326 Districts as adopted by reference in LMC 21.25.145(B)(3), and receive approval pursuant
327 to Chapter 21.25 LMC, unless otherwise specified in this chapter:

328 1. Construction of any nonresidential structure or building with a gross floor area of
329 more than 1,000 square feet.

330 2. Construction of any parking lot and/or parking structure with 20 or more stalls or
331 paved parking area of 5,400 square feet or more.

332 B. Design Guidelines for Multiple-Family Uses. Construction of any multiple-family
333 structure or building including duplexes (two-family dwellings) permitted outright **or** by
334 conditional use permit or special use permit in any commercial zone shall comply with
335 Lynnwood Citywide Design Guidelines for All Districts and Multi-family Districts as
336 adopted by reference in LMC 21.25.145(B)(3), and receive approval pursuant to Chapter
337 21.25 LMC, unless otherwise specified in this chapter:

338 C. Supersede. Applicable Lynnwood Citywide Designed Guidelines, as adopted by
339 reference in LMC 21.25.145(B)(3), shall supersede any development standards and
340 requirements of this chapter that may conflict, unless otherwise specified in this chapter.

341 D. Gateways and Prominent Intersections. See city of Lynnwood zoning map to identify
342 development project sites within a gateway or prominent intersection location. Such sites
343 shall be subject to applicable gateway and/or prominent intersection design guidelines
344 identified in the All Districts section of the Lynnwood Citywide Design Guidelines, as
345 adopted by reference in LMC 21.25.145(B)(3). If any portion of a project site lies within
346 a gateway or prominent intersection location, then the entire project shall comply with the
347 applicable design guidelines.

348

349 **Section 19.** Section 21.46.110. entitled “Limitations on Uses - General” of the Lynnwood Municipal
350 Code, is amended to read as follows:

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21.46.110 Limitations on uses - General.

Every use shall be subject to the requirements of applicable codes and in addition, the regulations in this section and LMC 21.46.11 through 21.46.119 shall apply.

- A. General Performance Standards.
 - 1. Artificial lighting shall be hooded or shielded so that direct light of lamps will not result in glare when received from beyond the property;
 - 2. Any machinery or operation which generate air or ground vibrations shall be muffled to eliminate any sensation of sound or vibration beyond the property;
 - 3. Arc welding, acetylene torch cutting or similar processes shall be performed so as not to be seen from any point beyond the property, and in no case shall be visible to drivers on the adjacent streets;
 - 4. Emission of obnoxious odors, fumes, gas, dust or smoke beyond the property is prohibited. Dust and other types of air pollution borne by wind from such sources as storage areas and roads shall be minimized by landscaping where feasible or by paving or other acceptable means;
 - 5. On-site hazardous waste treatment and storage facilities are permitted as accessory uses to any activity generating hazardous waste and lawfully allowed in LMC 21.46.100; provided, that such facilities meet the state siting criteria adopted pursuant to the requirements of RCW 70.105.210.
- B. Outdoor Uses. All business uses and activities shall be located within an entirely enclosed building, except as indicated below:
 - 1. General regulations. Any uses and activities which are permitted to occur outdoors by LMC 21.46.100, or by other provisions of this title, subject to the following:
 - a. The use or activity shall not encroach on site screening or landscaping as currently required by this title or other city ordinances;
 - b. The use or activity shall not block pedestrian traffic or fire lanes.
 - c. The use or activity shall observe the same minimum front, side, and rear yards as apply to buildings, on sides adjoining public streets, except that such yards may be uses for outdoor customer parking and for other uses and activities which are permitted outdoors;
 - d. The highest point of any item displayed within that area shall not be more than six feet in height from an even grade and at least 10 feet from the right-of-way line; and
 - e. Items, which in the opinion of the fire chief, present a potential fire hazard shall be located 15 feet from any interior property line and shall be arranged to provide 20-foot fire lanes no more than 300 feet apart.
 - 2. Incidental Outdoor Displays. For uses not included in the foregoing subsection (B)(1) of this section, incidental outdoor displays are permitted in conjunction with the indoor sales of similar merchandise conducted by the same business. Such displays shall be displayed on racks, pallets, or in neat stacks and shall be located in areas underneath marquees, canopies, or overhanging roofs. If nor marquees, canopies, or overhanging roofs exist, such displays shall be not more than right feet from the walls of buildings. All limitations specified inn subsection (B)(1) of this section shall apply.

- 402 3. Business Serving Customers in Automobiles. Automobile service
 403 stations, drive-in restaurants, and other businesses which primarily
 404 service customers in automobiles as an inherent trait of the business shall
 405 not be permitted to store or display merchandise outdoors, except as
 406 specified herein and in subsections (B)(1) and (B)(2) of this section.
 407 4. Commodities Requiring Outdoor Storage. Commodities which would be
 408 damaged if required to be kept indoor, including but not limited to
 409 growing stock in connection with horticultural nurseries, whether the
 410 stock is in open ground, pots or containers; open air sales areas for
 411 firewood, trees, shrubs, plants, and home gardening supplies and
 412 equipment; and public utility facilities (see LMC 21.46.118(B)) are
 413 allowed outdoors subject to the provisions of subsection (B)(1) of this
 414 section.
 415 ~~5. All Properties Zoned to the Community Business Zone. The on-site
 416 parking and storage of rental automobiles and light trucks (rated at one
 417 ton capacity or less) is allowed; however, such parking and storage shall
 418 be restricted to:~~
 419 ~~a. A staging area for a maximum of five vehicles. This area may
 420 be located within existing parking lots, but shall not utilize
 421 parking stalls required by LMC 21.18.800 for the uses on the
 422 site. The staging area shall be paved and striped to the standards
 423 of Chapter 21.18 LMC and shall be designated for use by rental
 424 vehicles only.~~
 425 ~~b. A storage area for a maximum of 15 vehicles. This area shall be
 426 located no closer to a public street than a point equal to the
 427 closest part of any building on the site to the street and shall be
 428 screened with landscaped area at least five feet wide containing
 429 evergreen conifer trees with a minimum height of six feet and
 430 spaced no more than 15 feet on center, backed by a six-foot
 431 fence which forms an effective barrier to sight; the remainder of
 432 the planting strip shall be planted with low evergreen plantings
 433 which will mature to a total groundcover within five years.~~
 434 6. Cross Reference. See also LMC 21.46.100.
 435 C. On-Site Processing. All products made incidental to a permitted use which are
 436 manufactured, processed or treated on the premises shall be sold on the premises
 437 only, and retail only.
 438

439 **Section 20.** Section 21.46.111, entitled "Limitations on Uses – Auto-oriented uses" of the
 440 Lynnwood Municipal Code, is amended to read as follows:

441
 442 **21.46.111 Limitations on uses – Auto-oriented uses.**

- 443 A. ~~Automobile Agencies. New car automobile sales and display room buildings and the
 444 repair and servicing necessary to the business are permitted as an indoor use. In the
 445 Community Business (B-1) zone, used car sales are permitted accessory to the new car
 446 agency as an indoor use, or on open lot which does not exceed two times the area of the
 447 agency building and which contiguous to the new car agency. The used car area shall be
 448 other than the required off-street parking area.~~
 449 B. Full-Service, Self-Service Stations, and Gas Stations. These uses are permitted only by
 450 means of a conditional use permit. All full-service, self-service, and gas stations shall be
 451 developed in accordance with the following regulations:

- 452 1. Purpose – The purpose of this subsection is to promote the public health, safety,
453 and general welfare in the city by establishing standards for the site design and
454 operation of full-service stations, self-service stations, and gas stations, and
455 convenience stores when combined with the aforementioned uses. The need for
456 such standards is created by the typical close spacing of curb cuts and the
457 frequency with which vehicles enter and leave the sites. This in an inherent trait
458 of these uses. Conflicts with normal traffic patterns on arterial streets increase
459 the potential for automobile accident and injury to passengers and pedestrians,
460 and contribute to traffic congestion. By establishing standards for such uses and
461 their ingress and egress, it is intended that the smooth flow of traffic will be
462 facilitated and greater safety will be provided for automobile passengers and
463 pedestrians. It is also the purpose of this chapter to establish bulk regulations
464 including standards for landscaping and signs, consistent with the aesthetic
465 objectives of the city as indicated in the texts of the official plans of the city and
466 as are appropriate to the characteristics of this industry.
- 467 2. Development Standards. In addition to any applicable development standards
468 and Lynnwood Citywide Design Guidelines, as adopted by reference in LMC
469 21.25.145(B)(3), development of full-service stations, self-service stations, and
470 gas stations, and convenience stores when combined with any of these stations,
471 shall comply with the following standards:
- 472 a. Minimum Street Frontage. One hundred fifty feet of frontage is
473 necessary for street frontages which have two accesses. This figure can
474 be reduced appropriately if the number of curb cuts is also reduced.
 - 475 b. Minimum Lot Area. As provided for the applicable zone.
 - 476 c. Minimum Setbacks for Buildings and Canopies. Minimum setbacks for
477 buildings as provided for the applicable zone. However, canopies shall
478 be set back a minimum of 20 feet from public street right-of-way.
 - 479 d. Site-Screening Standards for Side Yard and Rear Yard. As provided for
480 the applicable zone.
 - 481 e. Off-Street Parking and Landscaping. Same as Chapter 21.18 LMC
482 except that a 20-foot wide landscaping strip shall be required along the
483 street frontage. This 20-foot landscaping strip is in lieu of the five
484 percent landscaping required in the interior of the parking area. This
485 requirement shall supersede applicable design guidelines. However,
486 when the service stations described in subsection (B)(2) of this section
487 are contained within buildings located closer to the street than fuel pump
488 islands, canopies and parking areas, then a 15-foot wide street frontage
489 landscape strip shall be required.
 - 490 f. Street Standards. All public rights-of-way shall be fully improved to the
491 center of the street with paving, curb, gutter, and sidewalk to city
492 standards.
 - 493 g. Driveways. Driveways shall be designed and located according to public
494 works department standards.
 - 495 h. Separation Between Parking and Pump Island. Where there are parking
496 stalls backing up to pump islands, the minimum distance between pump
497 islands and off-street parking shall be 40 feet from the end of the stall to
498 the pump island.
 - 499 i. Signs. See LMC 21.16.310 for sign regulations.
 - 500 j. Lighting Standards. All lighting shall be so arranged and shielded as to
501 confine all direct light rays entirely within the boundary lines of the site,
502 as to prevent, to the extent practicable, reflected light rays from shining

503 upon other properties, and as to avoid glare onto any portion of any
504 adjacent right-of-way or into the path of oncoming vehicles.

505 k. Dumpster Enclosures. All dumpster enclosures shall meet the setback
506 requirements for the applicable zone. The enclosure shall not exceed six
507 feet in height and shall consist of a solid fence made of wood or masonry
508 material.

509 l. Building Height and Maximum Lot Coverage and Interior Yard
510 Setbacks. As provided for the applicable zone.

511 3. Operation, Supervision, and Maintenance Restrictions.

512 ~~a. Unattended coin-operated and unattended self-service dispensing of fuel~~
513 ~~shall not be permitted.~~

514 ~~b.~~ a. Services rendered, and products stored on the premises and sold there
515 shall be limited in accordance with the activities includes in the
516 definitions of LMC 21.02.267, 21.02.375, 21.02.660 and 21.02.661, as
517 approved by conditional use permit.

518 ~~e. b. Wrecked or dismantled vehicles shall not be stored out of doors for more~~
519 ~~than 24 hours.~~—Operation of a rental agency or sale lot for automobiles,
520 trucks, trailers or other equipment or other business accessory to the
521 operation of a full-service station, self-service station, and gas station,
522 shall require a separate occupancy permit and business license. These
523 uses would only be allowed as an accessory use if they are permitted in
524 that zone as a separate use. The application for the occupancy permit
525 and a business license shall be accompanied by a site plan, ad any
526 vehicle or equipment involved shall be stored or parked in areas defined
527 on the site plan and shall be kept in near and orderly manner. The
528 development for the accessory use shall meet all applicable city
529 regulations.

530 ~~d.~~ c. All buildings, grounds, and landscaping shall be kept in a constant state
531 of repair and maintenance. Upon failure to do so, the city shall require
532 repair or replanting as per LMC 21.04.310. Landscape maintenance
533 shall also comply with applicable Lynnwood Citywide Design
534 Guidelines, as adopted by reference in LMC 21.25.145(B)(3).

535 ~~e.~~ d. The work station shall be designed so that at least one qualified attendant
536 shall have maximum view of the fueling areas. For the purpose of this
537 title, a qualified attendant is one who is trained in the operation of the
538 fuel emergency shut-off system.

539 ~~f.~~ e. When a convenience store is combined with a full-service station, self-
540 service station or gas station, dispensing of fuel shall be subject to
541 electronic control (within arm’s reach) of a qualified attendant.

542 ~~g.~~ f. Amusement devices as defined by LMC 5.60.030(A) are not permitted in
543 conjunction with the uses allowed by this subsection.

544 ~~h.~~ g. All alcoholic beverages shall be stored within cabinets or coolers which
545 can be locked during the time period when alcoholic beverage sales are
546 prohibited by law. A buzzer on the doors of the coolers which store
547 alcoholic beverages shall be provided for monitoring. Observation
548 mirrors shall also be provided.

549 ~~i.~~ h. Window visibility shall be maintained. Advertising and/or merchandise
550 displays or other objects shall not block attendant visibility from view of
551 the gas pumps. The attendant’s cashier station shall be visible from a
552 street and the parking areas.

- 553 i. Wrecked or dismantled vehicles shall not be stored out-of-doors for more
554 than 24 hours.
- 555 4. Motor Vehicle and Pedestrian Separation Between the Public Sidewalk and the
556 Convenience Store. When a convenience store is combined with an automobile
557 service station, self-service station and/or gas station, design considerations shall
558 be implemented to minimize pedestrian conflicts with vehicular traffic such as
559 but not limited to brick pavers, signs, raised sidewalks, striping, or a combination
560 of the above.
- 561 5. Effects of Change of Use. The addition of a convenience store to an automobile
562 service station, self-service station or gas station would constitute a change in use
563 and would require complete compliance with Chapter 21.12. LMC.
- 564 6. General Criteria for Approval. In addition to the criteria found in Chapter 21.24
565 LMC, no conditional use permit for the uses mentioned in this subsection shall be
566 approved unless:
- 567 a. The proposal meets the International Fire Code and International
568 Building Code.
- 569 b. The proposal meets the standards of this chapter and this title; and
- 570 c. The proposal meets all other applicable city and governmental
571 regulations.
- 572 7. Exceptions. There shall not be any relaxation of development standards as
573 provided for in LMC 21.24.100. Any exceptions to these standards shall be
574 subject to the variance criteria as found in Chapter 2.22 LMC. However, the
575 hearing examiner may consider these criteria as part of the conditional use permit
576 process, instead of a separate variance process.
- 577 C. Park and Pool Lots. Park and pool lots may be permitted by a conditional use permit. In
578 considering such a conditional use, the hearing examiner shall review all impacts upon
579 the surrounding neighborhood, including but not limited to traffic, location, displacement
580 of required stalls, ingress and egress, signs, and illumination. The applicant must submit
581 a site plan with the property boundaries and the location of all buildings with their
582 respective floor areas designated on the drawing. The available parking stalls to be used
583 for a park and pool lot must be designated on the submitted site plan. Drawings depicting
584 the proposed signs should also accompany the applications.

585
586 **Section 21.** Section 21.46.112, entitled "Limitations on Uses – Restaurants" of the Lynnwood
587 Municipal Code, is repealed as follows:

588
589 ~~21.46.112 — Limitations on uses — Restaurants~~

590 ~~A. — Restaurants. In the Limited Business (B-2) zone, it is intended to permit restaurants for~~
591 ~~the convenience of persons employed in the zone. Restaurants are permitted either as an~~
592 ~~accessory use within an office building, or as the principal use of a separate site providing~~
593 ~~it fully occupies a site equal to the minimum area specified in the development standards.~~

594
595 **Section 22.** Section 21.46.113, entitled "Limitations on Uses – Institutional uses" of the Lynnwood
596 Municipal Code, is repealed as follows:

597
598 ~~21.46.113 — Limitations on uses — Institutional Uses~~

599 ~~A. — Child Day-Care Center.~~

600 ~~1. — Considerations. A child day-care center may be permitted by issuance of a~~
601 ~~conditional use permit. Before approval or denial of an application the~~

- ~~hearing examiner will consider the need for the activity in the area and all possible impacts in the area including but not limited to the following:~~
- ~~a. Any adverse or significant changes, alterations or increases in traffic flow that could create a hazardous situation as either a direct or indirect result of the proposed activity;~~
 - ~~b. Any abnormal increase in demand for any public service, facility or utility;~~
 - ~~c. The size, location, and access of the proposed site; and~~
 - ~~d. Any adverse effects on the standard of livability to the surrounding area.~~
- ~~2. Requirements. In any case, the approval of the conditional use shall include the following requirements:~~
- ~~a. The applicant must be state licensed before the operation of the facility;~~
 - ~~b. Adequate off street parking must be provided;~~
 - ~~c. All outdoor play areas must be fenced with a minimum of 800 square feet plus an additional 80 square feet per additional child over 10;~~
 - ~~d. Site and sound screening standards for the outdoor play area must be met;~~
 - ~~e. The applicant must provide off street access to the facility from the public right of way for the purpose of pickup and delivery of children;~~
 - ~~f. The applicant must indicate the ages of the children to be cared for.~~

Section 23. Section 21.46.116, entitled “Limitations on Uses – Residential uses” of the Lynnwood Municipal Code, is amended to read as follows:

21.46.116 Limitations on uses – Residential uses

- A. Motels and ~~Motor~~ Hotels. The initial development must contain at least 20 units composed of multiple-unit type buildings and shall provide hotel and services, including a main lobby, desk attendant, and room service. When accessory uses providing services for the ~~motor hotel~~-patrons, such as barber, bar, beauty parlor, cleaners, clothing, drugs, pottery, souvenir, tobacco, and travel are included, they shall be primarily oriented internally. Provisions for public functions such as banquets or meetings need not be oriented internally.
- B. **Multiple-Family Housing.**
 - 1. ~~Except for properties zoned PCD~~ For properties zoned NC, dwellings may be permitted in commercial or office buildings on the ~~fourth~~ second floor or higher; provided no more than one-half the floor area of the building (not including basements) is used for residential purposes. All provisions normally applying to high-rise multiple-family housing shall apply.
 - 2. For properties zone PCD, dwellings may be permitted on the second floor of buildings or higher, provided, that:
 - a. General commercial, office, or similar lands uses occupy the ground level of the building where the building faces or abuts a public street.
 - b. Not more than 20 percent of the linear frontage of the ground level that faces a public street may be used for the entrance, lobby, leasing office, etc., for the building’s residences.
 - c. Floor area at ground level limited to general commercial, office, or similar uses shall have a minimum depth of 30 feet, as measured perpendicular to the building façade, so that the floor area may be occupiable for nonresidential land uses.

