

## **AGENDA**

### **Lynnwood Planning Commission**

#### **Meeting**

**Wednesday, October 26, 2016 — 7:00 pm**

Council Chambers, Lynnwood City Hall  
19100 44<sup>th</sup> Ave. W, Lynnwood, WA 98036

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**A. CALL TO ORDER – ROLL CALL**

**B. APPROVAL OF MINUTES**

1. September 22, 2016 meeting and October 12, 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**

1. 2016 Comprehensive Plan Amendments and Rezones
2. Chapter 21.46 and 21.48 Zoning and Mapping Amendments
3. Detached Accessory Dwelling Units (DADUs)

**E. WORK SESSION TOPICS**

None.

**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  
September 22, 2016 Meeting**

<b>Commissioners Present:</b>	<b>Staff Present:</b>
Chad Braithwaite, Chair	Todd Hall, Planning Manager
Robert Larsen, First Vice Chair	Sarah Olson, Parks Deputy Director
Michael Wojack, Second Vice Chair	Gloria Rivera, Senior Planner
Maria Ambalada	Chanda Emery, Senior Planner
Shanon Tysland	
<b>Commissioners Absent:</b>	
Richard Wright	<b>Other:</b>
Doug Jones	

**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**

Vice Chair Larsen referred to page 3, lines 32-34, and asked if the statement was accurate. Senior Planner Rivera replied that it is true in certain zones like the College District Mixed Use which is why staff was proposing a change to allow single-family expansion for a current house.

**Motion** made by Vice Chair Larsen, seconded by Commissioner Tysland, to approve the July 14, 2016 Planning Commission minutes as presented. **Motion** passed unanimously (5-0).

**2. Approval of the Minutes of the August 11, 2016 Meeting**

**Motion** made by Commissioner Wojack, seconded by Commissioner Ambalada, to approve the August 11, 2016 Planning Commission minutes as presented. **Motion** passed unanimously (5-0).

**Citizen Comments**

None

**Public Hearing**

None

1  
2  
3 **Work Session**

4  
5 **1. 2016 Comprehensive Plan Amendments and Rezone**

6  
7 Planning Manager Todd Hall introduced the remaining Comprehensive Plan  
8 Amendments. These included the Kid City LLC Comprehensive Plan Amendment  
9 and Rezone; the Parks, Recreation, and Open Space Element Comprehensive  
10 Plan Amendments; and the Community Character Element Comprehensive Plan  
11 Amendments. All three were approved as part of the docket earlier this year.  
12

13 Kid City LLC Comprehensive Plan Amendment and Rezone: Planning Manager  
14 Hall reviewed the location of this item on the map. He explained this is a  
15 privately-initiated amendment to the Future Land Use Map and a concurrent  
16 rezone to change the designation of the parcel located at 6009 – 168<sup>th</sup> Street  
17 from Low Density Single Family to Local Commercial and also a rezone and a  
18 Zoning Map change from Residential 8400 square feet (RS-8) to Neighborhood  
19 Commercial (B-3). He noted that the B-3 zone is part of a change on a separate  
20 item which would be reviewed later. Currently the parcel has a non-conforming  
21 daycare center including a single-family residence. The property was part of a  
22 citywide rezone ordinance in 2001 to achieve consistency with the 2020  
23 Comprehensive Plan. He reminded the Planning Commission that this was the  
24 one item staff made a recommendation to not include on the docket, but Planning  
25 Commission chose to keep it for further discussion and review. This will also be  
26 part of the public hearing at the next meeting. Staff discussed this with City  
27 Attorney Larson to see if there was some way to exempt the property that would  
28 maintain consistency with the plan and potentially treat similar property owners in  
29 an equitable manner and not result in the creation of a precedent that could have  
30 the effect of introducing similar commercial uses in residential neighborhoods  
31 throughout the City. The City Attorney indicated that there were no options for  
32 approving this use that didn't create potential issues. It is her opinion that the  
33 proposed conditional ordinance would treat the application differently from other  
34 properties that contain a legal non-conforming use. The proposed conditional  
35 rezone would be viewed as spot zoning which is defined as arbitrary and  
36 unreasonable zoning action by which a small area is singled out of a larger area  
37 and specifically zoned for use/classification that is totally different and  
38 inconsistent with the classification of the surrounding land area and not in  
39 accordance with the Comprehensive Plan. Based on this legal opinion, staff is  
40 recommending that this application not be approved.  
41

42 Vice Chair Larsen commented that this is a great use, but based on the City  
43 Attorney's opinion, he was in support of staff's recommendation.  
44

45 Commissioner Ambalada expressed concern about potentially losing the  
46 daycare. She noted that this is a good, safe environment for children and

1 commented that the City needs daycares due to increased population. Planning  
2 Manager Hall clarified that the daycare is allowed to operate as it's been  
3 operating as a non-conforming use. The City is not seeking to discontinue that  
4 use in any way. This is merely an application to change the zoning and land use  
5 designation of the property. Commissioner Ambalada asked about the reason for  
6 the application request. Chair Braithwaite invited the owner to speak.

7  
8 Julie Anderson, 5722 Hill Point Circle, Lynnwood, WA, explained that she had  
9 been in the building for 26 years when she bought the building. She didn't realize  
10 at the time that it had been changed to residential property. When she went to  
11 refinance in order to renovate the house that's on the property no bank would  
12 give her financing because the whole property is zoned wrong. As far as setting a  
13 precedent, she said she did a record search, and back in 2001 when it was  
14 rezoned she was the only commercial building in the City of Lynnwood that was  
15 rezoned to residential.

16  
17 Chair Braithwaite asked if Ms. Anderson received any notice about the rezone  
18 when it happened. Ms. Anderson replied that she did not. She did not know if the  
19 owners of the property were notified or not. Chair Braithwaite asked if Ms.  
20 Anderson did a title search when she purchased the property. She replied that  
21 she got a letter from the City stating that she could continue using this for her  
22 business. They stated that it was supposed to be associated with a church which  
23 it isn't since she bought it.

24  
25 Vice Chair Larsen thought that the use of the property was grandfathered in as  
26 long as it is a daycare. He stated he didn't think it is a great place for a  
27 commercial use. He commented that there is a provision called special  
28 endorsement on insurance which he might help the financing situation. Ms.  
29 Anderson said the City Attorney's opinion was that as soon as she sold the  
30 property it would lose its commercial zoning and revert to residential. Planning  
31 Manager Hall wasn't sure, but commented that the issue was the City Attorney's  
32 opinion that they couldn't approve the application without making it an exception.  
33 He stated that the current zoning says that if you aren't associated with a church  
34 or a school then it's not a conforming use. Since this use has been here a long  
35 time it's able to continue to operate in the RS-8 zone. Because of the legal  
36 opinion of the City Attorney and the history of what the Council decided to do with  
37 the zoning 15 years ago, staff is not supporting the change. He explained that  
38 staff would continue with the public hearing and then take the matter to Council  
39 who would ultimately have the final decision.

40  
41 Ms. Anderson stated that since she was the only commercial building in the city  
42 that was rezoned at that time to residential she believes it was a mistake. She  
43 noted that the county website doesn't show a picture of the 4,000 square foot  
44 commercial building. She thinks they assumed that it was a home daycare so it  
45 could be zoned residential.

1 Chair Braithwaite commented that the site used to be zoned for commercial.  
2 Throughout the city there are pockets of commercial properties embedded in  
3 residential communities. He speculated that the original intent of that was to have  
4 small businesses close to the community for uses like daycares and convenience  
5 stores. Planning Manager Hall agreed that was a possibility. He noted that  
6 different parts of this area were annexed over time. When it was in the county  
7 things were allowed in different locations that didn't follow a guiding principle. As  
8 far as Council's rationale for singling out this property he said he couldn't  
9 speculate. Chair Braithwaite suggested that if it were done and someone said it  
10 looked like spot zoning, this property would have an argument based on the  
11 history of the zoning.

12  
13 Commissioner Wojack asked if Ms. Anderson would be allowed to expand or  
14 remodel the daycare if she had financing. Planning Manager stated that she  
15 couldn't expand it, but she could repair it within certain thresholds.

16  
17 Commissioner Ambalada asked if she could build a Mixed Use building where  
18 the house is. Planning Manager Hall stated that she could not do that in the  
19 residential zone.

20  
21 Vice Chair Larsen asked about rezoning B-3 under a Development Agreement  
22 that limits the use to daycare. Planning Manager Hall stated that was one of the  
23 things they discussed with the attorney. He noted that the City Attorney would be  
24 present at the City Council's public hearing and could clarify any issues.

25  
26 Parks, Recreation, and Open Space Element Comprehensive Plan Amendments:

27 Parks Deputy Director Sarah Olson submitted the Revised Parks, Recreation and  
28 Open Space Element to be amended in the City's Comprehensive Plan. These  
29 revisions reflect and are consistent with the Department's recently adopted Park  
30 Plan (Parks Arts Recreation and Conservation Plan) which is the full Park Plan  
31 available online. She distributed a summary of highlights to the Planning  
32 Commission. She reviewed the history of the Park Plan which was assembled as  
33 a 10-year Strategic Plan to provide high quality community-driven parks, trails,  
34 open spaces, and recreational opportunities and which supports and is in  
35 alignment with the City's Community Vision. The Plan takes stock of the City's  
36 current needs and trends. Great attention was paid to understanding the  
37 community's demographic distribution and various barriers to access and social  
38 equity. The Plan also revealed the high value the community places on the park  
39 system and on keeping them safe, secure and accessible. A detailed inventory  
40 and conditions assessment of the city's facilities revealed a great need to  
41 address a lengthy list of deferred maintenance items including updating and  
42 providing ADA improvements across the system, updating and/or replacing  
43 playgrounds, and providing annual capital funding to progressively reduce  
44 deferred maintenance demand. The most significant change to the Element is  
45 the revision to the City's level of service to 3.5 acres per 1,000 residents and to  
46 include other factors such as proximity, accessibility, and care of existing parks.

1  
2 The rest of the amendment recommendations are related to goals and strategies  
3 which are based on five major goals areas. Within those areas there are several  
4 different policy areas with actions. All of the goals, policies and actions fall into  
5 these five categories. The goals are: to foster a healthy and active community, to  
6 create great parks and public places, to ensure sound management and  
7 maintenance, to prepare for the future, and to ensure connectedness.

8  
9 Deputy Director Olson stated she would have one additional correction to this  
10 Element on page 50. Strategy P-2.5 references a desire to commit to the  
11 development of future Town Square Park and City Center. That will be amended  
12 to reflect a commitment to the City Center Parks Master Plan which identifies four  
13 potential future parks in City Center and doesn't prioritize Town Square Park as  
14 the highest priority.

15  
16 Commissioner Ambalada commended Deputy Director Olson on the Plan.

17  
18 Vice Chair Larsen said he enjoyed reading through this and commented on the  
19 huge scope of the work. He referred to page 53, Goal 3, and asked for  
20 clarification on Strategy 3.4. Deputy Director Olson explained that Lynnwood has  
21 seen an increased demand on public services including law enforcement and  
22 park operation and others due to the opioid epidemic, homelessness, and other  
23 mental issues that are affecting some of the population. The City has seen a  
24 dramatic increase in the demand for services in parks due to those impacts. For  
25 example, staff collects a much higher number of needles in parks than they used  
26 to. They have had to remove numerous encampments and had to respond to  
27 campfires that turned into small to moderate forest fires. The Parks  
28 Superintendent and some of his staff may benefit from having a limited law  
29 enforcement commission so they can trespass individuals from parks rather than  
30 relying on calling the police. This would also allow the Parks Superintendent to  
31 do other enforcement of park rules including citing individuals who have dogs off-  
32 leash, who are drinking alcohol or smoking tobacco or e-cigarettes, etc.

33  
34 Chair Braithwaite referred to the Level of Service calculations and asked if the  
35 open space calculations include the golf course. Deputy Director Olson replied  
36 that it is included, but it's under Special Use, not Open Space. Chair Braithwaite  
37 commented that the golf course isn't as intensely used as it might be. He spoke  
38 in support of turning it into something that would be useful for a broader range of  
39 the public if the opportunity ever arises. Chair Braithwaite noted that there are a  
40 lot of schools in the city with underutilized space. He asked if any consideration  
41 has been given to coordinating with the school district over how to maximize  
42 utilization of those spaces and how Level of Service calculations might look with  
43 those included. Deputy Director Olson noted that Meadowdale Playfields is  
44 technically owned by the school district, but was developed and is operating in a  
45 partnership between the cities of Edmonds and Lynnwood and the school district.  
46 The 27 acres of that complex were included within the Level of Service

1 calculation. When the City used to manage the Lynnwood High School complex  
2 before the high school moved, those acres were also included in the Level of  
3 Service calculation. Regarding better utilizing those public facilities for  
4 recreational use, she concurred and noted there is a strategy in the Plan about  
5 partnerships with the school district. In the last two years the City has re-  
6 established the relationship with the school district to use Cedar Valley gym for  
7 community use and renegotiated the Interlocal Agreement with the school district  
8 to rebalance shared use facilities. They also explored the opportunity to go into  
9 partnership with the school district for the redevelopment of Lynnwood  
10 Elementary and decided to be a community user and renter of the expanded gym  
11 when it is rebuilt. She stated that the City is consistently and constantly in active  
12 negotiation with the school district on a number of matters related to utilizing  
13 school facilities for community use.

14  
15 Commissioner Wojack said he is glad to see the negotiation with schools. He  
16 spoke in support of the Level of Service reduction. He noted that when the  
17 weather is bad he and his wife walk at the mall. He wondered about including the  
18 mall as a facility. He referred to page 43, Summary of Issues, line 27 and asked  
19 for a definition of Social Equity. Deputy Director Olson replied this looks at  
20 barriers and access to recreational opportunities within various demographics in  
21 the community.

22  
23 Community Character Element Comprehensive Plan Amendments: Parks Deputy  
24 Director Sarah Olson stated that this is an amendment to a segment of the  
25 Community Character chapter that relates to Healthy Communities. These  
26 revisions are based on three separate plans that have been adopted by Council  
27 including the 10-Year Healthy Communities Action Plan, the Cultural Arts Plan,  
28 and the Heritage Plan. Walkability is a huge priority for the Active Living Goal.  
29 The City is in ongoing conversations with Alderwood Mall about their mall walking  
30 program. The City would like to support and more fully develop that program with  
31 them. As an example of a program improvement, the City also offered weekly  
32 walks in the summer through the South County Walks Program. The Healthy  
33 Eating goal addresses ways to increase the availability of community gardens or  
34 urban agriculture within the community, voluntary certification of restaurants that  
35 offer healthy food items or who will incorporate menu labeling, looking at required  
36 labeling in the future, healthy education in partnership with organizations like the  
37 food bank or Verdant Health Commission that do nutrition or cooking. The Social  
38 Connectedness goal is to create and support strong, vibrant social networks that  
39 promote social interaction and community cohesiveness by providing physical  
40 gathering spaces and supporting programs and events. This has a built-  
41 environment component because people need places to gather. Lynnwood has  
42 been seeking a new place to bring the community together since the loss of the  
43 old Lynnwood High School complex. She announced that the Fair on 44<sup>th</sup> was a  
44 huge success, but they need to provide other spaces to make connections  
45 happen.

1 Arts, Culture, and Heritage have also been incorporated into Healthy  
2 Communities as they are also social cohesive factors. The Arts Commission has  
3 four primary goals: to advocate for lifelong learning and creativity in the arts,  
4 promote artists and art opportunities, build community and sense of place, and  
5 encourage openness and inclusion. She discussed a plan to add temporary  
6 public art exhibits to signal boxes. The City partnered to provide student  
7 education at Cedar Valley Elementary. There is a plan to execute a public art  
8 strategy across all the signal boxes in the community.

9  
10 The next section is on Historic Preservation. The Heritage Plan has three primary  
11 areas: to recognize history and heritage sites through signage, markers, historic  
12 registry, and interpretive information; to collaborate with community partners to  
13 collect and promote the history and heritage of Lynnwood; and to advocate to  
14 preserve nature, parks, sites, buildings, and artifacts and for the city policies and  
15 legislations to be informed by an understanding of history and heritage. She  
16 stressed the need to find relevant ways to honor and reflect on the past.

17  
18 Commissioner Ambalada asked \_\_\_\_\_ [inaudible – no microphone]. Deputy  
19 Director Olson agreed that Arts, Culture, and Healthy Communities takes steps  
20 to address some of the issues around homelessness, but the Human Services  
21 Commission is the group tasked with finding solutions and working on those  
22 programs. Parks works collaboratively with them and with the staff liaisons. The  
23 work they are doing will be developed for future Comprehensive Plan  
24 amendments. Commissioner Ambalada \_\_\_\_\_. Deputy Director Olson  
25 commented that through the Cultural Arts Program the City partnered for a series  
26 of three events that happened in the month of August including the AfroLatino  
27 Festival, the Latino Expo, and the Ubuntu Expose. Additionally, the City is  
28 currently working with Lynnwood’s sister city delegation to sign a Memorandum  
29 of Understanding. In honor of their visit, the City has curated a Korean art exhibit  
30 in the hallway outside Council chambers. She stated that the City is working  
31 toward inclusiveness and cultural expression.

32  
33 Commissioner Tysland commended Deputy Director Olson for the work she is  
34 doing. Experience Momentum participated in the 44<sup>th</sup> Street Fair. It was great to  
35 see so many community members engaged in active activity and healthy  
36 lifestyles.

37  
38 Commissioner Wojack referred to page 80 under Heritage Resources and  
39 commented that that people with firsthand history knowledge should be added as  
40 resources. Deputy Director Olson noted that the goal language on page 79 refers  
41 to connecting community members to the history and heritage of Lynnwood to  
42 build a positive sense of place. Commissioner Wojack agreed. He then referred  
43 to food choices and commented that encouraging restaurants and public service  
44 venues to offer healthier menu items is a moot issue because the market drives  
45 that. He noted people are eating healthier, but it wasn’t pushed by a city. He said

1 he didn't want to see too much money wasted on that effort. He commended staff  
2 on the Plan.

3  
4 Vice Chair Larsen \_\_\_\_\_ [inaudible] and suggested having some sort of  
5 competitive athletic event as an annual race. Deputy Director Olson noted that on  
6 October 1 the City would be hosting the Celebrate Schools 5K Run/Walk from  
7 the mall supporting the Foundation for Edmonds Schools. Vice Chair Larsen  
8 asked about a community publication to let people know about events. Deputy  
9 Director Olson replied that Inside Lynnwood gets mailed three times a year to  
10 every mailing list in Lynnwood and is also available online. She also  
11 recommended signing up for Lynnwood e-news to get information as it happens.

12  
13 Chair Braithwaite solicited public comments. There were none.

## 14 15 **2. Chapter 21.46 – Commercial Zone Amendments and Mapping** 16 **Amendments (CAM-004093-2016/CPL-3761-2016)**

17  
18 Senior Planner Gloria Rivera explained that staff decided to bring this back  
19 because the Planning Commission was short on members at the last meeting.  
20 The intent is to reduce the number of commercial zones in the City in Chapter  
21 21.46 to Neighborhood Commercial Zone, Planned Commercial Development  
22 (mostly near the mall), and General Commercial (mostly on Highway 99). Staff is  
23 proposing repealing B-1 and B-2 zones and absorbing uses into the remaining  
24 three categories. Senior Planner Rivera reviewed the amendments as listed in  
25 the staff report. Staff is looking at recommending a size limitation such as 7500  
26 square feet on new retail coming into the Neighborhood Commercial Zone.  
27 Anything pre-existing would be allowed to remain. Some uses have been  
28 repealed that did not seem appropriate; others were added.

29  
30 Senior Planner Rivera responded to questions raised at the last meeting.

- 31 • Staff clarified the difference between senior and other housing with new  
32 definitions.
- 33 • There was a question raised about florist, greenhouses, and nurseries,  
34 and whether or not a florist should be in a Neighborhood Commercial  
35 Zone. She stated it is conceivable that a small florist could be located in  
36 that zone, especially if it is under 7500.
- 37 • There was a question about the distance between trees in the buffers.  
38 Staff is concerned that if the trees are closer together they might die. Staff  
39 is in support of keeping it at 20 feet instead of 15 feet on property lines.
- 40 • Changes in the neighborhoods. Many commercial businesses are already  
41 on arterials and the uses are similar between the current B-1 and the  
42 recommended Neighborhood Commercial Zone. A recommendation was a  
43 size restriction on new businesses in that zone. Many of the Neighborhood  
44 Commercial uses would be small retail with some offices and multi-family.
- 45 • More adjustments were made to the retail and auto-related tables to  
46 address concerns.

- Charitable or relief supply collection locations were changed to a permitted use.

Senior Planner Rivera then reviewed and discussed B-2 Future Land Use and Rezone Map Amendments and B-1 Rezone Map Amendments.

Commissioner Wojack referred to page 143, line 1635, and noted it should be corrected to Section 21.48.

Chair Braithwaite referred to the 7500 square foot limitation on new development and asked what would happen if QFC left and the shopping center wanted a new tenant in that space. Senior Planner said her interpretation was that if it was going to another grocery store it would be allowed. If they removed the building they would be able to do mixed use because there is at least an acre there.

Chair Braithwaite solicited public comments. There were none.

Commissioner Wojack commended staff on all the adjustments and cleanups from last time. Chair Braithwaite concurred.

### **3. Detached Accessory Dwelling Units (DADUs) (CAM-003688-2016)**

Senior Planner Chanda Emery gave some background on this item. She explained that in 2009 the Planning Commission looked at DADUs and saw the need to allow for detached units and took steps to draft legislation to do so. Commissioners wished to allow for code amendments to be in line with other neighboring jurisdictions and worked with city staff to recommend approval of legislation that would allow for a fairly restrictive code related to detached units in RS-7 and RS-8 zones. However, when this was approved by the City Council it went through into the LMC without the word “detached” in the actual language that was adopted. As a result the current code contains language that allows for attached units with what appears to be the intention of having both. She explained that at the last meeting there was not a quorum. She stressed that by adding the word “detached” any proposal coming to staff would be subject to the same development standards that are currently in place for existing ADUs which were drafted with the intention of protecting the single family character of neighborhoods. There will be no relaxing of the development standards in the RS-8 zones. Staff is recommending the most restrictive zoning for these units. All proposed units will have to meet the requirements; otherwise, the City would deny the permit. The list of requirements in the city code to construct an ADU is many; there have only been five units constructed in the last ten years in the City. Senior Planner Emery noted that surrounding jurisdictions have made code amendments to allow for detached units. Staff is recommending a maximum size of 600 square feet as close to five feet on the side yard property line, which is the current size allowed for sheds. These would only be allowed in the RS-8 zones.

1 She noted that this is an affordable housing option for families. The market is  
2 showing that there is a demand for new construction for units in the city center.  
3 Many people cannot afford a one-bedroom apartment at the current market rates.  
4 The Alliance for Affordable Housing shows that the City's median household  
5 income is just under \$50,000. She recommended looking at the code to see how  
6 it lines up with the goals and policies in the Comprehensive Plan and the city's  
7 vision. She thinks overall this would be a benefit to the community. She stated  
8 she has a running list of people interested in DADUs. She noted that this is a  
9 controversial issue, but she thinks there are more positives than negatives.

10  
11 Vice Chair Larsen [microphone issues – some comments inaudible] expressed  
12 concern about recent actions related to flag lots and substandard lots and the  
13 impacts they could have on neighbors. He recommended that the City Council  
14 take a look at the big picture as it relates to infill. He brought up concerns about  
15 upkeep, public safety, transportation, and the overall costs to the rest of the city.  
16 Senior Planner Emery said she doesn't see this as infill development; she sees  
17 infill development as subdivisions. She sees this as a detached ADU of 600  
18 square feet or less. She distributed and discussed an example of a project  
19 proposal that was submitted last week. She acknowledged that there are no  
20 architectural standards or screening related to these units. Regarding safety  
21 concerns, she said she spoke to the police and fire departments, and they had  
22 no comments on this as it relates to public safety. Parking would be a  
23 requirement. She noted that the ADU code is very restrictive in this regard.

24  
25 Commissioner Wojack brought up a potential conflict in the code where it says  
26 that the property owner may not receive rent for whichever unit is owner  
27 occupied, but earlier in the code it says the owner has to be there half the year.  
28 He asked if the owner can rent it out the other half of the year. Senior Planner  
29 Emery replied this is standard language from the State's model ADU code. She  
30 indicated that they could make this more restrictive if desired so they don't end  
31 up with two rentals on the property. Commissioner Wojack agreed and  
32 suggested adding language stating that the owner can't rent out the unit even  
33 during the six months they aren't there. Planning Manager Hall added that on the  
34 application people state that it is an owner-occupied unit and they intend to live in  
35 the unit. Vice Chair Larsen spoke in support of Commissioner Wojack's  
36 comments.

37  
38 Chair Braithwaite solicited public comments.

39  
40 Eric Clem, 19203 Dale Way, Lynnwood, stated that his mom is elderly and has  
41 recently developed health and mobility problems. He would like to be able to  
42 construct a DADU on his lot to allow his mom to live near him. He noted that the  
43 economics don't make sense for a rental unit. It is primarily for someone to have  
44 dignity in old age and have family nearby to help out. He believes he can do  
45 long-term care for her a lot cheaper and with a better quality of life using  
46 community resources versus placing her in an institution. He expressed concern

1 about the 8,000 minimum square foot lot and noted he has 7,840 square feet. He  
2 is hoping the city wouldn't be restrictive on that. He stated that he travels in the  
3 winter, but would never rent it. As far as maintaining the character of the  
4 neighborhood, he recommended looking at the usage of the neighbors. He  
5 commented that he has a neighbor that has eight cars in the front and a neighbor  
6 with garbage in back and the house falling apart. He also has a neighbor who put  
7 in a trailer across the street. He suggested that those things have more to do with  
8 the quality of the neighborhood than adding a DADU in the backyard. He added  
9 that every community around here has a brochure online that you can get  
10 detailing the process for these. He recommended making the process in  
11 Lynnwood more transparent.

12  
13 Steve Brown, 19319 – 76<sup>th</sup> Avenue West, Lynnwood, stated he has lived in the  
14 city for over 50 years. He stated that he was at the Council in 2009 or 2010 and  
15 asked them to reconsider the detached code. His mother was aging and they  
16 wanted to move her closer so she could still live independently, but they could  
17 provide oversight. The Council at that time chose not to make that change. He  
18 now is at the other end of the spectrum and wants to allow one of his children to  
19 live in a detached unit if it is permitted. They have a 25,000 square foot lot. He is  
20 invested in his neighborhood. He stressed that if the unit was connected to the  
21 house there would be no issues, but there is no major change in use with a  
22 detached unit. He pointed out that there are many communities around us that  
23 have done this already without negative effect. He did 32 years in law  
24 enforcement in the City of Seattle and became an expert in drug enforcement.  
25 He stated it's not the size of the house that determines how good or how bad that  
26 house is. It's the people that are in it. He commented that this is a tremendous  
27 opportunity for families that are invested in the city to take care of their kids or  
28 their parents. This is a big deal for the community. He recommended forwarding  
29 this to the City Council for a real public discussion. He stated this is really about  
30 affordable housing. His son will probably not be able to buy a house unless he  
31 can live with his parents for a couple years to save enough money to make it  
32 happen. He stated that the world has changed significantly since 2008, and  
33 people need some help.

34  
35 Sid Roberts, 3617 – 176<sup>th</sup> Street SW, Lynnwood, stated that they need to have a  
36 community discussion on this. He agrees that things are changing. As a real  
37 estate broker he commented that HUD allows two people per bedroom plus one  
38 without any zoning changes. This is not what this is about. This is about housing  
39 our parents and our kids. He commented that zoning gives, and setbacks and  
40 restrictions take away. He urged the Planning Commission and staff to have a  
41 little flexibility and look at the big picture of what they are trying to accomplish. He  
42 recommended having an open mind and scheduling a public hearing. He thanked  
43 the Planning Commission for their service month after month.

44  
45 Derrick Tse, 17516 – 31<sup>st</sup> Place West, spoke in support of taking this to the next  
46 level. He stated that there really is a need. His mother lives with him and his

1 family, and they would love to care for her as she ages in place. He explained  
2 that this is an aspect of his culture that is really important. A detached ADU  
3 would make it affordable for his mother to live with them and age in place. It  
4 would also allow her independence and a chance to preserve her dignity.

5  
6 **Other Business**

7  
8 None

9  
10 **Council Liaison Report**

11  
12 None

13  
14 **Director's Report**

15  
16 Planning Manager Hall stated that Director Krauss is attending an event at the  
17 Convention Center with the South Korean Delegation that has been visiting from  
18 Lynnwood's sister city. He added that Dustin Akers, City Center Program  
19 Manager, applied for a federal grant with the Federal Transportation  
20 Administration. In April the City received one of a handful of grants to receive  
21 assistance for transportation-oriented development. That team came this week  
22 and gave their recommendations to staff to look at ways to help transit-oriented  
23 development improve city center and take advantage of the new Sound Transit  
24 light rail terminus. Through the grant the City received technical assistance  
25 through an expert panel and great information and recommendations. More will  
26 be coming about this in the upcoming months. This is a great opportunity for the  
27 City. He concluded that staff will bring all the items presented at tonight's meeting  
28 back for a public hearing on October 26. At the next meeting staff will be  
29 presenting code amendments to Title 21.

30  
31 **Commissioners' Comments**

32  
33 Vice Chair Larsen asked if they have had any discussions about neighborhood  
34 planning. Planning Manager Hall stated that the Planning Department has  
35 wanted to tackle this issue a number of times. They have met with a number of  
36 departments over the past few years. Now that the Human Services Commission  
37 is starting, the City is looking at targeting specific neighborhoods. Senior Planner  
38 Emery stated that there have been discussions about Community Development  
39 working with other departments (Parks, Police, Fire) to look at areas of the city  
40 that really should have neighborhoods and what they can do to get community  
41 projects up and running. Vice Chair Larsen offered his assistance if it was  
42 needed. Planning Manager Hall explained they are just beginning to consider  
43 how to address this.

1 **Adjournment**

2

3 The meeting was adjourned at 9:20 p.m.

4

5

6

7

8 \_\_\_\_\_  
Chad Braithwaite, Chair

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**CITY OF LYNNWOOD  
PLANNING COMMISSION MINUTES  
October 12, 2016 Meeting**

<b>Commissioners Present:</b>	<b>Staff Present:</b>
Chad Braithwaite, Chair	Todd Hall, Planning Manager
Maria Ambalada	Gloria Rivera, Senior Planner
Richard Wright	
	<b>Other:</b>
<b>Commissioners Absent:</b> None*	Councilmember George Hurst
Michael Wojack, Second Vice Chair	
Robert Larsen, First Vice Chair	
Shanon Tysland	
*not counted absent due to incorrect location on agenda	

**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 September 22, 2016 Meeting**

Continued to next meeting due to lack of a quorum.

**Citizen Comments**

None

**Public Hearing**

None

**Work Session**

**1. Amendments to Titles 1, 5, and 21 LMC**

Senior Planner Gloria Rivera noted that earlier in the year the Planning Commission did Omnibus Amendments to the Code which made some changes that staff proposed. She explained that staff was proposing another set of changes. She reviewed those proposals as included in the Staff Report beginning on page 15 of the Planning Commission packet:

- Mobile Food Vendors (5.18.080) – Amendments to license fees for non-resident vendors.

- 1 • Application, Processing, and Review (1.35.180) – Amendments to include
- 2 special use permits as a process that can have a minor amendment,
- 3 cleaning up language
- 4 • Assisted Living Facility (21.02.049) – New definition
- 5 • Building Line (21.02.100) – Definition section is relocated to another place.
- 6 • Housing for the Elderly and Physically Disabled (21.02.441) – Terms are
- 7 defined and clarified.
- 8 • Nursing or convalescent home (21.02.530) – Definitions are repealed and
- 9 included elsewhere.
- 10 • Personal Service Shop (21.02.556) – Amended to increase size from
- 11 2,500 sq. ft. to 5,000 sq. ft. to reflect the size of small fitness facilities.
- 12 • Setbacks (21.02.662 and 21.02.663)
- 13 • Barb Wire Fences (21.00.300) – Code was amended to specify when the
- 14 use of barb wire is allowed. Director discretion was also added.
- 15 • Capacity Requirements (21.18.800) – Parking requirements amended to
- 16 be based on the square footage of the business.
- 17 • Final Development Plans (21.30.320) – Amended timeline to two years to
- 18 be consistent with other city processes.
- 19 • Use controls in planned unit developments (21.300.900) – Repeal
- 20 minimum number of 400 units.
- 21 • Other Regulations (21.42.900(C)) – Add language regarding heat pumps
- 22 and A/C units.
- 23 • Limitations on uses (21.43.100(H)) – change definitions for the types of
- 24 housing
- 25 • Additional Development Standards (21.48.210(B)) – Amend residential
- 26 parking requirements in the PRSC zone and clarify the requirements for
- 27 landscaping in the parking areas. Also gives discretion to the Director.
- 28

29 Chair Braithwaite had the following comments:

- 30 • He referred to the definitions for nursing homes and suggested looking at
- 31 the definitions that Medicaid and Medicare use to align with those
- 32 regulations.
- 33 • On page 26, item 2c, the “c” and the period at the end of the sentence
- 34 should not be crossed out.
- 35 • In Section 4, “When two different standards apply . . . the more restrictive
- 36 setback shall be applied,” should be included.
- 37 • In Section 16, 21.43.110, the first sentence “plans” should be “plants”.
- 38

39 Commissioner Ambalada asked if the City is going to be doing some regulations  
 40 on home care for seniors. Senior Planner Rivera noted that the code already  
 41 addresses home care and day care. Commissioner Ambalada asked about  
 42 assisted living centers. Senior Planner Rivera explained that is under Adult Care  
 43 Facilities.

44  
 45 **Other Business**

1  
2 **Council Liaison Report**

3  
4 Councilmember Hurst had the following comments:

- 5 • On Monday the Council received the Proposed Biennial Budget notebook  
6 which will keep them busy for the rest of the year.  
7 • He expressed appreciation to the Planning Commission for everything  
8 they do.  
9

10 **Director's Report**

11  
12 Planning Manager Todd Hall had the following comments:

- 13 • Director Krauss is absent as he is preparing for a vacation.  
14 • The next meeting will again be on a Wednesday on October 26. This will  
15 cover the same items as were presented on September 22 including the  
16 Comprehensive Plan Final Amendments.  
17 • Staff met today with Alderwood Mall who is looking to do some expansion  
18 on their property on the Sears side. This will expand the village concept  
19 and will add about 150,000 square feet of retail space and an additional  
20 pad along Alderwood Mall Parkway.  
21 • The two apartment buildings are moving right along.  
22 • Hilton Garden Inn may be picking up their permit and possibly breaking  
23 ground soon.  
24 • Edmonds School District submitted its plans for Lynnwood Elementary  
25 demolition and rebuild.  
26 • Lexus will be working on their project relatively soon.  
27 • Mercedes Sprinter Van facility is in review right now.  
28 • Commissioner Jones is no longer with the Commission. Staff is looking to  
29 fill the vacancy.  
30

31 **Commissioners' Comments**

32  
33 **Adjournment**

34  
35 The meeting was adjourned at 7:25 p.m.  
36  
37  
38

39  
40 \_\_\_\_\_  
Chad Braithwaite, Chair

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

Agenda Item: D.1

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

**Staff Report**

Staff Contacts: Todd Hall, Planning Manager; Sarah Olson, Deputy Director, Parks, Recreation &amp; 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 three (3) of the (5) remaining amendments. The College District Comprehensive Plan and Zoning Amendments were presented at public hearing and adopted on September 26<sup>th</sup>. The Chapter 21.46 – Commercial Zone Amendments and Mapping Amendments are being presented under separate agenda item at tonight's meeting.

**Action**

The Community Development Department recommends the Planning Commission recommend approval of the draft ordinance as proposed by staff, not including Item A – Kid City LLC, and for City Council to hold a public hearing on the items.

**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 168<sup>th</sup> 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, Cultural Arts Plan, and Heritage Strategic Plan. The Plans were 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

City Council was briefed on the 3 amendments as part of this item on October 17, 2016

### Adm. Recommendation

1. Receive public input on the draft ordinance.
2. Upon closure of the public testimony portion of the hearing, begin deliberation.
3. At the conclusion of the Commission's deliberation, either:
  - a. Recommend approval of the draft ordinance as written; or
  - b. Recommend approval of the draft ordinance – as amended by the Commission; or
  - c. Direct staff to prepare revisions for the Commission's review at a future meeting. If the changes desired as substantive, it would be appropriate to continue the public hearing to allow public comment on those forthcoming edits.

### Attachments

1. Comprehensive Plan Amendment and Rezone background information
2. Maps for site specific amendments
3. City Attorney memo regarding Kid City application
4. Minutes from September 22, 2016 Planning Commission
5. Draft Ordinances

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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 168<sup>th</sup> 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.

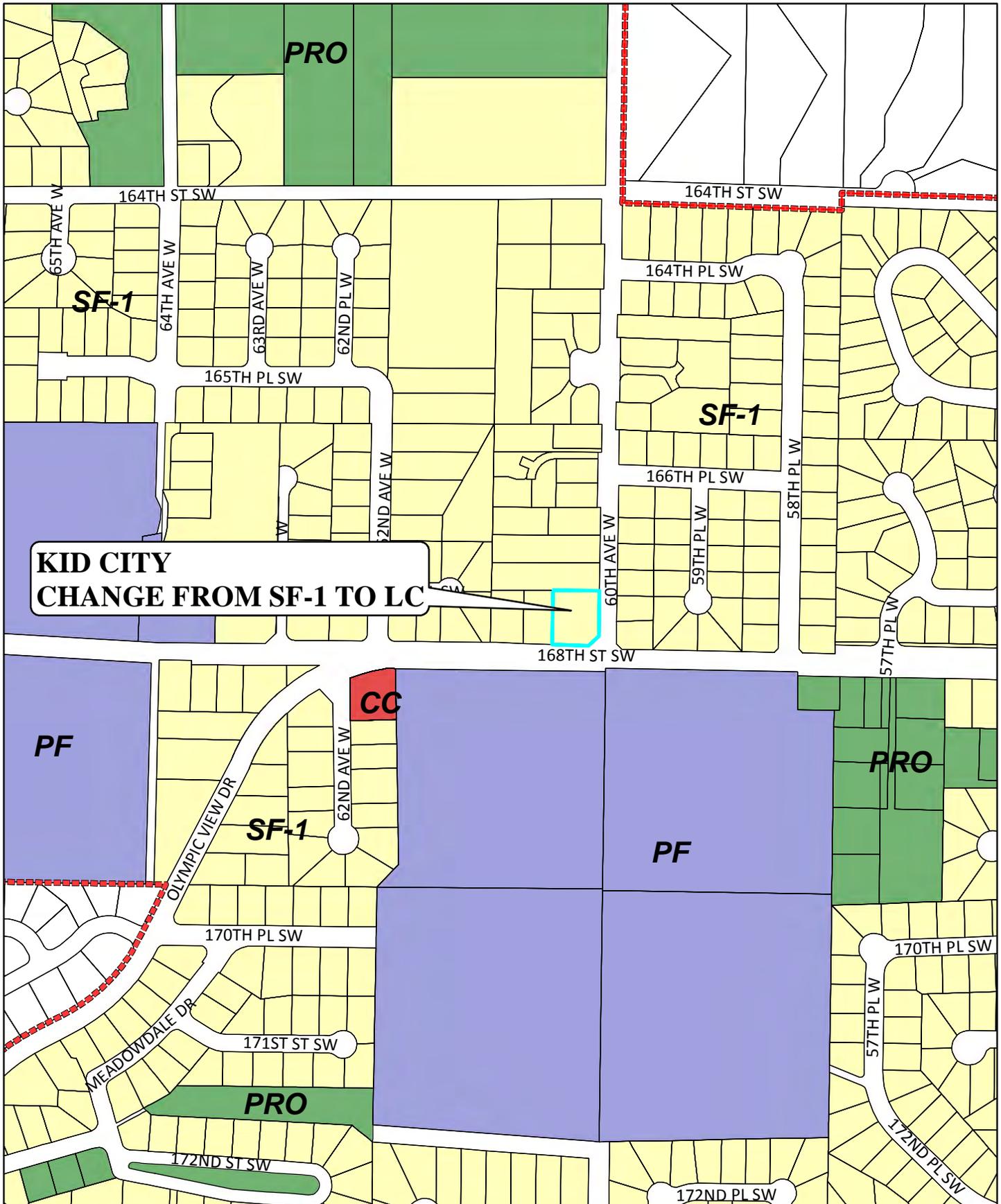
**E. "Could the proposal could have significant impacts beyond the Lynnwood City Limits."**

*That would be inconceivable.*

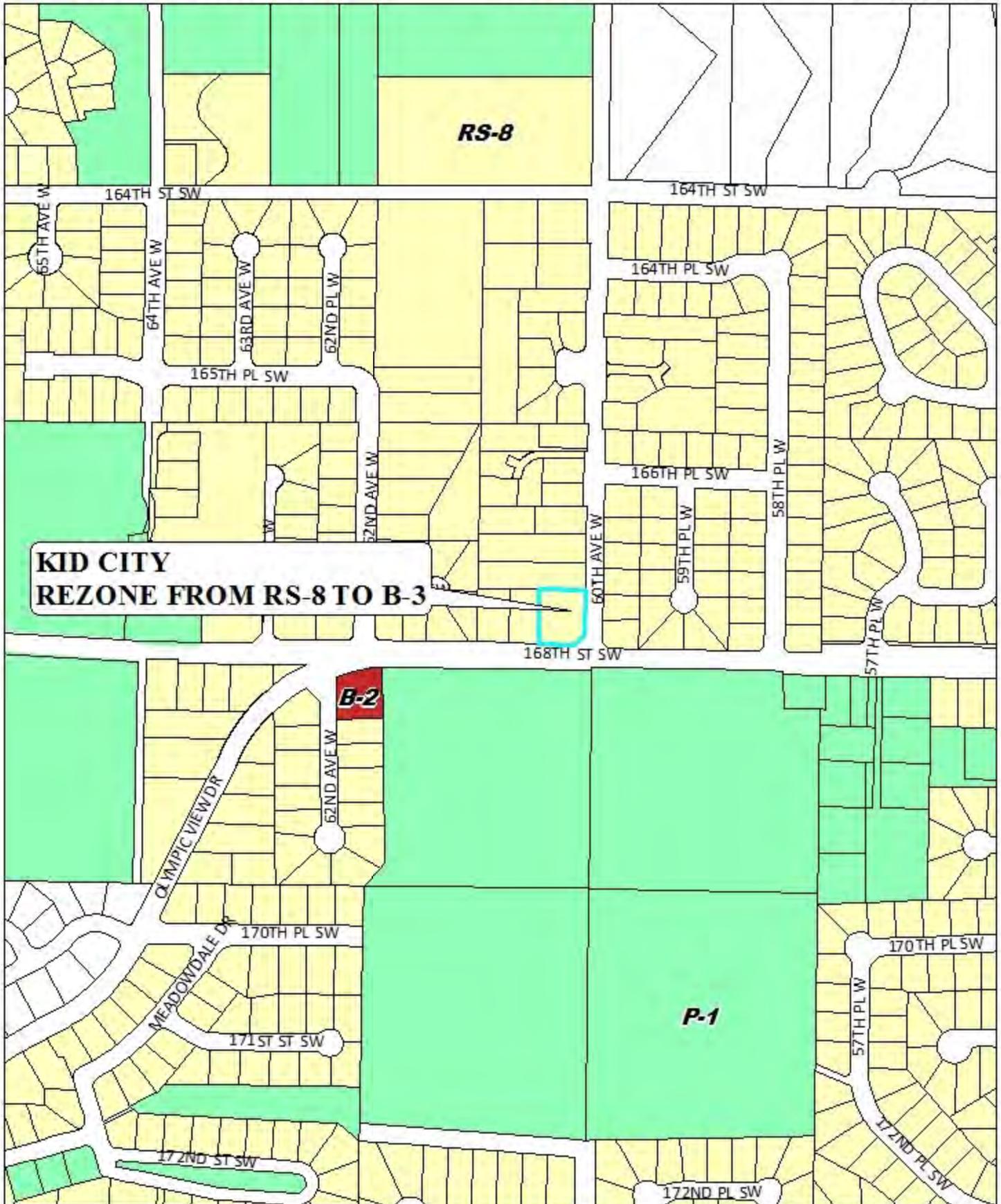
**• List of Permits Required:**

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.

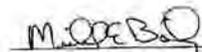
**SECTION 4. Severability.** If any section, subsection, sentence, clause, phrase or word of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other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

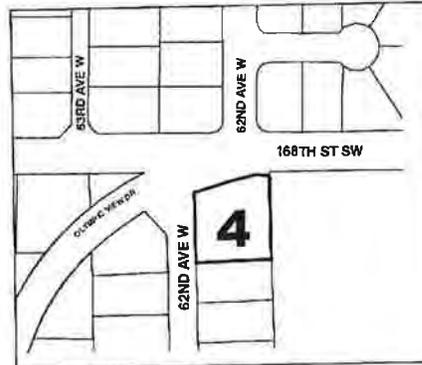
  
MICHAEL BAILEY, Finance Director

APPROVED AS TO FORM:

  
GREG RUBSTELLO, Lynnwood City Attorney

**Site #4:**

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



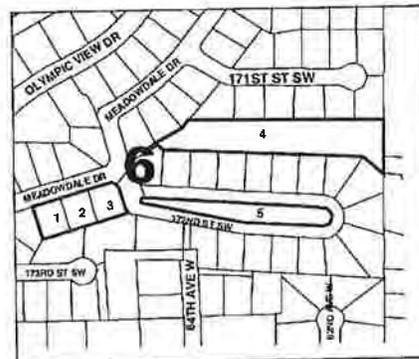
**Site #5:**

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

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**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 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

 **Rosemary A. Larson**  
Skyline Tower, Suite 1500 | 10900 NE 4<sup>th</sup> Street | Bellevue, WA 98004  
P: 425.450.4249 | F: 425.635.7720  
[vCard](#) | [website](#) | [rlarson@insleebest.com](mailto:rlarson@insleebest.com)

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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**

*gc*

**RECEIVED**  
MAR 31 2016  
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

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# 6 PARKS, RECREATION & OPEN SPACE

## INTRODUCTION

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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 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. It 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.~~

## PLANNING CONTEXT

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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

1 Recreation Comprehensive Plan states that “parks are necessary for development.” This policy provides  
2 the opportunity for cities to work with the County to provide park land within urban growth areas.

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

## 8 **SUMMARY OF ISSUES**

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

### 12 **Obesity Epidemic**

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

### 23 **Creating A Sense of Community**

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

### 29 **Social Equity**

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

### 36 **Increased Capitalization of a Creative Class**

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

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 **Mission: Creating a Healthy Community**

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

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

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

### 18 **Level of Service Need Revised**

19 In the 2015 Lynnwood Comprehensive Plan, estimates for level of service targets were calculated with  
20 the prediction that Lynnwood would experience a 53% increase in population from 2011 to 2035 within  
21 City limits, with additional population growth projected for the MUGA. It also recognizes that the  
22 possible MUGA annexation both north and east of its existing borders would trigger the future demand  
23 for recreation facilities and conservation. Currently, there are no developed parks or recreation facilities  
24 within the MUGA area. Using the adopted park standard of ten acres per 1,000 persons, the  
25 Comprehensive Plan estimated the future need for core parks exceeds 300 acres of new land, plus an  
26 additional 210 acres of special use and open space lands. These figures are compounded by the projected  
27 demand within the MUGA, which is estimated at an additional 340 acres of park lands by 2025. If the  
28 level of service standard were to remain at 10 acres per thousand, the City would face a substantial cost  
29 for an aggressive park and open space land acquisition campaign. Taking into consideration that most of  
30 Lynnwood's future population growth within the current City boundaries will be concentrated into denser,  
31 urbanized neighborhoods provides the City an opportunity to revise the City's level of service with a  
32 focus on the distribution and quality of parks and recreational facilities by assessing the City's need by  
33 assessing park proximity; park pressure; variety, type and condition of park amenities; trail connectivity;  
34 trail network; and leveraging trails for community health and economic health.

35 Other services provided by the City of Lynnwood, such as transportation and utilities are able to quantify  
36 performance through counts, calculations and future-oriented modeling. The nature and variety of  
37 services provided by Parks, Recreation and Cultural Arts makes quantification and performance  
38 measurement rather difficult.

39 In 1983, level of service guidelines were published by the National Recreation and Parks Association  
40 (NRPA) based upon providing a set number of park acres and park facilities per thousand persons. Yet,  
41 these guidelines go to great lengths to distance themselves from becoming “standards.” Rather, the  
42 guidelines are a suggested model and local adjustments are encouraged.

43 As to service measure, communities have the flexibility to use any system that is perceived to be of value  
44 to the community. Historically, the City has used 10 acres/1,000 population as its standard. In 2014, the  
45 City retained a consultant to create revisions to the adopted LOS. Specifically, there will be an emphasis  
46 on acquisition needs, capital development, preservation, connectivity/mobility needs as well as indoor  
47 facility needs. The current Level of Service need will be outlined in the updated Parks, Arts, Recreation  
48 & Conservation (PARC) Comprehensive Plan due to be completed in 2015.

1 | ~~As the City of Lynnwood continues to evolve, there will very likely be greater pressure to provide~~  
2 | ~~services that will not only meet the needs of our residents, but those that reside in the MUGA. If~~  
3 | ~~annexation is successful, there will be considerable pressure to provide additional parks in the MUGA.~~  
4 | ~~Additional population growth within existing boundaries is also a real concern. Examples include the~~  
5 | ~~proposed population increases in the City Center, near Alderwood Mall, and along the Highway 99~~  
6 | ~~corridor. Additional planning will be needed to develop recreation facilities needed to meet the expected~~  
7 | ~~service demand.~~

#### 8 | **Ability to Meet Level of Service Need**

9 | ~~Perhaps the most significant component of the Department's new PARC plan will focus on funding~~  
10 | ~~strategies needed to meet the LOS, the long-standing list of deferred maintenance and capital renewal~~  
11 | ~~needs. The Department will retain a consultant in 2015 to create a comprehensive list of funding sources~~  
12 | ~~for capital improvements and deferred maintenance. It will be critical for the Department to find funding~~  
13 | ~~sources to support maintenance and operations of the parks system.~~

14 | ~~When the study is complete, the Department will have the ability to create implementation and strategic~~  
15 | ~~plans that will focus on addressing these critical issues: funding strategies and sources, deferred~~  
16 | ~~maintenance demands, capital renewal needs, and future capital facilities development demands.~~

17 | ~~Refer to the Community Character Chapter for needs and priorities that address demographic changes,~~  
18 | ~~arts, culture and historic preservation.~~

19 | ~~Social and demographic trends that affect service delivery are being regularly reviewed to identify and~~  
20 | ~~address new recreational needs and to reposition those facilities and programs that are no longer relevant.~~  
21 | ~~To anticipate and respond to the cultural diversity of the City's population, new communication strategies~~  
22 | ~~are being implemented to provide timely, accurate information to Lynnwood residents and visitors, and~~  
23 | ~~non-English speaking populations.~~

24 | ~~As the City explores possible Municipal Urban Growth Area annexation both north and east of its~~  
25 | ~~existing borders, the future need and demand for facilities and conservation will grow substantially.~~  
26 | ~~Currently, there are no developed parks or recreation facilities within the MUGA area.~~

## 27 | **EXISTING CONDITIONS**

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28 | The City's current parks, recreation and open space inventory amounts to approximately 353-389 acres  
29 | and includes park facilities, within the City and in the MUGA, that offer both active and passive  
30 | recreational opportunities. The park facilities within the City are categorized into the following  
31 | functional classifications for planning and programming purposes, according to size and function.

32 | **Core Parks:** Core Parks (mini, neighborhood and community parks) traditionally provide a combination  
33 | of active and passive uses, including play equipment, picnic areas, athletic fields, and trails. The City  
34 | currently operates 13 developed parks in the Core Parks category, with 2 park properties undeveloped.  
35 | With ~~the loss of the Lynnwood Athletic Complex~~ a service level of 3.5 acres per 1,000 residents, the  
36 | ~~Community Parks~~Core Parks category shows a surplus of 5.9 developed acres but a -need for 45.7-25.3  
37 | additional acres to be acquired and developed by 2026 to meet the minimum level of service within the  
38 | City. -~~In the Core Parks category 62.7 acres need to be acquired and developed within the City.~~ Currently  
39 | Core Parks account for 116.3-140.68 acres of park land, or about 365% of the total park, recreation and  
40 | open space inventory within the City.

41 | **Special Use Areas:** ~~Four~~Five facilities in Lynnwood are classified as "Special Use Areas" based on  
42 | their current purpose and/or activity - the Municipal Golf Course, the Recreation Center, the Senior  
43 | Center, and Heritage Park, and Veterans Park - for a total of 81.898.28 acres. ~~Because of its primary~~  
44 | ~~historical purpose, Heritage Park is included in this category.~~

1 **Open Space:** The City’s Open Space classification includes large natural areas, environmental parks and  
2 urban greenbelts. -It is the City’s policy to preserve natural resources for the conservation of important  
3 habitats and for passive recreational use whenever possible. -132.978-5 acres in and adjacent to  
4 Lynnwood are preserved as Parks and Recreation-maintained open space. Scriber Lake Park, Scriber  
5 Creek Park and Gold Park are included in this category because they are environmental parks that do not  
6 have active recreation elements.

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

### 13 **DEMAND AND NEEDS ASSESSMENT**

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

18 [Map 1: Existing Parks, Open Space & Trails](#)

DRAFT

19 | [Figure P-1: Existing Parks, Open Space & Trails](#)

20 |

**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.

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

Table P-1: Existing Inventory

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

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

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

<b>Table 1:—Parks, Recreation and Open Space</b>						
<b>DEMAND AND NEED WITHIN CITY LIMITS</b>						
#	Classification	Existing <sup>1,4</sup>	2010—35,836 Census Population		2025—86,000 Est. Population <sup>5</sup>	
			Demand <sup>2</sup>	Need <sup>3</sup>	Demand <sup>2</sup>	Need <sup>3</sup>
<b>Core Parks:</b>						
5	Mini	3.32 ae	5.38 ae	2.06 ae	12.90 ae	9.58 ae
8	Neighborhood	38.77 ae	53.76 ae	14.99 ae	129.00 ae	90.23 ae
2	Community	74.37 ae	120.06 ae	45.69 ae	288.10 ae	213.73 ae
<b>Subtotal:</b>		<b>116.26 ae</b>	<b>179.20 ae</b>	<b>62.74 ae</b>	<b>430.00 ae</b>	<b>313.54 ae</b>
<b>Other Park Land:</b>						
4	Special Use	81.45 ae	71.68 ae	0 ae	172.00 ae	90.55 ae
	Open Space	138.46 ae	107.52 ae	0 ae	258.00 ae	119.54 ae
<b>Subtotal:</b>		<b>219.91 ae</b>	<b>179.20 ae</b>	<b>0 ae</b>	<b>430.00 ae</b>	<b>210.09 ae</b>
<b>TOTAL:</b>		<b>336.37 ae</b>	<b>358.40 ae</b>	<b>22.03 ae</b>	<b>860.00 ae</b>	<b>523.63 ae</b>
4	<b>Trails:</b>	<b>7.10 mi</b>	<b>9.04 mi</b>	<b>1.94 mi</b>	<b>21.50 mi</b>	<b>14.40 mi</b>

Source: City of Lynnwood Parks, Recreation and Cultural Arts Department, revised 3/2013.