- 652 d. For development sites where the building is not accessible or visible
653 from the abutting public street, the community development director may
654 authorize dwellings to be located below the second floor of the building.
655 3. For properties subject to the provisions of this chapter, development with multi-
656 family dwellings shall provide a minimum of 40 square feet of on-site recreation
657 area per dwelling. The on-site recreation area shall consist of a minimum of two
658 of the following:
- 659 a. Individual patio, deck or balcony immediately adjacent to the
660 corresponding dwelling. Individual patios, decks, or balconies shall be
661 designed so that a six-foot by six-foot square will fit within the perimeter
662 of the patio, deck or balcony.
 - 663 b. Outdoor recreation area accessible to all residents of the development
664 and designed so that a 15-foot by 15-foot square will fit within the
665 perimeter of the outdoor recreation area. Common outdoor recreation
666 areas shall include features such as: landscaped courtyard or plaza;
667 seating; lighting; roof-top garden; children’s play structure; and sport
668 court. Outdoor recreation areas may include overhead weather
669 protection, but shall not be enclosed. Landscaping required within
670 parking areas shall not be considered outdoor recreation area.
 - 671 c. Indoor recreation space accessible to all residents of the development and
672 designed so that a 12-foot by 12-foot square will fit within the indoor
673 recreation area. Indoor recreation areas shall include furnishings and
674 fixtures for activities such as: aerobic exercise; children’s play; indoor
675 games; sports; hobbies and crafts; and video entertainment.
- 676 C. Multiple-Family Housing – Highway 99 Corridor in the Neighborhood Commercial (NC)
677 and General Commercial (CG) zones. Multiple-family housing is permitted on specified
678 parcels in the NC and CG zones on specified parcels in the Highway 99 corridor as
679 designated on the city of Lynnwood future land use map. Multiple-family residential
680 development may be combined with mixed use development subject to the following
681 bulk requirements:

682 **Table 21.46.13(a)**
683 **Development Level**

Development standard	Sites with residential development of less than 20 dwelling units per acre	Sites with residential development of 20 dwelling units or more per acre.
Minimum lot area	None	None
Minimum setbacks*		
Public Street	None	None
Interior property lines	None	None
Ground floor residential units+	10 ft.	10 ft.
Minimum sidewalk width along public streets	12 ft.	12 ft.
Maximum lot coverage	35%	None
Maximum building height	50 ft.	90 ft., not to exceed six stories
Minimum dwelling units/acre++	N/A	20 DU/A

Maximum floor-area ratio	1.0	3.0
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- 685 * See LMC 21.62.450 for development adjacent to residential zones (Transitional
- 686 Property Lines).
- 687 + Applies to residential projects only; setback is from all public rights-of-way,
- 688 internal circulation (vehicle, bicycle, pedestrian), parking areas, or access
- 689 easement, Alternatively, where vision-obscuring glass is installed, the setback
- 690 may be eliminated.
- 691 ++ The minimum number of residential units to qualify for this level shall be
- 692 calculated using the entire project site. Where residential development is part of
- 693 redevelopment of one or more parcels, this calculation shall be based only on the
- 694 portion of the parcel(s) being redeveloped. Fractional portions of a unit are
- 695 “rounded up” for this calculation.
- 696

697 Buildings with 200 feet of Highway 99 shall be mixed use development with
698 commercial development on the first floor. Phased development may occur on large
699 parcels but the initial development plan is required to illustrate the commercial activity
700 adjacent to Highway 99.

701 Multiple-family development shall comply with the remainder of the
702 development regulations established in Chapter 21.62 LMC, Highway 99 Mixed Use
703 Zone, unless otherwise indicated in Chapter 21.62 LMC. Stand-alone multiple-family
704 development or mixed-use development shall also comply with the Design Guidelines for
705 the Highway 99 mixed use zones.

706 Processing of a multiple-family development, including associated mixed use,
707 will be subject to the provisions set forth in Chapter 21.30 LMC, Planned Unit
708 Development.

709 D. ~~Convalescent and Nursing Homes, Assisted Living and Continuing Care and Housing for~~
710 ~~the Elderly and Physically Disabled. These uses may be allowed by conditional use~~
711 ~~permit are allowed subject to the following:~~

- 712 1. Staff Evaluation and Recommendation. Before any ~~conditional use~~ permit for
- 713 the uses designated in this subsection is ~~considered by the hearing examiner and~~
- 714 ~~city council~~, a joint recommendation concerning development of the land and/or
- 715 construction of the buildings shall be prepared by the fire and community
- 716 development departments, specifying the conditions to be applied if approved. If
- 717 it is concluded that the application for a ~~conditional use~~ permit should be
- 718 approved, each requirement in the joint recommendation shall be considered and
- 719 any which are found necessary for the protection of the health, safety, and
- 720 general welfare of the public shall be made part of the requirements of the
- 721 ~~conditional use~~ permit. In any case, the approval of the ~~conditional use~~ permit
- 722 shall include the following requirements:
- 723 a. The proposal’s proximity to stores and services, safety of pedestrian
- 724 access in the vicinity, access to public transit, design measures to
- 725 minimize incompatibility between the proposal and surrounding
- 726 businesses;
- 727 b. Compliance with all applicable state, federal, and local regulations
- 728 pertaining to such use, a description of the accommodations, and the
- 729 number of people accommodated or cared for, and any structural
- 730 requirements deemed necessary for such intended use;
- 731 c. The amount of space around and between buildings shall be subject to
- 732 the approval of the fire chief as being adequate for reasonable circulation
- 733 of emergency vehicles or rescue operations and for prevention of
- 734 conflagration;

- 735 d. The proposed use will not adversely affect the surrounding area as to
736 prevent use or character of the future development;
737 ~~e. Restriction to such intended use except by revision through a subsequent~~
738 ~~conditional use permit.~~
- 739 2. Development Standards. Housing ~~for the elderly and physically disabled~~
740 facilities shall conform to the following criteria:
741 a. Lot area per dwelling unit: 1,000 square feet minimum per unit;
742 b. Passive recreation and/or open space: 200 square feet per unit. In
743 the city's higher density multiple-family zones, developments are
744 required to provide active recreational space to help satisfy a portion of
745 the demand for recreational facilities. Housing for the ~~elderly~~ those in
746 need of care has a similar need but is of a passive nature. Therefore,
747 passive recreation space and/or open space shall be provided. Up to 50
748 percent of the requirement may be indoors; provided, that the space is
749 utilized exclusively for passive recreation and/or open space (i.e. arts and
750 crafts rooms, solariums, courtyards). All outdoor recreation and/or open
751 space areas shall be set aside exclusively for such use and shall not
752 include areas held in reserve for parking, as per LMC 21.18.800. All
753 open space and/or recreational areas shall be of a permanent nature, and
754 they may be restricted to use by tenants only. The use of private and
755 semi-private patios and balconies in meeting these requirements is not
756 permitted.

- ~~E. Living Quarters, Homeless Teenage Parents. Living quarters for homeless parents and
758 their children are permitted in any commercial zone of the city. For the purposes of this
759 section, "living quarters for homeless teenage parents" is defined to mean a building or
760 buildings occupied for living purposes by not more than eight teenage parents and their
761 children.~~
- ~~1. Supervision and Maximum Occupancy. Such living quarters must have an adult
762 supervisor residing therein. The maximum number residing therein at any time
763 shall not exceed 21, including parents, children, and adult supervisor(s).~~
- ~~2. Development Regulations and Standards. Subdivision and zoning development
764 standards for living quarters for teenage parents shall be the same as for the low
765 density multiple family residential zone (RML). Such quarter shall be treated as
766 an R-occupancy for fire and building codes.~~

770 **Section 24.** Section 21.46.118, entitled "Limitations on Uses – Light Industrial uses" of the
771 Lynnwood Municipal Code, is amended to read as follows:

772
773 **21.46.118 Limitations on uses – Light industrial uses**

- 774 A. General.
- 775 1. Scope of Conditions. Wherever these are permitted under conditional use
776 proceeding, the hearing examiner may stipulate the type of machinery allowable, that the
777 performance standards and landscaping requirements of the Light Industrial zone shall
778 apply, that the use must be conducted entirely within a building which is constructed so
779 as to contain the expected noise, and such other conditions as are necessary to assure
780 compatibility with surrounding properties.
- ~~781 2. Requirements for Uses Occupying 10,000 Square Feet or Less That are Permitted
782 as a Principal Use. Certain light industrial uses taking up 10,000 square feet or less are
783 allowed without a conditional use permit. No such use will be allowed without a
784 conditional use permit when:~~

- 785 a. ~~There is a person, corporation, partnership or association with an~~
 786 ~~ownership interest in the business; and~~
 787 b. ~~Such person, corporation, partnership or association or any combination~~
 788 ~~thereof has an ownership interest in another business at the same~~
 789 ~~business site or park which has not obtained a conditional use permit~~
 790 ~~because it uses 10,000 square feet or less of floor space; and~~
 791 c. ~~The combined space of both businesses or uses exceeds 10,000 square~~
 792 ~~fee~~
- 793 B. Public Use Facilities. This use includes facilities owned by a public utility and directly
 794 used in the performance of a public service but does not include offices or warehouses of
 795 a public utility. Public utility offices and warehouses are permitted in the same zones and
 796 on the same basis as other offices and warehouses.
- 797 ~~C. Auto Wrecking Yards and Recycling Collection Centers. These uses may be permitted~~
 798 ~~by conditional use permit. In considering such a conditional use permit application, the~~
 799 ~~hearing examiner shall take into account all impacts upon the surrounding neighborhood~~
 800 ~~with particular emphasis on visual, noise, water quality, and dust impacts. Due to the~~
 801 ~~demonstrated tendency of wrecking yards and recycling collection centers to be visually~~
 802 ~~offensive, such uses should not be located adjacent to residential zoning or to established~~
 803 ~~business uses of such low intensity or having such an aesthetic emphasis as to be~~
 804 ~~adversely impacted by close proximity to a wrecking yard or recycling collection center.~~
 805 ~~The hearing examiner may prescribe any conditions deemed necessary to minimize the~~
 806 ~~impacts of such uses.~~

807
 808 **Section 25.** Section 21.46.119, entitled "Limitations on Uses – Other uses" of the Lynnwood
 809 Municipal Code, is amended to read as follows:

810
 811 **21.46.119 Limitations on uses – Other Uses**

- 812 ~~A. Licensed Dance Halls. All conditional and special use permit applications for licensed~~
 813 ~~dance halls shall be evaluated for potential adverse impacts related, but not limited to,~~
 814 ~~noise, traffic, and the adequacy of on-site parking. Applications shall also be evaluated~~
 815 ~~for locational and design considerations which might foster potential nuisances or~~
 816 ~~criminal activities. The minimum standards which shall be required of any such~~
 817 ~~proposed uses are as follows:~~
- 818 1. ~~A separation of at least 300 feet between the building which the dance hall~~
 819 ~~occupies and the nearest residentially zoned property, as measured in a straight~~
 820 ~~line without regard to any intervening building, shall be required.~~
 - 821 2. ~~The parking standards for dance halls stated in Chapter 21.18 LMC shall apply.~~
 - 822 3. ~~All abutting streets shall be improved to the standards of the Lynnwood public~~
 823 ~~works department.~~
- 824 ~~B. Charitable or Relief Supplies Collection and Storage. Centers for the collection,~~
 825 ~~temporary storage and distribution of charitable or relief supplies may be permitted upon~~
 826 ~~approval of a conditional use permit. In considering such a conditional use permit~~
 827 ~~application, the hearing examiner may impose restrictions on outdoor storage, truck~~
 828 ~~parking, and use of machinery, and may impose such other conditions as are necessary to~~
 829 ~~assure compatibility with surrounding properties.~~
- 830 ~~C. A.~~ Wireless Communication Facility. A conditional use permit for a wireless
 831 communication facility shall be subject to the following additional standards:
- 832 1. Such facilities shall not be injurious to the neighborhood or otherwise detrimental
 833 to the public welfare;
 - 834 2. The applicant shall demonstrate the need for the proposed tower (wireless
 835 communications support structure) to be located near a residential area, the

- 836 procedures involved in the site selection and evaluation of alternative sites and
837 existing facilities on which the proposed facility could be located or co-located;
838 3. A site development plan shall be submitted showing the location, size, screening,
839 and design of all buildings and structures, including fences, the location, size and
840 nature of outside equipment, and the location, number, and species of all
841 proposed landscaping;
842 4. The facility shall be designed to be aesthetically and architecturally compatible
843 with the natural and building environment. This includes, but is not necessarily
844 limited to, building design and the use of exterior materials harmonious with the
845 character of the surrounding neighborhood and the use of landscaping and
846 privacy screening to buffer the facilities and activities on the site from
847 surrounding properties. Any equipment or facilities not enclosed within a
848 building (e.g. towers, transformers, tanks, etc.) shall be designed and located on
849 the site to minimize adverse impacts on surrounding properties;
850 5. All wireless communications facilities shall comply with national, state or local
851 standards, whichever is more restrictive, in effect at the time of application, for
852 nonionizing electromagnetic radiation;
853 6. The applicant shall demonstrate a justification for the proposed height of the
854 structures and an evaluation of alternative designs which might result in lower
855 heights. If additional height over that allowed in the zone is justified it may be
856 approved by the city; and
857 7. The applicant shall include an analysis of the feasibility of future consolidated
858 use of the proposed facility with other public utility facilities.

859 Provided that this subsection shall not apply to utility facilities located on a property
860 which are accessory to the property which are accessory to the property or to the
861 transmission, distribution or collection lines and equipment necessary to provide a direct
862 utility connection to the property or neighboring properties, or to those utility facilities
863 located on public right-of-way.

864 **D B.** Self-Service Storage Facilities in Commercial Zones. Self-service storage facilities have
865 characteristics in common with both commercial uses and industrial uses. This
866 subsection provides regulations to appropriately site self-service storage facilities in
867 certain commercial zones while maintaining the desired character and function of those
868 zones. In general, self-service storage facilities generate low levels of vehicular and
869 pedestrian activity and do not contribute to the vitality of a commercial area compared to
870 other commercial uses. Historically self-service storage facilities have visually
871 resembled industrial facilities, but some recently constructed facilities have featured
872 designs compatible with higher quality commercial development. If designed
873 appropriately as stand-alone multistory structures that emulate the exterior architecture of
874 residential or multifamily or as components located within larger multistory office or
875 residential structures, self-storage uses may be located without adversely impacting
876 comprehensive plan goals, zoning district intent or the surrounding neighborhood. Thus
877 self-storage uses in commercial zones shall adhere to the additional development
878 standards articulated in this chapter.

879 1. Use Regulations.

- 880 a. Where the chapter provides for self-service storage facilities upon
881 property zoned ~~B-1~~, CG or PCD, self-service storage facilities are
882 permitted only within multi-story structures designed to emulate
883 multifamily or office buildings.
884 b. Where this chapter provides for self-service storage facilities upon
885 property zoned CC or ACC, self-service storage facilities are permitted
886 as an accessory use, and may occupy no more than 20 percent of the

887 property's building floor area. With the exception of the business office
888 and loading/unloading facilities, self-service storage facilities shall not
889 be permitted upon the ground or street level of the multi-story building.
890 c. Permitted Activities. The only activities permitted in individual storage
891 units shall be the rental of the unit and the pickup and deposit of goods
892 and/or property in dead storage. Storage units shall not be used for
893 activities such as:
894 i. Residences, offices, workshops, studios, hobby or rehearsal
895 areas;
896 ii. Manufacturing, fabrication, or processing of goods, service or
897 repair of vehicles, engines, appliances, or other electrical
898 equipment, or any other industrial activity;
899 iii. Conducting retail sales of any kind including garage or retail
900 sales or auctions or to conduct any other commercial activity;
901 iv. Storage of flammable, perishable or hazardous materials or the
902 keeping of animals.
903 d. Accessory Uses. Accessory uses such as the rental of trucks, trailers or
904 moving equipment (hand carts, jacks and lifts, etc.), the installation of
905 trailer hitches, or the sale of boxes or packing materials are permitted
906 only if they are otherwise permitted in the zone in which the facility is
907 located, and shall meet all use and development standards of the
908 commercial zone.
909 e. Hours of Operation:
910 i. Self-service storage facilities located in commercial zones shall
911 not operate or allow tenant access between the hours of 10:00
912 p.m. and 7:00 a.m. if the site abuts a Class A EDNA, as defined
913 in Chapter 10.12.LMC Noise.
914 ii. The director may permit extended hours of operation if the
915 facility operator demonstrates that due to facility design or other
916 factors the facility will not have significant noise impacts on the
917 adjacent Class A EDNA property. The burden of proof is on the
918 facility operator.
919 iii. Nothing in this section overrides or supersedes any requirement
920 of Chapter 10.12. LMC and all restrictions of Chapter 10.12.
921 LMC apply even during allowed hours of operation.
922 f. Outdoor Storage Prohibited. Within commercial zones, all goods and
923 property stored in a self-service facility shall be stored in an enclosed
924 building. No outdoor storage of boats, RVs, vehicles, etc., or storage in
925 outdoor storage pods or shipping containers is permitted. :
926 2. Development Standards. All development standards of the commercial zone in
927 which the facility is located apply unless the standard is superseded by
928 regulations in this subsection.
929 a. Storage Units.
930 i. All storage units shall gain access from the interior of the
931 building(s) or site – no unit doors may face the street or be
932 visible from off the property.
933 ii. If the facility abuts residentially zoned property, the facility
934 loading bays, docks or doors shall not be visible from the
935 residential property.
936 iii. Electrical service to storage units shall be for lighting and
937 climate control only. No electrical outlets are permitted inside

938 individual storage units. Lighting fixtures and switches shall be
939 of a secure design that will not allow tapping the fixtures for
940 other purposes.