Notes:

- 1—Includes both developed and undeveloped park facilities within the City limits only.
- 2—Demand reflects total park acres required to meet minimum level of service standard for each category.
- 3—Need reflects additional park land required to meet minimum level of service standard for each category.
- 4—City park property located outside the City in the MUGA is not included in the City's demand and need analysis.
- 5—The 2025 population shown is an estimate that includes annexation of MUGA population and the new City Center population.

Population projections to 2026<sup>5</sup> were applied to determine future impacts on the City's existing parks system. ~~Both potential annexation of the MUGA population and the new City Center population are reflected in the 2025 population estimate.~~ 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.

~~**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 in the Trails category to meet the demand for 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 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 currently is in negotiations to successfully acquired an~~

1 additional 13 acres north of the Lund’s Gulch in 2015 bringing the total Lund’s Gulch preservation area  
2 to. ~~If acquisition of this site is successful, the total wetlands preservation area around Lund’s Gulch will~~  
3 ~~total~~ over 90 acres.

4 There are currently no active use park facilities in the City’s MUGA, which had an estimated ~~2011-2015~~  
5 population of ~~24,772~~37,493. -As a result, Lynnwood’s parks are over-burdened with non-resident use.  
6 Applying our current Parks Level of Service Standard to today’s MUGA population would require  
7 approximately ~~248-131~~ acres of developed parks ~~and open space~~. -To provide park facilities needed by the  
8 growing population in the MUGA, the City will continue to seek equitable methods of acquisition and  
9 development with Snohomish County and other jurisdictions.

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

## 14 GOALS, POLICIES AND STRATEGIES

### GOAL 1

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

### RECREATION & HEALTHY CHOICES

16 **Policy P-1.1** ~~Acquire park land in accordance with the Budget and Capital Facilities Plan for the~~  
17 ~~development of parks at the adopted level of service of 10 acres/1,000~~  
18 ~~population.~~ Provide a variety of recreational services and programs that promote the  
19 health and well-being of residents of all ages and abilities.

20 **Policy P-1.2** Provide facilities and programs that promote a balance of recreational opportunities  
21 all age groups.

22 **Policy P-1.3** Maintain and enhance Lynnwood’s recreation and senior centers to provide  
23 recreational opportunities, community services and opportunities for residents to  
24 connect, learn and play.

25 **Policy P-1.4** Examine program accessibility, barriers and opportunities to adjust or add services  
26 that meet the needs of inequitably served areas or populations.

27 **Policy P-1.5** Establish a language translation and interpretation plan to enhance promotion of and  
28 service delivery to linguistically isolated users and community members.

29 **Policy P-1.6** Identify opportunities to create public gathering spaces that enable residents of all  
30 ages to connect with each other.

31 **Policy P-1.7** Participate in neighborhood outreach for engagement, improvement, and creating  
32 neighborhood identities.



34 **Strategy P-1.1** Continue to expand and diversify popular youth and teens programs to meet the  
35 growing need for engaging, affordable, safe options for children.

- 1 **Strategy P-1.2** Design programming and services to meet the needs of diverse users, including at-  
2 risk communities or those with special needs.
- 3 **Strategy P-1.3** Maintain and enhance program scholarships and other mechanisms to support  
4 recreation access for low-income residents.
- 5 **Strategy P-1.4** Continue to provide and expand opportunities for seniors to engage in social,  
6 recreational, educational, nutritional, and health programs designed to encourage  
7 independence, in partnership with community agencies.
- 8 **Strategy P-1.5** Evaluate and improve recreational services and programs to meet identified cost  
9 recovery goals. Maintain staff development and certifications (e.g. CPR/First Aid,  
10 lifeguard certification, playground safety, etc.) to retain high safety standards in  
11 facilities and on play equipment.
- 12 **Strategy P-1.6** Plan the provision of indoor programming space for youth/teen and senior activities,  
13 performing arts and sports.
- 14 **Strategy P-1.7** Examine the need for additional community recreation facility space to meet indoor  
15 recreation needs for athletics, recreation classes and meeting space.
- 16 **Strategy P-1.8** Construct covered walkway for weather protection of Recreation Center swim  
17 patrons (CFP 201500102).
- 18 **Strategy P-1.9** Expand dedicated youth, teen and senior activity space with remodel and/or expand  
19 in an existing City building or off-site lease space (CFP 20150103).
- 20 ~~Strategy P-1.1~~ **Strategy P-1.10** Expand Recreation Center (Phase II) to add approximately 75,000 square  
21 feet of indoor recreation and leisure space for arts, teens, seniors, gymnasium space  
22 and multipurpose space (CFP BP2006023B).

23 **ARTS, CULTURE & HERITAGE**

- 26 ~~Policy P-1.7~~ **Policy P-1.8** Work with the community and local organizations to foster a greater  
27 number and variety of cultural events and support community celebrations.
- 28 ~~Policy P-1.8~~ **Policy P-1.9** Reflect the City's identity by incorporating art, history and culture into  
29 the park and recreation system.
- 30 ~~Policy P-1.9~~ **Policy P-1.10** Seek opportunities to support and expand heritage facilities.
- 31 **Policy P-1.11** Initiate a neighborhood program to support and nurture neighborhood programs and  
32 gatherings.
- 33 
- 34 **Strategy P-1.11** Support the goals and initiatives of the Cultural Arts Plan and the Heritage Plan.
- 35 **Strategy P-1.12** Continue to support community events that provide opportunities for social  
36 engagement and bring families and neighbors together.
- 37 **Strategy P-1.13** Partner with the Edmonds School District, community organizations and other  
38 providers to offer both drop-in and structured programs in art, music and dance, as  
39 well as educational and environmental activities for youth.
- 40 **Strategy P-1.14** Identify appropriate locations within parks and greenways for the installation of  
41 public art, interpretive signs, or cultural displays.

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**Strategy P-1.15** Coordinate the operation of Heritage Park facilities: Visitor Information Center, Heritage Resource Center, Genealogy Research Library, Interurban Car 55, Water Tower, heritage programming and demonstration gardens.

**Strategy P-1.16** Complete phased development of Heritage Park, including renovation of all the historic structures including Water Tower (CFP 1997015C), development of the Interurban Car track and pulley mechanism, play area, trail, demonstration gardens, and development of museum programming in the park (CFP PK1997015D).

**Strategy P-1.17** Initiate new cultural arts improvements and enhancements with the restoration of historic signs (CFP 201500100) for a permanent exhibit and/or the creation of screens for PUD power boxes in the City Center (CFP 201500101).

DRAFT

1 **Strategy P-1.2**

2 **Policy P-1.10** — Plan for the location of parks in the proximity of underserved neighborhood and/or  
3 high density developments.

4 **Policy P-1.11** — Design new parks and provide improvements to existing parks to promote public  
5 safety and security, and provide accessibility to all in accordance with Americans  
6 with Disabilities Act standards.

7 **Policy P-1.12** — Provide a variety of recreational opportunities to serve a diverse population.

8 **Policy P-1.13** — Manage and maintain parks, open space and recreation, through a regular schedule of  
9 maintenance and capital renewal efforts, to optimize use and protect public  
10 investment.



12 **Strategy P-1.3** — Conduct study, adopt and implement feasible funding method(s) for acquisition of  
13 park lands including park impact fees, metropolitan park district, partnerships, grants,  
14 user fees, City funding, interjurisdictional cost sharing, land developer contributions  
15 and other sources.

16 **PARK DEVELOPMENT**

17 **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.

18 Develop new neighborhood park, Rowe Park, in west Lynnwood, per master plan completed in 2004,  
19 when funding is available.

20 Develop an off-leash dog park in an existing City park or an acquired site in the City.

21 Continue development at Meadowdale Neighborhood Park per the 2001 Master Plan with expanded  
22 parking and picnic shelters. Explore partnership for development and management of a pocket farm.

23 Develop the 188th St SW mini park in an underserved neighborhood.

24 Acquire site and develop Town Center Park in City Center area.

25 Continue Scriber Lake Park renovation per master plan completed in 2005. Seek funding for additional  
26 phases to fully develop the park as a safe and active community park.

27 Provide improvements to Gold Park including trail development, ethnobotanical garden and invasive  
28 plant removal to increase use and public safety in park. Support continuing volunteer efforts by Edmonds  
29 Community College and other volunteer groups.

30 Develop Master Plan for future public use of Lund's Gulch in partnership with community stakeholders  
31 such as the Brackett's Landing Foundation and Friends of Lund's Gulch and environmental education  
32 organizations.

33 **ACTIVITY CENTERS**

34 Work with Community Development to identify parks and open space sites, related improvements, and  
35 implementation strategies for the City Activity Centers, City Center plans, including the City Center  
36

1 ~~Parks Master Plan, the City Center Streetscape Plan, the Highway 99 Subarea Plan, and Alderwood~~  
2 ~~Transition Area.~~

3 **PARK DESIGN & DEVELOPMENT MUNICIPAL URBAN GROWTH AREAS (MUGA)**

4 **Policy P-2.1** ~~Pursue cooperative planning efforts with Snohomish County to fund acquisition of~~  
5 ~~open space for conservation and future park development in the Municipal Urban~~  
6 ~~Growth Area to meet the recreational needs of future annexation areas. Design and~~  
7 ~~develop park sites and facilities to maximize recreational value and experience while~~  
8 ~~minimizing maintenance and operational costs and negative environmental and~~  
9 ~~community impacts.~~

10 **Policy P-2.2** ~~Partner with Snohomish County to provide frontage and parking improvements to~~  
11 ~~Dee Hageman Park. Strive to reduce barriers to participation and improve safety to~~  
12 ~~provide universal access to facilities and programs.~~



14 **Strategy P-2.1** ~~Design new parks and provide improvements to existing parks which promote public~~  
15 ~~safety and security, and provide accessibility to all in accordance with Americans~~  
16 ~~with Disabilities Act (ADA) standards.~~

17 **Strategy P-2.2** ~~Develop an ADA Transition Plan to more deeply address and prioritize accessibility~~  
18 ~~in parks and facilities.~~

19 **Strategy P-2.3** ~~Prioritize park development in areas where service gaps exist (where households are~~  
20 ~~more than ½ mile from a developed park) such as in the Alderwood Transition Area.~~

21 **Strategy P-2.4** ~~Prioritize development of existing park sites in areas of the City facing population~~  
22 ~~growth and residential and commercial development.~~

23 **Strategy P-2.5** ~~Update the City Center Parks Master Plan with community input to create a~~  
24 ~~prioritized implementation plan for the four proposed parks: Village Green, Town~~  
25 ~~Square, Civic Park, and Icon Park.~~

26 **Strategy P-2.6** ~~Acquire and develop Town Square Park in City Center Area (CFP PK2005059A).~~

27 **Strategy P-2.7** ~~Develop new neighborhood park, Rowe Park, in west Lynnwood, per 2004 master~~  
28 ~~plan (CFP PK2001039B).~~

29 **Strategy P-2.8** ~~Continue development and renovation of Scriber Lake Park per the master plans~~  
30 ~~(CFP PK2003046C).~~

31 **Strategy P-2.9** ~~Develop the 188th St SW Mini Park (CFP PK1999033A).~~

32 **Strategy P-2.10** ~~Implement improvements to Gold Park to add parking, picnic facilities, continue~~  
33 ~~invasive plant removal and trail development (CFP PK1997011C).~~

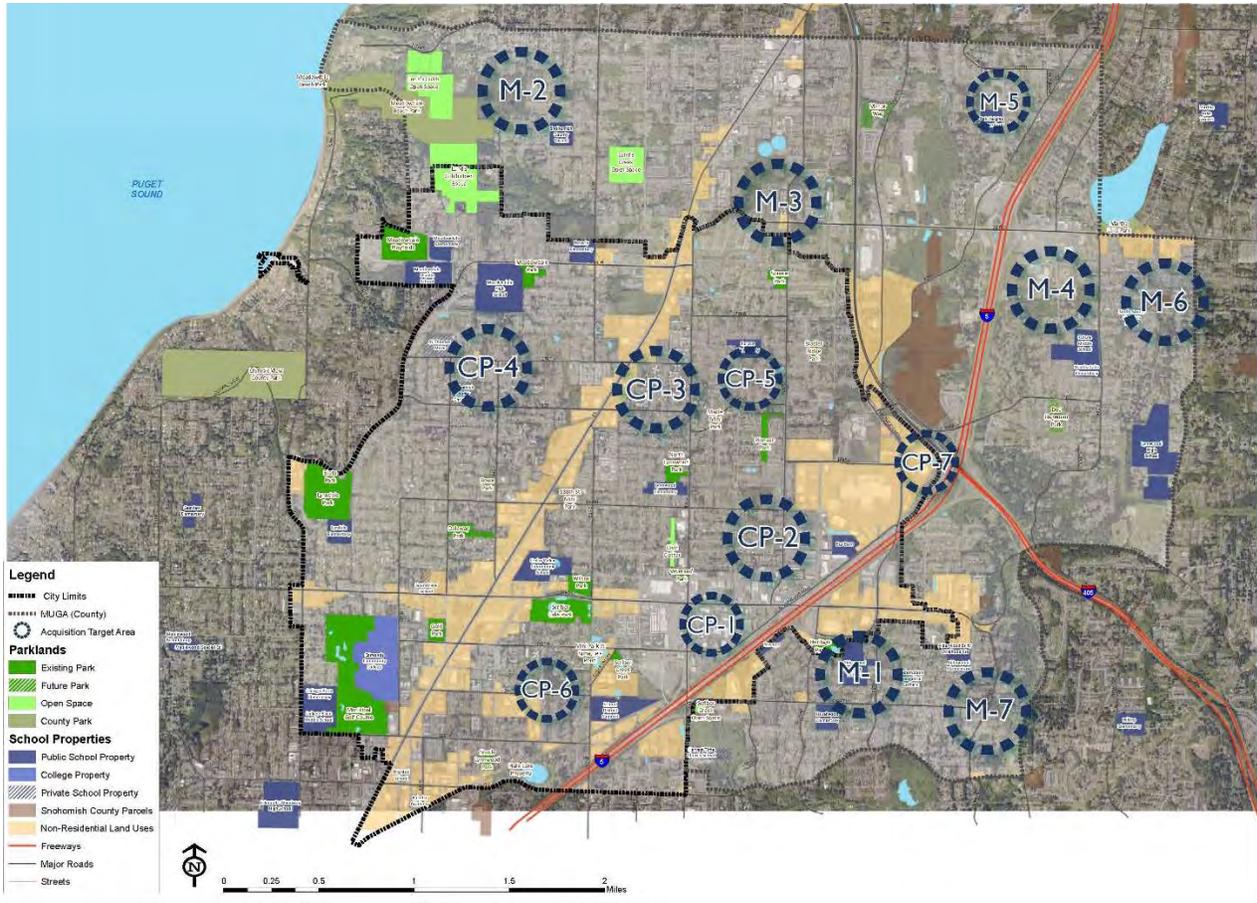
34 **Strategy P-2.11** ~~Develop master plan for future public use of Lund's Gulch in partnership with~~  
35 ~~community stakeholders.~~

36 **Strategy P-2.12** ~~Implement specific renovations and improvements at Lynndale Park (phase IV in the~~  
37 ~~central play area, CFP PK1997017B), Wilcox Park (CFP 201500105), South~~  
38 ~~Lynnwood Park (CFP 201300155), Veterans Park and Daleway Park (phase II, CFP~~  
39 ~~PK1997020B).~~

40 **Strategy P-2.13** ~~Work collaboratively with Community Development to identify parks and open~~  
41 ~~space sites, related improvements, and implementation strategies for the City Activity~~  
42 ~~Centers.~~

1 Strategy P-2.14 Plan for strategic acquisition of properties adjacent to parks or in underserved areas  
2 of the city.

3 **Map 2: Proposed Parkland Acquisition Target Areas**



5 **Figure P-2: Proposed Parkland Acquisition Target Areas**

6 **OPEN SPACE SYSTEMS/SPECIAL USE FACILITIES**

7  
8  
9 Policy P-2.3 Provide a system of open space to preserve and protect the area's remaining native  
10 forests, wetlands, streams and wildlife habitats, and to provide natural buffers to the  
11 built environment at the minimum adopted level of service of 3 acres/1000  
12 population for Open Space. Establish and operate specialized recreational facilities  
13 (e.g. sports facilities, off leash dog areas, skate parks, community gardens) to respond  
14 to identified public needs, as appropriate.

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



18 Strategy P-2.15 Encourage the development of specialized facilities that generate revenues to offset  
19 the cost of their operation and maintenance.

- 1 Strategy P-2.16 Provide additional picnic shelters for events such as family gatherings, community  
2 events and other meetings.
- 3
- 4 Strategy P-2.17 Identify opportunities to create, expand or increase suitable sites for community  
5 gardening and/or urban farming.
- 6 Strategy P-2.18 Implement identified improvements to the Golf Course that will sustain the business  
7 and make it a viable amenity to the system (CFP 201200151).
- 8 Strategy P-2.19 Develop a master plan for improvements to the Meadowdale Playfields athletic  
9 complex, including renovation of the soccer and softball fields (CFP PK2003048A).
- 10 Strategy P-2.20 Develop an off-leash dog area at an acquired site where off-leash use is safe and  
11 would have limited environmental impacts (CFP PK2004052B).
- 12 Strategy P-2.21 Explore options with off-leash area advocates for the creation of a non-profit  
13 organization to help support and fund the ongoing operations and maintenance of off-  
14 leash dog areas within the city.
- 15 Strategy P-2.22 Identify opportunities to create, expand or increase suitable sites for community  
16 gardening and urban farming.
- 17 **Policy P-1.14**
- 18 **Policy P-1.15** — Preserve and protect in public ownership areas with significant environmental  
19 features such as view corridors, landforms, steep slopes and plant and animal habitats  
20 from the impacts of development.
- 21 **Policy P-1.16** — Support volunteer and interjurisdictional efforts for restoration and preservation of  
22 the four major watersheds in South Snohomish County: Scriber Creek, Lund's Gulch,  
23 Swamp Creek and Hall Creek.
- 24 **Policy P-1.17** — Continue acquisition of open space properties in the Swamp Creek, Scriber Creek  
25 and watersheds.
- 26 **Policy P-1.18** — Continue to encourage stewardship of open space and natural areas through the Park  
27 Stewards program.
- 28 **Policy P-1.19** — Preserve open space corridors and trail linkages between parks, neighborhoods,  
29 schools and commercial centers. Where possible, acquire key linkages between  
30 parks and trail segments to create connected trail system.
- 31 **Policy P-1.20** — Provide neighborhood access to natural areas with trailheads and parking, in  
32 accordance with Title 17 LMC and ESA regulations.
- 33 **Policy P-1.21** — Provide environmental educational opportunities in natural areas with interpretive  
34 signage, nature trails and overlooks.
- 35 **Policy P-1.22** — Acquire open space within urban areas to buffer and enhance the built environment.
- 36 **Policy P-1.23** — Provide passive recreational opportunities in acquired natural areas.
- 37 **Policy P-1.24** — Work with Public Works and community volunteers in the enhancement of City-  
38 owned stormwater detention areas for passive community appreciation.

## **FACILITIES AND PROGRAMS OPEN SPACE & NATURAL AREA CONSERVATION**

- 40 Policy P-2.5 Provide a system of open space to preserve and protect the area's remaining native  
41 forests, wetlands, streams and wildlife habitats, and to provide natural buffers to the

1 built environment based on a regional conservation plan that identifies the strategic  
2 lands valued for future conservation.

3 **Policy P-2.6** Preserve and protect in public ownership areas with significant environmental  
4 features such as view corridors, landforms, steep slopes and plant and animal habitats  
5 from the impacts of development.

6 **Policy P-2.7** Conserve significant natural areas to meet habitat protection needs and to provide  
7 opportunities for residents to recreate and connect with nature, as appropriate.



9 **Strategy P-2.23** Pursue opportunities to provide appropriate public access (e.g. trails, viewpoints and  
10 wildlife viewing areas) within natural areas to support passive recreation and  
11 environmental education.

12 **Strategy P-2.24** Encourage conservation easements for open space within urban areas to buffer and  
13 enhance the built environment.

14 **Strategy P-2.25** Support volunteer and interjurisdictional efforts for restoration and preservation of  
15 the four major watersheds in South Snohomish County: Scriber Creek, Lund's Gulch,  
16 Swamp Creek, and Halls Creek.

17 **Strategy P-2.26** Actively work to improve the condition of City-owned natural areas through invasive  
18 species removal; planting of native species; restoration of urban forests, creeks,  
19 wetlands and other habitat; and improvement of hydrological conditions.

20 **Strategy P-2.27** Continue and encourage stewardship of open space and natural areas through the  
21 Adopt-A-Trail and Park Service programs.

22 **Strategy P-2.28** Consider the preparation of an Urban Forestry Management Plan to articulate a long-  
23 term strategy for tree protection, urban forestry management and public education  
24 and outreach.

25 **Strategy P-2.29** Provide environmental educational opportunities in natural areas with interpretive  
26 signage, nature trails and overlooks.

27 **Strategy P-2.30** Partner with Public Works on the development of a stream corridor management  
28 policy to outline protection of environmentally sensitive areas while improving  
29 access to natural areas and recreation corridors.

30 **Strategy P-2.31** Maintain Tree City USA designation with continued review of tree policy and  
31 management.

32 **Strategy P-2.32** Develop a 'Right Tree, Right Place' policy to guide tree planting along right-of-ways  
33 and under power lines.

34 **GOAL 3**

Lynnwood's PRCA Department coalesces the community and stewards its  
human social and physical capital and resources to expand recreational  
opportunities for residents.

35  
36 **Policy P-1.25** Provide the minimum adopted level of service of 2 acres/1000 population for Special  
37 Use facilities.

38 **Policy P-1.26** Provide facilities and programs that promote a balance of recreational opportunities  
39 all age groups.

- 1 **Policy P-1.27** — Provide improvements to facilities that meet sustainability goals.
- 2 **Policy P-1.28** — Improve access to Community Gardens through acquisition, development and
- 3 management of urban gardens for community use.
- 4 **Policy P-1.29** — Maintain staff development and certifications (e.g. CPR/First Aid, lifeguard
- 5 certification, playground safety, etc.) to retain high safety standards in facilities and
- 6 on play equipment.
- 7 **Policy P-1.30** — Coordinate the operation of Heritage Park facilities with the Heritage Park Partners
- 8 Advisory Committee, including the Visitor Information Center, Heritage Resource
- 9 Center, Genealogy Research Library, Interurban Car 55, Water Tower, heritage
- 10 programming and demonstration gardens.



- 11
- 12 **Strategy P-1.4** — Plan for Recreation Center Phase II construction of a new community center that will
- 13 provide programming space for youth/teen and senior activities, performing arts and
- 14 sports. Develop a master plan for improvements to the Meadowdale Playfields
- 15 athletic complex, including renovation of the soccer and softball fields, to meet the
- 16 community’s demand for athletic fields, allow for year-round use, and provide a
- 17 competitive athletic facility.
- 18 **Strategy P-1.5** — Complete phased development of Heritage Park, including renovation of all the
- 19 historic structures including Water Tower, development of the Interurban Car 55
- 20 track and pulley mechanism, play area, trail, demonstration gardens, and
- 21 development of museum programming in the park.
- 22 **Strategy P-1.6** — Work with the Lynnwood Parks and Recreation Foundation and community
- 23 volunteers to complete Phase II renovation of the historic water tower.

**ADMINISTRATION TRAIL SYSTEM**

- 25 **Policy P-3.1** — Design and construct trails to required standards to serve a variety of users at varying
- 26 skill levels to the adopted minimum level of service standard of 0.25 miles/1000
- 27 population for trails outside parks. Provide leadership and sufficient staff resources to
- 28 maintain the overall parks and recreation system to the City’s requirements.
- 29 **Policy P-1.31** — Support other City departments in the implementation of the “Multi-Choice
- 30 Transportation System Plan,” which proposes a comprehensive City-wide “skeleton
- 31 system” of sidewalks, walkways, bike paths and trails. The Plan would link parks,
- 32 schools, community facilities, transit centers, commercial centers, neighborhoods and
- 33 adjacent regional trail systems.
- 34 **Policy P-1.32** — Develop additional non-motorized pedestrian trails outside of parks to meet the
- 35 adopted minimum level of service to promote Lynnwood as a “walkable City.”



- 37 **Strategy P-3.1** — Plan and construct the northward extension of the Scriber Creek Trail to generally
- 38 follow the creek route, from Scriber Lake Park north to the Meadowdale area and
- 39 Lund’s Gulch (also known as Center to Sound Trail). Conduct regular performance
- 40 audits and analysis to ensure alignment with “Budgeting for Outcomes” budgeting
- 41 processes.
- 42 **Strategy P-3.2** — Coordinate development of the South Lund’s Gulch Trail with Snohomish County,
- 43 Brackett’s Landing Foundation and volunteers. The trail is planned to begin in north

Lynnwood, continue north into Lund's Gulch, cross Lund's Creek and connect with the existing Meadowdale Beach Park county trail, giving Lynnwood residents access to Lund's Gulch open space and a walkable connection to Puget Sound. Annually update the Capital Facilities Plan to reflect the recreational needs of the community.

**Strategy P-3.3** — Coordinate with Public Works to provide a seamless Interurban Trail corridor through Lynnwood by completing “missing links” in the Interurban Trail, specifically segments located at 212th St SW to 63rd Ave W to 211th St SW.. The objective is to remove trail users from automobile traffic where possible, providing a continuous trail route through the City. Work with Community Development and Economic Development to revise proposed level of service and park development in the City Center Plan.

### Strategy P-3.3

**Strategy P-3.4** Master plan Interurban Trail corridor upgrades and improvements including landscape and beautification, additional bench and picnic table amenities, improved directional signage, and upgraded trailheads. Provide improvements to the Interurban Trail to include trailheads, enhanced landscaping, signage and historic markers. Support interjurisdictional efforts to provide consistent and aesthetic improvements along the length of the Interurban Trail. Evaluate need to provide limited-commission status to park operation staff to improve staff and community safety in parks.

**Strategy P-3.4** Strategy P-3.5 Work with Human Resources, Finance and City Council to review personnel policies including employee benefits.

**Strategy P-1.7** — Develop a master plan for Wilcox Park, Scriber Lake Park and the adjoining School District property, reflecting how these facilities can be connected for pedestrian access and related activities. With Public Works, coordinate a feasibility assessment of sidewalk and crosswalk needs (safe routes to schools) for schools that have been impacted by the reduction of Edmonds School District busing.

**Strategy P-1.8** — Partner with Public Works on the implementation of the BikeLink Project which will provide 10 new miles of connected bicycle facilities and promote trail/bike safety through signage and educational activities for pedestrians and bicyclists.

## MAINTENANCE & ASSET MANAGEMENT INTERJURISDICTIONAL COORDINATION

**Policy P-3.2** Coordinate parks, open space and facility planning and development with appropriate jurisdictions and agencies for mutually beneficial partnerships. Actively manage Lynnwood's park and recreation assets through a regular schedule of maintenance and capital renewal efforts to optimize use, reduce unplanned reactive maintenance and protect public investment.



**Strategy P-3.6** Maintain a standardized and systematic inventory and assessment of park system infrastructure, including quantity, location, condition and expected useful life.

**Strategy P-3.7** Develop and update an Asset Management Plan for major assets to support improved stewardship, reduce costs and increase maintenance and replacement efficiency.

**Strategy P-3.8** Plan for and finance the backlog of deferred maintenance projects and upgrades for ADA compliance to ensure a safe, secure and accessible park infrastructure (CFP PK2000034A).

- 1 | **Strategy P-3.9** Encourage and promote volunteer park improvements and maintenance projects from
- 2 | a variety of individuals, service clubs, churches and businesses.
- 3 | Explore and evaluate fitness equipment maintenance and replacement options for the
- 4 | Recreation Center.
- 5 |

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2 ~~Policy P-1.33~~ Work with other agencies or service providers to provide adequate  
3 recreational programs, facilities and special events for community use.

4 ~~Policy P-1.34~~ Work with non-profit organizations and other community volunteers on  
5 parks, trails and open space service projects.

6 ~~Policy P-1.35~~ Create sponsorship opportunities for entrepreneurs, both non-profit and  
7 for-profit, to enrich the park experience and implement innovative approaches to  
8 revenue generation for parks and recreation facilities, events and programs.

9 ~~Policy P-1.36~~ Partner with Edmonds School District to improve access to existing  
10 school recreation sites for shared school/park use. Partner with ESD, the City of  
11 Edmonds and other potential funding partners to improve Meadowdale Playfields.

12 ~~Policy P-1.37~~ Pursue cooperative planning efforts with Snohomish County to provide  
13 parks and open space in future annexation areas.

14 ~~Policy P-1.38~~ Work with local businesses, land owners and other agencies, to enhance  
15 and further strengthen the Farmers Market in Lynnwood.

16 ~~Policy P-1.39~~ Work with Edmonds Community College and support volunteer efforts  
17 to make improvements to Gold Park.

## 18 **PARTNERSHIPS MONITORING AND EVALUATION**

19 Policy P-3.3 Monitor, evaluate and update parks, recreation facilities and open space to ensure  
20 balanced, efficient and cost-effective programs. Pursue and maintain effective  
21 partnerships with governmental agencies and private and non-profit organizations to  
22 plan and provide recreation activities and facilities in an effort to maximize  
23 opportunities for public recreation.



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

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

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

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

## 37 **FUNDING**

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



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**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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**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.

16 **GOAL 5**

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

17

18 **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).

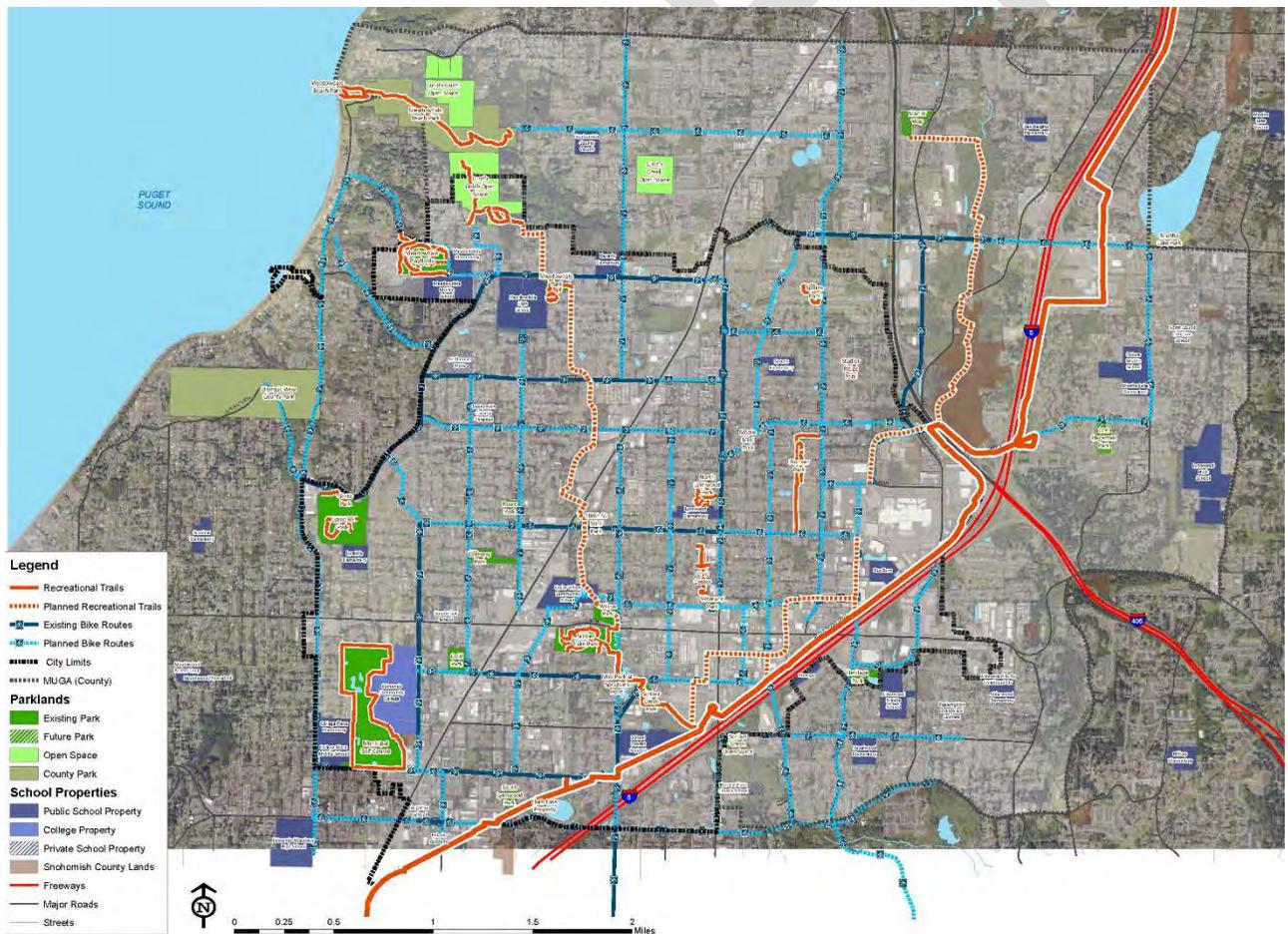
6 **Strategy P-5.7** Conduct a master plan and alignment study for the Center to Sound Trail which will  
7 link City Center, Scriber Lake and Lund's Gulch. Design and construct the northward  
8 extension of the Scriber Creek Trail from Scriber Lake Park north to the Meadowdale  
9 area and Lund's Gulch (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).

17 **Map 3: Proposed Recreational Trails & Bike Routes**



18 **Figure P-3: Proposed Recreation Trails & Bike Routes**

## 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.

~~**Policy P-1.40**~~



**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.

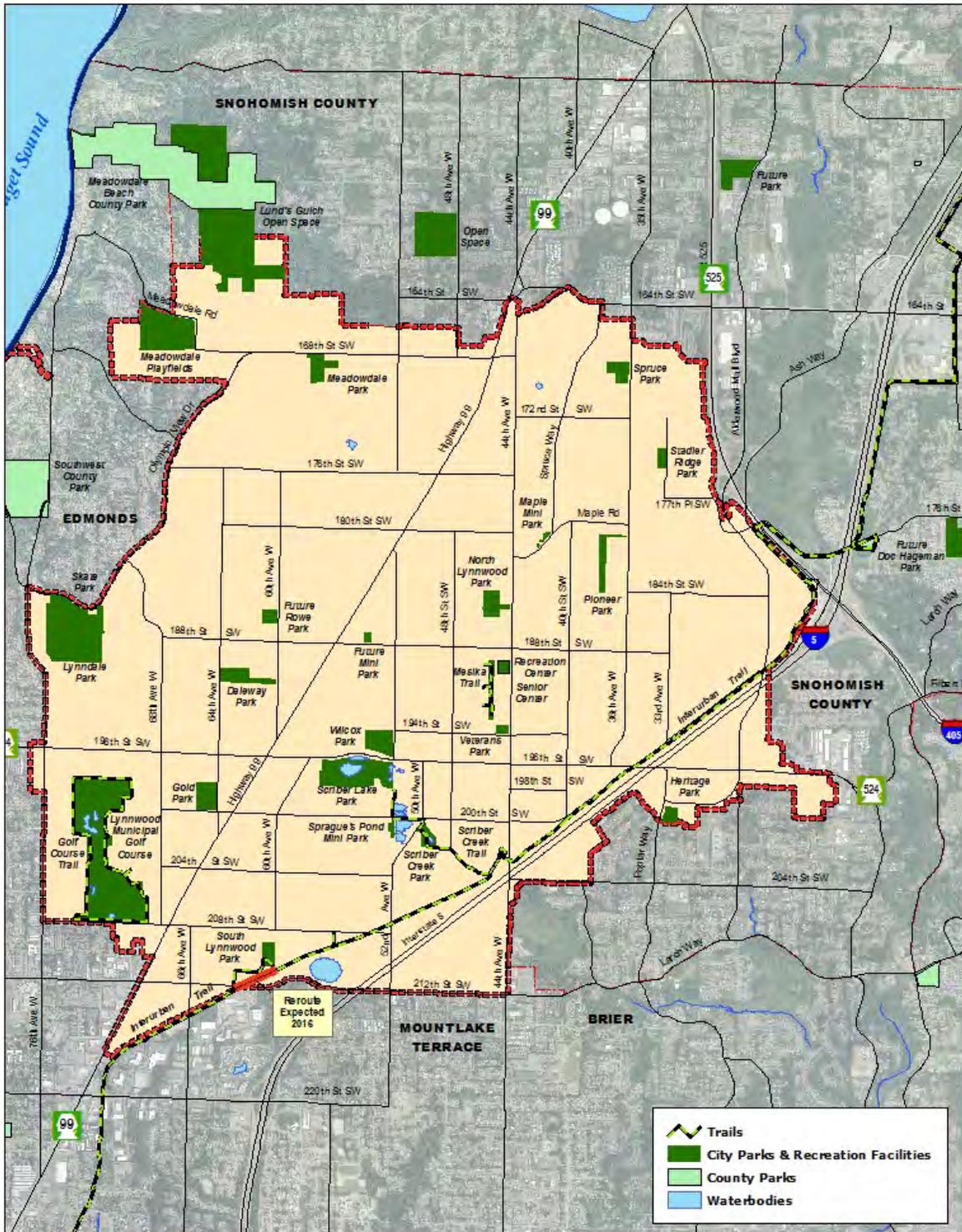
**Strategy P-5.21** Consider sponsorship opportunities for entrepreneurs, both nonprofit and for-profit, to enrich the park experience and implement innovative approaches to revenue generation for parks and recreation facilities, events and programs.

**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.

- 1 Encourage community input by providing opportunities for public involvement in park, recreation and  
2 open space planning.
- 3 Annually update the Parks, Recreation and Open Space Element of the Comprehensive Plan, in  
4 accordance with the Recreation and Conservation Office guidelines.
- 5 Continue public information programs to increase public awareness of the City's parks, recreation and  
6 open space system.
- 7 Develop the 2015-2025 Lynnwood Parks, Arts, Recreation and Conservation (PARC) Comprehensive  
8 Plan to help guide the planning, acquisition and development of parks, facilities, open  
9 space and recreation programs.
- 10 Annually update the Capital Facilities Plan with capital projects that reflect the recreational needs of the  
11 community.
- 12

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**2015 COMPREHENSIVE PLAN**  
 COMMUNITY DEVELOPMENT **PARKS, RECREATION FACILITIES, OPEN SPACE AND TRAILS**

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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

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# 3 COMMUNITY CHARACTER

## INTRODUCTION

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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](#)<sup>[SO1]</sup>; [Historic Resources](#); and Light and Noise Pollution.

## BACKGROUND

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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

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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.

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.

### **LIGHT POLLUTION**

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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.**

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

**NOISE POLLUTION**

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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.

## **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.

## **PUBLIC SPACES & IDENTITY**

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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.

- 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. 44<sup>th</sup> Ave. W. / 196<sup>th</sup> 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**

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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**

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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 Program](#) 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.](#)

<b>GOAL 11: Planning</b>	<del>Create and adopt through extensive community participation a 10-year Healthy Communities Strategic Plan.</del>
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30 ~~Incorporate strategic plan goals and objectives that include policy, infrastructure and programs that~~  
 31 ~~address active living, sustainable food systems, and social and human development.~~

<b>GOAL 112: Active Living</b> <small>[SO2]</small>	<del>Increase physical activity by making it easy and safe to be physically active daily. Creating pedestrian and bicycle friendly cooridors, trails and pathways that encourage non-vehicle trips and active living. Make it easy and safe for Lynnwood residents to be physically active daily.</del>
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32  
 33 ~~Provide the minimum adopted level of service of 2 acres/1000 population for~~  
 34 ~~Special Use facilities.~~

35 ~~Provide facilities and programs that promote a balance of recreational~~  
 36 ~~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 volunteers to complete Phase II renovation of the historic water tower.

## **BUILT ENVIRONMENT**

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



**Strategy CC-11.1** Update and implement the Multi-Choice Transportation Plan.

**Strategy CC-11.2** Establish ongoing, dedicated, capital funding to complete pedestrian and bicycle infrastructure.

**Strategy CC-11.3** Update City land use, zoning, design codes, and development review guidelines to reinforce and support multi-choice transportation options.

**Strategy CC-11.4** Establish safe pedestrian and bicycle friendly corridors through Walking School Buses, Safe Routes to School, and improved sidewalks, bicycle lanes, trails and connected corridors.

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**Strategy CC-11.5** Ensure continuous and ample sidewalks along principal, minor, and collector arterials are integrated with abutting land uses. Sidewalk design may include separation from streets, connections to walkways and trail systems, landscaping, and other amenities that enhance the community.

**Strategy CC-11.6** Implement multi-choice transportation system improvements to fill in missing links, create better connectivity to key destinations, focus on generator needs, and enhance the overall walkability and bikeability of the City.



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



**Strategy CC-11.7** Develop and implement an adopt-a-trail program to ensure maintenance and upkeep of existing trails in Lynnwood.

**Strategy CC-11.8** Partner with neighborhoods to inventory and prioritize neighborhood infrastructure needs and desired community amenities.

**Strategy CC-11.9** Where appropriate and feasible, provide lighting, seating, landscaping, street trees, trash receptacles, public art, bike racks, railings, handicap access, and other amenities for sidewalks, walkways and trails without interfering with pedestrian circulation.

**Strategy CC-11.10** Develop and implement wayfinding signage and monumentation standards that will prominently identify trails, multi-use corridors and recreational areas and highlight local destinations and amenities accessible from corridors.

**Strategy CC-11.11** Update the Tree Fund Ordinance to allow use of and incorporate trees and landscape material for aesthetic enhancements.

**Strategy CC-11.12** Create street tree care policy with certified arborists/pruners and incentives for property owners to manage and care for their street trees.

**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.

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

3  
4 **Strategy CC-11.16** Promote and enhance developer incentives to incorporate open space and/or  
5 recreation facilities in future development projects.

6 **ACTIVE PROGRAMMING**

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



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

12  
13 Explore and expand partnerships to increase program opportunities, especially  
14 for diverse populations.

15 **Strategy CC-11.18**

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

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21 **GOAL 123:**  
**Sustainable**  
**Food**  
**Systems**  
**Health**  
**y Eating**

22 Increase and support access for all Lynnwood residents to healthy,  
23 affordable, local foods for all Lynnwood residents.

24 **FOOD CHOICE**

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



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

29 Develop a voluntary, healthy-restaurant certification program.

30 **Strategy CC-12.2**

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

32  
33 **Strategy CC-12.4** Establish policy and practices to expand healthy food options and limit sugary  
34 beverages and junk food sold in public service venues.



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



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

5 Strategy CC-12.6 Explore opportunitites to expand community kitchen facilities.

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



9 Policy CC-12.3 Increase City community garden program in neighborhoods, schools, workplaces  
10 and the faith-based community, especially those areas that are underserved. ~~As a~~  
11 way to increase access to healthy foods for youth and families after school and  
12 during summer breaks.



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

16 **FOOD PRODUCTION**

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



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

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

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



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

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

30 =

**GOAL 134:  
Social  
Development  
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.~~

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



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.



5 **Policy CC-13.2** Support and expand 62+ wellness, recreation, active living and social programs  
6 commensurate with Lynnwood’s changing age demographic. Build neighborhood  
7 identity and improve communication between residents and the City.



9 **Strategy CC-13.3** Support the formation of neighborhood advisory groups to create a localized  
10 identity with an emphasis on making sure all communities have active  
11 representation with the City.

12 **Strategy CC-13.4** Coordinate interdepartmentally with community partners to examine  
13 opportunities to support and improve the city’s neighborhoods.

14 **Strategy CC-13.5** Initiate a citywide Neighborhood Improvement Project that will encourage  
15 residents to improve the visual appearance and uniquely identify their  
16 neighborhood through public investments such as streetscape improvements,  
17 unique signage, and neighborhood green spaces.

18 **Strategy CC-13.6** Support residential efforts to work and problem-solve neighborhood issues with  
19 the City in positive and proactive ways.

20 **Strategy CC-13.7** Partner with neighborhoods and artists to incorporate art and interactive  
21 amenities which serve to build and strengthen connections between residents, the  
22 City, and with each other.



24 **Policy CC-13.3** Bring community members, organizations and neighborhoods together to partner and  
25 support community events and activities and improve communication of community  
26 resources.



28 **Strategy CC-13.8** Update policies to encourage neighborhood events and activities to enhance  
29 community image/price and create a sense of place.

30 **Strategy CC-13.9** Support and promote art and cultural events, cross-cultural activities, and other  
31 programs that network community members.

32 **Strategy CC-13.10** Expand intergenerational programs that support aging residents.

33 **Strategy CC-13.11** Support communications of community resources, services and events that  
34 expand the reach to diverse communications.

35 **Strategy CC-13.12** Identify and support target groups and populations that grow out of community  
36 need.

37  
38 **ARTS, CULTURE & EQUITY**

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39 Lynnwood has a very diverse community consisting of many different cultures, ethnicities, and races.  
40 With this diversity, there are varying levels of lifestyle and backgrounds, all of which contribute to the  
41 richness of the community. The City of Lynnwood encourages the engagement of all citizens to help

1 understand and explore the diverse backgrounds that make up the community. This is accomplished  
2 through city-wide and neighborhood events, heritage and cultural events, and civic engagement  
3 opportunities.

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

12 People value and enjoy their leisure time, and the cultural arts are important elements in the lives of  
13 many. As Lynnwood grows, there will be an increased demand for affordable cultural opportunities close  
14 to home. It will be increasingly important to plan for facilities and programs that support and promote the  
15 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**

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

23 **Policy CC-14.2** Promote and sustain a vibrant creative community, which is vital to economic  
24 vitality.

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

29 **Policy CC-14.4** The Arts Commission will collaborate with other commissions and civic  
30 organizations to enhance the preservation of Lynnwood’s cultural heritage and  
31 history.



33 **Strategy CC-14.1** Support cultural tourism as a means of educating visitors about the cultural  
34 history of Lynnwood.

35 **Strategy CC-14.2** Partner with neighborhoods to facilitate design charrettes aimed at identifying  
36 Lynnwood’s unique neighborhood and district identities. Encourage and provide  
37 resources for neighborhoods to develop a neighbor community and identity.

38 **Strategy CC-14.3** Develop strategies to ensure stable funding and growth of city-provided arts  
39 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.



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.

## 26 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.



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

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.

### 33 **GOAL 2015:** 34 **Historical** 35 **ResourcesHeri** **tage Resources**

~~To preserve and provide residents a better understanding and awareness of the historic sites within the community. Connect community members to the history and heritage of Lynnwood to build a positive sense of place.~~

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

1 **Policy CC-15.1** Collaborate with community partners to collect and promote the history and heritage  
2 of Lynnwood.

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



10 **Strategy CC-15.1** Expand programs through active engagement at Heritage Park and the Lynnwood  
11 Library

12 **Strategy CC-15.2** Develop “history of the areas” learning material, including interactive material  
13 (e.g. Lego trolley kit)

14 **Strategy CC-15.3** Establish / Enhance history & heritage web content

15 **Strategy CC-15.4** Develop Interurban Trail interpretive signs & markers

16 **Strategy CC-15.5** Strengthen volunteer programs (e.g. docents, park clean-up events)

17 **Strategy CC-15.6** Include historic elements in Lynnwood construction projects (e.g. Sound Transit,  
18 private developers)

19 **Strategy CC-15.7** Participate with other local, county, state and national historical organizations to  
20 educate the community about the value of local cultural and historical resources  
21 through educational and informational exhibits, brochures, events and the  
22 website.

23 ~~Develop a program to protect and preserve significant historical resources and sites and resolve conflicts~~  
24 ~~between the preservation of cultural and historical resources and future land uses.~~

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

29 ~~Identify culturally and historically significant resources and sites within the City of Lynnwood.~~

30 ~~Establish and update on a regular a City historical resources inventory should be established and updated~~  
31 ~~on a regular basis and establish a resource evaluation criteria to determine which historical resources to~~  
32 ~~include on the inventory.~~

33 ~~Continue to develop, maintain, and preserve historical buildings, structures, artifacts, and items of historic~~  
34 ~~or cultural significant at Heritage Park for display, demonstration, and through exhibits (i.e. restoration of~~  
35 ~~the water tower, demonstration gardens, complete the trolley tracks, and complete the Wickers Museum).~~

36 ~~Provide information that interprets the history of the Lynnwood/Alderwood Manor area, including~~  
37 ~~historical displays, programs, activities, museum programming and interpretive signage.~~

38 ~~Commemorate Lynnwood’s history with signage, plaques and other projects (i.e. Interurban Trail, neon~~  
39 ~~signs).~~

40 ~~Provide ways to recognize property owners, including an annual event, including certificates of~~  
41 ~~recognition and landmark plaques for those who rehabilitate, restore, retain or reproduce historical~~  
42 ~~elements of their properties.~~

43 ~~The City will take an active role in the preservation and restoration of historic elements in the community,~~  
44 ~~including their display as applicable, while ensuring that they remain accessible to the community.~~

45 **Subgoal CC-13: Provide community education about the value of historical resources.HISTORIC**  
46 **RECOGNITION**

1 **Policy CC-15.3** Identify culturally and historically significant resources and sites within the City of  
2 Lynnwood.

3 **Policy CC-15.4** Develop a historic registry program and pursue registry of historic sites and  
4 structures.

5 **Policy CC-15.5** Continue to develop, maintain, and preserve historical buildings, structures, artifacts,  
6 and items of historic or cultural significant at Heritage Park for display,  
7 demonstration, and through exhibits (i.e. restoration of the water tower,  
8 demonstration gardens, complete the trolley tracks, and complete the Wickers  
9 Museum).

10 **Policy CC-15.6** Commemorate Lynnwood’s history with signage, plaques and other projects (i.e.  
11 Interurban Trail, neon signs, or historic street sign program).



13 **Strategy CC-15.8** Provide information that interprets the history of the Lynnwood/Alderwood  
14 Manor area, including historical displays, programs, activities, museum  
15 programming and interpretive signage.

16 **Strategy CC-15.9** Provide ways to recognize property owners, including an annual event, including  
17 certificates of recognition and landmark plaques for those who rehabilitate,  
18 restore, retain or reproduce historical elements of their properties.

19  
20  
21  
22 Provide a variety of approaches for educating the community about the value of historical resources.

23 **Policy CC-15.1** Participate with other local, county, state and national historical organizations to  
24 educate the community about the value of local cultural and historical resources  
25 through educational and informational exhibits, brochures, events and the website.

26 **Policy CC-15.2** Work closely with the Alderwood Manor Heritage Association, Historical  
27 Commission, Sno-Isle Geneological Society, League of Snohomish County Heritage  
28 Organizations, Heritage Park Partners Advisory Committee, Lynnwood Parks and  
29 Recreation Foundation, Arts Commission, Parks and Recreation Board and other  
30 heritage organizations in south Snohomish County to foster knowledge and  
31 appreciation of our historical resources.

32 **Policy CC-15.3** Develop and manage the Heritage Park Docent Program to provide guided tours of  
33 the park’s historical buildings, the Wickers Museum and Interurban Car No. 55.

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

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



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

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

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

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

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

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

11 Strategy CC-15.16 Protect creeks and watershed areas



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



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

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



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

29 ~~Develop a program for non-profit organization, community volunteer and business support of City~~  
30 ~~historical projects.~~

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

33 ~~Commemorate Lynnwood’s history with signage and plaques.~~

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

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



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

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

9 **CULTURE & DIVERSITY**

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

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

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

**GOAL 21:  
Cultural  
Resources**

~~Support universal access to diverse arts to enrich our community’s  
quality of life and economic vitality.~~

28  
29 **Subgoal CC-16: Create and enrich a strong sense of community identity through cultural arts.**

30 **Policy CC-14.1** — ~~Celebrate cultural heritage, develop a “sense of place,” and provide social gathering~~  
 31 ~~spaces and events that are stabilizing and strengthening elements in creating a strong~~  
 32 ~~sense of community identity. As cultural voices, the arts play an important role in~~  
 33 ~~defining who we are.~~

34 **Policy CC-14.2** — ~~Provide opportunities for educating residents about different ethnic arts and cultural~~  
 35 ~~traditions, and for building multicultural understanding.~~

36 **Policy CC-14.3** — ~~The Arts Commission will collaborate with other commissions and civic~~  
 37 ~~organizations to enhance the preservation of Lynnwood’s cultural heritage and~~  
 38 ~~history. Support cultural tourism as a means of educating visitors about the cultural~~  
 39 ~~history of Lynnwood.~~

1 **Subgoal CC-17: Encourage community openness and inclusion of people.**

2 **Policy CC-14.4** — Encourage participation from the private and business sectors to provide art for  
3 display in public places.

4 **Policy CC-14.5** — Advocate for and participate in the planning and design of a possible regional  
5 performing arts center.

6 **Subgoal CC-18: Promote art and artist opportunities**

7 **Policy CC-14.6** — Advocate for visual and performing arts opportunities in existing and proposed  
8 facilities.

9 **Policy CC-14.7** — Increase public awareness of the role and work of the Arts Commission.

10 **Policy CC-14.8** — Provide free art activities for all ages at public events.

11 **Policy CC-14.9** — Increase public awareness of cultural arts programs and services through the media,  
12 use of new technology, City publications, community partnerships, and through  
13 increased accessibility to public artwork.

14 **Policy CC-14.10** — Encourage City planning that provides sufficient opportunities and facilities to  
15 support local artists in developing and presenting their work.

16 **Policy CC-14.11** — Improve the quality of life in our City by promoting, preserving and sustaining the  
17 cultural arts. The arts are a catalyst for social interaction and creativity. By  
18 promoting and preserving the arts, and by identifying the resources needed to create  
19 and sustain a vibrant cultural community, we seek to enhance the quality of life for  
20 residents and visitors of Lynnwood and the South Snohomish County region.

21 **Policy CC-14.12** — Maintain and expand the public arts purchasing program, including increasing the  
22 number of art pieces displayed throughout Lynnwood.

23 **Policy CC-14.13** — Provide and encourage interactive public art displays on City properties and  
24 throughout Lynnwood.

25 **Policy CC-14.14** — Maintain an awareness of County and State funding opportunities, programs and  
26 information to circulate to the local community and develop a mobilization strategy  
27 to secure funding.

28 **Policy CC-14.15** — Create a Cultural Arts Plan and regularly review for appropriateness and  
29 implementation.

30 **Subgoal CC-19: Support and promote lifelong arts education.**

31 **Policy CC-14.16** — Expand partnerships and collaborations for cultural opportunities (i.e. Edmonds  
32 Community College, Edmonds School District, other jurisdictions, and Sno-Isle  
33 Library) to present quality arts programs and performances to the community.

34 **Policy CC-14.17** — Strengthening our partnerships with Edmonds Community College, Edmonds School  
35 District, neighboring cities, Lynnwood Library, artists, local businesses and arts, and  
36 civic organizations to present quality arts programs and performances to the  
37 community.

38 **Policy CC-14.18** — Encourage City planning that provides sufficient opportunities and facilities to  
39 support local artists in developing and presenting their work.

40 **Policy CC-14.19** — Develop strategies to ensure continued stability of quality programs, staffing and  
41 funding of the arts with the City planning process.

1 ~~Policy CC-14.20—Provide quality performances, programs and exhibitions.~~

**GOAL 22:  
Diversity &  
Cultural  
Heritage**

Create opportunities that celebrate and preserve the diversity and cultural heritage of Lynnwood.

2 ~~Policy CC-22.1—Connect and partner with neighborhood, community, educational, business and social~~  
3 ~~services groups and organizations.~~

4 ~~Policy CC-22.2—Help facilitate city-wide, neighborhood and community events, which include~~  
5 ~~opportunities for heritage and cultural events.~~

6 ~~Policy CC-22.3—Support programs which engage citizens and community leaders in a holistic~~  
7 ~~approach including dialogue, education, and training about diversity issues.~~

8 ~~Policy CC-22.4—Along with the Diversity Commission, provide additional opportunities for citizens to~~  
9 ~~become involved in city programs and events through promotions and commission~~  
10 ~~advocacy.~~

**GOAL 23:  
Diverse City**

Develop, implement and assess City Department goals, objectives, policies and procedures that improve diversity in City operations.