941 b. Additional standards for self-service storage facilities in the commercial
942 zones as outlined in Table 21.46.13 subject to the following limitations:
943 i. The facility shall be located in a multi-story building.
944 ii. Loading docks, entrances or bays may not be located on a street-
945 facing side of a building and shall be screened from residential
946 uses.

947 3. Design Standards. Design review shall be required for all new construction and
948 expansions of self-service storage buildings to ensure the development has a high
949 quality design and is appropriate to the desired character of the zone it is located
950 in and the adjacent neighborhood. Self-service storage facilities shall meet the
951 requirements of Chapter 21.25 LMC, Project Design Review, and the following
952 requirements.

953 a. Fences and Walls. Fences and walls including entry gates shall be
954 constructed of high quality materials and shall be compatible with the
955 design and materials of the building(s) and site. The design guidelines
956 for fences and walls and the following provisions shall apply to self-
957 service storage facilities:
958 i. Decorative metal or wrought iron fences are preferred.
959 ii. Chain-link (or similar fences, barbed or razor wire fences and
960 walls made of precast concrete blocks are prohibited.
961 iii. Fences or walls are not allowed between the main or front
962 building on the site and the street.
963 iv. Street-front landscape areas required by the design guidelines or
964 elsewhere in this code shall not be fenced.

965 b. Ground and Upper Floor Facades. Ground floor and upper floor facades
966 for self-service storage facility buildings in commercial zones shall meet
967 the following requirements:
968 i. The ground floor transparency requirements of the commercial
969 districts design guidelines shall also apply to each floor above
970 the ground floor of a self-service storage facility building that is
971 visible from a street or from a residentially zoned area.
972 ii. The ground floor on rear or side facades facing residential areas
973 do not have to meet subsection (D)(3)(b)(i) of this section if they
974 are effectively visually screened from view from the street or
975 nearby residential uses by a transition or landscape strip.
976 iii. The design guidelines for treating blank walls and for opaque
977 walls in the design shall apply to the upper floors of self-service
978 storage buildings.
979 iv. In order to promote visual compatibility with commercial and
980 multi-family development allowed in commercial zones, self-
981 service storage facilities buildings shall incorporate architectural
982 and design features common to commercial and/or multi-family
983 development. Examples of such architectural and design
984 features include: massing, proportion; façade modulation;
985 exterior building materials and detailing; varied roof line;
986 pedestrian scale; fenestration; repetition; etc.

987 c. Street Entrance. The business office of self-service storage facilities in
988 commercial zones shall have a pedestrian entrance facing the street.

- 989 i. This entrance shall be considered the “main” or “principal”
- 990 entrance to the building for the purpose of the design guidelines
- 991 or other sections of this chapter even if the majority of customers
- 992 using the facility enter through loading docks, bays, doors or
- 993 other side or rear entrances.
- 994 ii. This entrance shall meet the design guideline prominent entrance
- 995 requirements.
- 996 d. Materials. Self-service storage facility buildings shall be surfaced in
- 997 high-quality materials. Unfaced concrete block, painted masonry, tilt-up
- 998 and pre-cast concrete panels and prefabricated metal sheets are not
- 999 prohibited. Prefabricated buildings are not allowed.
- 1000 e. Design Departures. In addition to the requirements for design departures
- 1001 in Chapter 21.25 LMC, the director shall find that a request for approval
- 1002 of a design departure will not cause the development or the use to be
- 1003 inconsistent with the desired character of the zone on which it is located
- 1004 or have negative impacts on surrounding uses.
- 1005

1006 **Section 26** Section 21.46.120, entitled “General Commercial areas for controlled uses” of the
 1007 Lynnwood Municipal Code, is amended to read as follows:

1008
 1009 **21.46.120 General Commercial areas for controlled uses.**

1010 Adult establishments and adult retail uses shall be permitted in the CG zone in the area
 1011 described in subsection (A) of this section and subject to the locational and development
 1012 standards contained in this section. In the event of invalidation by a court of competent
 1013 jurisdiction of these provisions, adult establishments and adult retail uses shall be permitted to
 1014 locate only in the CG, and subject to locational and development standards of this section.

1015 A. Location of Controlled Use Area. These regulations apply to all General Commercial
 1016 zones south of a line approximately 800 feet south of 212th Street SW between 68th
 1017 Avenue W and Highway 99 and south of 212th Street SW, between 67th Avenue W and
 1018 68th Avenue W, and between 66th avenue W and 67th Avenue W, south of a line varying
 1019 between 175 feet and 195 feet north of 212th Street SW as more particularly set forth
 1020 below:

1021
 1022 Beginning at the Southeast corner of the Southwest quarter of the Southeast
 1023 quarter of Section 20, Township 27 North, Range 4 East, W.M.; thence West
 1024 679.56 feet; thence North 175 feet to the true point of beginning thence West
 1025 132.6 feet to a point eight feet East of the East line of Lot 15, Block 6, of the Plat
 1026 of Seattle Heights, Division No. 3; thence North 20 feet more or less, to a point
 1027 eight feet East of the Northeast corner of said Lot 15; thence West 132.5 feet,
 1028 more or less, along the North line of said Lot 15 and the prolongation thereof, to
 1029 the Northwest corner of said Lot 15; thence continuing West along the
 1030 prolongation of said line 30 feet, more or less, to a point which is the intersection
 1031 with the centerline of 67th Avenue West; thence South 192.5 feet, more or less,
 1032 along said centerline of 67th Avenue West; thence South 195.2 feet, more or less,
 1033 along said centerline to a point which is the intersection of the centerlines of 67th
 1034 Avenue West and 212th St. SW; thence West along the centerline of 212th St.
 1035 SW to a point which is the intersection of the centerlines of 212th St. SW and 68th
 1036 Avenue West ; thence South along the 68th Avenue West centerline 830 feet,
 1037 more or less, to the intersection of the centerline of said right-of-way and the
 1038 Easterly prolongation of a line located parallel to and 160 feet South of the North
 1039 line of Lot 19, Plat of Solner’s 5 Acre Tracts; thence West along said line and the

1040 prolongation thereof, to the intersection with the East line of Lot 21, Plat of
1041 Solner's 5 Acre Tracts, said point being 160 feet, more or less, South of the
1042 Northeast corner of said Lot; thence North 20 feet, more or less; thence North
1043 89°51'00" West 130.14 feet, more or less, to the East line of the Highway 99
1044 right-of-way.

- 1045 B. Uses Permitted. Except for those uses listed in subsection (E) of this section, all uses
1046 permitted outright in the General Commercial zone area allowed in this controlled area
1047 and all adult establishment are allowed, subject to the location standards of subsection
1048 (C) of this section. Adult retail uses are allowed in this controlled use are subject to
- 1049 1. The same location standards as set forth in subsection (C) of this section for adult
1050 establishments.
 - 1051 2. The same variance from separation requirements as set forth in subsection (D) of this
1052 section for adult establishments; and
 - 1053 3. The same development standards as forth in subsection (F) of this section for adult
1054 establishments.
- 1055 C. Location Standards – Any adult establishment us which located in the city of Lynnwood
1056 shall, in addition to any other requirements, meet the following:
- 1057 ~~1. Separation from Location. No adult establishment use shall be allowed to locate~~
1058 ~~within 300 feet of any property zoned residential or P-1. ~~or any property which is~~~~
1059 ~~occupied by living quarters for homeless teenage parents.~~
 - 1060 2. Measurement of Distance. The 300-foot separation shall be measured by following a
1061 straight line, without reference to intervening structures, between the nearest point on
1062 a line defining a residentially zoned or P-1 zoned property ~~or property which is~~
1063 ~~occupied by living quarters for homeless teenage parents~~ and the nearest point of the
1064 building or portion thereof used by an adult establishment.
- 1065 D. Variance from Separation Requirements. Whenever the proponent of an adult
1066 establishment subject to the separation requirements pertaining to adult establishments set
1067 forth in this chapter feels that strict application of such requirements is not necessary to
1068 achieve an effective degree of physical separation between the adult establishment and
1069 property zoned P-1 or residential ~~or which is occupied by living quarters for homeless~~
1070 ~~teenage parents~~, the proponent(s) may apply to the hearing examiner for a variance from
1071 such requirements. In determining when a variance should be granted, and if so, to what
1072 extent, the hearing examiner shall consider the following, in addition to the general
1073 criteria for variance established in Chapters 2.22 and 21.26 LMC:
- 1074 1. Topographical and other features of the land which provide actual separation between
1075 the proposed business or other land use and surrounding land uses;
 - 1076 2. Pedestrian and vehicular circulation pattern in the vicinity of the proposed activity;
1077 and
 - 1078 3. Any other fact or circumstance which has a significant effect upon the need for the
1079 full separation distance required by this chapter.
- 1080 If after considering these criteria the hearing examiner finds that an effective
1081 separation
1082 between the proposed adult establishment and property zoned residential or P-1 ~~or~~
1083 ~~which is occupied by living quarters for homeless teenage parents~~ can be achieved
1084 without requiring the full distance of separation provided by this chapter, the hearing
1085 examiner shall determine the degree of variance to be allowed and shall grant such
1086 variance. Otherwise, the application for variance shall be denied.
- 1087 E. Prohibited Uses. The following uses are found to be incompatible with adult
1088 establishments and are prohibited in the controlled use area set forth above:
- 1089 1. Pet grooming, pet shops, and veterinary clinics;
 - 1090 2. Churches, libraries, museums, art galleries and similar institutions;

- 1091 3. Schools, including pre-schools, child day-care, and nursery school;
- 1092 4. ~~Fountain and ice cream stands,~~ Restaurant and cafeterias, drive-in car, drive-
- 1093 through, and take-out restaurants;
- 1094 5. Bakery retail stores and convenience stores;
- 1095 6. Hotel/motels ~~and motor hotels~~;
- 1096 7. Indoor amusement enterprises centers, as defined;
- 1097 8. Bicycle sale and repair;
- 1098 ~~9.—Wholesale stores.~~
- 1099 F. Development Standards. The development standards in the controlled use area are the
- 1100 same as general commercial, except as follows:
- 1101 1. Signs. See LMC 21.16.310 for sign regulations.
- 1102 2. Other Standards. The following standards apply to adult establishments in the
- 1103 controlled use area, and the following standards shall supersede the Lynnwood
- 1104 Citywide Design Guidelines, as adopted by reference in LMC 21.25.145(B)(3), that
- 1105 may conflict:
- 1106 a. The starting of an adult establishment constitutes a change in use and is subject to
- 1107 the nonconforming chapter in addition to these development standards;
- 1108 b. Landscaping shall be a wall of trees created by two rows of evergreen conifer
- 1109 trees. The trees shall be staggered and spaced a maximum of 10 feet on center,
- 1110 so as to form an effective visual barrier within five years. The minimum tree
- 1111 height shall be six feet. A permanent six-foot site-screening fence shall be placed
- 1112 on the side and rear property lines;
- 1113 c. All parking areas shall be visible from the street fronting the establishment and
- 1114 shall not allow access to the rear of any structures.
- 1115 d. The parking areas shall be fully illustrated with street light standards.
- 1116

1117 **Section 27.** Section 21.46.210, entitled “Additional development standards” of the Lynnwood
 1118 Municipal Code, is amended to read as follows:

1119
 1120 **21.46.210 Additional development standards.**

- 1121 A. Site-Screening Standards for Outdoor Displays and Outdoor Storage Areas. Any indoor
- 1122 displays or outdoor storage which are permitted in commercial zones, and which are not
- 1123 affected by the standards of LMC 21.46.220, shall be enclosed within a site-screening
- 1124 fence of sufficient height to effectively screen the outdoor display or storage from view,
- 1125 and not less than six feet high in any case, set back five feet from the property line. The
- 1126 outer five feet shall be landscaped with evergreen conifer trees with a minimum height of
- 1127 six feet spaced a maximum of 15 feet on center and low evergreen plantings which will
- 1128 mature to a total groundcover within five years; provided, however, that where these
- 1129 requirements do not apply because the principal use of a property involves the display of
- 1130 merchandise for view from the streets, the display area shall be improved as a parking lot
- 1131 (except for paving where the nature of the merchandise makes paving impractical) with a
- 1132 10-foot planting strip along the entire street frontage, as per subsection (B(2) of this
- 1133 section. Display areas shall be segregated from the required customer parking so that
- 1134 there is always sufficient customer parking to meet the minimum requirements of this
- 1135 code.
- 1136 B. Parking.
- 1137 1. Capacity Requirements. For calculating the required number of parking stalls see
- 1138 Chapter 21.18 LMC.
- 1139 2. Landscaping in Parking Areas.
- 1140 a. Purpose. The purpose of these landscaping provisions is:

- 1141 i. To break up the visual blight created by large expanses of barren
 1142 asphalt which make up a typical parking lot;
 1143 ii. To encourage the preservation of mature evergreens and other
 1144 large trees which are presently located on most undeveloped
 1145 sites in this city;
 1146 iii. To ensure the preservation of land values in commercial zones
 1147 by creating and ensuring an environmental quality which
 1148 complements the commercial objectives of the respective land.
 1149 b. Planting at Street Frontages. Development sites with parking areas
 1150 located only between the sides of buildings ~~opposite the street~~ and
 1151 interior property lines shall provide shall provide a 10-foot wide planting
 1152 area along the entire street frontage, except for driveways, walkways and
 1153 other pedestrian spaces. Development sites with single-aisle, double-
 1154 loaded parking areas located between buildings and the street right-of-
 1155 way, ~~parking areas between buildings or parking areas between~~
 1156 ~~buildings and the closest property line~~ shall provide a 15 foot-wide
 1157 planting area along the entire street frontage with the same above
 1158 exceptions. Development sites with multi-aisle parking areas located
 1159 between buildings and the street right-of-way shall provide a 20-foot
 1160 wide planting area along the street frontage with the same above
 1161 exceptions. Planting shall consist of ornamental landscaping of low
 1162 plantings and high plantings. The minimum height of trees shall be eight
 1163 feet for evergreen trees and 10 feet for all other species. Trees shall be
 1164 spaced a maximum of 25 feet on center with branches eliminated to a
 1165 height of six feet where necessary to prevent site obstruction. The
 1166 required trees in this planting area may be located within the adjacent
 1167 street right-of-way as long as they comply with Lynnwood Citywide
 1168 Design Guidelines as adopted by reference in LMC 21.25.145(B)(3).,
 1169 and are approved by the public works department. Low evergreen
 1170 plantings, or a mixture of low evergreen and deciduous plantings with a
 1171 maximum height of 30 inches, shall be provided so as to achieve 50
 1172 percent groundcover within two years.
 1173 The location and width of the planting area may be modified in
 1174 accordance with the following provisions: that up to five feet of the 10-
 1175 foot total required may be installed in portions of city right-of-way which
 1176 are not covered by impervious surfaces or, in the case of right-of-way
 1177 which is not fully improved, and not projected to be covered by
 1178 impervious surfaces upon full improvement.
 1179 c. Landscaping in Right-of-Way. Property owners who install landscaping
 1180 on portions of right-of-way not covered by impervious surfaces shall
 1181 provide the city with a written release of liability for damages which may
 1182 be incurred to the planting area from any public use of the right-of-way
 1183 and an indemnity to the city against any injuries occurring within that
 1184 portion of right-of-way so utilized.
 1185 d. Coverage. Five percent of the parking areas located ~~only between on~~ the
 1186 sides ~~and rear~~ of buildings ~~opposite the street~~ and interior parking lines;
 1187 10 percent of parking areas between buildings ~~and, between buildings~~
 1188 ~~and the closest side property line, or~~ single-aisle, double-loading parking
 1189 areas located between buildings and the street; and 15 percent of multi-
 1190 aisle parking areas located between buildings and streets shall be in

- 1191 landscaping (exclusive of landscaping on the street frontage and required
- 1192 landscape buffers; provided, that:
- 1193 i. No landscaping area shall be less than 25 square feet in area or
- 1194 less than three feet in width.
- 1195 ii. No parking stall shall be located more than 45 feet from a
- 1196 landscaped area; and
- 1197 iii. All landscaping must be located between parking stalls, at the
- 1198 end of parking columns, or between parking stalls and the
- 1199 property lines.
- 1200 e. Landscaping Adjacent to Parking Stalls. Where landscaping areas which
- 1201 fulfill city standards are adjoined by angular or perpendicular parking
- 1202 stalls, landscaping in the form of ground cover materials or plants may
- 1203 be installed in that portion of any parking stall which will be ahead of the
- 1204 wheels and adjacent to the landscaped area; provided, that curbing or
- 1205 wheel stops are installed in a position which will protect the plants from
- 1206 damage. Such landscaping shall not be construed to be part of the
- 1207 percentage of landscaped area required by this chapter nor a reduction of
- 1208 the parking stall.
- 1209 f. Additional Landscaping Along Specified Streets. Along streets where it
- 1210 may be desirable and feasible to obtain a higher degree of continuity in
- 1211 landscaping from property to property than is provided for here, the city
- 1212 council , upon recommendation by the planning commission, may
- 1213 designate specific street frontage landscaping plans for those streets.
- 1214

1215 **Section 28.** Section 21.46.220, entitled “Additional development standards” of the Lynnwood
 1216 Municipal Code, is amended to read as follows:

1217
 1218 **21.46.220 Transition or Buffer Strips.**

- 1219 A. Transitional or buffer landscaped strips (also referred to as greenbelts) of which the
- 1220 purpose of the landscaping is to provide a sight, sound, and psychological barrier
- 1221 between zones with a high degree of incompatibility. The transition or buffer strips shall
- 1222 be installed in the following situations:
- 1223 1. Where the side yard or rear yard of a property zoned to any commercial zone is
- 1224 adjacent to a property zoned single-family residential:
- 1225 a. The planting strip shall be at least 20 feet in width and shall consist of
- 1226 the following:
- 1227 i. Two rows of evergreen conifer trees. The trees shall be
- 1228 staggered and spaced a maximum of 10 feet on center, so as to
- 1229 form an effective visual barrier within five years. The minimum
- 1230 tree height shall be six feet.
- 1231 ii. A permanent six-foot site-screening fence shall be placed at the
- 1232 property line.
- 1233 2. Where the side yard or rear yard of a property zoned to any commercial zone is
- 1234 adjacent to a property zoned multiple-family residential or public and semi-
- 1235 public.
- 1236 a. The planting strip shall be at least 10 feet in width and shall consist of
- 1237 either of the following two options:
- 1238 i. One row of evergreen conifer trees, spaced a maximum of 10
- 1239 feet on center. Minimum tree height shall be six feet, the
- 1240 remainder of the planting strip shall be promptly planted with

low evergreen plantings which will mature to a total groundcover within five years; or

ii. A site-screening evergreen hedge. The spacing of plants shall be such that they will form a dense hedge within five years.

Minimum plant height shall be four feet.

iii. A permanent six-foot site-screening fence shall be placed at the property line.

B. Maintenance – Whenever greenbelts or landscaping are required to be installed according to city zoning requirements, the plant material shall be regularly maintained and kept in a healthy condition in accordance with zoning requirements, Lynnwood Citywide Design Guidelines, as adopted by reference in LMC 21.25.145(B)(3), and approved development plans. Maintenance shall also include regular weeding, removal of litter from landscaped areas, and repair or replanting so that the greenbelts or landscaping continue to comply with zoning requirements and/or development plans.

C. Minimum Standards.

~~1. Planting and Fencing.~~

~~a. Where a Property Zoned to Any Commercial Zone is Adjacent to a Property Zoned Single Family Residential. The purpose of the landscaping is to provide a sight, sound, and psychological barrier between zones with a high degree of incompatibility. The planting strip shall be at least 20 feet in width and shall consist of two rows of evergreen conifer trees. The trees shall be staggered and spaced a maximum of 10 feet on center, so as to form an effective visual barrier within five years. A permanent six foot site screening fence shall be placed at the property line.~~

~~b. Where a Property Zoned to Any Commercial Zone is Adjacent to a Property Zoned Multiple Family Residential or Public and Semi Public. The planting strip shall be at least 10 feet in width and shall consist of either of the following two options:~~

~~i. One row of evergreen conifer trees, spaced a maximum of 10 feet on center. Minimum tree height shall be six feet, the remainder of the planting strip shall be promptly planted with low evergreen plantings which will mature to a total groundcover within five years; or~~

~~ii. A site screening evergreen hedge that provides a sight, sound, and psychological barrier between zones with some degree of incompatibility. The spacing of plants shall be such that they will form a dense hedge within five years. Minimum plant height shall be four feet.~~

~~— A permanent six foot site screening fence shall be placed at the property line.~~

2.1. Signed Plans. All landscaping plans shall bear the seal of a registered landscape architect or signature of a professional nurseryman and be drawn to a scale no less than one inch to 20 feet. The landscape architect or professional nurseryman shall certify that the species of plants are fast-growing and that the design of the plan will fulfill city code requirements within five years.

3.2. Installation Prior to Occupancy. All landscaping that fulfills the city code requirements shall be installed prior to occupancy of any structure located on the same site.

1291 If, due to extreme weather conditions or some unforeseen emergency, all
1292 required landscaping cannot be installed prior to occupancy, then a cash deposit
1293 or guarantee account with the city shall be provided as financial security to
1294 guarantee installation of the remaining landscaping. The security shall be equal
1295 to the cost of the remaining landscaping including labor and materials or a
1296 minimum of \$500.00. The security shall not extend for a period of more than 30
1297 days. If within 30 days, the remaining landscaping is installed according to code
1298 requirements and approved development plans, then all funds shall be refunded.

1299 D. Fence Regulations.

- 1300 1. Definition. For the purposes of this section, a “site-screening fence” means a
1301 solid one-inch-thick board (nominal dimensional standards) fence. One made of
1302 brick, rock or masonry materials may be substituted for a board fence.
1303 2. Exceptions. Where a fence is required by the above standards, no fence will be
1304 required in those cases where a fence already exists which meets the intent of this
1305 section. However, if the existing fence is ever removed, demolished or partially
1306 destroyed, then the owner of the property first being required by the section to
1307 provide the necessary fence will be responsible for replacing the fence.

1308 In those cases where the slope of the land is such that the location of a
1309 fence required by the above standards is impractical or ineffective in satisfying
1310 the intent of this section, the community development director may, at his
1311 discretion, permit a location which more adequately satisfies the intent of this
1312 section.

- 1313 E. Exception. The community development director may reduce the required buffer width
1314 and revise the required planting and fencing if the director finds, that, due to the intensity
1315 of existing or proposed landscaping, the amount and type of mature existing vegetation,
1316 change in topography between properties, use of the properties along the abutting
1317 property line, or other characteristics of the abutting properties, a reduced buffer width
1318 or deviation from the code landscape requirements will provide adequate separation
1319 between the properties.

1320 The community development director may approve variation from the degree and
1321 type of code required landscaping on their own initiative.

1322 A request for approving a reduction in a required buffer shall be made in writing
1323 and shall describe fully the reduction and the basis for the request. The fee for processing
1324 a request shall be \$200.00. The person(s) requesting the buffer reduction bear the burden
1325 of proof that the reduced buffer will provide adequate separation and screening between
1326 properties.

1327 At least 28 calendar days prior to acting on a request for buffer reduction, notice
1328 of the request shall be mailed to the owners of all properties that abut the site of the
1329 proposed reduction. Action on a request may not be taken until this noticing period has
1330 expired.

1331 Anyone may appeal a determination regarding an exception by the director under
1332 this subsection by filing a written statement of the reason(s) for the appeal with the
1333 community development department. Such an appeal shall be processed pursuant to
1334 Process II (LMC 1.35.200 et. seq).

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1339 **Section 29.** Section 21.46.900, entitled “Other regulations” of the Lynnwood Municipal Code, is
1340 amended to read as follows:
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21.46.900 Other Regulations

- A. Refuse and Recycling Collection Areas and Enclosures. On-site paved and enclosed refuse recycling collection areas shall be provided on sites where new buildings are being constructed or existing buildings are being remodeled or expanded, and shall comply with the requirements of this section. One-family dwelling units, two-family dwelling units, and public parks are exempt from the requirements of this section.
 - 1. Development Standards. Refuse and recycling collection areas in all commercial zones shall comply with the development standards below. The following development standards shall supersede other applicable setback requirements of this chapter and any Lynnwood Citywide Design Guidelines, as adopted by reference in LMC 21.25.145(B)(3), that may conflict.
 - a. Set back of a minimum of 25 feet from a public street;
 - b. Set back a minimum of 25 feet from any interior property line adjoining an RS or RM zone or a P-1 zone with one-family dwelling units if a business site is one acre or larger in area; or
 - c. Set back a minimum of 15 feet from any interior property line adjoining an RS or RM zone or a P-1 zone with one-family dwelling units if a business site is less than one acre in area.
 - 2. Enclosure. All refuse and recycling collection areas shall be enclosed on three sides by a six-foot-high sight-obscuring fence which uses building materials, color, and design details similar to the primary buildings on the site and a six-foot-high gate on one side. The height of the enclosure may include the height of a surrounding slope or berm (height measured from bottom inside edge of the collection area). The enclosure shall include a gate which can be secured in an open or closed position. If the enclosure includes a gate made of metal chain link fencing, the fencing shall contain slates which screen the view of containers and materials inside the collection area. An alternative design may be approved if it is determined that such alternative would provide equal or better screening, architectural compatibility, and containment.
 - 3. Parking. No refuse and recycling collection area shall be located in such a way that new or existing parking stalls will prevent or interfere with the use and servicing of the collection area.
 - 4. Design. Refuse and recycling collection areas shall be sized, located, and constructed per standards established by the public works department.
- B. Procedural Requirements for Proposed Rezoning to the Neighborhood Commercial Zone (NC)
The minimum and maximum area specified in LMC 21.46.200(A) shall apply to all future rezones to the Neighborhood Commercial zone-~~(B-3 NC)~~.
In addition, the applicants shall provide such market information as may be required by the planning commission or city council in determining whether the proposed development will promote the general welfare of the city. Businesses which are nonconforming in another zone but which would be conforming if zoned Neighborhood Commercial (NC) may be rezoned Neighborhood Commercial without regard to the minimum and maximum area, upon a finding that such a rezone would be in the public interest and/or the businesses in question would be consistent with the general intent of the Neighborhood Commercial zone.
- C. Requirements for Development of Properties in the ~~Community Business and~~ General Commercial (CG) zones.
 - 1. Plans. Shopping centers or other multi-store retail developments in the ~~Community Business and~~ General Commercial zones shall be subject to the same site plan and utility plan requirements as are required in the Neighborhood

1393 Commercial (NC) zone. The plan shall include a landscaping plan as per LMC
1394 21.46.210(B); provided, however, that an alternate arrangement as per LMC
1395 21.46.210(B)(2)(d) may be approved by the planning commission if it finds that
1396 the alternate plan would be more effective in meeting the stated objectives of
1397 LMC 21.46.210(B).

1398 2. Site Utilization. Unless the site plan provides for full utilization of the lot or
1399 parcel, the utilized part shall be officially divided from the remainder of under
1400 the city subdivision regulations and the subdivision shall conform to all normal
1401 subdivision requirements. As a condition of the subdivision, the city may require
1402 that all parcels of the subdivision have common access to public streets.

~~D. Cooperative Development of Adjacent Properties in Commercial Zones and
1404 Nonresidential Projects Developed in Zones Other Than Commercial Zones, Except the
1405 Planned Regional Commercial (PRC) Zone. It is hereby declared to be the policy of the
1406 city to encourage in the zones referred to in this caption adjoining properties that are so
1407 situated as to be developed or redeveloped through cooperative plans for access, egress,
1408 and parking facilities to do so by a relaxation of the total parking requirement for such
1409 properties. Property owners desiring to take advantage of said policy may submit
1410 detailed plans to the city, and if such plans are approved by the appropriate city
1411 departments, the required off-street parking for each respective parcel may be reduced by
1412 twice the number of stalls that could be accommodated by the actual square footage of
1413 land provided by each respective parcel for a common driveway, provided:~~

- ~~1. That such reduction in parking will not reduce parking by more than 10 percent
1415 of the amount otherwise required;~~
- ~~2. A coordinated parking lot layout and landscaping plan is submitted, approved,
1417 and conforms to the specifications of this code;~~
- ~~3. In circumstances where buildings already exist, that the plans include a
1418 reasonable effort to coordinate, redesign or refinish the exterior of the buildings
1419 in a unified manner so as to improve the visual image of the street and vicinity;~~
- ~~4. The plans provided for streets adjoining the properties involved to be improved
1422 to city standards, including sidewalk, curb, and gutter, or reasonably equivalent
1423 guarantee or such improvement are provided in LMC 16.04.250;~~
- ~~5. Traffic flow is improved through joint use of the same entrances;~~
- ~~6. That the parties owning the properties have entered into a written agreement
1426 suitable for filing with the county auditor,, defining their rights, duties reciprocal
1427 easements, and generally providing for maintenance and repair in such a manner
1428 that the planning commission is reasonably assured that the property will have an
1429 orderly, permanent management, which agreement shall notify persons dealing
1430 with the title to said lands that the right to reduce parking is conditional upon the
1431 continued existence of the common driveway;~~
- ~~7. The city has received consent by all owners that additional building permits on
1433 any of the land so affected will not be issued by the city unless separate and/or
1434 additional parking is provided.~~

1435 E.D. Surface Water Management. All building permit applications and site plans required
1436 herein shall provide adequate facilities for the management of surface water.

1437 F.E. Elimination of Nonconforming Uses. All site plans shall provide for the elimination of
1438 nonconforming uses.

1440 **Section 30.** Section 21.48.100, entitled "Permitted uses" of the Lynnwood Municipal Code, is
1441 amended to read as follows:

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- 1444 **21.48.100 Permitted uses.**
1445 A. All uses permitted in the Neighborhood Commercial (~~B-3~~ NC) and ~~Community Business~~
1446 (~~B-1~~) General Commercial (CG) zone are permitted in this classification, except for th
1447 following:
1448 1. Outdoor used automobile sales;
1449 2. Funeral parlors and mortuaries;
1450 3. Self-service storage facilities;
1451 4. Marijuana and marijuana-infused products retail sales, processing and
1452 production;
1453 5. Medical marijuana collective gardens.
1454

1455 **Section 31.** Section 21.48.112, entitled “Limitations on uses - Restaurants” of the Lynnwood
1456 Municipal Code, is repealed:
1457

- 1458 ~~**21.48.112 — Limitations on uses — Restaurants.**~~
1459 ~~A. In the Planned Regional Shopping Center zone, it is intended to permit restaurants for the~~
1460 ~~convenience of persons employed in the zone. Restaurants are permitted either as an accessory~~
1461 ~~use within an office building, or as the principal use of a separate site providing it sully occupies~~
1462 ~~a site equal to the minimum area specified in the development standards.~~
1463

1464 **Section 32.** Section 21.48.113, entitled “Limitations on uses - Institutional” of the Lynnwood
1465 Municipal Code, is repealed:
1466

- 1467 ~~**21.48.113 — Limitations on uses — Institutional.**~~
1468 ~~A. Complementary Use of Parking by Churches. Churches are allowed outright in all business~~
1469 ~~and commercial zones (except for the PCD zone wherein churches require a special use permit)~~
1470 ~~subject to the same conformance to development standards as would apply to any other permitted~~
1471 ~~use. This provision is applicable to either new construction or the occupancy by a church of a~~
1472 ~~pre-existing building or a portion thereof, whether the building or grounds are designed as a~~
1473 ~~church building, according to the definition of “churches” o m Chapter 21.02, LMC, or the space~~
1474 ~~being used is such that typical occupants or tenant would be commercial uses.~~
1475 ~~———— In the event that a multiple business site which includes a church does not have an~~
1476 ~~adequate number of parking spaces to meet the code requirements for all the uses on the site, but~~
1477 ~~it would have sufficient spaces without the church, complementary use of parking by the church~~
1478 ~~may be allowed by conditional use permit. The purpose in requiring a conditional use permit is to~~
1479 ~~assure that the times of peak use of parking by the church and the other uses on the site will not~~
1480 ~~coincide to such an extent that frequent parking shortages occur, impacting public streets and~~
1481 ~~resulting in unauthorized parking on other properties in the area.~~
1482 ~~———— No conditional use permit shall be approved if the evidence indicates that such parking~~
1483 ~~shortages are likely to occur. Adherence by any and/or all occupants of the site to a schedule that~~
1484 ~~makes complementary parking workable may be made a condition of the conditional use permit.~~
1485 ~~———— In the event that parking shortages described above do occur after such a conditional use~~
1486 ~~permit has been approved, revocation of the permit may be considered under normal conditional~~
1487 ~~use permit hearing procedures. In frequent parking overflows, such as those occurring during~~
1488 ~~annual religious holidays, are not to be construed as constituting a parking shortage for the~~
1489 ~~purposes of this section.~~
1490 ~~B. Child Day Care Center.~~
1491 ~~1. Considerations. A child day care center may be permitted by issuance of a conditional~~
1492 ~~use permit. Before approval or denial of an application, the hearing examiner will consider~~

1493 the need for the activity in the area,; and all possible impacts in the atrea including but not
1494 limited to the following:
1495 a. ~~Any adverse or significant changes, alterations or increases in traffic flow that~~
1496 ~~could create a hazardous situation as either a direct or indirect result of the proposed~~
1497 ~~activity;~~
1498 b. ~~Any abnormal increase in demand for any public service, facility or utility;~~
1499 c. ~~The size, location, and access of the proposed site; and~~
1500 d. ~~Any adverse effects on the standard of livability to the surrounding area.~~
1501 2. ~~Requirements. In any case, the approval of the conditional use permit shall include the~~
1502 ~~following requirements:~~
1503 a. ~~The applicant must be state licensed before the operation of the facility;~~
1504 b. ~~Adequate off-street parking must be provided;~~
1505 c. ~~All outdoor play areas must be fenced with a minimum of 800 square feet plus an~~
1506 ~~additional 80 square feet per additional child over 10;~~
1507 d. ~~Site and sound screening standards for the outdoor play area must be met;~~
1508 e. ~~The applicant must provide off-street access to the facility from the public right-~~
1509 ~~of-way for the purpose of pickup and delivery of children;~~
1510 f. ~~The applicant must indicate the ages of the children to be care for.~~

1511 **Section 33.** Section 21.48.115, entitled “Limitations on uses – Institutional” of the Lynnwood
1512 Municipal Code, is repealed.