11 ~~Support the development of a City of Lynnwood Diversity Action Plan.~~

12 ~~Increase awareness of City operations to all backgrounds and cultures within the city.~~

13 ~~City elected officials and City employees shall take an active role in ongoing diversity efforts in the~~  
14 ~~community.~~

15 ~~Develop internal policies that reflect a value for diversity and the diverse needs of citizens.~~

16 ~~Develop a City-wide diversity recognition award program.~~

17  
18 **SUSTAINABILITY**

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19 A sustainable community is one that can meet the needs of the present population without compromising  
20 the ability of future generations to meet their own  
21 needs. Decisions made today by individuals and  
22 the business community will play a large role on  
23 what happens in the future. Decision makers at  
24 the state and local level will make an impact on  
25 whether sustainability will have a positive effect  
26 on the communities they serve.

27 Sustainable cities are places where people enjoy  
28 living, working, recreating and doing business.  
29 Sustainability plays a large role in driving jobs  
30 and services where the environment and public  
31 health is protected. Sustainable communities  
32 support walkability and access to transit. In order  
33 to be a truly sustainable community, residents and  
34 businesses must change their traditional practices

1 and seek to reduce consumption of renewable and non-renewable resources, reduce waste and pollution  
2 and protect the environment. Most of the resources we use are not renewable, and therefore a community  
3 must either find ways to conserve these resources or modify their behaviors and actions.

4 Sustainability is a critical part of Lynnwood’s future. A focus on green technologies, working with local  
5 agencies and service providers, and reevaluating the City’s practices are just some of the ways  
6 sustainability can be achieved over time.

7 The Sustainability section of the Community Character Element establishes the basis to promote, strive  
8 for, and commit to the goal of becoming a sustainable community. It is the goal of the City to collaborate  
9 with the community and its partners to create a “Sustainable Lynnwood.”

## 10 **PLANNING CONTEXT**

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11 Sustainability is a very broad concept and principle. While the effective range of influence that a  
12 community can have on sustainability is considerable, we will be most effective by focusing on a narrow  
13 set of objectives: city operations; green buildings and neighborhoods; energy conservation; transportation;  
14 environment; and waste reduction and recycling. At the same time, the city can adopt the basic  
15 framework of sustainability as guideposts for its operations and decisions. The elements of this  
16 framework are addressed in more detail below.

## 17 **WASHINGTON STATE GOVERNMENT RESPONSE**

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

### 21 Governor’s Climate Legislative and Executive Workgroup (CLEW)

22 On April 2, 2013, Governor Jay Inslee signed Engrossed Second Substitute Senate Bill 5802 (E2SSB  
23 5802) creating the Climate Legislative and Executive Workgroup. The Workgroup is charged with  
24 recommending a state program of actions and policies to reduce GHG emissions. In the bill, the newly  
25 created workgroup is ordered to prepare an evaluation of approaches to reducing greenhouse gas  
26 emissions. This initial evaluation report was completed in October 2013, with the following five  
27 programs proposed to be developed and implemented in Washington:

- 28 1. A cap on carbon pollution emissions, focusing on larger emissions sectors such as  
29 transportation, buildings and electricity.
- 30 2. Adopt measures to reduce use of electricity generated by coal-powered facilities in other  
31 states.
- 32 3. Establish an energy smart building program to include promotion of new financing,  
33 incentives and support.
- 34 4. Take actions to help finance the use of clean energy to include dedicated and sustained  
35 funding to help research institutions, utilities and businesses develop, demonstrate and deploy  
36 new renewable energy and energy-efficient technologies.
- 37 5. Adopt measures that will modernize our system for transporting goods and people by  
38 increasing efficiency and reducing costs and emissions. Land use plans should incorporate  
39 climate change considerations and better connect land use and transportation plans.

### 40 Carbon Emissions Reduction Taskforce (CERT)

41 The Carbon Emissions Reduction Taskforce (CERT) was a limited-time taskforce established by  
42 Governor Inslee in 2014. The taskforce was comprised of 21 leaders from business, labor, health and

1 public interest organizations, and provided recommendations to the governor on design and  
2 implementation of a market-based pollution program. The governor directed the taskforce to consider  
3 measures to offset costs to consumers and businesses, and to design strategies to help energy-intensive  
4 industries transition from carbon-based energy sources.

#### 5 Washington’s Growth Management Act (GMA)

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

#### 9 Washington State Department of Ecology Green Building

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

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

#### 18 Washington State Department of Ecology Climate Change

19 Governor Inslee released a package of proposals to reduce carbon pollution and transition to clean in  
20 2014. A key action of this package is the Carbon Pollution Accountability Act, which would require  
21 larger emitters of greenhouse gases to gradually reduce emissions, starting July 2016, to meet the State’s  
22 statutory emission limits. More information is available at the Department of Ecology’s Climate Change  
23 webpage.

### 24 **LYNNWOOD’S ROLE IN ENERGY & SUSTAINABILITY**

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

### 33 **WHAT HAS LYNNWOOD DONE WITH REGARD TO SUSTAINABILITY?**

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34 Our City has made some wise investments and decisions in the past few years in recognition of its  
35 responsibility to reduce energy consumption and begin planning for climate change. By participating in  
36 the Washington State Department of Enterprise Service’s Energy Services contracting program, and  
37 requesting energy grant funding from the Washington State Department of Commerce, the City is able to  
38 make several investments in energy-efficient technologies, with annual estimated savings in excess of  
39 \$50,000:

- 40     ▪ City Recreation Center (City’s first LEED Silver Certified Building) (2011)
- 41     ▪ Replace inefficient lighting in street lights and city building exterior lamps with LEDs (2015-16)
- 42     ▪ Replace dewatering centrifuges with a low-power screw press at the Wastewater Treatment Plant
- 43     (2014)

- 1       ▪ Update pumps at the three wastewater lift stations with more energy efficient models (2015-16)
- 2       ▪ Update lighting and HVAC systems in the library and civic center complex (2015-16)

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

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

15 While Lynnwood’s Comprehensive Plan has recognized and responded to a number of sustainability  
 16 issues, it has lacked a comprehensive approach to energy issues. In 2006, the City was awarded a  
 17 \$30,000 grant for the development of an Energy Element. While this grant, a first for Community, Trade  
 18 and Economic Development (CTED), was able to underwrite the development of an initial energy  
 19 inventory and explore policy options, matching city resources remain insufficient to either complete the  
 20 inventory or fully develop a model element.

**GOAL 165:  
Sustainable  
City**

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

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

25 **Policy CC-16.1** As long term goals, the City should consider establishing a Sustainability  
 26 Commission whose main purpose would be to foster the development of a  
 27 Sustainable City Action Plan which focuses on tangible goals and policies that will  
 28 help guide the City to establish green buildings, infrastructure and programs while  
 29 fostering a sense of community.

30 **Policy CC-16.2** Partner with Edmonds Community College and other organizations to facilitate the  
 31 identification, evaluation, and implementation of sustainable measures by the City.

32 **Policy CC-16.3** Consider Smart Growth principles as adopted by the Smart Growth Network for  
 33 design and development of Lynnwood. Principles may include mixing land uses,  
 34 compact building design, creating walkable neighborhoods, preservation of open  
 35 spaces and critical areas, facilitating a variety of transportation choices, and  
 36 collaborating with the community stakeholders in community planning and  
 37 development decisions.

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

- 1 **Policy CC-16.4** Operational plans should incorporate sustainability principles through the  
 2 implementation of best management practices and energy-saving policies. Examples  
 3 of such operational plans include:
- 4 • Stormwater management
  - 5 • Water and wastewater utility infrastructure
  - 6 • Transportation infrastructure and traffic management
  - 7 • Parks and recreation facilities
  - 8 • Other capital facilities
- 9 **Policy CC-16.5** The City should consider requiring all new vehicles to be replaced with fuel-efficient  
 10 vehicles, utilizing alternative fuels such as compressed natural gas (CNG), electric,  
 11 hybrid, biodiesel and propane.
- 12 **Policy CC-16.6** Consider future replacement of all street sweeping vehicles from diesel fuel sources  
 13 to alternative fuels, such as electric-powered or liquefied natural gas (LNG).
- 14 **Policy CC-16.7** Update lighting and HVAC systems in all City operated facilities.
- 15 **Policy CC-16.8** Utilize sustainable principles and practices at the City’s parks, golf course, and open  
 16 spaces, such as water conservation, grasscycling, recycling and pest and weed  
 17 management.
- 18 **Policy CC-16.9** The City should consider implementing an Environmentally Preferable Purchasing  
 19 Policy, designed to encourage purchasing of locally manufactured and produced  
 20 products and services which reduce toxicity, conserve natural resources, materials,  
 21 and energy, and maximize recyclability.
- 22 **Policy CC-16.10** Consider implementation of a sustainable office and supply program, substituting  
 23 non-green office furniture and products for green products.
- 24 **Policy CC-16.11** The City should develop a Shop Green program to educate consumers about green  
 25 products and where to purchase them.
- 26 **Policy CC-16.12** Establish City purchasing guidelines that require the purchase of reusable and/or  
 27 recycled products and require City operations to participate in take-back programs  
 28 where available.

**GOAL 176:  
Sustainable  
Community**

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

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

- 31 **Policy CC-17.1** Develop incentives that support local food production and processing to reduce  
 32 energy use, increase food security and provide a healthy, local food supply.
- 33 **Policy CC-17.2** Support the development of a community garden (“pea patch”) program throughout  
 34 the City, which helps foster a green community and serves as small scale, sustainable  
 35 farming in an urban setting.
- 36 **Policy CC-17.3** Continue to support sustainable food production methods, such as the allowance of  
 37 chickens and goats.

- 1 **Policy CC-17.4** Along with community-based partners, establish a “Shop Local” campaign, designed
- 2 to educate and encourage residents to spend their money locally, which in turn
- 3 supports City services and programs and creates and supports local jobs. In addition
- 4 to financial benefits, shopping locally reduces vehicle miles travelled, reducing
- 5 emissions and the carbon footprint.
- 6 **Policy CC-17.5** Creating pedestrian and bicycle friendly corridors, trails and pathways that encourage
- 7 non-vehicle trips and active living.

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

- 10 **Policy CC-17.6** Continue to maintain the City’s designation as a “Tree City USA” community to
- 11 protect and support sustainable urban forests.
- 12 **Policy CC-17.7** Actively promote tree planting in parks, open spaces and private properties to further
- 13 enhance and support Lynnwood as a “Tree City.”
- 14 **Policy CC-17.8** Advocate native planting demonstration programs that teach residents and property
- 15 owners the value of planting vegetation native to the Northwest.
- 16 **Policy CC-17.9** For vacant city-owned lots, consider implementing interim green uses such as
- 17 community gardens.
- 18 **Policy CC-17.10** Support green neighborhood initiatives and education, such as tree plantings,
- 19 neighborhood cleanup days, community gardens, native meadow / field ground cover
- 20 plantings and educational seminars.
- 21 **Policy CC-17.11** Encourage residents to install landscaping that is less water dependent and drought
- 22 tolerant to reduce the consumption of water.
- 23 **Policy CC-17.12** Work with Edmonds School District and Edmonds Community College students to
- 24 establish and maintain community gardens.
- 25 **Policy CC-17.13** Through educational efforts sponsored by the Edmonds Community College,
- 26 encourage the removal of water intensive landscaping and replace with native,
- 27 drought-tolerant and/or edible landscapes on private properties. For City properties,
- 28 including City road widening projects where medians and or additional right-of-way
- 29 will need to be landscaped, encourage low water/low maintenance landscaping.
- 30 **Policy CC-17.14** Work with Snohomish PUD and other utilities that own surplus land to plant native
- 31 vegetation and help green rights-of-way.
- 32 **Policy CC-17.15** Support efforts by Puget SoundCorps, whose crews work on critical projects to help
- 33 restore and protect Puget Sound through a variety of work activities, including
- 34 restoring habitat areas at toxic cleanup sites, repairing stream and streamside habitat
- 35 damaged by unlawful uses of public lands, removing invasive species and conducting
- 36 educational activities that help support the Puget Sound Partnership.
- 37 **Policy CC-17.16** Promote green business practices that include goals and strategies for waste
- 38 reduction, energy efficiency, water conservation, green purchasing, etc. Also
- 39 encourage the formation of a local green business network to share information and
- 40 promote green business practices.

**GOAL 187:  
Sustainable**

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.

## Built Environment

**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.**

**Policy CC-18.1** Along with transit agency goals for alternative transportation options, support carpool programs and car-sharing companies to reduce single-occupant vehicles and limit the number of vehicles on local and regional roadways.

**Policy CC-18.2** Encourage alternative modes of transportation, such as biking, walking or electric vehicles to reduce the City’s carbon emissions footprint.

**Policy CC-18.3** Continue to promote, expand and sustain the Pedestrian and Bicycle Skeleton System to reduce vehicular use and promote a sustainable community.

**Policy CC-18.4** In collaboration with local biking groups, develop biking programs that educate and inform residents about the benefits of biking in communities, such as Bike to Work promotions.

**Policy CC-18.5** For neighborhoods adjacent to or along the Pedestrian and Bicycle Skeleton System, incorporate traffic calming measures to promote pedestrian and bicyclist safety.

**Policy CC-18.6** Work with Community Transit to promote the Commute Trip Reduction program to effectively reduce vehicle miles traveled and peak-period congestion..

**Policy CC-18.7** Support Community Transit’s implementation of its Long Range Transit Plan which encourages bus ridership, expansion of Bus Rapid Transit (BRT) Swift Line and the Commute Trip Reduction (CTR) program to continue the reduction of single-occupant vehicle trips.

**Policy CC-18.8** New residential developments should be required to provide pedestrian connections through blocks, where feasible, to improve connectivity and increase walkability of the community.

**Policy CC-18.9** Consider a pilot “green streets” project that showcases low-impact development techniques that emphasize sustainability through stormwater collection, drought tolerant landscaping, pervious paving, and recycled materials. If successful, consider expanded application of green streets measures.

**Subgoal CC-8: Promote green development standards and seek ways to preserve and rehabilitate existing structures to meet green standards.**

**Policy CC-18.10** At a minimum, City buildings should be built or renovated to Leadership in Energy and Environmental Design (LEED) Silver criteria (or equivalent). LEED certification will only be required for those buildings specified by City Council.

**Policy CC-18.11** Historic buildings and structures within the City should be saved whenever feasible and economically viable in order to encourage adaptive reuse of these facilities. In cases when structures are no longer usable, materials should be reused for new construction.

**Policy CC-18.12** Continue to concentrate compact, mixed-use, walkable transit-oriented centers, specifically within the Regional Growth Center (which includes City Center), along Highway 99, around Alderwood Mall and within the College Mixed-Use District.

- 1 **Policy CC-18.13** Work with green-building organizations such as “Built Green Washington” to
- 2 promote environmentally responsible building and construction.
- 3 **Policy CC-18.14** Encourage Lynnwood residents and business owners to invest in efficient building
- 4 practices, energy retrofits, weatherization and renewable energy systems for homes
- 5 and businesses through progressive code application and administration
- 6 **Policy CC-18.15** Where appropriate and feasible, install or replace non-pervious surfaces with
- 7 pervious materials (i.e. sidewalks, driveways, parking lots).
- 8 **Policy CC-18.16** Continue to update development standards to allow or require low impact
- 9 development standards such as infiltration of stormwater, bioswales, green roofs, rain
- 10 gardens or other established Best Management Practices (BMPs).
- 11 **Policy CC-18.17** Explore the use of sustainability rating systems to evaluate performance for land
- 12 development projects within the City, such as public buildings and parks, private
- 13 office buildings, office and industrial parks, streetscapes and plazas, roadway and
- 14 transportation infrastructure projects, residential and commercial developments and
- 15 public and private school campuses.

**GOAL 198:  
Energy and  
Waste  
Reduction**

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

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

- 19 **Policy CC-19.1** The City should establish achievable energy conservation targets for all City-owned
- 20 facilities. The City should find ways to reduce energy consumption in all existing
- 21 buildings owned by the City.
- 22 **Policy CC-19.2** The City should support Snohomish County PUD’s “Planet Power” and “Solar
- 23 Express” programs, voluntary programs which help fund the development of green
- 24 and renewable energy sources such as solar.
- 25 **Policy CC-19.3** Energy saving measures for City streets should be implemented, such as the
- 26 conversion of street lighting to LED or other efficient technologies.
- 27 **Policy CC-19.4** Support local alternative fueling stations for both City and public use.
- 28 **Policy CC-19.5** City should consider implementing an energy audit incentive program, which
- 29 encourages and educates home and business owners as a way to increase energy
- 30 efficiency in buildings.
- 31 **Policy CC-19.6** Support a renewable energy program which encourages the use of renewable energy
- 32 technologies, such as solar electricity, solar hot water, biogas, and geothermal heating
- 33 and encourage replacement of inefficient home or commercial heating systems.
- 34 **Policy CC-19.7** New City buildings or additions over 10,000 square feet will require placement of
- 35 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.**

- 1 **Policy CC-19.8** Implement Citywide program to educate home and business owners of the
- 2 importance of waste and recycling collection. Encourage businesses to implement
- 3 practices to reduce waste and highly encourage reusable or recyclable products when
- 4 feasible.
- 5 **Policy CC-19.9** Increase awareness and promote the U.S. Environmental Protection Agency’s
- 6 Reduce, Reuse, Recycle campaign, both in schools and in the community.
- 7 **Policy CC-19.10** Develop a Citywide public education campaign to reduce litter and waste by
- 8 promoting the use of reusable products rather than disposable products (grocery bags,
- 9 water bottles, utensils, etc.).
- 10 **Policy CC-19.11** Continue to support Citywide cleanup events, such as hazardous waste and yard
- 11 cleanup events.
- 12 **Policy CC-19.12** A City-wide waste reduction and recycling program should be implemented for all
- 13 City facilities. This may include but not limited to recycling, composting, reduction
- 14 of paper, or banning the use of disposable (single-use) items at City facilities and
- 15 sponsored functions.

**GOAL 1920:  
Climate  
Change**

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

**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.**

- 20 **Policy CC-20.1** The CAP shall be developed through the leadership of the Executive and Community
- 21 Development Departments, in collaboration with other City departments.
- 22 **Policy CC-20.2** The CAP shall identify programs and actions to reduce environmental impacts and
- 23 create a sustainable community. Measurable goals and actions shall address sectors
- 24 such as buildings, transportation, energy, green economy, environment, water and
- 25 waste reduction.
- 26 **Policy CC-20.3** The Mayor shall establish a “Green Team” consisting of at least one representative
- 27 from each department. Members of the Green Team, working with their
- 28 departments, shall be responsible for the development and review of measures for
- 29 incorporation into the CAP.
- 30 **Policy CC-20.4** The Mayor shall appoint a Green Ribbon Task Force to guide the development of the
- 31 CAP. This effort will be jointly coordinated by the Community Development and
- 32 Economic Development departments.



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2  
3 **1. 2016 Comprehensive Plan Amendments and Rezone**

4  
5 Planning Manager Todd Hall introduced the remaining Comprehensive Plan  
6 Amendments. These included the Kid City LLC Comprehensive Plan Amendment and  
7 Rezone; the Parks, Recreation, and Open Space Element Comprehensive Plan  
8 Amendments; and the Community Character Element Comprehensive Plan  
9 Amendments. All three were approved as part of the docket earlier this year.

10  
11 Kid City LLC Comprehensive Plan Amendment and Rezone: Planning Manager Hall  
12 reviewed the location of this item on the map. He explained this is a privately-initiated  
13 amendment to the Future Land Use Map and a concurrent rezone to change the  
14 designation of the parcel located at 6009 – 168<sup>th</sup> Street from Low Density Single Family  
15 to Local Commercial and also a rezone and a Zoning Map change from Residential  
16 8400 square feet (RS-8) to Neighborhood Commercial (B-3). He noted that the B-3  
17 zone is part of a change on a separate item which would be reviewed later. Currently  
18 the parcel has a non-conforming daycare center including a single-family residence.  
19 The property was part of a citywide rezone ordinance in 2001 to achieve consistency  
20 with the 2020 Comprehensive Plan. He reminded the Planning Commission that this  
21 was the one item staff made a recommendation to not include on the docket, but  
22 Planning Commission chose to keep it for further discussion and review. This will also  
23 be part of the public hearing at the next meeting. Staff discussed this with City Attorney  
24 Larson to see if there was some way to exempt the property that would maintain  
25 consistency with the plan and potentially treat similar property owners in an equitable  
26 manner and not result in the creation of a precedent that could have the effect of  
27 introducing similar commercial uses in residential neighborhoods throughout the City.  
28 The City Attorney indicated that there were no options for approving this use that didn't  
29 create potential issues. It is her opinion that the proposed conditional ordinance would  
30 treat the application differently from other properties that contain a legal non-conforming  
31 use. The proposed conditional rezone would be viewed as spot zoning which is defined  
32 as arbitrary and unreasonable zoning action by which a small area is singled out of a  
33 larger area and specifically zoned for use/classification that is totally different and  
34 inconsistent with the classification of the surrounding land area and not in accordance  
35 with the Comprehensive Plan. Based on this legal opinion, staff is recommending that  
36 this application not be approved.

37  
38 Vice Chair Larsen commented that this is a great use, but based on the City Attorney's  
39 opinion, he was in support of staff's recommendation.

40  
41 Commissioner Ambalada expressed concern about potentially losing the daycare. She  
42 noted that this is a good, safe environment for children and commented that the City  
43 needs daycares due to increased population. Planning Manager Hall clarified that the  
44 daycare is allowed to operate as it's been operating as a non-conforming use. The City  
45 is not seeking to discontinue that use in any way. This is merely an application to  
46 change the zoning and land use designation of the property. Commissioner Ambalada

47 asked about the reason for the application request. Chair Braithwaite invited the owner  
48 to speak.

49  
50 Julie Anderson, 5722 Hill Point Circle, Lynnwood, WA, explained that she had been in  
51 the building for 26 years when she bought the building. She didn't realize at the time  
52 that it had been changed to residential property. When she went to refinance in order to  
53 renovate the house that's on the property no bank would give her financing because the  
54 whole property is zoned wrong. As far as setting a precedent, she said she did a record  
55 search, and back in 2001 when it was rezoned she was the only commercial building in  
56 the City of Lynnwood that was rezoned to residential.

57  
58 Chair Braithwaite asked if Ms. Anderson received any notice about the rezone when it  
59 happened. Ms. Anderson replied that she did not. She did not know if the owners of the  
60 property were notified or not. Chair Braithwaite asked if Ms. Anderson did a title search  
61 when she purchased the property. She replied that she got a letter from the City stating  
62 that she could continue using this for her business. They stated that it was supposed to  
63 be associated with a church which it isn't since she bought it.

64  
65 Vice Chair Larsen thought that the use of the property was grandfathered in as long as  
66 it is a daycare. He stated he didn't think it is a great place for a commercial use. He  
67 commented that there is a provision called special endorsement on insurance which he  
68 might help the financing situation. Ms. Anderson said the City Attorney's opinion was  
69 that as soon as she sold the property it would lose its commercial zoning and revert to  
70 residential. Planning Manager Hall wasn't sure, but commented that the issue was the  
71 City Attorney's opinion that they couldn't approve the application without making it an  
72 exception. He stated that the current zoning says that if you aren't associated with a  
73 church or a school then it's not a conforming use. Since this use has been here a long  
74 time it's able to continue to operate in the RS-8 zone. Because of the legal opinion of  
75 the City Attorney and the history of what the Council decided to do with the zoning 15  
76 years ago, staff is not supporting the change. He explained that staff would continue  
77 with the public hearing and then take the matter to Council who would ultimately have  
78 the final decision.

79  
80 Ms. Anderson stated that since she was the only commercial building in the city that  
81 was rezoned at that time to residential she believes it was a mistake. She noted that the  
82 county website doesn't show a picture of the 4,000 square foot commercial building.  
83 She thinks they assumed that it was a home daycare so it could be zoned residential.

84  
85 Chair Braithwaite commented that the site used to be zoned for commercial.  
86 Throughout the city there are pockets of commercial properties embedded in residential  
87 communities. He speculated that the original intent of that was to have small businesses  
88 close to the community for uses like daycares and convenience stores. Planning  
89 Manager Hall agreed that was a possibility. He noted that different parts of this area  
90 were annexed over time. When it was in the county things were allowed in different  
91 locations that didn't follow a guiding principle. As far as Council's rationale for singling  
92 out this property he said he couldn't speculate. Chair Braithwaite suggested that if it

93 were done and someone said it looked like spot zoning, this property would have an  
94 argument based on the history of the zoning.

95  
96 Commissioner Wojack asked if Ms. Anderson would be allowed to expand or remodel  
97 the daycare if she had financing. Planning Manager stated that she couldn't expand it,  
98 but she could repair it within certain thresholds.

99  
100 Commissioner Ambalada asked if she could build a Mixed Use building where the  
101 house is. Planning Manager Hall stated that she could not do that in the residential  
102 zone.

103  
104 Vice Chair Larsen asked about rezoning B-3 under a Development Agreement that  
105 limits the use to daycare. Planning Manager Hall stated that was one of the things they  
106 discussed with the attorney. He noted that the City Attorney would be present at the City  
107 Council's public hearing and could clarify any issues.

108  
109 Parks, Recreation, and Open Space Element Comprehensive Plan Amendments: Parks  
110 Deputy Director Sarah Olson submitted the Revised Parks, Recreation and Open Space  
111 Element to be amended in the City's Comprehensive Plan. These revisions reflect and  
112 are consistent with the Department's recently adopted Park Plan (Parks Arts Recreation  
113 and Conservation Plan) which is the full Park Plan available online. She distributed a  
114 summary of highlights to the Planning Commission. She reviewed the history of the  
115 Park Plan which was assembled as a 10-year Strategic Plan to provide high quality  
116 community-driven parks, trails, open spaces, and recreational opportunities and which  
117 supports and is in alignment with the City's Community Vision. The Plan takes stock of  
118 the City's current needs and trends. Great attention was paid to understanding the  
119 community's demographic distribution and various barriers to access and social equity.  
120 The Plan also revealed the high value the community places on the park system and on  
121 keeping them safe, secure and accessible. A detailed inventory and conditions  
122 assessment of the city's facilities revealed a great need to address a lengthy list of  
123 deferred maintenance items including updating and providing ADA improvements  
124 across the system, updating and/or replacing playgrounds, and providing annual capital  
125 funding to progressively reduce deferred maintenance demand. The most significant  
126 change to the Element is the revision to the City's level of service to 3.5 acres per 1,000  
127 residents and to include other factors such as proximity, accessibility, and care of  
128 existing parks.

129  
130 The rest of the amendment recommendations are related to goals and strategies which  
131 are based on five major goals areas. Within those areas there are several different  
132 policy areas with actions. All of the goals, policies and actions fall into these five  
133 categories. The goals are: to foster a healthy and active community, to create great  
134 parks and public places, to ensure sound management and maintenance, to prepare for  
135 the future, and to ensure connectedness.

136  
137 Deputy Director Olson stated she would have one additional correction to this Element  
138 on page 50. Strategy P-2.5 references a desire to commit to the development of future

139 Town Square Park and City Center. That will be amended to reflect a commitment to  
140 the City Center Parks Master Plan which identifies four potential future parks in City  
141 Center and doesn't prioritize Town Square Park as the highest priority.

142  
143 Commissioner Ambalada commended Deputy Director Olson on the Plan.