1513
1514 **21.48.115 — Limitations on uses – Office uses.**

1515 A. ~~Residential/Office Use as Home Occupation. An office use in combination with a residence~~
1516 ~~is allowable as a home occupation by means of a conditional use permit, subject to the limitations~~
1517 ~~to home occupations as stated in LMC 21.02.415, except as follows: the number of employees~~
1518 ~~who do not reside in the same building shall be limited to two.~~

1519 ~~— In consideration the requested permit, the adequacy of parking shall be of prime~~
1520 ~~consideration. Any application shall demonstrate provisions for anticipated traffic and parking.~~
1521 ~~In the event that congestion or traffic hazards develop through such use, the community~~
1522 ~~development director may suspend or terminate the permit upon 30 days’ written notice. During~~
1523 ~~the 30-day period, the holder of the permit may request review of the revocation by the city~~
1524 ~~council. The building may be enlarged, but the office areas shall not exceed 25 percent of the~~
1525 ~~total square footage of the building.~~

1526
1527 **Section 34.** Section 21.48.116, entitled “Limitations on uses – Residential uses” of the Lynnwood
1528 Municipal Code, is amended to read as follows:

1529
1530 **21.48.116 Limitations on uses –Residential uses.**

1531 A. Motels and ~~Motor~~ Hotels. The initial development must contain at least 20 units composed of
1532 multiple-unit type buildings, and shall provide hotel services, including a main lobby, desk
1533 attendant, and room service. When accessory uses providing services for the ~~motor~~ hotel patron,
1534 such as barber, bar, beauty parlor, cleaners, clothing, drugs, pottery, souvenir, tobacco and travel
1535 are included, they shall be primarily oriented internally. Provisions for public functions such as
1536 banquets or meetings need not be oriented internally.

1537 B. Multiple-Family Housing. Dwellings may be permitted, consistent with the use and
1538 development regulations for multiple-family dwellings in the PCD zone.

1539 C. ~~Convalescent and Nursing Homes and Assisted Living and Continuing Care Housing for the~~
1540 ~~Elderly and Physically Disabled. These uses may be allowed by conditional use permit are~~
1541 ~~allowed subject to the following:~~

- 1542 1. Staff Evaluation and Recommendation. Before any ~~conditional use permit for~~
1543 the uses designated in this subsection is considered ~~by the hearing examiner and~~

1544 city council, a joint recommendation concerning development of the land and/or
1545 construction of the buildings shall be prepared by the fire and community
1546 development departments, specifying the conditions to be applied if approved. If
1547 it is concluded that the application for a conditional use permit should be
1548 approved, each requirement in the joint recommendation shall be considered and
1549 any which are found necessary for the protection of the health, safety, and
1550 general welfare of the public shall be made part of the requirements of the
1551 conditional use permit. In any case, the approval of the conditional use permit
1552 shall include the following requirements:

- 1553 a. The proposal's proximity to stores and services, safety of pedestrian
1554 access in the vicinity, access to public transit, design measures to
1555 minimize incompatibility between the proposal and surrounding
1556 businesses;
- 1557 b. Compliance with all applicable state, federal, and local regulations
1558 pertaining to such use, a description of the accommodations, and the
1559 number of people accommodated or cared for, and any structural
1560 requirements deemed necessary for such intended use;
- 1561 c. The amount of space around and between buildings shall be subject to
1562 the approval of the fire chief as being adequate for reasonable circulation
1563 of emergency vehicles or rescue operations and for prevention of
1564 conflagration;
- 1565 d. The proposed use will not adversely affect the surrounding area as to
1566 prevent use or character of the future development;
- 1567 e. ~~Restriction to such intended use except by revision through a subsequent~~
1568 ~~conditional use permit.~~

- 1569 2. Development Standards. Housing for the elderly and physically disabled
1570 facilities shall conform to the following criteria:
 - 1571 a. Lot area per dwelling unit: 1,000 square feet minimum per unit;
 - 1572 b. Passive recreation and/or open space: 200 square feet per unit. In
1573 the city's higher density multiple-family zones, developments are required to
1574 provide active recreational space to help satisfy a portion of the demand for
1575 recreational facilities. Housing for the elderly those in need of care has a similar
1576 need but is of a passive nature. Therefore, passive recreation space and/or open
1577 space shall be provided. Up to 50 percent of the requirement may be indoors;
1578 provided, that the space is utilized exclusively for passive recreation and/or open
1579 space (i.e. arts and crafts rooms, solariums, courtyards). All outdoor recreation
1580 and/or open space areas shall be set aside exclusively for such use and shall not
1581 include areas held in reserve for parking, as per LMC 21.18.800. All open space
1582 and/or recreational areas shall be of a permanent nature, and they may be
1583 restricted to use by tenants only. The use of private and semi-private patios and
1584 balconies in meeting these requirements is not permitted.

1585 ~~D. Living Quarters, Homeless Teenage Parents. Living quarters for homeless parents and their~~
1586 ~~children are permitted in any commercial zone of the city. For the purposes of this section,~~
1587 ~~"living quarters for homeless teenage parents" is defined to mean a building or buildings~~
1588 ~~occupied for living purposes by not more than eight teenage parents and their children.~~

- 1589 1. ~~Supervision and Maximum Occupancy. Such living quarters must have an adult~~
1590 ~~supervisor residing therein. The maximum number residing therein at any time~~
1591 ~~shall not exceed 21, including parents, children, and adult supervisor(s).~~
- 1592 2. ~~Development Regulations and Standards. Subdivision and zoning development~~
1593 ~~standards for living quarters for teenage parents shall be the same as for the low~~

1594 ~~density multiple family residential zone (RML). Such quarter shall be treated as~~
1595 ~~an R occupancy for fire and building codes.~~

1596
1597 **Section 35.** Section 21.46.118, entitled “Limitations on Uses – Light Industrial uses” of the
1598 Lynnwood Municipal Code, is amended to read as follows:
1599

1600 **21.48.118 Limitations on uses – Light industrial uses**

1601 A. General.
1602 1. Scope of Conditions. Wherever these are permitted under conditional use
1603 proceeding, the hearing examiner may stipulate the type of machinery allowable, that the
1604 performance standards and landscaping requirements of the Light Industrial zone shall
1605 apply, that the use must be conducted entirely within a building which is constructed so
1606 as to contain the expected noise, and such other conditions as are necessary to assure
1607 compatibility with surrounding properties.

1608 ~~2. Requirements for Uses Occupying 10,000 Square Feet or Less That are Permitted~~
1609 ~~as a Principal Use. Certain light industrial uses taking up 10,000 square feet or less are~~
1610 ~~allowed without a conditional use permit. No such use will be allowed without a~~
1611 ~~conditional use permit when:~~

- 1612 a. ~~There is a person, corporation, partnership or association with an~~
1613 ~~ownership interest in the business; and~~
- 1614 b. ~~Such person, corporation, partnership or association or any combination~~
1615 ~~thereof has an ownership interest in another business at the same~~
1616 ~~business site or park which has not obtained a conditional use permit~~
1617 ~~because it uses 10,000 square feet or less of floor space; and~~
- 1618 c. ~~The combined space of both businesses or uses exceeds 10,000 square~~
1619 ~~fee~~

1620 B. Public Use Facilities. This use includes facilities owned by a public utility and directly
1621 used in the performance of a public service but does not include offices or warehouses of
1622 a public utility. Public utility offices and warehouses are permitted in the same zones and
1623 on the same basis as other offices and warehouses.

1624 ~~C. Auto Wrecking Yards and Recycling Collection Centers. These uses may be permitted~~
1625 ~~by conditional use permit. In considering such a conditional use permit application, the~~
1626 ~~hearing examiner shall take into account all impacts upon the surrounding neighborhood~~
1627 ~~with particular emphasis on visual, noise, water quality, and dust impacts. Due to the~~
1628 ~~demonstrated tendency of wrecking yards and recycling collection centers to be visually~~
1629 ~~offensive, such uses should not be located adjacent to residential zoning or to established~~
1630 ~~business uses of such low intensity or having such an aesthetic emphasis as to be~~
1631 ~~adversely impacted by close proximity to a wrecking yard or recycling collection center.~~
1632 ~~The hearing examiner may prescribe any conditions deemed necessary to minimize the~~
1633 ~~impacts of such uses.~~

1634
1635 **Section 36.** Section 21.46.119, entitled “Limitations on Uses – Other uses” of the Lynnwood
1636 Municipal Code, is repealed.

1637
1638 ~~**21.46.119 Limitations on uses – Other Uses**~~

1639 ~~A. Licensed Dance Halls. All conditional and special use permit applications for licensed~~
1640 ~~dance halls shall be evaluated for potential adverse impacts related, but not limited to,~~
1641 ~~noise, traffic, and the adequacy of on-site parking. Applications shall also be evaluated~~
1642 ~~for locational and design considerations which might foster potential nuisances or~~

1643 ~~criminal activities. The minimum standards which shall be required of any such~~
1644 ~~proposed uses are as follows:~~
1645 ~~1. A separation of at least 300 feet between the building which the dance hall~~
1646 ~~occupies and the nearest residentially zoned property, as measured in a straight~~
1647 ~~line without regard to any intervening building, shall be required.~~
1648 ~~2. The parking standards for dance halls stated in Chapter 21.18 LMC shall apply.~~
1649 ~~3. All abutting streets shall be improved to the standards of the Lynnwood public~~
1650 ~~works department.~~
1651 ~~B. Charitable or Relief Supplies Collection and Storage. Centers for the collection,~~
1652 ~~temporary storage and distribution of charitable or relief supplies may be permitted upon~~
1653 ~~approval of a conditional use permit. In considering such a conditional use permit~~
1654 ~~application, the hearing examiner may impose restrictions on outdoor storage, truck~~
1655 ~~parking, and use of machinery, and may impose such other conditions as are necessary to~~
1656 ~~assure compatibility with surrounding properties.~~
1657

1658 **Section 37.** Section 21.48.210, entitled "Additional development standards" of the Lynnwood
1659 Municipal Code, is amended to read as follows:

1660 **21.48.210 Additional development standards**

- 1661 A. Site Screening Standards for Outdoor Displays and Outdoor Storage Areas. Any outdoor
1662 displays or outdoor storage permitted in this zone, and which are not affected by the
1663 standards of LMC 21.48.220, shall be enclosed within a site-screening fence of sufficient
1664 height to effectively screen the outdoor display or storage from view, and not less than
1665 six feet high in any case, set back five feet from the property line. The outer five feet
1666 shall be landscaped with evergreen conifer trees with a minimum height of six feet at
1667 planting spaced a maximum of 15 feet on center and low evergreen plantings which will
1668 mature to a total groundcover within five years; provided, however, that where these
1669 requirements do not apply because the principal use of a property involves the display of
1670 merchandise for view from the streets, the display area shall be improved as a parking lot
1671 (except for paving where the nature of the merchandise makes paving impractical) with a
1672 10-foot planting strip along the entire street frontage, as per subsection (B)(2)(b) of this
1673 section. Display areas shall be segregated from the required customer parking so that
1674 there is always sufficient customer parking to meet the minimum parking requirements of
1675 this code.
- 1676 B. Parking.
- 1677 1. Required Number of Stalls. See Chapter 21.18.LMC, with the exception of
1678 residential parking below.
- 1679 2. Residential parking shall have a minimum of one and a maximum of one and
1680 one half spaces per dwelling units or as determined by the Community Development
1681 Director based upon data submitted by the applicant.
- 1682 ~~2.3.~~ Landscaping in Parking Areas.
- 1683 a. Purpose. The purpose of these landscaping provisions is:
- 1684 i. To break up the visual blight created by large expanses of barren
1685 asphalt which make up a typical parking lot;
- 1686 ii. To encourage the preservation of mature evergreens and other
1687 large trees which are presently located on most undeveloped
1688 sites in this city;
- 1689 iii. To insure the preservation of land values in commercial zones by
1690 creating and inuring an environmental quality which
1691 complements the commercial objectives of the respective land.
1692

1693 b. Planting at Street Frontages. Development sites with parking areas
1694 located between the sides of the building ~~opposite the street~~ and interior property
1695 lines shall provide a 10-foot wide planting area along the entire street frontage,
1696 except for driveways, walkways and other pedestrian spaces. Development sites
1697 within single-aisle, double-loaded parking areas located between buildings and
1698 the street right-of-way, ~~parking areas between buildings or parking areas between~~
1699 ~~buildings and the closest side property line~~ shall provide a 15-foot wide planting
1700 area along the entire street frontage with the same above exceptions.
1701 Development sites with multi-aisle parking areas located between buildings and
1702 the street right-of-way shall provide a 20-foot wide planting area along the entire
1703 street frontage with the same above exceptions. Exception: At a regional
1704 shopping center developed or redeveloped after April 13, 2002, with a gross
1705 leaseable floor area of 1,140,000 square feet or greater, the minimum width of
1706 the street frontage landscape area shall be 10-feet, with the same above
1707 exceptions.

1708 Plantings shall consist of ornamental landscaping of low plantings and
1709 high plantings. The minimum height of trees shall be eight feet for evergreen
1710 trees and 10 feet for all other species. Trees shall be spaced a maximum of 25
1711 feet on center with branches eliminated to a height of six feet where necessary to
1712 prevent sight obstruction. The required trees in this planting area may be located
1713 within the adjacent street right-of-way as long as they comply with Lynnwood
1714 Citywide Design Guidelines, as adopted by reference in LMC 21.25.145(B)(3),
1715 and are approved by the public works department. Low evergreen plantings, or
1716 a mixture of low evergreen and deciduous plantings with a maximum height of 30
1717 inches, shall be provided so as to achieve 50 percent groundcover within two
1718 years. This landscaping plan (providing for coordination of the landscaping
1719 throughout the PRC zone) shall be submitted and approved prior to the issuing of
1720 the first building permit.

1721 The location and width of the planting area may be modified in
1722 accordance with the following provisions: that up to five feet of the total width
1723 required may be installed in portions of city right-of-way which are not covered
1724 by impervious surfaces or, in the case of right-of-way which is not fully
1725 improved, are not projected to be covered by impervious surfaces upon full
1726 improvement.

1727 c. Landscaping in Right-of-Way. Property owners who install landscaping
1728 on portions of right-of-way not covered by impervious surfaces shall provide the
1729 city with a written release of liability for damages which may be incurred to the
1730 planting area from any public use of the right-of-way and an indemnity to the city
1731 against any injuries occurring within that portion of right-of-way so utilized.

1732 d. Coverage. Five percent of the parking areas located ~~only between on~~ the
1733 sides ~~and rear~~ of buildings ~~opposite the street~~ and interior property lines; 10
1734 percent of parking areas between buildings ~~and, between buildings and the~~
1735 ~~closest side property line, or~~ single-aisle, double-loading parking areas located
1736 between buildings and the street; and 15 percent of multi-aisle parking areas
1737 located between buildings and street shall be in landscaping (exclusive of
1738 landscaping on the street frontages and required landscape buffers) except that at
1739 a regional shopping center developed or redeveloped after April 13, 2002 with a
1740 gross leaseable area of 1,140,000 square feet or greater, all open parking areas
1741 shall have a minimum landscape coverage of eight percent; provided that:

1742 i. No landscaping areas shall be less than 25 feet square feet on area or
1743 less than three feet in width;

- 1744 ii. No parking stall shall be located more than 45 feet from a landscaped
- 1745 area; and
- 1746 iii. All landscaping must be located between parking stalls, at the end of
- 1747 parking columns, or between parking stalls and the property lines.
- 1748 e. Landscaping Adjacent to Parking Stalls.. Where landscaping areas which
- 1749 fulfill city standards are adjoined by angular or perpendicular parking stalls,
- 1750 landscaping in the form of groundcover materials or plants may be installed in
- 1751 that portion of any parking stall which will be ahead of the wheels and adjacent
- 1752 to the landscaped area; provided, that curbing or wheel stops are installed in a
- 1753 position which will protect the plants from damage. Such landscaping shall not
- 1754 be construed to be part of the percentage of landscaped area required by this
- 1755 chapter nor a reduction of the parking stall.
- 1756 f. Additional Landscaping along Specified Streets. Along streets where it
- 1757 may be desirable and feasible to obtain a higher degree of continuity in
- 1758 landscaping from property to property than is provided for here, the city council,
- 1759 upon recommendation by the planning commission, may designate specific street
- 1760 frontage landscaping plans for those streets. See Chapter 21.06 LMC.
- 1761 C. Fences and Hedges. Fences and hedge regulations are as provided in Chapter 21.10
- 1762 LMC.
- 1763

1764 **Section 39.** Table I-1. Plan and Zone Consistency of the Implementation Element of the City of
 1765 Lynnwood Comprehensive Plan is amended to read as follows:

1766 **Section 40.** Chapter 5.92 entitled “Living Quarters for Homeless”, of the Lynnwood Municipal Code,
 1767 including Sections 5.92.010 (Definitions), 5.92.020 (License), 5.92. 030 (Adult Supervisor), 5.92.040
 1768 (Maximum number of persons) and 5.92.050 (Preference) is repealed.

1769 **Section 41. Amendment – New (Definitions).** LMC 21.02.275 (Distribution Center) is hereby added to
 1770 read as follows:

1771 **21.02.275 Distribution Center**

1772 “Distribution Center” is a warehouse or other specialized building, often with
 1773 refrigeration or air conditioning, which is stocked with products (goods) to be redistributed to
 1774 retailers, to wholesalers, or directly to consumers.

1775 **Section 42. Amendment – New (Definitions).** LMC 21.02.049 (Assisted Living Facility) is hereby
 1776 added to read as follows:

1777 **21.02.049 Assisted Living Facility**

1778 “Assisted living facility” also known as “assisted living residences”, “continuing care
 1779 community” and “Alzheimers/dementia care facility”) means an establishment which provides
 1780 full time convalescent or chronic care or both for three or more individuals who are not related by
 1781 blood or marriage to the operator or who, by reason of chronic illness or infirmity, are unable to
 1782 care for themselves. No care for acutely ill, or surgical or obstetrical service shall be provided in
 1783 such homes. A hospital or sanitarium shall not be construed to be included in this definition.
 1784 This definition was formerly called “nursing or convalescent home”.

1785 **Section 43. Repeal (Definitions).** LMC 21.02.441 (Housing for the elderly and physically disabled) is
 1786 repealed

1787 **~~21.02. 441 Housing for the Elderly and Physically Disabled.~~**

1795 ~~————— “Housing for the elderly and physically disabled” means multiple dwelling housing~~
 1796 ~~which is designed for the particular needs of those elderly and physically disabled who may have~~
 1797 ~~functional limitations due to advanced age or physical impairment but are otherwise in good~~
 1798 ~~health. Residents of such housing can maintain an independent or semi-independent lifestyle and~~
 1799 ~~do not require more intensive care as provided in a nursing or convalescent home. For the~~
 1800 ~~purposes of this definition, elderly shall typically mean 62 years of age or older. Design features~~
 1801 ~~may include but are not limited to wide doors and hallways and low counters to accommodate~~
 1802 ~~wheel chairs, support bars, specialized bathroom and kitchen fixtures, and common dining,~~
 1803 ~~recreation, or lounge areas. That term “housing for the elderly and physically disabled” shall~~
 1804 ~~include congregate care.” The definition shall not be construed to include facilities to house~~
 1805 ~~persons under the jurisdiction of the superior court or the Board of Prison Terms and Paroles.~~
 1806

1807 **Section 44. Repeal (Definitions).** LMC 21.02.530 (Nursing or convalescent home) is repealed.
 1808

1809 ~~**21.02. 530 — Nursing or convalescent home.**~~

1810 ~~————— “Nursing of convalescent home” means an establishment which provides full time convalescent~~
 1811 ~~or chronic care or both for three or more individuals who are not related by blood or marriage to the~~
 1812 ~~operator or who, by reason of chronic illness or infirmity, are unable to care for themselves. No care for~~
 1813 ~~acutely ill, or surgical or obstetrical service shall be provided in such homes. A hospital or sanitarium~~
 1814 ~~shall not be construed to be included in this definition. This definition was formerly called “nursing or~~
 1815 ~~convalescent home.~~
 1816

1817 **Section 45. Amendment – New (Definitions).** LMC 21.02.659 (Senior housing) is hereby added to read
 1818 as follows:
 1819

1820 **21.02. 659 Senior housing.**

1821 “Senior housing” means multiple dwelling housing which is designed for the particular
 1822 needs of those elderly and physically disabled who may have functional limitations due to
 1823 advanced age or physical impairment but are otherwise in good health. Residents of such housing
 1824 can maintain an independent or semi-independent lifestyle and do not require more intensive care
 1825 as provided in a nursing or convalescent home. For the purposes of this definition, elderly shall
 1826 typically mean ~~62~~ 55-years of age or older. Design features may include but are not limited to
 1827 wide doors and hallways and low counters to accommodate wheel chairs, support bars,
 1828 specialized bathroom and kitchen fixtures, and common dining, recreation, or lounge areas. The
 1829 term “senior housing” shall include “congregate care”, and independent living community.” The
 1830 definition shall not be construed to include facilities to house persons under the jurisdiction of the
 1831 superior court or the Board of Prison Terms and Paroles.
 1832

1833 **Section 46.** Table I-1. Plan and Zone Consistency of the Implementation Element of the City of
 1834 Lynnwood Comprehensive Plan is amended to read as follows:
 1835

1836 **Table I-1 Plan and Zone Consistency**

Plan Land Use Designation	Consistent Zoning
SF-1 – Low-density Single-family	RS-8 – Low density Single-family MHP – Mobile Home Park
SF-2 – Medium-density Single-family	RS-7 – Medium-density Single-family MHP – Mobile Home Park
SF-3 – High-density Single-family	RS-4 – High Density Single-family MHP – Mobile Home Park
MF-1 – Low-density Multi-family	RML – Low-density Multi-Family

	MHP – Mobile Home Park
MF-2 – Medium-density Multi-Family	RMM – Medium-density Multi-Family MHP – Mobile Home Park
MF-3 – High-density Multi-Family	RMH – High-density Multi-family MHP – Mobile Home Park
MU – Mixed Use	MU – Mixed Use CDM – College District Mixed Use CR – Commercial-Residential PCD – Planned Commercial Development
LC – Local Commercial	B-3 NC – Neighborhood Commercial
CC – Community Commercial	B-2 – Limited Business
RC – Regional Commercial	B-1 Community Business NC – Neighborhood Commercial CG – General Commercial PCD – Planned Commercial Development PRC – Planned Regional Center
City Center	CC-W – City Center-West CC-C – City Center Core CC-N – City Center-North
BT – Business/Technical Park	BTP – Business/Technical Park
I – Industrial	LI – Light Industrial
PF - Public Facilities	P-1 – Public Use
PRO – Parks, Recreation, and Open Space	P-1 – Public Use
H99 – Highway 99 Corridor	HMU – Highway 99 Mixed Use CG – General Commercial
Alderwood – City Center Transition Area	ACC – Alderwood-City Center Transition Area
SF-4 – High Density- Single Family MUGA	TBD
WFB – Waterfront Beach	TBD
MUCTR – Mixed Use Urban Center	TBD

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Section 47. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 48. This Ordinance shall take effect and be in full force and effect immediately upon passage, as set forth herein.

PASSED BY THE CITY COUNCIL, the __day of __, 2016.

APPROVED:

Nicola Smith, Mayor

ATTEST/AUTHENTICATED:

APPROVED AS TO FORM:

Rosemary Larson

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21.02.272 — Dance, public.

“Public dance” means any dance that is open to the public and which:

- A. Is conducted for a profit, direct or indirect; or
- B. Requires a monetary payment or contribution from the person admitted.

The term “public dance” does not include a banquet, party or celebration conducted for invited guests which is not open to the public.

21.02.273 — Dance hall, license.

“Licensed dance hall” means any place or premises where a public dance is conducted, including but not limited to all parking areas, hallways, bathrooms, and adjoining areas accessible to the public during the dance and which is required to be licensed pursuant to Chapter 5.25 LMC. For the purposes of this title, the term “licensed dance hall” shall not include:

- A. Businesses which provide areas for dancing accessory to a restaurant or tavern use. A dance area is accessory to a restaurant or tavern if it is less than 25 percent of the total floor area of the restaurant or tavern; or
- B. Commercial recreation business (e.g. skate rinks) which occasionally conduct public dances on the premises.

21.02. 441 — Housing for the Elderly and Physically Disabled.

“Housing for the elderly and physically disabled” means multiple dwelling housing which is designed for the particular needs of those elderly and physically disabled who may have functional limitations due to advanced age or physical impairment but are otherwise in good health. Residents of such housing can maintain an independent or semi-independent lifestyle and do not require more intensive care as provided in a nursing or convalescent home. For the purposes of this definition, elderly shall typically mean 62 years of age or older. Design features may include but are not limited to wide doors and hallways and low counters to accommodate wheel chairs, support bars, specialized bathroom and kitchen fixtures, and common dining, recreation, or lounge areas. That term “housing for the elderly and physically disabled” shall include congregate care.” The definition shall not be construed to include facilities to house persons under the jurisdiction of the superior court or the Board of Prison Terms and Paroles.

21.02. 530 — Nursing or convalescent home.

“Nursing or convalescent home” means an establishment which provides full time convalescent or chronic care or both for three or more individuals who are not related by blood or marriage to the operator or who, by reason of chronic illness or infirmity, are unable to care for themselves. No care for acutely ill, or surgical or obstetrical service shall be provided in such homes. A hospital or sanitarium shall not be construed to be included in this definition. This definition was formerly called “nursing or convalescent home.”

1897 On the day of , 2016, the City Council of the City of Lynnwood, Washington, passed
1898 Ordinance No._. A summary of the content of said ordinance, consisting of the title,
1899 provides as follows:

1900 AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, RELATING TO
1901 CHAPTER 21.02 DEFINITIONS (REPEALING SECTIONS 21.02.272 21.02.273, LMC
1902 21.02.441 AND LMC 21.02.530 AND ADDING LMC 21.02.049, 21.02.275 AND
1903 21.02.659); CHAPTER 21.46 COMMERCIAL ZONES, (AMENDING SECTIONS
1904 21.46.050, 21.46.100, 21.46.110, 21.46.111, 21.46.112, 21.46.116, 21.46.118,
1905 21.46.119, 21.46.120, 21.46.210, 21.46.220 AND 21.46.900, AND REPEALING
1906 SECTIONS 21.46.112 AND 21.46.113); CHAPTER 21.48 PLANNED REGIONAL
1907 SHOPPING CENTER ZONE (AMENDING SECTIONS LMC 21.48.100, LMC
1908 21.48.113, LMC 21.48.116, LMC 21.48.118 AND 21.48.210 AND REPEALING
1909 SECTIONS LMC 21.48.112, LMC 21.48.115 AND LMC 21.48.119); AND REPEALING
1910 CHAPTER 5.92 IN ITS ENTIRETY OF THE LYNNWOOD MUNICIPAL CODE, AND
1911 AMENDING TABLE I-1 OF THE IMPLEMENTATION ELEMENT OF THE
1912 COMPREHENSIVE PLAN, PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND
1913 SUMMARY PUBLICATION.

1914 .