144  
145 Vice Chair Larsen said he enjoyed reading through this and commented on the huge  
146 scope of the work. He referred to page 53, Goal 3, and asked for clarification on  
147 Strategy 3.4. Deputy Director Olson explained that Lynnwood has seen an increased  
148 demand on public services including law enforcement and park operation and others  
149 due to the opioid epidemic, homelessness, and other mental issues that are affecting  
150 some of the population. The City has seen a dramatic increase in the demand for  
151 services in parks due to those impacts. For example, staff collects a much higher  
152 number of needles in parks than they used to. They have had to remove numerous  
153 encampments and had to respond to campfires that turned into small to moderate forest  
154 fires. The Parks Superintendent and some of his staff may benefit from having a limited  
155 law enforcement commission so they can trespass individuals from parks rather than  
156 relying on calling the police. This would also allow the Parks Superintendent to do other  
157 enforcement of park rules including citing individuals who have dogs off-leash, who are  
158 drinking alcohol or smoking tobacco or e-cigarettes, etc.

159  
160 Chair Braithwaite referred to the Level of Service calculations and asked if the open  
161 space calculations include the golf course. Deputy Director Olson replied that it is  
162 included, but it's under Special Use, not Open Space. Chair Braithwaite commented  
163 that the golf course isn't as intensely used as it might be. He spoke in support of turning  
164 it into something that would be useful for a broader range of the public if the opportunity  
165 ever arises. Chair Braithwaite noted that there are a lot of schools in the city with  
166 underutilized space. He asked if any consideration has been given to coordinating with  
167 the school district over how to maximize utilization of those spaces and how Level of  
168 Service calculations might look with those included. Deputy Director Olson noted that  
169 Meadowdale Playfields is technically owned by the school district, but was developed  
170 and is operating in a partnership between the cities of Edmonds and Lynnwood and the  
171 school district. The 27 acres of that complex were included within the Level of Service  
172 calculation. When the City used to manage the Lynnwood High School complex before  
173 the high school moved, those acres were also included in the Level of Service  
174 calculation. Regarding better utilizing those public facilities for recreational use, she  
175 concurred and noted there is a strategy in the Plan about partnerships with the school  
176 district. In the last two years the City has re-established the relationship with the school  
177 district to use Cedar Valley gym for community use and renegotiated the Interlocal  
178 Agreement with the school district to rebalance shared use facilities. They also explored  
179 the opportunity to go into partnership with the school district for the redevelopment of  
180 Lynnwood Elementary and decided to be a community user and renter of the expanded  
181 gym when it is rebuilt. She stated that the City is consistently and constantly in active  
182 negotiation with the school district on a number of matters related to utilizing school  
183 facilities for community use.

184

185 Commissioner Wojack said he is glad to see the negotiation with schools. He spoke in  
186 support of the Level of Service reduction. He noted that when the weather is bad he and  
187 his wife walk at the mall. He wondered about including the mall as a facility. He referred  
188 to page 43, Summary of Issues, line 27 and asked for a definition of Social Equity.  
189 Deputy Director Olson replied this looks at barriers and access to recreational  
190 opportunities within various demographics in the community.

191  
192 Community Character Element Comprehensive Plan Amendments: Parks Deputy  
193 Director Sarah Olson stated that this is an amendment to a segment of the Community  
194 Character chapter that relates to Healthy Communities. These revisions are based on  
195 three separate plans that have been adopted by Council including the 10-Year Healthy  
196 Communities Action Plan, the Cultural Arts Plan, and the Heritage Plan. Walkability is a  
197 huge priority for the Active Living Goal. The City is in ongoing conversations with  
198 Alderwood Mall about their mall walking program. The City would like to support and  
199 more fully develop that program with them. As an example of a program improvement,  
200 the City also offered weekly walks in the summer through the South County Walks  
201 Program. The Healthy Eating goal addresses ways to increase the availability of  
202 community gardens or urban agriculture within the community, voluntary certification of  
203 restaurants that offer healthy food items or who will incorporate menu labeling, looking  
204 at required labeling in the future, healthy education in partnership with organizations like  
205 the food bank or Verdant Health Commission that do nutrition or cooking. The Social  
206 Connectedness goal is to create and support strong, vibrant social networks that  
207 promote social interaction and community cohesiveness by providing physical gathering  
208 spaces and supporting programs and events. This has a built-environment component  
209 because people need places to gather. Lynnwood has been seeking a new place to  
210 bring the community together since the loss of the old Lynnwood High School complex.  
211 She announced that the Fair on 44<sup>th</sup> was a huge success, but they need to provide  
212 other spaces to make connections happen.

213  
214 Arts, Culture, and Heritage have also been incorporated into Healthy Communities as  
215 they are also social cohesive factors. The Arts Commission has four primary goals: to  
216 advocate for lifelong learning and creativity in the arts, promote artists and art  
217 opportunities, build community and sense of place, and encourage openness and  
218 inclusion. She discussed a plan to add temporary public art exhibits to signal boxes.  
219 The City partnered to provide student education at Cedar Valley Elementary. There is a  
220 plan to execute a public art strategy across all the signal boxes in the community.

221  
222 The next section is on Historic Preservation. The Heritage Plan has three primary areas:  
223 to recognize history and heritage sites through signage, markers, historic registry, and  
224 interpretive information; to collaborate with community partners to collect and promote  
225 the history and heritage of Lynnwood; and to advocate to preserve nature, parks, sites,  
226 buildings, and artifacts and for the city policies and legislations to be informed by an  
227 understanding of history and heritage. She stressed the need to find relevant ways to  
228 honor and reflect on the past.

229

230 Commissioner Ambalada asked \_\_\_\_\_ [inaudible – no microphone]. Deputy Director  
231 Olson agreed that Arts, Culture, and Healthy Communities takes steps to address some  
232 of the issues around homelessness, but the Human Services Commission is the group  
233 tasked with finding solutions and working on those programs. Parks works  
234 collaboratively with them and with the staff liaisons. The work they are doing will be  
235 developed for future Comprehensive Plan amendments. Commissioner Ambalada  
236 \_\_\_\_\_. Deputy Director Olson commented that through the Cultural Arts Program the  
237 City partnered for a series of three events that happened in the month of August  
238 including the AfroLatino Festival, the Latino Expo, and the Ubuntu Expose. Additionally,  
239 the City is currently working with Lynnwood’s sister city delegation to sign a  
240 Memorandum of Understanding. In honor of their visit, the City has curated a Korean art  
241 exhibit in the hallway outside Council chambers. She stated that the City is working  
242 toward inclusiveness and cultural expression.  
243

244 Commissioner Tysland commended Deputy Director Olson for the work she is doing.  
245 Experience Momentum participated in the 44<sup>th</sup> Street Fair. It was great to see so many  
246 community members engaged in active activity and healthy lifestyles.  
247

248 Commissioner Wojack referred to page 80 under Heritage Resources and commented  
249 that that people with firsthand history knowledge should be added as resources. Deputy  
250 Director Olson noted that the goal language on page 79 refers to connecting community  
251 members to the history and heritage of Lynnwood to build a positive sense of place.  
252 Commissioner Wojack agreed. He then referred to food choices and commented that  
253 encouraging restaurants and public service venues to offer healthier menu items is a  
254 moot issue because the market drives that. He noted people are eating healthier, but it  
255 wasn’t pushed by a city. He said he didn’t want to see too much money wasted on that  
256 effort. He commended staff on the Plan.  
257

258 Vice Chair Larsen \_\_\_\_\_ [inaudible] and suggested having some sort of competitive  
259 athletic event as an annual race. Deputy Director Olson noted that on October 1 the City  
260 would be hosting the Celebrate Schools 5K Run/Walk from the mall supporting the  
261 Foundation for Edmonds Schools. Vice Chair Larsen asked about a community  
262 publication to let people know about events. Deputy Director Olson replied that Inside  
263 Lynnwood gets mailed three times a year to every mailing list in Lynnwood and is also  
264 available online. She also recommended signing up for Lynnwood e-news to get  
265 information as it happens.  
266

267 Chair Braithwaite solicited public comments. There were none.  
268  
269

CITY OF LYNNWOOD

ORDINANCE NO. \_\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LYNNWOOD, WASHINGTON, APPROVING AMENDMENTS TO THE CITY OF LYNNWOOD COMPREHENSIVE PLAN AND PROVIDING FOR AN EFFECTIVE DATE, SUBMISSION TO THE STATE, SEVERABILITY AND SUMMARY PUBLICATION

WHEREAS, the City of Lynnwood adopted a Comprehensive Plan to comply with the requirements of the Growth Management Act on June 24, 2015, by Ordinance No. 3142; and

WHEREAS, as allowed by the Growth Management Act, the Plan and development regulations may be amended on an annual basis, pursuant to RCW 36.70A.130, and shall be subject to continuing review and evaluation; and

WHEREAS, applications and suggestions to amend the Comprehensive Plan were accepted and docketed for processing after April 1, 2016, in accordance with the approved amendment schedule; and

WHEREAS, the proposed amendments were subject to environmental review, culminating in issuance of Determinations of Non-Significance for all amendment proposals; and

WHEREAS, the proposed amendments were submitted for the mandatory 60-day state agency review, agencies were asked to comment prior to final action by the City Council, and no comments were received; and

WHEREAS, the Lynnwood Planning Commission held a work session on April 14, 2016 and a public hearing on May 12, 2016 regarding the Proposed Amendment List (PAL) of Comprehensive Plan amendments; and

WHEREAS, at their May 23, 2016 business meeting, the Lynnwood City Council approved the final PAL of Comprehensive Plan amendments; and

WHEREAS, the Lynnwood Planning Commission held a public hearing on October 26, 2016 on the amendments of this Ordinance, and following the public hearing recommended approval of the proposed Comprehensive Plan Amendments of this Ordinance; and

WHEREAS, the Lynnwood City Council conducted a public hearing on November 28, 2016, and determined that taking action on the Comprehensive Plan Amendments, as described herein, was desirable and in the best interest and general welfare of the public;

46 NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LYNNWOOD DO  
47 ORDAIN AS FOLLOWS:  
48

49 Section 1: Amendments of the Lynnwood Comprehensive Plan. The Comprehensive Plan of  
50 the City of Lynnwood is hereby amended as described below and in the following exhibits,  
51 which are hereby attached hereto and incorporated herein by reference.  
52

- 53 1. Parks, Recreation and Open Space Element Comprehensive Plan Amendment. The  
54 Parks, Recreation and Open Space Element is hereby amended as set forth in Exhibit A.  
55
- 56 2. Community Character Element Comprehensive Plan Amendment. The Community  
57 Character Element is hereby amended as set forth in Exhibit B.  
58

59 Section 2: Submission of Plan to the State. The Director of Community Development is hereby  
60 directed to submit a copy of all approved amendments to the City of Lynnwood Comprehensive  
61 Plan and Lynnwood Municipal Code to the Department of Commerce of the State of  
62 Washington.  
63

64 Section 3: Effective Date of Amendment and Adoption. This Ordinance and the Comprehensive  
65 Plan Amendments adopted by this Ordinance shall become effective five days following passage  
66 and publication of this Ordinance.  
67

68 Section 4: Severability. If any section, sentence, clause or phrase of this Ordinance should be  
69 held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or  
70 unconstitutionality shall not affect the validity or constitutionality of any other section, sentence,  
71 clause or phrase of this Ordinance.  
72

73 PASSED this \_\_\_\_ day of November, 2016, and signed in authentication of its passage this  
74 day of \_\_\_\_\_, 2016.

75 APPROVED:  
76  
77

78 \_\_\_\_\_  
79 NICOLA SMITH, MAYOR  
80

81 ATTEST/AUTHENTICATED:  
82  
83  
84

85 \_\_\_\_\_  
86 SONJA SPRINGER, FINANCE DIRECTOR  
87  
88

89 APPROVED AS TO FORM:  
90  
91  
92 \_\_\_\_\_  
93 ROSEMARY LARSON, CITY ATTORNEY  
94  
95  
96 FILED WITH ADMINISTRATIVE SERVICES: \_\_\_\_\_  
97 PASSED BY THE CITY COUNCIL: \_\_\_\_\_  
98 PUBLISHED: \_\_\_\_\_  
99 EFFECTIVE DATE: \_\_\_\_\_  
100 ORDINANCE NUMBER: \_\_\_\_\_  
101  
102 Publish:  
103 File Name: 2016 Comprehensive Plan Amendments  
104 File Numbers: CPL-003730-2016, CPL-003731-2016

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CITY OF LYNNWOOD

ORDINANCE NO. \_\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LYNNWOOD, WASHINGTON, APPROVING AMENDMENTS TO THE CITY OF LYNNWOOD COMPREHENSIVE PLAN AND THE FUTURE LAND USE MAP, AND PROVIDING FOR AN EFFECTIVE DATE, SUBMISSION TO THE STATE, SEVERABILITY AND SUMMARY PUBLICATION

WHEREAS, the City of Lynnwood adopted a Comprehensive Plan to comply with the requirements of the Growth Management Act on June 24, 2015, by Ordinance No. 3142; and

WHEREAS, as allowed by the Growth Management Act, the Plan and development regulations may be amended on an annual basis, pursuant to RCW 36.70A.130, and shall be subject to continuing review and evaluation; and

WHEREAS, applications and suggestions to amend the Comprehensive Plan were accepted and docketed for processing after April 1, 2016, in accordance with the approved amendment schedule; and

WHEREAS, the proposed amendments were subject to environmental review, culminating in issuance of Determinations of Non-Significance for all amendment proposals; and

WHEREAS, the proposed amendments were submitted for the mandatory 60-day state agency review, agencies were asked to comment prior to final action by the City Council, and no comments were received; and

WHEREAS, the Lynnwood Planning Commission held a work session on April 14, 2016 and a public hearing on May 12, 2016 regarding the Proposed Amendment List (PAL) of Comprehensive Plan amendments; and

WHEREAS, at their May 23, 2016 business meeting, the Lynnwood City Council approved the final PAL of Comprehensive Plan amendments; and

WHEREAS, the Lynnwood Planning Commission held a public hearing on October 26, 2016 on the amendments of this Ordinance, and following the public hearing recommended approval of the proposed Comprehensive Plan Amendments of this Ordinance; and

WHEREAS, the Lynnwood City Council conducted a public hearing on November 28, 2016, and determined that taking action on the Comprehensive Plan Amendments, as described herein, was desirable and in the best interest and general welfare of the public;

46 NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LYNNWOOD DO  
47 ORDAIN AS FOLLOWS:  
48

49 Section 1: Amendments of the Lynnwood Comprehensive Plan. The Comprehensive Plan of  
50 the City of Lynnwood is hereby amended as described below and in the following exhibits,  
51 which are hereby attached hereto and incorporated herein by reference.  
52

- 53 1. Parks, Recreation and Open Space Element Comprehensive Plan Amendment. The  
54 Parks, Recreation and Open Space Element is hereby amended as set forth in Exhibit A.  
55
- 56 2. Community Character Element Comprehensive Plan Amendment. The Community  
57 Character Element is hereby amended as set forth in Exhibit B.  
58
- 59 3. Kid City LLC Comprehensive Plan Amendment. The Future Land Use Map is hereby  
60 amended to change the land use designation of a privately-owned property, Parcel  
61 Number 00513100011101, from Low-Density Single-Family (SF-1) to Local  
62 Commercial (LC), as shown on Exhibit C.  
63

64 Section 2: Submission of Plan to the State. The Director of Community Development is hereby  
65 directed to submit a copy of all approved amendments to the City of Lynnwood Comprehensive  
66 Plan and Lynnwood Municipal Code to the Department of Commerce of the State of  
67 Washington.  
68

69 Section 3: Effective Date of Amendment and Adoption. This Ordinance and the Comprehensive  
70 Plan Amendments adopted by this Ordinance shall become effective five days following passage  
71 and publication of this Ordinance.  
72

73 Section 4: Severability. If any section, sentence, clause or phrase of this Ordinance should be  
74 held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or  
75 unconstitutionality shall not affect the validity or constitutionality of any other section, sentence,  
76 clause or phrase of this Ordinance.  
77

78 PASSED this \_\_\_\_ day of \_\_\_\_\_, 2016, and signed in authentication of its passage this  
79 \_\_\_\_ day of \_\_\_\_\_, 2016.

80 APPROVED:

81  
82  
83  
84 \_\_\_\_\_  
85 NICOLA SMITH, MAYOR  
86

87 ATTEST/AUTHENTICATED:  
88

89  
90 \_\_\_\_\_  
91 SONJA SPRINGER, FINANCE DIRECTOR

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APPROVED AS TO FORM:

\_\_\_\_\_  
ROSEMARY LARSON, CITY ATTORNEY

FILED WITH ADMINISTRATIVE SERVICES: \_\_\_\_\_

PASSED BY THE CITY COUNCIL: \_\_\_\_\_

PUBLISHED: \_\_\_\_\_

EFFECTIVE DATE: \_\_\_\_\_

ORDINANCE NUMBER: \_\_\_\_\_

Publish:

File Name: 2016 Comprehensive Plan Amendments

File Numbers: CPL-003730-2016, CPL-003731-2016, CPL-003740-2016

DRAFT

110 On the \_\_\_ day of \_\_\_\_\_, 2016, the City Council of the City of Lynnwood passed  
111 Ordinance No. \_\_\_\_\_. A summary of the content of said ordinance, consisting of the title,  
112 provides as follows:  
113

114 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF  
115 LYNNWOOD, WASHINGTON, APPROVING AMENDMENTS  
116 TO THE CITY OF LYNNWOOD COMPREHENSIVE PLAN  
117 AND THE FUTURE LAND USE MAP, AND PROVIDING FOR  
118 AN EFFECTIVE DATE, SUBMISSION TO THE STATE,  
119 SEVERABILITY AND SUMMARY PUBLICATION  
120

121 The full text of this Ordinance will be mailed upon request.  
122

123 DATED this \_\_\_ day of \_\_\_\_\_, 2016.  
124

125 \_\_\_\_\_  
126 Sonja Springer  
127 FINANCE DIRECTOR  
128

DRAFT

1 CITY OF LYNNWOOD

2 ORDINANCE NO. \_\_\_\_

3  
4 AN ORDINANCE OF THE CITY OF LYNNWOOD,  
5 WASHINGTON, AMENDING THE CITY'S OFFICIAL ZONING  
6 MAP; AND PROVIDING FOR AN EFFECTIVE DATE,  
7 SEVERABILITY AND SUMMARY PUBLICATION  
8

9 WHEREAS, Chapter 21.40 LMC establishes the use zones and the City of Lynnwood  
10 Official Zoning Map; and  
11

12 WHEREAS, this amendment of the Official Zoning Map is included as part of the 2016  
13 Comprehensive Plan Amendment process; and  
14

15 WHEREAS, the purpose of this Ordinance is a zoning reclassification to change a parcel  
16 on the Official Zoning Map; and  
17

18 WHEREAS, as provided by Chapters 1.35 and 21.22 LMC, the City has established  
19 procedures and decisional criteria for proposed reclassifications of property; and  
20

21 WHEREAS, for the purposes of this Ordinance, "Current Zoning Map" is synonymous  
22 with "Official Zoning Map" as referenced within LMC 21.04.020; and  
23

24 WHEREAS, the process for amending the Comprehensive Plan Future Land Use Map  
25 and the Current Zoning Map include multiple opportunities for meaningful public participation  
26 and input, including public hearings conducted by the Planning Commission and by City  
27 Council; and  
28

29 WHEREAS, the proposed amendments were subject to environmental review,  
30 culminating in issuance of Determinations of Non-Significance for all amendment proposals; and  
31

32 WHEREAS, the proposed amendments were submitted for the mandatory 60-day state  
33 agency review, agencies were asked to comment prior to final action by the City Council, and no  
34 comments were received; and  
35

36 WHEREAS, the Lynnwood Planning Commission held a work session on September 22,  
37 2016 and a public hearing on October 26, 2016 regarding the proposed Zoning Map  
38 amendments; and  
39

40 WHEREAS, at their October 17, 2016 work session, the Lynnwood City Council  
41 reviewed the proposed Zoning Map amendments; and  
42  
43

1 WHEREAS, the Lynnwood City Council conducted a public hearing on November 28,  
2 2016, and determined that taking action on the Zoning Map amendments, as described herein,  
3 was desirable and in the best interest and general welfare of the public;  
4

5 NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LYNNWOOD,  
6 WASHINGTON, DO ORDAIN AS FOLLOWS:  
7

8 Section 1: Amendment of the Current Zoning Map. Pursuant to Chapter 21.22 LMC, the  
9 Current Zoning Map, as amended and approved by Ordinance 3219, is hereby amended as  
10 follows:  
11

- 12 1. Kid City LLC Rezone – The Official Zoning Map is hereby amended to change the  
13 zoning designation of a privately-owned property, Parcel Number 00513100011101, from  
14 Residential 8400 Sq Ft (RS-8) to Neighborhood Commercial (B-3), as shown on Exhibit  
15 A.  
16

17 Section 2: Effective Date of Amendment and Adoption. This ordinance and the Map  
18 amendments adopted by this ordinance shall become effective five days following passage and  
19 publication of this ordinance.  
20

21 Section 3: Severability. If any section, subsection, sentence, clause, phrase or word of this  
22 ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction,  
23 such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of  
24 any other section, subsection, sentence, clause, phrase or word of this ordinance.  
25

26 Section 4: Summary Publication. Publication of this ordinance shall be by summary publication  
27 consisting of the ordinance title.  
28  
29

30 PASSED this \_\_\_\_ day of November, 2016, and signed in authentication of its passage  
31 this \_\_\_\_ day of November, 2016.  
32

33 APPROVED:  
34  
35

36 \_\_\_\_\_  
37 Nicola Smith, MAYOR  
38

39 ATTEST/AUTHENTICATED:  
40  
41

42 \_\_\_\_\_  
43 Sonja Springer  
44 FINANCE DIRECTOR  
45

1 APPROVED AS TO FORM:  
2  
3 \_\_\_\_\_  
4 Rosemary Larson  
5 CITY ATTORNEY  
6  
7 FILED WITH ADMINISTRATIVE SERVICES: \_\_\_\_\_  
8 PASSED BY THE CITY COUNCIL: \_\_\_\_\_  
9 PUBLISHED: \_\_\_\_\_  
10 EFFECTIVE DATE: \_\_\_\_\_  
11 ORDINANCE NUMBER: \_\_\_\_\_  
12 Publish:  
13 File Name: Amendments to the Official Zoning Map  
14 File Numbers: RZN-004078-2016  
15

DRAFT

On the \_\_\_ day of \_\_\_\_\_, 2016, the City Council of the City of Lynnwood, Washington, passed Ordinance No. \_\_\_\_\_. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF LYNNWOOD,  
WASHINGTON, AMENDING THE CITY'S OFFICIAL ZONING  
MAP; AND PROVIDING FOR AN EFFECTIVE DATE,  
SEVERABILITY AND SUMMARY PUBLICATION

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

DATED this \_\_\_ day of \_\_\_\_\_, 2016.

---

Sonja Springer  
FINANCE DIRECTOR

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

Agenda Item: D.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 hold a public hearing regarding proposed amendments to Chapter 21.46 LMC and Chapter 21.48 LMC.

**Action**

The Community Development Department recommends the Planning Commission recommend approval of the draft ordinance as proposed by staff and for City Council to hold a public hearing on the items.

**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 44<sup>th</sup> 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 168<sup>th</sup> Avenue W./APN #00758300100100
    - SE corner of 188<sup>th</sup> Avenue W and Hwy 99/APN #27041600300100
    - 19117 60<sup>th</sup> Avenue W./APN # 27041600302700
    - Cedar Valley Rd. & 52<sup>nd</sup> 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 200<sup>th</sup> St. SW/APN #00608400100404
    - 5105 200<sup>th</sup> St SW/APN #00608400100403
    - 19910 50<sup>th</sup> 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 will present to City Council for a public hearing on November 28th. 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.

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 2<sup>nd</sup> 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.
- 21.02.530 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.
- Amend Table LU-6.E of the Land Use Element of the Comprehensive Plan. Removing Community Commercial designation.

### Previous Planning Commission / City Council Action

None. Planning Commission was briefed on the amendments at their September 22, 2016 meeting. City Council was briefed on October 17, 2016.

### Environmental Review

A State Environmental Policy Act (SEPA) Determination is required for the proposed amendments. A Determination of Non-Significance was issued on October 13, 2016. No comments were received on the DNS.

### Notification of State Agencies

Pursuant to RCW 36.70A.106, a Notice of Intent to adopt the proposed regulations and standards was transmitted to the Washington State Department of Commerce for distribution to state agencies. No comments were received.

### Adm. Recommendation

1. Receive public input on the draft ordinance.
2. Upon closure of the public testimony portion of the hearing, begin deliberation.
3. At the conclusion of the Commission’s deliberation, either:
  - a. Recommend approval of the draft ordinance as written; or
  - b. Recommend approval of the draft ordinance – as amended by the Commission; or
  - c. Direct staff to prepare revisions for the Commission’s review at a future meeting. If the changes desired as substantive, it would be appropriate to continue the public hearing to allow public comment on those forthcoming edits.

### Attachments

- A. Proposed changes in Use Tables
- B. Proposed Ordinance reflecting all changes
- C. Proposed amendments to Future Land Use and zoning maps
- D. Minutes from September 22, 2016 Planning Commission

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Table 21.46.01

<b>Automotive Sales</b>	<b>NC</b>	<b>PCD</b>	<b>CG</b>
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 Level 1, 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**

<b>Business Service Uses</b>	<b>NC</b>	<b>PCD</b>	<b>CG</b>
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**

<b>Eating and Entertainment Uses</b>	<b>NC</b>	<b>PCD</b>	<b>CG</b>
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**

<b>Institutional Uses</b>	<b>NC</b>	<b>PCD</b>	<b>CG</b>
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
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**Table 21.46.05**

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

\*Excluding outdoor kennels and runs

**Table 21.46.06**

<b>Office Uses</b>	<b>NC</b>	<b>PCD</b>	<b>CG</b>
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**

<b>Personal Service Uses</b>	<b>NC</b>	<b>PCD</b>	<b>CG</b>
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**

<b>Repair Services Uses</b>	<b>NC</b>	<b>PCD</b>	<b>CG</b>
Appliance Repair Shops and the like	P	P	P
Computer Repair	P	P	P
Shoe Repair	P	P	P

**Table 21.46.09**

<b>Recreational Activities</b>	<b>NC</b>	<b>PCD</b>	<b>CG</b>
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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**

<b>Residential Uses</b>	<b>NC</b>	<b>PCD</b>	<b>CG</b>
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**

<b>Light Industrial Uses</b>	<b>B-3</b>	<b>PCD</b>	<b>CG</b>
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**

<b>Other Uses</b>	<b>B-1</b>	<b>PCD</b>	<b>CG</b>
Adult Establishment	-	-	CA
Adult Retail Uses	-	-	CA
Charitable or Relief Supplies Collection or Storage	-	-	<del>C</del> 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+	-	-	<del>C</del>
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 DEFINITIONS AND COMMERCIAL AND PLANNED REGIONAL SHOPPING CENTER  
5 ZONING DISTRICT REGULATIONS; ADDING NEW SECTIONS 21.02.049, 21.02.275  
6 AND 21.02.659 TO THE LYNNWOOD MUNICIPAL CODE; AMENDING SECTIONS  
7 21.46.050, 21.46.100, 21.46.105, 21.46.110, 21.46.111, 21.46.116, 21.46.118,  
8 21.46.119, 21.46.120, 21.46.210, 21.46.220, 21.46.900, 21.48.100, 21.48.116,  
9 21.48.118 AND 21.48.210 OF THE LYNNWOOD MUNICIPAL CODE; REPEALING  
10 SECTIONS 21.02.272, 21.02.273, 21.02.441, 21.02.530, 21.46.112. 21.02.113,  
11 21.48.112, 21.48.113, 21.48.115 AND LMC 21.48.119, REPEALING CHAPTER 5.92  
12 OF THE LYNNWOOD MUNICIPAL CODE; AMENDING TABLE I-1 OF THE  
13 IMPLEMENTATION ELEMENT AND TABLE LU-6(E) OF THE LAND USE ELEMENT OF  
14 THE COMPREHENSIVE PLAN, AMENDING THE FUTURE LAND USE MAP, AND  
15 PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND SUMMARY  
16 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  
27 State Environmental Policy Act (SEPA) Responsible Official, issued a threshold determination for  
28 this draft ordinance; and

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

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  
38 ordinance; 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 out-of-doors parking or by parking garages.~~
- ~~4. 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 21.46.01 **through 21.46.12 or the community development director may permit a use**

197 **not listed in any Table if the Director determines, in his or her discretion, the the use**  
 198 **is found consistent with the intent of the zone.**

199  
 200 **Section 5.** Table 21.46.01 in Section 21.46.100 of the Lynnwood Municipal Code, is amended to  
 201 read as follows:  
 202

203 Table 21.46.01

<b>Automotive Sales</b>	<b>B-3 NC</b>	<b>B-2</b>	<b>PCD</b>	<b>B-1</b>	<b>CG</b>
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

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

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

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

215  
216 **Section 6.** Table 21.46.02 in Section 21.46.100 of the Lynnwood Municipal Code, is amended to  
217 read as follows:

218  
219 **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

220  
221 **Section 7.** Table 21.46.03 in Section 21.46.100 of the Lynnwood Municipal Code, is amended to  
222 read as follows:

223  
224 **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

225  
226 \* Drive-throughs in the PCD zone shall have the drive aisles screened.  
227

228 **Section 8.** Table 21.46.04 in Section 21.46.100 of the Lynnwood Municipal Code, is amended to  
 229 read as follows:

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**Table 21.46.04**

Institutional Uses	<b>B-3 NC</b>	<b>B-2</b>	<b>PCD</b>	<b>B-1</b>	<b>CG</b>
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

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

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**Section 9.** Table 21.46.05 in Section 21.46.100 of the Lynnwood Municipal Code, is amended to read as follows:

**Table 21.46.05**

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

240 \*Excluding outdoor kennels and runs

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**Section 10.** Table 21.46.06 in Section 21.46.100 of the Lynnwood Municipal Code, is amended to read as follows:

**Table 21.46.06**

Office Uses	<b>B-3 NC</b>	<b>B-2</b>	<b>PCD</b>	<b>B-1</b>	<b>CG</b>
Business or Professional Office, including	P	P	P	P	P

offices of a clerical or administrative nature					
Offices as Home Occupations+	€	€	-	€	€

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**Section 11.** Table 21.46.07 in Section 21.46.100 of the Lynnwood Municipal Code, is amended to read as follows:

**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	-	PO	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

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

**Section 12.** Table 21.46.08 in Section 21.46.100 of the Lynnwood Municipal Code, is repealed.

**Table 21.46.08**

Repair Services Uses	B-3	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

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**Section 13.** Table 21.46.09 in Section 21.46.100 of the Lynnwood Municipal Code, is renumbered and amended to read as follows:

**Table 21.46.098**

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
<del>Carnivals (see Chapter 5.30)</del>	<del>-</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>
<del>Circuses (see Chapter 5.30)</del>	<del>-</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>
<del>Dance Halls, licensed+</del>	<del>-</del>	<del>-</del>	<del>P</del>	<del>C</del>	<del>C</del>
<del>Handball Courts, Racquet Clubs, and Indoor and Outdoor Tennis Courts</del>	<del>-</del>	<del>C</del>	<del>-</del>	<del>C</del>	<del>P</del>
<del>Health Clubs</del>	<del>-</del>	<del>-</del>	<del>P</del>	<del>P</del>	<del>P</del>
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

265 \* As measured from the property line of the parcel on which the center is located to the property  
266 line of the nearest residentially zoned parcel.  
267

268 **Section 14.** Table 21.46.10 in Section 21.46.100 of the Lynnwood Municipal Code, is renumbered  
269 and amended to read as follows:  
270

271 **Table 21.46.109**

Residential Uses	<del>B-3</del> <del>NC</del>	<del>B-2</del>	<del>PCD</del>	<del>B-1</del>	<del>CG</del>
Adult Family Homes	P	P	P	P	P
All uses permitted in single-family zones	<del>P</del>	-	P	-	<del>P</del>
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
<del>Caretaker or Watchman Quarters</del>	<del>C</del> <del>P</del>	<del>C</del>	<del>-</del>	<del>C</del>	<del>C</del> <del>P</del>
<del>Living Quarters for Homeless Mothers</del> <del>Parents+</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>
Motels and <del>Motor</del> Hotels	-	P	P	P	P-X
Respite Care	P	-	P	P	P

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

282 **Section 15.** Table 21.46.11 in Section 21.46.100 of the Lynnwood Municipal Code, is renumbered  
 283 and amended to read as follows:

284  
 285  
 286

**Table 21.46.110**

<b>Retail Uses +</b>	<b>B-3 NC**</b>	<b>B-2</b>	<b>PCD</b>	<b>B-1</b>	<b>CG</b>
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 Sores	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

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

291

292 **Section 16.** Table 21.46.12 in Section 21.46.100 of the Lynnwood Municipal Code is renumbered

293 and amended to read as follow:

294 **Table 21.46.1211**

295

Light Industrial Uses	B-3 NC	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. *	-	-	-	-	€
Wholesale stores in existing spaces of 10,000 sq. ft. *	-	-	-	-	P-X
Wholesale stores in existing spaces of more than 10,000 sq. ft.					€-X

296 \* Inclusive of all aspects of the business.

297

298 **Section 17.** Table 21.46.13 in Section 21.46.100 of the Lynnwood Municipal Code, is renumbered  
 299 and amended to read as follows:

300

301

**Table 21.46.132**

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	-	-	-	€	€P
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+	-	-	-	-	€
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	€	P	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	P	P
Wireless Communications Facility, Attached	P	P	P	P	P

302 \* See LMC 21.46.110 through 21.46.119

303

304 Key:

305 P = Permitted as a principal use

- 306 A = Permitted as an accessory use with a principal permitted or approved conditional
- 307 use
- 308 C = May be permitted as a principal use upon approval of a conditional use permit.
- 309 AI = Permitted as an accessory use if located in the building of a permitted principal
- 310 use, and internally oriented with principal public access through the main access of the
- 311 building.
- 312 - = Not permitted.
- 313 -X = Not permitted in controlled area.
- 314 CA = Permitted only in controlled area. See LMC 21.46.

315  
 316 **Section 18.** Section 21.46.105, entitled “Project design review,” of the Lynnwood Municipal Code  
 317 is amended to read as follows:

318  
 319 **21.46.105 Project design review.**

- 320 A. Design Guidelines for Nonresidential Uses. The following structures and parking
- 321 facilities permitted outright **or** by conditional use permit in any commercial zone shall
- 322 comply with Lynnwood Citywide Design Guidelines for All Districts and Commercial
- 323 Districts as adopted by reference in LMC 21.25.145(B)(3), and receive approval pursuant
- 324 to Chapter 21.25 LMC, unless otherwise specified in this chapter:
  - 325 1. Construction of any nonresidential structure or building with a gross floor area of
  - 326 more than 1,000 square feet.
  - 327 2. Construction of any parking lot and/or parking structure with 20 or more stalls or
  - 328 paved parking area of 5,400 square feet or more.
- 329 B. Design Guidelines for Multiple-Family Uses. Construction of any multiple-family
- 330 structure or building including duplexes (two-family dwellings) permitted outright **or** by
- 331 conditional use permit or special use permit in any commercial zone shall comply with
- 332 Lynnwood Citywide Design Guidelines for All Districts and Multi-family Districts as
- 333 adopted by reference in LMC 21.25.145(B)(3), and receive approval pursuant to Chapter
- 334 21.25 LMC, unless otherwise specified in this chapter:
- 335 C. Supersede. Applicable Lynnwood Citywide Designed Guidelines, as adopted by
- 336 reference in LMC 21.25.145(B)(3), shall supersede any development standards and
- 337 requirements of this chapter that may conflict, unless otherwise specified in this chapter.
- 338 D. Gateways and Prominent Intersections. See city of Lynnwood zoning map to identify
- 339 development project sites within a gateway or prominent intersection location. Such sites
- 340 shall be subject to applicable gateway and/or prominent intersection design guidelines
- 341 identified in the All Districts section of the Lynnwood Citywide Design Guidelines, as
- 342 adopted by reference in LMC 21.25.145(B)(3). If any portion of a project site lies within
- 343 a gateway or prominent intersection location, then the entire project shall comply with the
- 344 applicable design guidelines.

345  
 346 **Section 19.** Section 21.46.11, entitled “Limitations on Uses – General,” of the Lynnwood Municipal  
 347 Code is amended to read as follows:

348  
 349 **21.46.110 Limitations on uses - General.**

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

- 352 A. General Performance Standards.
  - 353 1. Artificial lighting shall be hooded or shielded so that direct light of lamps
  - 354 will not result in glare when received from beyond the property;

- 355 2. Any machinery or operation which generate air or ground vibrations  
356 shall be muffled to eliminate any sensation of sound or vibration beyond  
357 the property;
- 358 3. Arc welding, acetylene torch cutting or similar processes shall be  
359 performed so as not to be seen from any point beyond the property, and  
360 in no case shall be visible to drivers on the adjacent streets;
- 361 4. Emission of obnoxious odors, fumes, gas, dust or smoke beyond the  
362 property is prohibited. Dust and other types of air pollution borne by  
363 wind from such sources as storage areas and roads shall be minimized by  
364 landscaping where feasible or by paving or other acceptable means;
- 365 5. On-site hazardous waste treatment and storage facilities are permitted as  
366 accessory uses to any activity generating hazardous waste and lawfully  
367 allowed in LMC 21.46.100; provided, that such facilities meet the state  
368 siting criteria adopted pursuant to the requirements of RCW 70.105.210.
- 369 B. Outdoor Uses. All business uses and activities shall be located within an entirely  
370 enclosed building, except as indicated below:
- 371 1. General regulations. Any uses and activities which are permitted to  
372 occur outdoors by LMC 21.46.100, or by other provisions of this title,  
373 subject to the following:
- 374 a. The use or activity shall not encroach on site screening or  
375 landscaping as currently required by this title or other city  
376 ordinances;
- 377 b. The use or activity shall not block pedestrian traffic or fire lanes.
- 378 c. The use or activity shall observe the same minimum front, side,  
379 and rear yards as apply to buildings, on sides adjoining public  
380 streets, except that such yards may be uses for outdoor customer  
381 parking and for other uses and activities which are permitted  
382 outdoors;
- 383 d. The highest point of any item displayed within that area shall not  
384 be more than six feet in height from an even grade and at least 10  
385 feet from the right-of-way line; and
- 386 e. Items, which in the opinion of the fire chief, present a potential  
387 fire hazard shall be located 15 feet from any interior property  
388 line and shall be arranged to provide 20-foot fire lanes no more  
389 than 300 feet apart.
- 390 2. Incidental Outdoor Displays. For uses not included in the foregoing  
391 subsection (B)(1) of this section, incidental outdoor displays are  
392 permitted in conjunction with the indoor sales of similar merchandise  
393 conducted by the same business. Such displays shall be displayed on  
394 racks, pallets, or in neat stacks and shall be located in areas underneath  
395 marquees, canopies, or overhanging roofs. If nor marquees, canopies, or  
396 overhanging roofs exist, such displays shall be not more than right feet  
397 from the walls of buildings. All limitations specified inn subsection  
398 (B)(1) of this section shall apply.
- 399 3. Business Serving Customers in Automobiles. Automobile service  
400 stations, drive-in restaurants, and other businesses which primarily  
401 service customers in automobiles as an inherent trait of the business shall  
402 not be permitted to store or display merchandise outdoors, except as  
403 specified herein and in subsections (B)(1) and (B)(2) of this section.
- 404 4. Commodities Requiring Outdoor Storage. Commodities which would be  
405 damaged if required to be kept indoor, including but not limited to

406 growing stock in connection with horticultural nurseries, whether the  
407 stock is in open ground, pots or containers; open air sales areas for  
408 firewood, trees, shrubs, plants, and home gardening supplies and  
409 equipment; and public utility facilities (see LMC 21.46.118(B)) are  
410 allowed outdoors subject to the provisions of subsection (B)(1) of this  
411 section.

412 ~~5. All Properties Zoned to the Community Business Zone. The on-site~~  
413 ~~parking and storage of rental automobiles and light trucks (rated at one~~  
414 ~~ton capacity or less) is allowed; however, such parking and storage shall~~  
415 ~~be restricted to:~~

416 ~~a. A staging area for a maximum of five vehicles. This area may~~  
417 ~~be located within existing parking lots, but shall not utilize~~  
418 ~~parking stalls required by LMC 21.18.800 for the uses on the~~  
419 ~~site. The staging area shall be paved and striped to the standards~~  
420 ~~of Chapter 21.18 LMC and shall be designated for use by rental~~  
421 ~~vehicles only.~~

422 ~~b. A storage area for a maximum of 15 vehicles. This area shall be~~  
423 ~~located no closer to a public street than a point equal to the~~  
424 ~~closest part of any building on the site to the street and shall be~~  
425 ~~screened with landscaped area at least five feet wide containing~~  
426 ~~evergreen conifer trees with a minimum height of six feet and~~  
427 ~~spaced no more than 15 feet on center, backed by a six-foot~~  
428 ~~fence which forms an effective barrier to sight; the remainder of~~  
429 ~~the planting strip shall be planted with low evergreen plantings~~  
430 ~~which will mature to a total groundcover within five years.~~

431 6. Cross Reference. See also LMC 21.46.100.

432 C. On-Site Processing. All products made incidental to a permitted use which are  
433 manufactured, processed or treated on the premises shall be sold on the premises  
434 only, and retail only.

435 ~~D. Uses in the Neighborhood Commercial Zone – Size Restriction. No use of~~  
436 ~~property in the NC zone shall occupy any floor area or portion of the floor area of~~  
437 ~~a structure that is greater than 7,500 square feet in size; provided, that any use in~~  
438 ~~the NC zone that on the effective date of this Ordinance exists and occupies the~~  
439 ~~floor area or portion of the floor area of a structure that is greater than 7,500~~  
440 ~~square feet in size shall be a legal, permitted use not subject to the requirements~~  
441 ~~of Chapter 21.12 LMC, and use may be continued and expanded, and the~~  
442 ~~structure occupied by the use may be maintained, altered, repaired, remodeled,~~  
443 ~~expanded and reconstructed, without having to comply with Chapter 21.12 LMC~~  
444 ~~and without regard to tenancy.~~

445  
446 **Section 20.** Section 21.46.111, entitled “Limitations on Uses – Auto-oriented uses,” of the  
447 Lynnwood Municipal Code is amended to read as follows:  
448

449 **21.46.111 Limitations on uses – Auto-oriented uses.**

450 A. Automobile Agencies. New car automobile sales and display room buildings and the  
451 repair and servicing necessary to the business are permitted as an indoor use. ~~In the~~  
452 ~~Community Business (B-1) zone, used car sales are permitted accessory to the new car~~  
453 ~~agency as an indoor use, or on open lot which does not exceed two times the area of the~~  
454 ~~agency building and which contiguous to the new car agency. The used car area shall be~~  
455 ~~other than the required off-street parking area.~~

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

- 507 j. Lighting Standards. All lighting shall be so arranged and shielded as to  
508 confine all direct light rays entirely within the boundary lines of the site,  
509 as to prevent, to the extent practicable, reflected light rays from shining  
510 upon other properties, and as to avoid glare onto any portion of any  
511 adjacent right-of-way or into the path of oncoming vehicles.
- 512 k. Dumpster Enclosures. All dumpster enclosures shall meet the setback  
513 requirements for the applicable zone. The enclosure shall not exceed six  
514 feet in height and shall consist of a solid fence made of wood or masonry  
515 material.
- 516 l. Building Height and Maximum Lot Coverage and Interior Yard  
517 Setbacks. As provided for the applicable zone.
- 518 3. Operation, Supervision, and Maintenance Restrictions.
- 519 ~~a. Unattended coin-operated and unattended self-service dispensing of fuel~~  
520 ~~shall not be permitted.~~
- 521 ~~b. a.~~ Services rendered, and products stored on the premises and sold there  
522 shall be limited in accordance with the activities includes in the  
523 definitions of LMC 21.02.267, 21.02.375, 21.02.660 and 21.02.661, as  
524 approved by conditional use permit.
- 525 ~~e. b.~~ ~~Wrecked or dismantled vehicles shall not be stored out of doors for more~~  
526 ~~than 24 hours.~~ Operation of a rental agency or sale lot for automobiles,  
527 trucks, trailers or other equipment or other business accessory to the  
528 operation of a full-service station, self-service station, and gas station,  
529 shall require a separate occupancy permit and business license. These  
530 uses would only be allowed as an accessory use if they are permitted in  
531 that zone as a separate use. The application for the occupancy permit  
532 and a business license shall be accompanied by a site plan, ad any  
533 vehicle or equipment involved shall be stored or parked in areas defined  
534 on the site plan and shall be kept in near and orderly manner. The  
535 development for the accessory use shall meet all applicable city  
536 regulations.
- 537 ~~d. c.~~ All buildings, grounds, and landscaping shall be kept in a constant state  
538 of repair and maintenance. Upon failure to do so, the city shall require  
539 repair or replanting as per LMC 21.04.310. Landscape maintenance  
540 shall also comply with applicable Lynnwood Citywide Design  
541 Guidelines, as adopted by reference in LMC 21.25.145(B)(3).
- 542 ~~e. d.~~ The work station shall be designed so that at least one qualified attendant  
543 shall have maximum view of the fueling areas. For the purpose of this  
544 title, a qualified attendant is one who is trained in the operation of the  
545 fuel emergency shut-off system.
- 546 ~~f. e.~~ When a convenience store is combined with a full-service station, self-  
547 service station or gas station, dispensing of fuel shall be subject to  
548 electronic control (within arm's reach) of a qualified attendant.
- 549 ~~g. f.~~ Amusement devices as defined by LMC 5.60.030(A) are not permitted in  
550 conjunction with the uses allowed by this subsection.
- 551 ~~h. g.~~ All alcoholic beverages shall be stored within cabinets or coolers which  
552 can be locked during the time period when alcoholic beverage sales are  
553 prohibited by law. A buzzer on the doors of the coolers which store  
554 alcoholic beverages shall be provided for monitoring. Observation  
555 mirrors shall also be provided.
- 556 ~~i. h.~~ Window visibility shall be maintained. Advertising and/or merchandise  
557 displays or other objects shall not block attendant visibility from view of

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

593 **Section 21.** Section 21.46.112, entitled “Limitations on uses – Restaurants,” of the Lynnwood  
 594 Municipal Code is repealed.

595 ~~21.46.112 — Limitations on uses — Restaurants~~

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

602 **Section 22.** Section 21.46.113, entitled “Limitations on uses – Institutional uses,” of the Lynnwood  
 603 Municipal Cod, is repealed.

604 ~~21.46.113 — Limitations on uses — Institutional Uses~~

606 ~~A. — Child Day Care Center.~~

- 607 1. ~~Considerations. A child day care center may be permitted by issuance of a~~  
608 ~~conditional use permit. Before approval or denial of an application the hearing~~  
609 ~~examiner will consider the need for the activity in the area and all possible~~  
610 ~~impacts in the area including but not limited to the following:~~  
611 ~~a. Any adverse or significant changes, alterations or increases in traffic~~  
612 ~~flow that could create a hazardous situation as either a direct or indirect~~  
613 ~~result of the proposed activity;~~  
614 ~~b. Any abnormal increase in demand for any public service, facility or~~  
615 ~~utility;~~  
616 ~~c. The size, location, and access of the proposed site; and~~  
617 ~~d. Any adverse effects on the standard of livability to the surrounding area.~~  
618 2. ~~Requirements. In any case, the approval of the conditional use shall include the~~  
619 ~~following requirements.~~  
620 ~~a. The applicant must be state licensed before the operation of the facility;~~  
621 ~~b. Adequate off street parking must be provided;~~  
622 ~~c. All outdoor play areas must be fenced with a minimum of 800 square~~  
623 ~~feet plus an additional 80 square feet per additional child over 10;~~  
624 ~~d. Site and sound screening standards for the outdoor play area must be~~  
625 ~~met;~~  
626 ~~e. The applicant must provide off street access to the facility from the~~  
627 ~~public right of way for the purpose of pickup and delivery of children;~~  
628 ~~f. The applicant must indicate the ages of the children to be cared for.~~  
629

630 **Section 23.** Section 21.46.116, entitled "Limitations on uses – Residential uses," of the Lynnwood  
631 Municipal Code is amended to read as follows:

632  
633 **21.46.116 Limitations on uses – Residential uses**

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

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

688 **Table 21.46.13(a)**  
 689 **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 <sup>++</sup>	N/A	20 DU/A
Maximum floor-area ratio	1.0	3.0

- 691 \* See LMC 21.62.450 for development adjacent to residential zones (Transitional  
692 Property Lines).  
693 + Applies to residential projects only; setback is from all public rights-of-way,  
694 internal circulation (vehicle, bicycle, pedestrian), parking areas, or access  
695 easement. Alternatively, where vision-obscuring glass is installed, the setback  
696 may be eliminated.  
697 ++ The minimum number of residential units to qualify for this level shall be  
698 calculated using the entire project site. Where residential development is part of  
699 redevelopment of one or more parcels, this calculation shall be based only on the  
700 portion of the parcel(s) being redeveloped. Fractional portions of a unit are  
701 “rounded up” for this calculation.  
702

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

707 Multiple-family development shall comply with the remainder of the  
708 development regulations established in Chapter 21.62 LMC, Highway 99 Mixed Use  
709 Zone, unless otherwise indicated in Chapter 21.62 LMC. Stand-alone multiple-family  
710 development or mixed-use development shall also comply with the Design Guidelines for  
711 the Highway 99 mixed use zones.

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

715 D. ~~Convalescent and Nursing Homes, Assisted Living and Continuing Care and Housing for~~  
716 ~~the Elderly and Physically Disabled. Assisted living and continuing care housing~~  
717 ~~uses may be allowed by conditional use permit are allowed subject to the following:~~

718 1. Staff Evaluation and Recommendation. Before any ~~conditional use~~ permit for  
719 the uses designated in this subsection is ~~considered by the hearing examiner and~~  
720 ~~city council~~, a joint recommendation concerning development of the land and/or  
721 construction of the buildings shall be prepared by the fire and community  
722 development departments, specifying the conditions to be applied if approved. If  
723 it is concluded that the application for a ~~conditional use~~ permit should be  
724 approved, each requirement in the joint recommendation shall be considered and  
725 any which are found necessary for the protection of the health, safety, and  
726 general welfare of the public shall be made part of the requirements of the  
727 ~~conditional use~~ permit. In any case, the approval of the ~~conditional use~~ permit  
728 shall include the following requirements:

- 729 a. The proposal’s proximity to stores and services, safety of pedestrian  
730 access in the vicinity, access to public transit, design measures to  
731 minimize incompatibility between the proposal and surrounding  
732 businesses;  
733 b. Compliance with all applicable state, federal, and local regulations  
734 pertaining to such use, a description of the accommodations, and the  
735 number of people accommodated or cared for, and any structural  
736 requirements deemed necessary for such intended use;  
737 c. The amount of space around and between buildings shall be subject to  
738 the approval of the fire chief as being adequate for reasonable circulation

- 739 of emergency vehicles or rescue operations and for prevention of  
 740 conflagration; and
- 741 d. The proposed use will not adversely affect the surrounding area as to  
 742 prevent use or character of the future development;
- 743 ~~e. Restriction to such intended use except by revision through a subsequent~~  
 744 ~~conditional use permit.~~
- 745 2. Development Standards. Housing ~~for the elderly and physically disabled~~  
 746 facilities shall conform to the following criteria:
- 747 a. Lot area per dwelling unit: 1,000 square feet minimum per unit;
- 748 b. Passive recreation and/or open space: 200 square feet per unit. In  
 749 the city's higher density multiple-family zones, developments are  
 750 required to provide active recreational space to help satisfy a portion of  
 751 the demand for recreational facilities. Housing for the elderly those in  
 752 need of care has a similar need but is of a passive nature. Therefore,  
 753 passive recreation space and/or open space shall be provided. Up to 50  
 754 percent of the requirement may be indoors; provided, that the space is  
 755 utilized exclusively for passive recreation and/or open space (i.e. arts and  
 756 crafts rooms, solariums, courtyards). All outdoor recreation and/or open  
 757 space areas shall be set aside exclusively for such use and shall not  
 758 include areas held in reserve for parking, as per LMC 21.18.800. All  
 759 open space and/or recreational areas shall be of a permanent nature, and  
 760 they may be restricted to use by tenants only. The use of private and  
 761 semi-private patios and balconies in meeting these requirements is not  
 762 permitted.
- 763 ~~E. Living Quarters, Homeless Teenage Parents. Living quarters for homeless parents and~~  
 764 ~~their children are permitted in any commercial zone of the city. For the purposes of this~~  
 765 ~~section, "living quarters for homeless teenage parents" is defined to mean a building or~~  
 766 ~~buildings occupied for living purposes by not more than eight teenage parents and their~~  
 767 ~~children.~~
- 768 ~~1. Supervision and Maximum Occupancy. Such living quarters must have an adult~~  
 769 ~~supervisor residing therein. The maximum number residing therein at any time~~  
 770 ~~shall not exceed 21, including parents, children, and adult supervisor(s).~~
- 771 ~~2. Development Regulations and Standards. Subdivision and zoning development~~  
 772 ~~standards for living quarters for teenage parents shall be the same as for the low~~  
 773 ~~density multiple family residential zone (RML). Such quarter shall be treated as~~  
 774 ~~an R-occupancy for fire and building codes.~~

775  
 776 **Section 24.** Section 21.46.118, entitled "Limitations on uses – Light Industrial uses," of the  
 777 Lynnwood Municipal Code is amended to read as follows:

778  
 779 **21.46.118 Limitations on uses – Light industrial uses.**

- 780 A. General.
- 781 1. Scope of Conditions. Wherever these are permitted under conditional use  
 782 proceeding, the hearing examiner may stipulate the type of machinery allowable, that the  
 783 performance standards and landscaping requirements of the Light Industrial zone shall  
 784 apply, that the use must be conducted entirely within a building which is constructed so  
 785 as to contain the expected noise, and such other conditions as are necessary to assure  
 786 compatibility with surrounding properties.
- 787 ~~2. Requirements for Uses Occupying 10,000 Square Feet or Less That are Permitted~~  
 788 ~~as a Principal Use. Certain light industrial uses taking up 10,000 square feet or less are~~

- 789 allowed without a conditional use permit. No such use will be allowed without a  
 790 conditional use permit when:
- 791 a. ~~There is a person, corporation, partnership or association with an~~  
 792 ~~ownership interest in the business; and~~
  - 793 b. ~~Such person, corporation, partnership or association or any combination~~  
 794 ~~thereof has an ownership interest in another business at the same~~  
 795 ~~business site or park which has not obtained a conditional use permit~~  
 796 ~~because it uses 10,000 square feet or less of floor space; and~~
  - 797 c. ~~The combined space of both businesses or uses exceeds 10,000 square~~  
 798 ~~fee~~
- 799 B. Public Use Facilities. This use includes facilities owned by a public utility and directly  
 800 used in the performance of a public service but does not include offices or warehouses of  
 801 a public utility. Public utility offices and warehouses are permitted in the same zones and  
 802 on the same basis as other offices and warehouses-
- 803 ~~C. Auto Wrecking Yards and Recycling Collection Centers. These uses may be permitted~~  
 804 ~~by conditional use permit. In considering such a conditional use permit application, the~~  
 805 ~~hearing examiner shall take into account all impacts upon the surrounding neighborhood~~  
 806 ~~with particular emphasis on visual, noise, water quality, and dust impacts. Due to the~~  
 807 ~~demonstrated tendency of wrecking yards and recycling collection centers to be visually~~  
 808 ~~offensive, such uses should not be located adjacent to residential zoning or to established~~  
 809 ~~business uses of such low intensity or having such an aesthetic emphasis as to be~~  
 810 ~~adversely impacted by close proximity to a wrecking yard or recycling collection center.~~  
 811 ~~The hearing examiner may prescribe any conditions deemed necessary to minimize the~~  
 812 ~~impacts of such uses.~~

813  
 814 **Section 25.** Section 21.46.119, entitled "Limitations on uses – Other uses," of the Lynnwood  
 815 Municipal Code is amended to read as follows:

816  
 817 **21.46.119 Limitations on uses – Other uses.**

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

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

865 Provided that this subsection shall not apply to utility facilities located on a property  
866 which are accessory to the property which are accessory to the property or to the  
867 transmission, distribution or collection lines and equipment necessary to provide a direct  
868 utility connection to the property or neighboring properties, or to those utility facilities  
869 located on public right-of-way.