1915

1916 The full text of this Ordinance will be mailed upon request.

1917

1918 DATED this_day of June , 2016.

1919

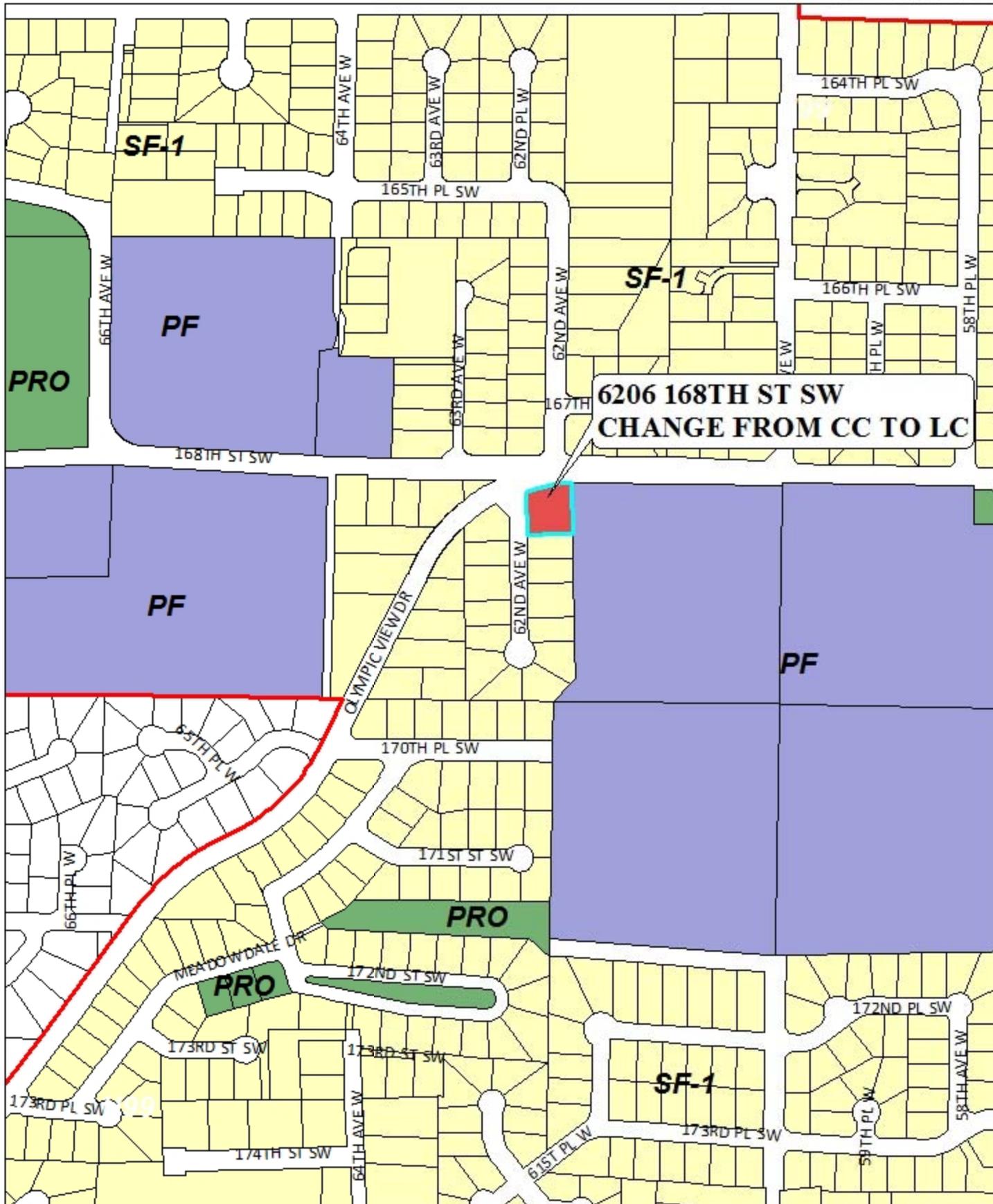
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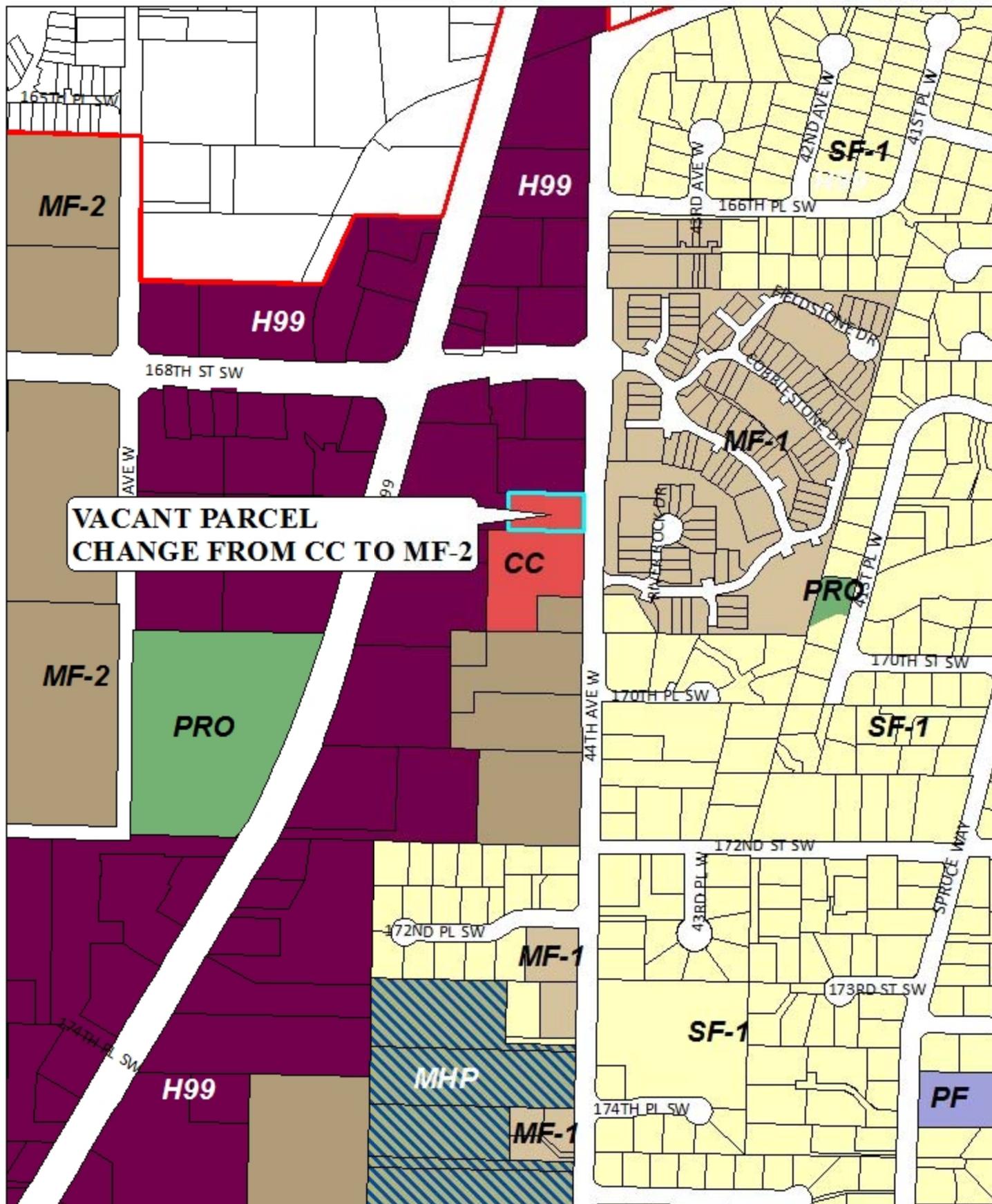
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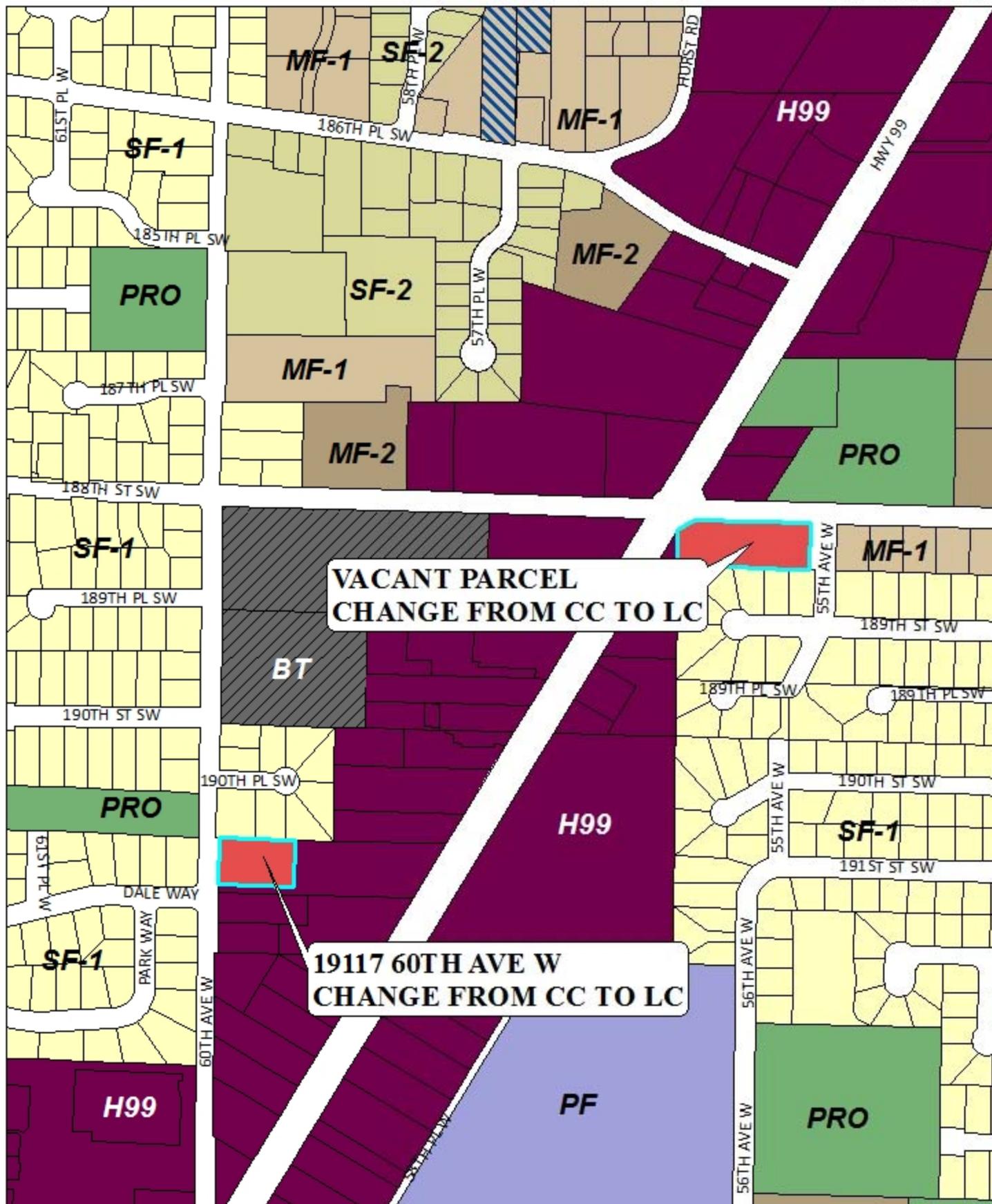
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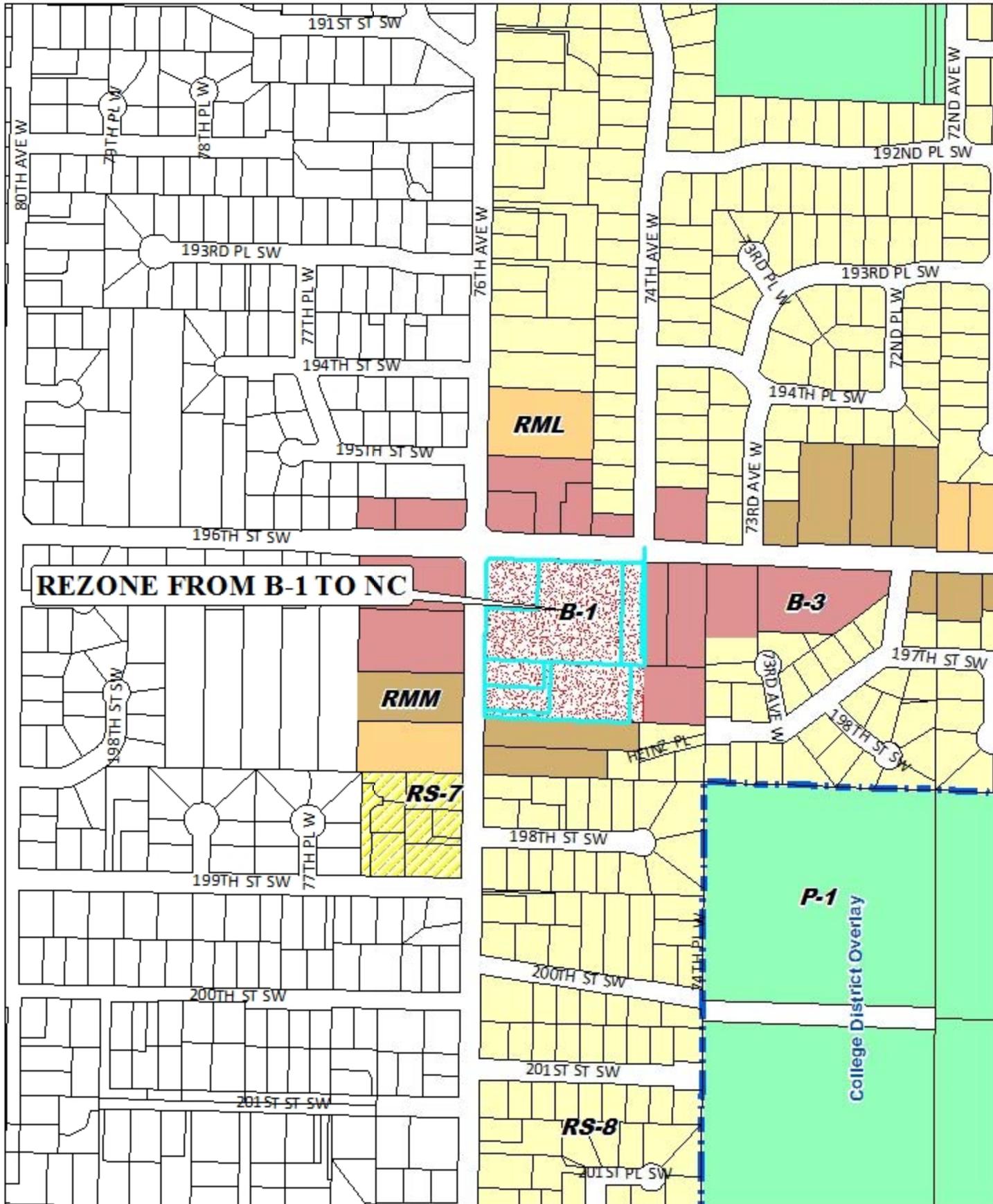
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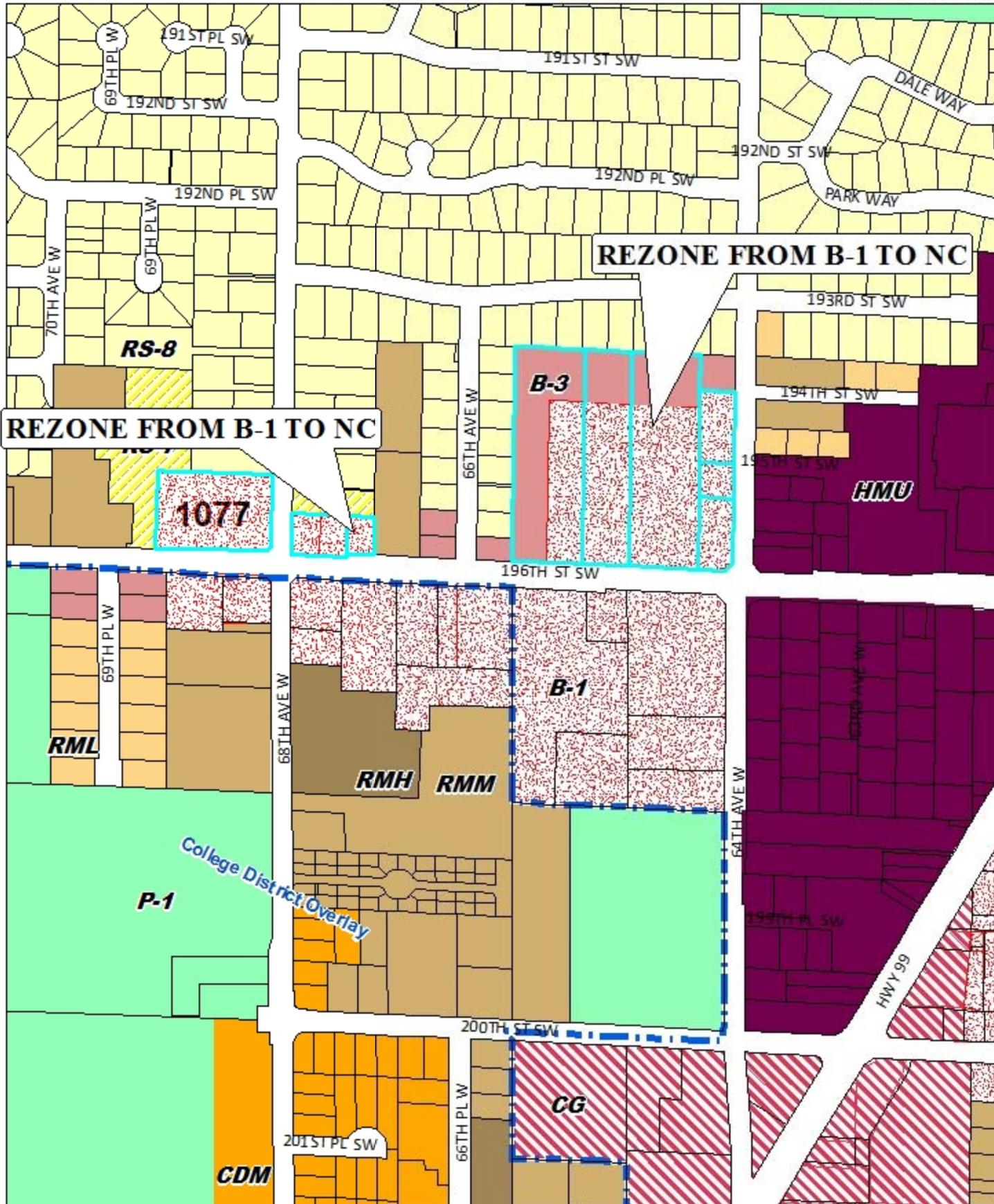
Finance Director

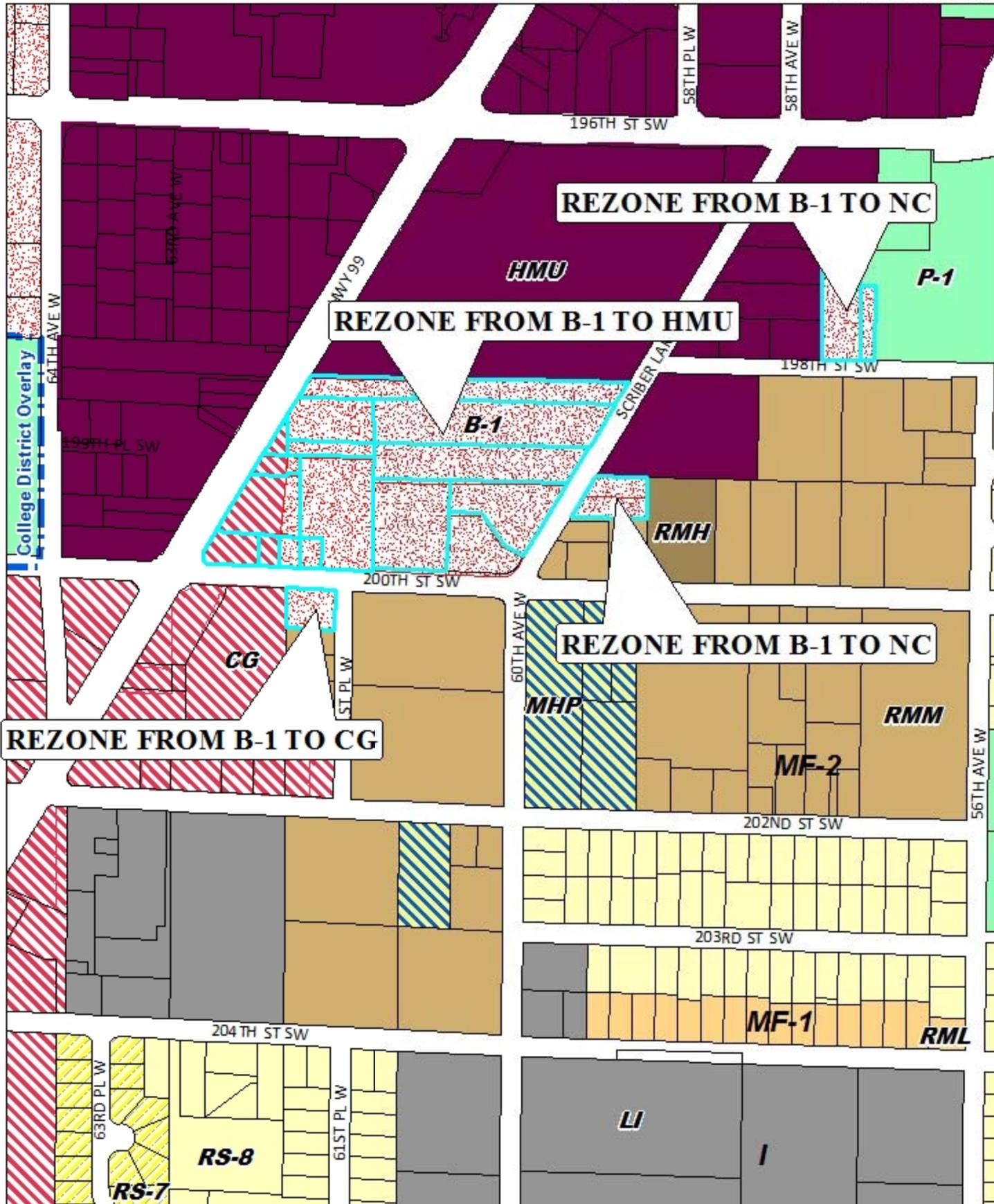


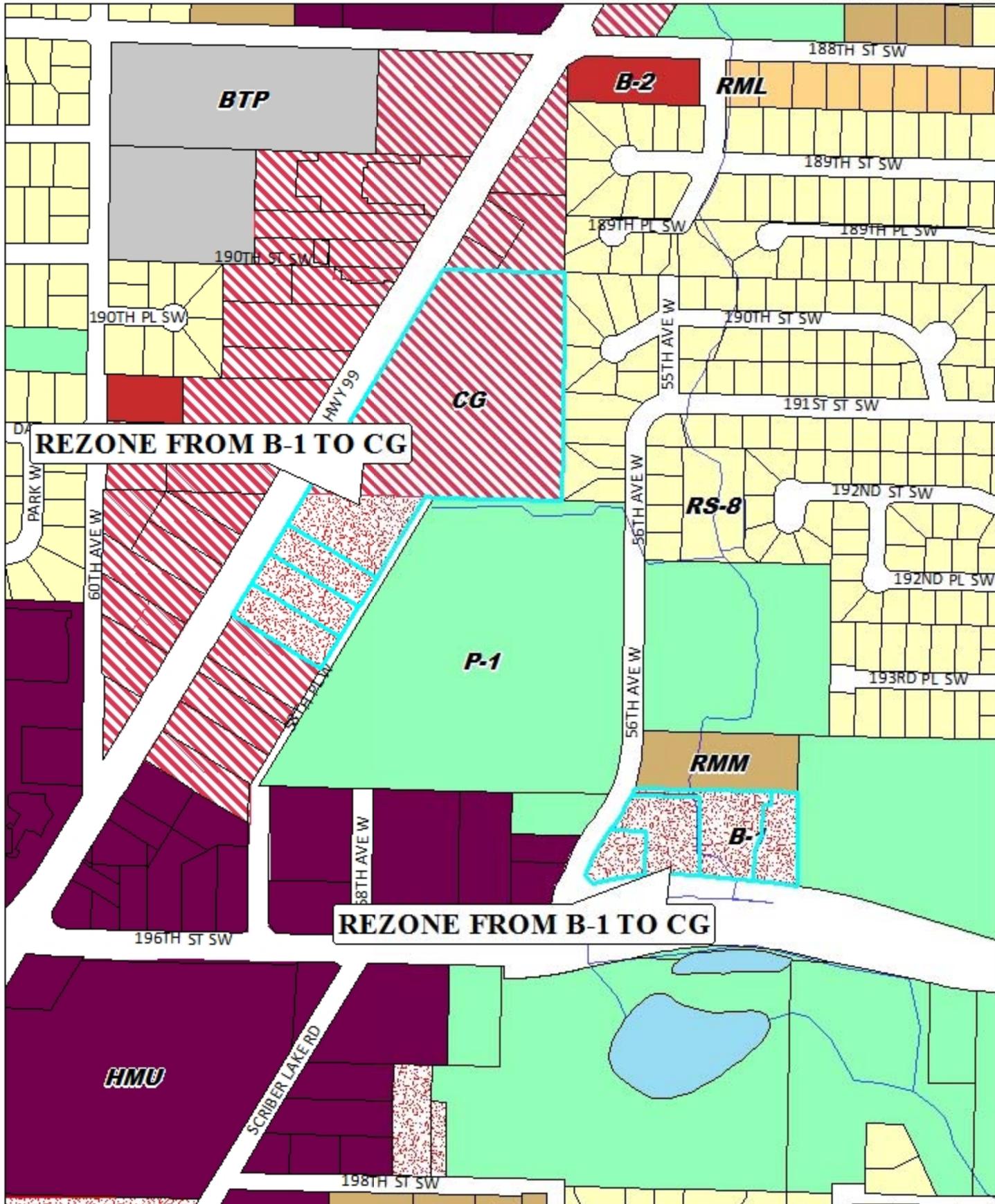


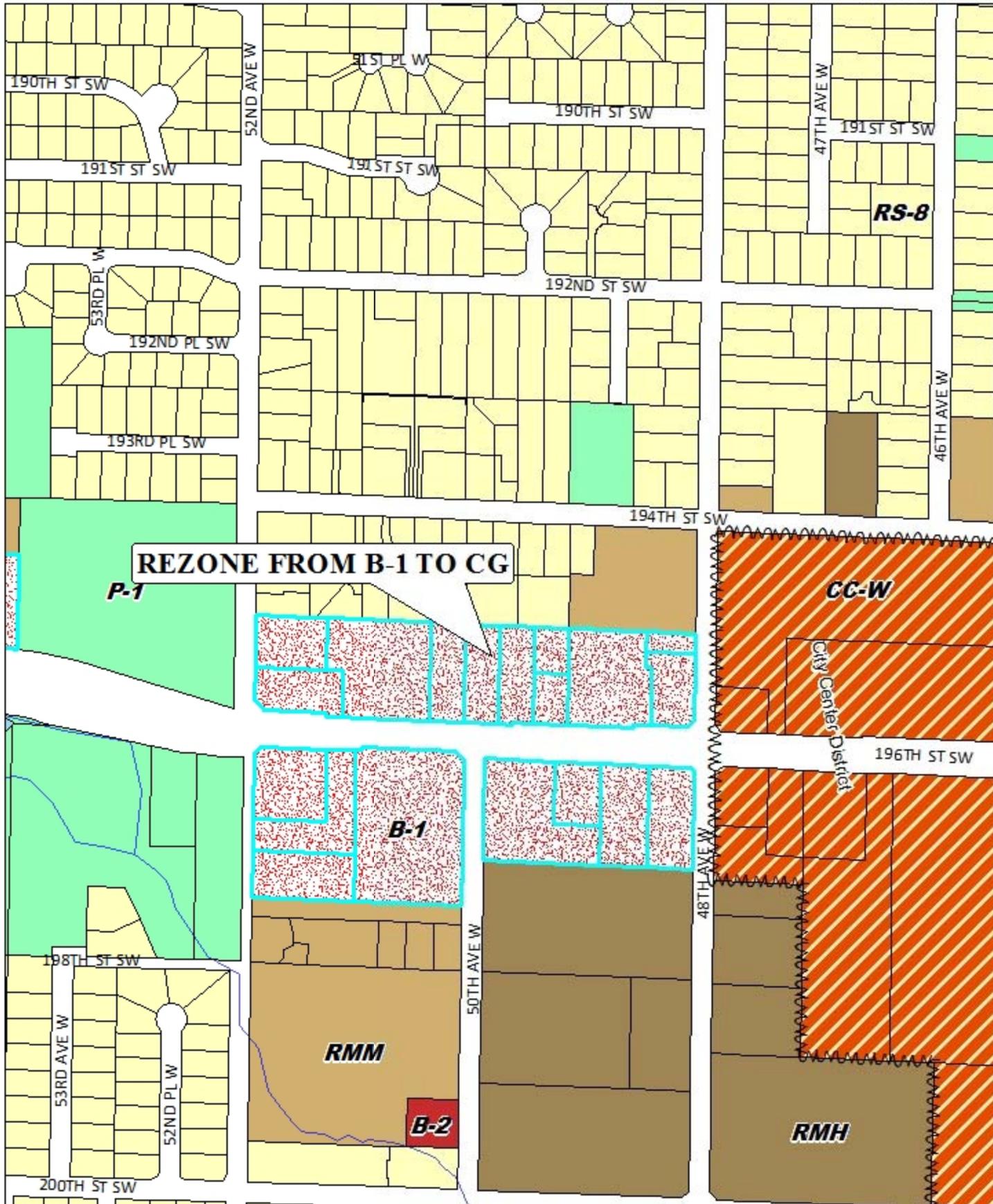


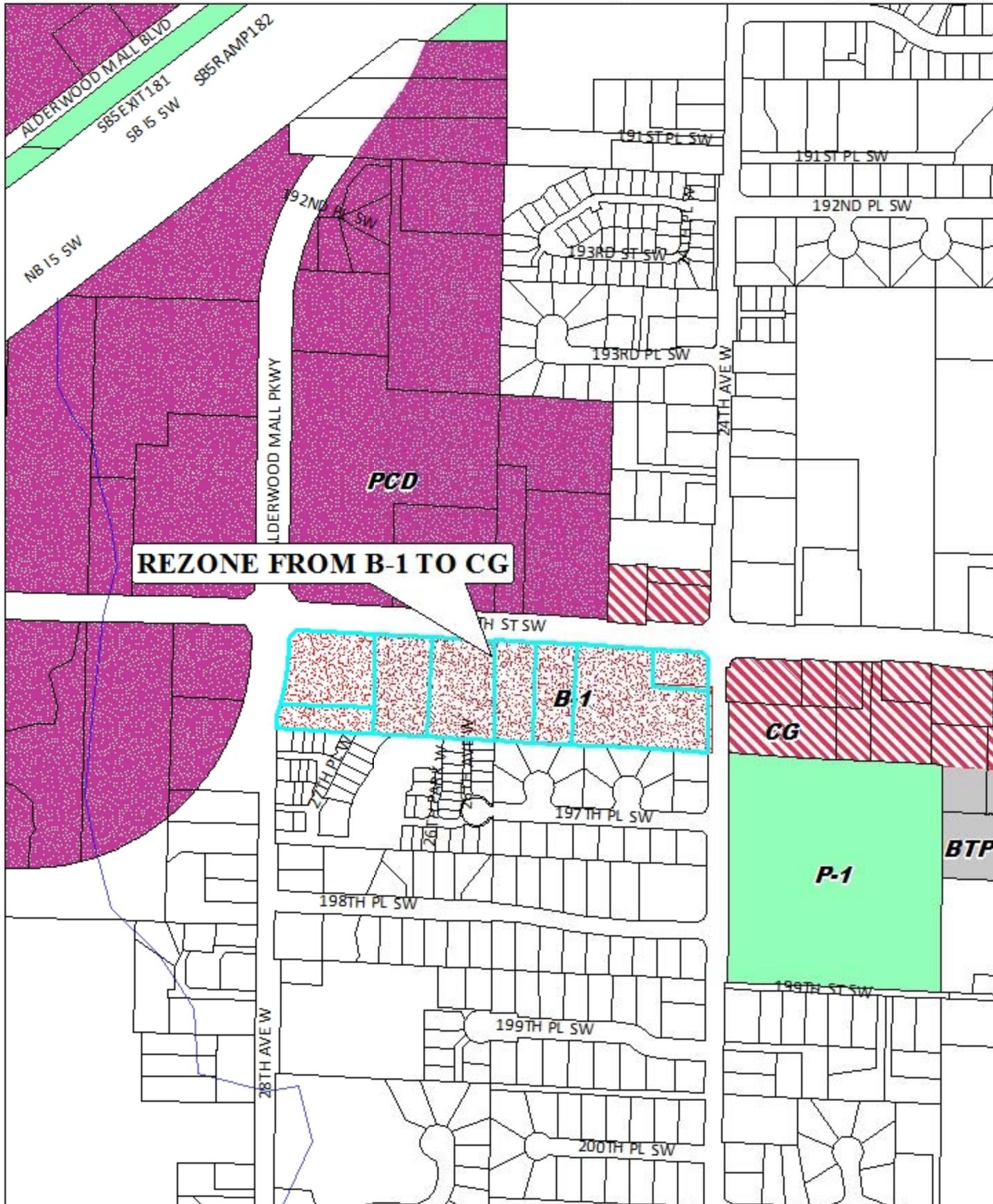


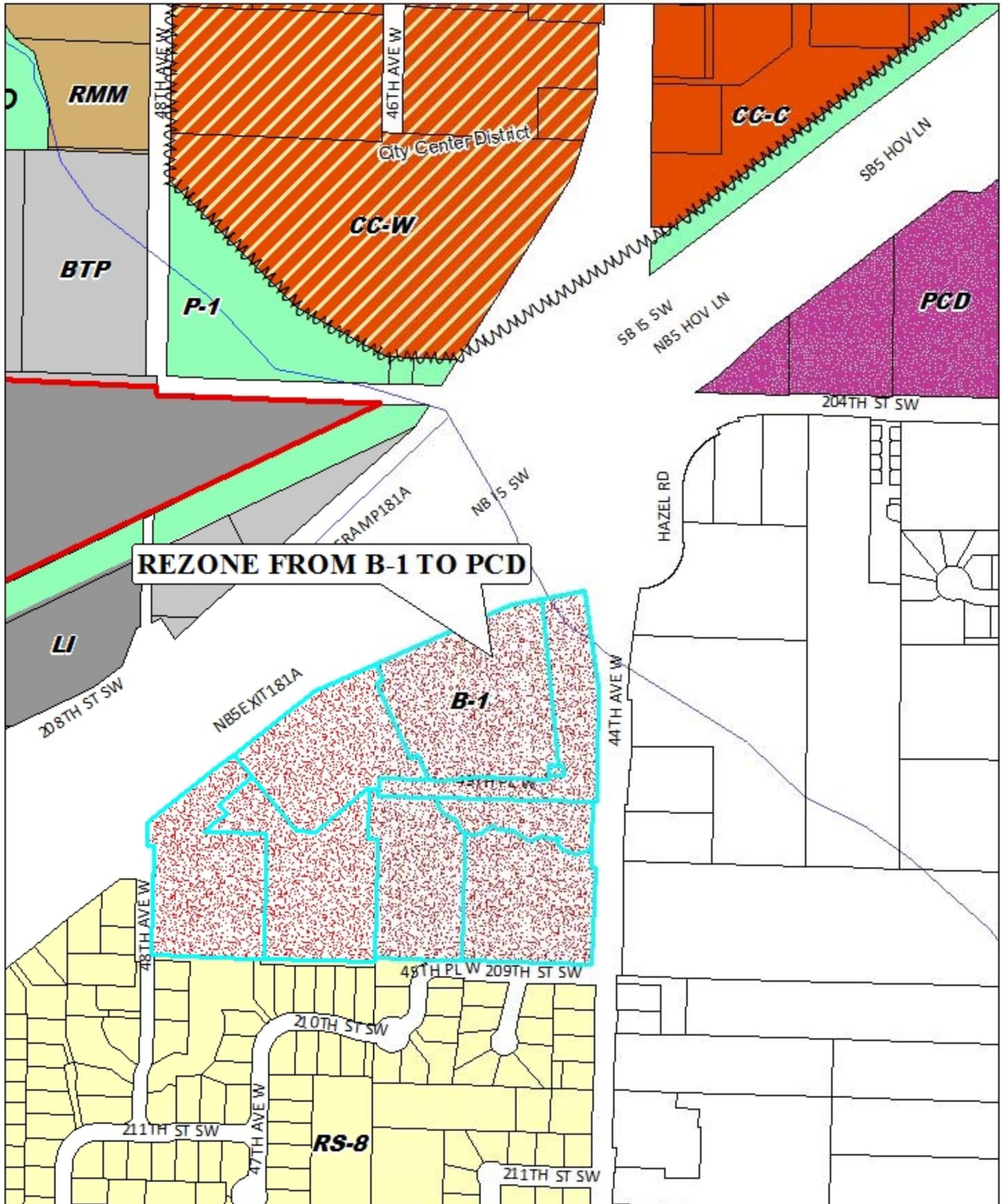












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Topic: Detached ADUs (DADUs)
(File No. CAM-003688-2016)

Agenda Item: E.3

Staff Report

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

Staff Contact: Chanda Emery, AICP, Senior Planner, Community Development

Summary

The purpose of this agenda item is to introduce the topic of detached accessory dwelling units as an affordable housing option. Research has demonstrated that options for affordable housing are imperative to social equity and the ability to age-in-place as many of today's households desire to keep families together.

Action

City staff requests that the Planning Commission provide direction and feedback on whether or not staff should pursue this code amendment further to add the word "detached" to the existing ADU code language.

Background

The 1993 Washington Housing Policy Act requires that certain cities and counties adopt ordinances to encourage the development of affordable housing options in single family zones (specifically cities with populations of over 20,000 and cities that plan under the Growth Management Act).

One of the primary goals stated in the City of Lynnwood's Comprehensive Plan is affordable housing. The Comprehensive Plan articulated the City's strong commitment to expand housing choices and to tackle affordability issues using a variety of tools. This includes exploring different housing types and changes in land use/zoning codes and development standards as tools to expand those choices.

Specifically, this initiative addresses the following goals and policies listed in the Housing Element of the City's Comprehensive Plan:

GOAL 1: Provide for sufficient availability and a variety of opportunities for safe, decent, and affordable housing in strong, cohesive neighborhoods to meet the needs of present and future residents of Lynnwood.

Two of the most relevant affordable housing policies of the City are as follows:

Policy H-21 *Encourage the development of affordable housing for all income levels.*

Policy H-30 *The City shall facilitate affordable home ownership and rental opportunities by promoting an increased supply of lower cost housing types...*

In Washington State, local codes were required to incorporate the model ordinance recommendations prepared by the Department of Commerce (see RCW 43.63.A.215 and RCW 36.70A.400). In response to this Act, the City of Lynnwood adopted regulations in 1995.

In order to meet our State of Washington mandated goals and policies for affordable housing, City staff is proposing this nonproject proposal to amend Lynnwood Municipal Code (LMC) Title 21 Zoning to allow for DADUs. Staff recommends changes to Chapter 21.02 Definitions, Chapter 21.42 Residential Single Family as well as changes to the fees listed in Title 3 Finance Chapter 3.104 Fees and Charges.

What is a Detached ADU (DADU)?

Detached ADU (DADU): *A Detached Accessory Dwelling Unit is an extra living unit on your property, complete with kitchen, bathroom and bedroom but it is detached from the primary home and only located in the backyard, such as above a garage.*

What are the benefits of owning a DADU for a homeowner?

- » **Extra Housing**
Meeting a family need by having a grandparent or college student living nearby.
- » **Companionship, Security, and Home Help**
Others to keep you company, look after your well-being, or help out around the house.
- » **First Time Homebuyers**
Possibly qualify for a larger home loan, have extra income, or more choice in using your home.

Several Other Jurisdictions have adopted DADU Regulations:

- City of Redmond – has amended its DADU regulations about a year ago to eliminate barriers to development of DADUs; approximately 30 units have been approved and/or constructed
- City of Kirkland – has approved 138 units since it adopted its regulations in 1995, an average of about 10 per year
- City of Shoreline – approximately 29 units have been approved and/or constructed since 2001

Research indicates that the average unit size for a detached unit is 631 square feet. For comparison purposes, a typical studio apartment is usually 500 to 600 square feet¹.

The proposed code amendment is simple. Staff is proposing to merely add the word “detached” in the code language to allow for these units to be constructed. There will be no changes to any of the existing development standards. Homeowners would be required to meet current adopted ADU codes which are restrictive to the maximum size of the unit, number of parking spaces required, minimum lot sizes and setbacks. It does not change permitted densities. It does not change zoning standards. The development will meet the existing code for lot area, lot width, building setbacks, parking and development will be required to be located within the rear yard only.

Previous Planning Commission/City Council Actions

- With the passage of the Growth Management Act (GMA) in 1990, the City of Lynnwood adopted ADU language in 1995 to meet state mandates.
- In 2010, both City staff and the Planning Commission proposed changing the code to allow for DADUs. At the recommendation of the Planning Commission, City staff prepared an ordinance to allow for DADUs. However, when staff presented the ordinance to the City Council, the word “detached” was eliminated from the ordinance.

Recommendation

Unless the Planning Commission instructs otherwise, staff will schedule a public hearing for this matter.



¹ARCH, 2016; AHA, 2016.