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

- 885 1. Use Regulations.  
886 a. Where the chapter provides for self-service storage facilities upon  
887 property zoned **B-1**, CG or PCD, self-service storage facilities are  
888 permitted only within multi-story structures designed to emulate  
889 multifamily or office buildings.

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- b. Where this chapter provides for self-service storage facilities upon property zoned CC or ACC, self-service storage facilities are permitted as an accessory use, and may occupy no more than 20 percent of the property's building floor area. With the exception of the business office and loading/unloading facilities, self-service storage facilities shall not be permitted upon the ground or street level of the multi-story building.
  - c. Permitted Activities. The only activities permitted in individual storage units shall be the rental of the unit and the pickup and deposit of goods and/or property in dead storage. Storage units shall not be used for activities such as:
    - i. Residences, offices, workshops, studios, hobby or rehearsal areas;
    - ii. Manufacturing, fabrication, or processing of goods, service or repair of vehicles, engines, appliances, or other electrical equipment, or any other industrial activity;
    - iii. Conducting retail sales of any kind including garage or retail sales or auctions or to conduct any other commercial activity;
    - iv. Storage of flammable, perishable or hazardous materials or the keeping of animals.
  - d. Accessory Uses. Accessory uses such as the rental of trucks, trailers or moving equipment (hand carts, jacks and lifts, etc.), the installation of trailer hitches, or the sale of boxes or packing materials are permitted only if they are otherwise permitted in the zone in which the facility is located, and shall meet all use and development standards of the commercial zone.
  - e. Hours of Operation:
    - i. Self-service storage facilities located in commercial zones shall not operate or allow tenant access between the hours of 10:00 p.m. and 7:00 a.m. if the site abuts a Class A EDNA, as defined in Chapter 10.12.LMC Noise.
    - ii. The director may permit extended hours of operation if the facility operator demonstrates that due to facility design or other factors the facility will not have significant noise impacts on the adjacent Class A EDNA property. The burden of proof is on the facility operator.
    - iii. Nothing in this section overrides or supersedes any requirement of Chapter 10.12. LMC and all restrictions of Chapter 10.12. LMC apply even during allowed hours of operation.
  - f. Outdoor Storage Prohibited. Within commercial zones, all goods and property stored in a self-service facility shall be stored in an enclosed building. No outdoor storage of boats, RVs, vehicles, etc., or storage in outdoor storage pods or shipping containers is permitted. :
2. Development Standards. All development standards of the commercial zone in which the facility is located apply unless the standard is superseded by regulations in this subsection.
- a. Storage Units.
    - i. All storage units shall gain access from the interior of the building(s) or site – no unit doors may face the street or be visible from off the property.

- 939                                   ii.     If the facility abuts residentially zoned property, the facility  
940                                   loading bays, docks or doors shall not be visible from the  
941                                   residential property.  
942                                   iii.     Electrical service to storage units shall be for lighting and  
943                                   climate control only. No electrical outlets are permitted inside  
944                                   individual storage units. Lighting fixtures and switches shall be  
945                                   of a secure design that will not allow tapping the fixtures for  
946                                   other purposes.  
947                                   b.     Additional standards for self-service storage facilities in the commercial  
948                                   zones as outlined in Table 21.46.13 subject to the following limitations:  
949                                   i.     The facility shall be located in a multi-story building.  
950                                   ii.     Loading docks, entrances or bays may not be located on a street-  
951                                   facing side of a building and shall be screened from residential  
952                                   uses.
- 953                                   3.     Design Standards. Design review shall be required for all new construction and  
954                                   expansions of self-service storage buildings to ensure the development has a high  
955                                   quality design and is appropriate to the desired character of the zone it is located  
956                                   in and the adjacent neighborhood. Self-service storage facilities shall meet the  
957                                   requirements of Chapter 21.25 LMC, Project Design Review, and the following  
958                                   requirements.
- 959                                   a.     Fences and Walls. Fences and walls including entry gates shall be  
960                                   constructed of high quality materials and shall be compatible with the  
961                                   design and materials of the building(s) and site. The design guidelines  
962                                   for fences and walls and the following provisions shall apply to self-  
963                                   service storage facilities:  
964                                   i.     Decorative metal or wrought iron fences are preferred.  
965                                   ii.     Chain-link (or similar fences, barbed or razor wire fences and  
966                                   walls made of precast concrete blocks are prohibited.  
967                                   iii.     Fences or walls are not allowed between the main or front  
968                                   building on the site and the street.  
969                                   iv.     Street-front landscape areas required by the design guidelines or  
970                                   elsewhere in this code shall not be fenced.
- 971                                   b.     Ground and Upper Floor Facades. Ground floor and upper floor facades  
972                                   for self-service storage facility buildings in commercial zones shall meet  
973                                   the following requirements:  
974                                   i.     The ground floor transparency requirements of the commercial  
975                                   districts design guidelines shall also apply to each floor above  
976                                   the ground floor of a self-service storage facility building that is  
977                                   visible from a street or from a residentially zoned area.  
978                                   ii.     The ground floor on rear or side facades facing residential areas  
979                                   do not have to meet subsection (D)(3)(b)(i) of this section if they  
980                                   are effectively visually screened from view from the street or  
981                                   nearby residential uses by a transition or landscape strip.  
982                                   iii.     The design guidelines for treating blank walls and for opaque  
983                                   walls in the design shall apply to the upper floors of self-service  
984                                   storage buildings.  
985                                   iv.     In order to promote visual compatibility with commercial and  
986                                   multi-family development allowed in commercial zones, self-  
987                                   service storage facilities buildings shall incorporate architectural  
988                                   and design features common to commercial and/or multi-family  
989                                   development. Examples of such architectural and design

features include: massing, proportion; façade modulation; exterior building materials and detailing; varied roof line; pedestrian scale; fenestration; repetition; etc.

- c. Street Entrance. The business office of self-service storage facilities in commercial zones shall have a pedestrian entrance facing the street.
  - i. This entrance shall be considered the “main” or “principal” entrance to the building for the purpose of the design guidelines or other sections of this chapter even if the majority of customers using the facility enter through loading docks, bays, doors or other side or rear entrances.
  - ii. This entrance shall meet the design guideline prominent entrance requirements.
- d. Materials. Self-service storage facility buildings shall be surfaced in high-quality materials. Unfaced concrete block, painted masonry, tilt-up and pre-cast concrete panels and prefabricated metal sheets are not prohibited. Prefabricated buildings are not allowed.
- e. Design Departures. In addition to the requirements for design departures in Chapter 21.25 LMC, the director shall find that a request for approval of a design departure will not cause the development or the use to be inconsistent with the desired character of the zone on which it is located or have negative impacts on surrounding uses.

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

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

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

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

Beginning at the Southeast corner of the Southwest quarter of the Southeast quarter of Section 20, Township 27 North, Range 4 East, W.M.; thence West 679.56 feet; thence North 175 feet to the true point of beginning thence West 132.6 feet to a point eight feet East of the East line of Lot 15, Block 6, of the Plat of Seattle Heights, Division No. 3; thence North 20 feet more or less, to a point eight feet East of the Northeast corner of said Lot 15; thence West 132.5 feet, more or less, along the North line of said Lot 15 and the prolongation thereof, to the Northwest corner of said Lot 15; thence continuing West along the prolongation of said line 30 feet, more or less, to a point which is the intersection with the centerline of 67<sup>th</sup> Avenue West; thence South 192.5 feet, more or less, along said centerline of 67<sup>th</sup> Avenue West; thence South 195.2 feet, more or less, along said centerline to a point which is the intersection of the centerlines of 67<sup>th</sup> Avenue West and 212<sup>th</sup> St. SW; thence West along the centerline of 212<sup>th</sup> St.

1041 SW to a point which is the intersection of the centerlines of 212<sup>th</sup> St. SW and 68<sup>th</sup>  
1042 Avenue West ; thence South along the 68<sup>th</sup> Avenue West centerline 830 feet,  
1043 more or less, to the intersection of the centerline of said right-of-way and the  
1044 Easterly prolongation of a line located parallel to and 160 feet South of the North  
1045 line of Lot 19, Plat of Solner's 5 Acre Tracts; thence West along said line and the  
1046 prolongation thereof, to the intersection with the East line of Lot 21, Plat of  
1047 Solner's 5 Acre Tracts, said point being 160 feet, more or less, South of the  
1048 Northeast corner of said Lot; thence North 20 feet, more or less; thence North  
1049 89°51'00" West 130.14 feet, more or less, to the East line of the Highway 99  
1050 right-of-way.

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

1091 examiner shall determine the degree of variance to be allowed and shall grant such  
1092 variance. Otherwise, the application for variance shall be denied.

- 1093 E. Prohibited Uses. The following uses are found to be incompatible with adult  
1094 establishments and are prohibited in the controlled use area set forth above:  
1095 1. Pet grooming, pet shops, and veterinary clinics;  
1096 2. Churches, libraries, museums, art galleries and similar institutions;  
1097 3. Schools, including pre-schools, child day-care, and nursery school;  
1098 4. ~~Fountain and ice cream stands,~~ r Restaurant and cafeterias, drive-in car, ~~drive-~~  
1099 ~~through,~~ and take-out restaurants;  
1100 5. Bakery retail stores and convenience stores;  
1101 6. Hotel/motels ~~and motor hotels;~~  
1102 7. Indoor amusement enterprises centers, as defined; and  
1103 8. Bicycle sale and repair;  
1104 ~~9. Wholesale stores.~~

- 1105 F. Development Standards. The development standards in the controlled use area are the  
1106 same as general commercial, except as follows:  
1107 1. Signs. See LMC 21.16.310 for sign regulations.  
1108 2. Other Standards. The following standards apply to adult establishments in the  
1109 controlled use area, and the following standards shall supersede the Lynnwood  
1110 Citywide Design Guidelines, as adopted by reference in LMC 21.25.145(B)(3), that  
1111 may conflict:  
1112 a. The starting of an adult establishment constitutes a change in use and is subject to  
1113 the nonconforming chapter in addition to these development standards;  
1114 b. Landscaping shall be a wall of trees created by two rows of evergreen conifer  
1115 trees. The trees shall be staggered and spaced a maximum of 10 feet on center,  
1116 so as to form an effective visual barrier within five years. The minimum tree  
1117 height shall be six feet. A permanent six-foot site-screening fence shall be placed  
1118 on the side and rear property lines;  
1119 c. All parking areas shall be visible from the street fronting the establishment and  
1120 shall not allow access to the rear of any structures; and  
1121 d. The parking areas shall be fully illustrated with street light standards.  
1122

1123 **Section 27.** Section 21.46.210, entitled “Additional development standards,” of the Lynnwood  
1124 Municipal Code is amended to read as follows:

1125  
1126 **21.46.210 Additional development standards.**

- 1127 A. Site-Screening Standards for Outdoor Displays and Outdoor Storage Areas. Any indoor  
1128 displays or outdoor storage which are permitted in commercial zones, and which are not  
1129 affected by the standards of LMC 21.46.220, shall be enclosed within a site-screening  
1130 fence of sufficient height to effectively screen the outdoor display or storage from view,  
1131 and not less than six feet high in any case, set back five feet from the property line. The  
1132 outer five feet shall be landscaped with evergreen conifer trees with a minimum height of  
1133 six feet spaced a maximum of 15 feet on center and low evergreen plantings which will  
1134 mature to a total groundcover within five years; provided, however, that where these  
1135 requirements do not apply because the principal use of a property involves the display of  
1136 merchandise for view from the streets, the display area shall be improved as a parking lot  
1137 (except for paving where the nature of the merchandise makes paving impractical) with a  
1138 10-foot planting strip along the entire street frontage, as per subsection (B(2) of this  
1139 section. Display areas shall be segregated from the required customer parking so that  
1140 there is always sufficient customer parking to meet the minimum requirements of this  
1141 code.

- 1142 B. Parking.
- 1143 1. Capacity Requirements. For calculating the required number of parking stalls see
- 1144 Chapter 21.18 LMC.
- 1145 2. Landscaping in Parking Areas.
- 1146 a. Purpose. The purpose of these landscaping provisions is:
- 1147 i. To break up the visual blight created by large expanses of barren
- 1148 asphalt which make up a typical parking lot;
- 1149 ii. To encourage the preservation of mature evergreens and other
- 1150 large trees which are presently located on most undeveloped
- 1151 sites in this city;
- 1152 iii. To ensure the preservation of land values in commercial zones
- 1153 by creating and ensuring an environmental quality which
- 1154 complements the commercial objectives of the respective land.
- 1155 b. Planting at Street Frontages. Development sites with parking areas
- 1156 located only between the sides of buildings ~~opposite the street~~ and
- 1157 interior property lines shall provide shall provide a 10-foot wide planting
- 1158 area along the entire street frontage, except for driveways, walkways and
- 1159 other pedestrian spaces. Development sites with single-aisle, double-
- 1160 loaded parking areas located between buildings and the street right-of-
- 1161 way, ~~parking areas between buildings or parking areas between~~
- 1162 ~~buildings and the closet property line~~ shall provide a 15 foot-wide
- 1163 planting area along the entire street frontage with the same above
- 1164 exceptions. Development sites with multi-aisle parking areas located
- 1165 between buildings and the street right-of-way shall provide a 20-foot
- 1166 wide planting area along the street frontage with the same above
- 1167 exceptions. Planting shall consist of ornamental landscaping of low
- 1168 plantings and high plantings. The minimum height of trees shall be eight
- 1169 feet for evergreen trees and 10 feet for all other species. Trees shall be
- 1170 spaced a maximum of 25 feet on center with branches eliminated to a
- 1171 height of six feet where necessary to prevent site obstruction. The
- 1172 required trees in this planting area may be located within the adjacent
- 1173 street right-of-way as long as they comply with Lynnwood Citywide
- 1174 Design Guidelines as adopted by reference in LMC 21.25.145(B)(3).,
- 1175 and are approved by the public works department. Low evergreen
- 1176 plantings, or a mixture of low evergreen and deciduous plantings with a
- 1177 maximum height of 30 inches, shall be provided so as to achieve 50
- 1178 percent groundcover within two years.
- 1179 The location and width of the planting area may be modified in
- 1180 accordance with the following provisions: that up to five feet of the 10-
- 1181 foot total required may be installed in portions of city right-of-way which
- 1182 are not covered by impervious surfaces or, in the case of right-of-way
- 1183 which is not fully improved, and not projected to be covered by
- 1184 impervious surfaces upon full improvement.
- 1185 c. Landscaping in Right-of-Way. Property owners who install landscaping
- 1186 on portions of right-of-way not covered by impervious surfaces shall
- 1187 provide the city with a written release of liability for damages which may
- 1188 be incurred to the planting area from any public use of the right-of-way
- 1189 and an indemnity to the city against any injuries occurring within that
- 1190 portion of right-of-way so utilized.
- 1191 d. Coverage. Five percent of the parking areas located ~~only between on~~ the
- 1192 sides ~~and rear~~ of buildings ~~opposite the street~~ and interior parking lines;

- 1193 10 percent of parking areas between buildings ~~and, between buildings~~  
 1194 ~~and the closest side property line, or~~ single-aisle, double-loading parking  
 1195 areas located between buildings and the street; and 15 percent of multi-  
 1196 aisle parking areas located between buildings and streets shall be in  
 1197 landscaping (exclusive of landscaping on the street frontage and required  
 1198 landscape buffers; provided, that:
- 1199 i. No landscaping area shall be less than 25 square feet in area or  
 1200 less than three feet in width.
  - 1201 ii. No parking stall shall be located more than 45 feet from a  
 1202 landscaped area; and
  - 1203 iii. All landscaping must be located between parking stalls, at the  
 1204 end of parking columns, or between parking stalls and the  
 1205 property lines.
- 1206 e. Landscaping Adjacent to Parking Stalls. Where landscaping areas which  
 1207 fulfill city standards are adjoined by angular or perpendicular parking  
 1208 stalls, landscaping in the form of ground cover materials or plants may  
 1209 be installed in that portion of any parking stall which will be ahead of the  
 1210 wheels and adjacent to the landscaped area; provided, that curbing or  
 1211 wheel stops are installed in a position which will protect the plants from  
 1212 damage. Such landscaping shall not be construed to be part of the  
 1213 percentage of landscaped area required by this chapter nor a reduction of  
 1214 the parking stall.
- 1215 f. Additional Landscaping Along Specified Streets. Along streets where it  
 1216 may be desirable and feasible to obtain a higher degree of continuity in  
 1217 landscaping from property to property than is provided for here, the city  
 1218 council, upon recommendation by the planning commission, may  
 1219 designate specific street frontage landscaping plans for those streets.  
 1220

1221 **Section 28.** Section 21.46.220, entitled "Transition or buffer strip," of the Lynnwood Municipal  
 1222 Code is amended to read as follows:

1223  
 1224 **21.46.220 Transition or Buffer Strips.**

- 1225 A. Transitional or buffer landscaped strips (also referred to as greenbelts) of which the  
 1226 purpose of the landscaping is to provide a sight, sound, and psychological barrier  
 1227 between zones with a high degree of incompatibility. The transition or buffer strips shall  
 1228 be installed in the following situations:
- 1229 1. Where the side yard or rear yard of a property zoned to any commercial zone is  
 1230 adjacent to a property zoned single-family residential:  
 1231 a. The planting strip shall be at least 20 feet in width and shall consist of  
 1232 the following;  
 1233 i. Two rows of evergreen conifer trees. The trees shall be  
 1234 staggered and spaced a maximum of 10 feet on center, so as to  
 1235 form an effective visual barrier within five years. The minimum  
 1236 tree height shall be six feet.  
 1237 ii. A permanent six-foot site-screening fence shall be placed at the  
 1238 property line.
  - 1239 2. Where the side yard or rear yard of a property zoned to any commercial zone is  
 1240 adjacent to a property zoned multiple-family residential or public and semi-  
 1241 public.  
 1242 a. The planting strip shall be at least 10 feet in width and shall consist of  
 1243 either of the following two options:

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- 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. 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.

1294 3.2. Installation Prior to Occupancy. All landscaping that fulfills the city code  
1295 requirements shall be installed prior to occupancy of any structure located on the  
1296 same site.

1297 If, due to extreme weather conditions or some unforeseen emergency, all  
1298 required landscaping cannot be installed prior to occupancy, then a cash deposit  
1299 or guarantee account with the city shall be provided as financial security to  
1300 guarantee installation of the remaining landscaping. The security shall be equal  
1301 to the cost of the remaining landscaping including labor and materials or a  
1302 minimum of \$500.00. The security shall not extend for a period of more than 30  
1303 days. If within 30 days, the remaining landscaping is installed according to code  
1304 requirements and approved development plans, then all funds shall be refunded.

1305 D. Fence Regulations.

1306 1. Definition. For the purposes of this section, a “site-screening fence” means a  
1307 solid one-inch-thick board (nominal dimensional standards) fence. One made of  
1308 brick, rock or masonry materials may be substituted for a board fence.

1309 2. Exceptions. Where a fence is required by the above standards, no fence will be  
1310 required in those cases where a fence already exists which meets the intent of this  
1311 section. However, if the existing fence is ever removed, demolished or partially  
1312 destroyed, then the owner of the property first being required by the section to  
1313 provide the necessary fence will be responsible for replacing the fence.

1314 In those cases where the slope of the land is such that the location of a  
1315 fence required by the above standards is impractical or ineffective in satisfying  
1316 the intent of this section, the community development director may, at his  
1317 discretion, permit a location which more adequately satisfies the intent of this  
1318 section.

1319 E. Exception. The community development director may reduce the required buffer width  
1320 and revise the required planting and fencing if the director finds, that, due to the intensity  
1321 of existing or proposed landscaping, the amount and type of mature existing vegetation,  
1322 change in topography between properties, use of the properties along the abutting  
1323 property line, or other characteristics of the abutting properties, a reduced buffer width  
1324 or deviation from the code landscape requirements will provide adequate separation  
1325 between the properties.

1326 The community development director may approve variation from the degree and  
1327 type of code required landscaping on his or her own or at the applicant’s initiative  
1328 provided the following is met.

1329 A request for approving a reduction in a required buffer shall be made in writing  
1330 and shall describe fully the reduction and the basis for the request. The fee for processing  
1331 a request shall be \$200.00. The person(s) requesting the buffer reduction bear the burden  
1332 of proof that the reduced buffer will provide adequate separation and screening between  
1333 properties.

1334 At least 28 calendar days prior to acting on a request for buffer reduction, notice  
1335 of the request shall be mailed to the owners of all properties that abut the site of the  
1336 proposed reduction. Action on a request may not be taken until this noticing period has  
1337 expired.

1338 Anyone may appeal a determination regarding an exception by the director under  
1339 this subsection by filing a written statement of the reason(s) for the appeal with the  
1340 community development department. Such an appeal shall be processed pursuant to  
1341 Process II (LMC 1.35.200 et. seq).

1342  
1343 **Section 29.** Section 21.46.900, entitled “Other regulations,” of the Lynnwood Municipal Code is  
1344 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.

- 1396 1. Plans. Shopping centers or other multi-store retail developments in the  
1397 ~~Community Business and~~ General Commercial zones shall be subject to the same  
1398 site plan and utility plan requirements as are required in the Neighborhood  
1399 Commercial (NC) zone. The plan shall include a landscaping plan as per LMC  
1400 21.46.210(B); provided, however, that an alternate arrangement as per LMC  
1401 21.46.210((B)(2)(d) may be approved by the planning commission if it finds that  
1402 the alternate plan would be more effective in meeting the stated objectives of  
1403 LMC 21.46.210(B).  
1404 2. Site Utilization. Unless the site plan provides for full utilization of the lot or  
1405 parcel, the utilized part shall be officially divided from the remainder of under  
1406 the city subdivision regulations and the subdivision shall conform to all normal  
1407 subdivision requirements. As a condition of the subdivision, the city may require  
1408 that all parcels of the subdivision have common access to public streets.

~~D. Cooperative Development of Adjacent Properties in Commercial Zones and  
Nonresidential Projects Developed in Zones Other Than Commercial Zones, Except the  
Planned Regional Commercial (PRC) Zone. It is hereby declared to be the policy of the  
city to encourage in the zones referred to in this caption adjoining properties that are so  
situated as to be developed or redeveloped through cooperative plans for access, egress,  
and parking facilities to do so by a relaxation of the total parking requirement for such  
properties. Property owners desiring to take advantage of said policy may submit  
detailed plans to the city, and if such plans are approved by the appropriate city  
departments, the required off-street parking for each respective parcel may be reduced by  
twice the number of stalls that could be accommodated by the actual square footage of  
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  
of the amount otherwise required;~~
- ~~2. A coordinated parking lot layout and landscaping plan is submitted, approved,  
and conforms to the specifications of this code;~~
- ~~3. In circumstances where buildings already exist, that the plans include a  
reasonable effort to coordinate, redesign or refinish the exterior of the buildings  
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  
to city standards, including sidewalk, curb, and gutter, or reasonably equivalent  
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  
suitable for filing with the county auditor,, defining their rights, duties reciprocal  
easements, and generally providing for maintenance and repair in such a manner  
that the planning commission is reasonably assured that the property will have an  
orderly, permanent management, which agreement shall notify persons dealing  
with the title to said lands that the right to reduce parking is conditional upon the  
continued existence of the common driveway;~~
- ~~7. The city has received consent by all owners that additional building permits on  
any of the land so affected will not be issued by the city unless separate and/or  
additional parking is provided.~~

1441 E.D. Surface Water Management. All building permit applications and site plans required  
1442 herein shall provide adequate facilities for the management of surface water.

1443 F.E. Elimination of Nonconforming Uses. All site plans shall provide for the elimination of  
1444 nonconforming uses.  
1445

1446 **Section 30.** Section 21.48.100, entitled “Permitted uses,” of the Lynnwood Municipal Code is  
1447 amended to read as follows:

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1449

1450 **21.48.100 Permitted uses.**

1451 A. All uses permitted in the Neighborhood Commercial (~~B-3~~ NC) and ~~Community Business~~  
1452 (~~B-1~~) General Commercial (CG) zone are permitted in this classification, except for the  
1453 following:

- 1454 1. Outdoor used automobile sales;
- 1455 2. Funeral parlors and mortuaries;
- 1456 3. Self-service storage facilities;
- 1457 4. Marijuana and marijuana-infused products retail sales, processing and  
1458 production;
- 1459 5. Medical marijuana collective gardens.

1460

1461 **Section 31.** Section 21.48.112, entitled “Limitations on uses – Restaurants,” of the Lynnwood  
1462 Municipal Code is repealed:

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1464 ~~**21.48.112 — Limitations on uses — Restaurants.**~~

1465 ~~A. In the Planned Regional Shopping Center zone, it is intended to permit restaurants for the~~  
1466 ~~convenience of persons employed in the zone. Restaurants are permitted either as an accessory~~  
1467 ~~use within an office building, or as the principal use of a separate site providing it sully occupies~~  
1468 ~~a site equal to the minimum area specified in the development standards.~~

1469

1470 **Section 32.** Section 21.48.113, entitled “Limitations on uses – Institutional,” of the Lynnwood  
1471 Municipal Code is repealed.

1472

1473 ~~**21.48.113 — Limitations on uses — Institutional.**~~

1474 ~~A. Complementary Use of Parking by Churches. Churches are allowed outright in all business~~  
1475 ~~and commercial zones (except for the PCD zone wherein churches require a special use permit)~~  
1476 ~~subject to the same conformance to development standards as would apply to any other permitted~~  
1477 ~~use. This provision is applicable to either new construction or the occupancy by a church of a~~  
1478 ~~pre-existing building or a portion thereof, whether the building or grounds are designed as a~~  
1479 ~~church building, according to the definition of “churches” o m Chapter 21.02, LMC, or the space~~  
1480 ~~being used is such that typical occupants or tenant would be commercial uses.~~

1481 ~~— In the event that a multiple business site which includes a church does not have an~~  
1482 ~~adequate number of parking spaces to meet the code requirements for all the uses on the site, but~~  
1483 ~~it would have sufficient spaces without the church, complementary use of parking by the church~~  
1484 ~~may be allowed by conditional use permit. The purpose in requiring a conditional use permit is to~~  
1485 ~~assure that the times of peak use of parking by the church and the other uses on the site will not~~  
1486 ~~coincide to such an extent that frequent parking shortages occur, impacting public streets and~~  
1487 ~~resulting in unauthorized parking on other properties in the area.~~

1488 ~~— No conditional use permit shall be approved if the evidence indicates that such parking~~  
1489 ~~shortages are likely to occur. Adherence by any and/or all occupants of the site to a schedule that~~  
1490 ~~makes complementary parking workable may be made a condition of the conditional use permit.~~

1491 ~~— In the event that parking shortages described above do occur after such a conditional use~~  
1492 ~~permit has been approved, revocation of the permit may be considered under normal conditional~~  
1493 ~~use permit hearing procedures. In frequent parking overflows, such as those occurring during~~  
1494 ~~annual religious holidays, are not to be construed as constituting a parking shortage for the~~  
1495 ~~purposes of this section.~~

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~~B. Child Day Care Center.~~

~~1. Considerations. A child day care center may be permitted by issuance of a 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 permit shall include the following requirements:~~

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

**Section 33.** Section 21.48.115, entitled "Limitations on uses – Institutional," of the Lynnwood Municipal Code is repealed.

~~**21.48.115 — Limitations on uses — Office uses.**~~

~~A. Residential/Office Use as Home Occupation. An office use in combination with a residence is allowable as a home occupation by means of a conditional use permit, subject to the limitations to home occupations as stated in LMC 21.02.415, except as follows: the number of employees who do not reside in the same building shall be limited to two.~~

~~— In consideration the requested permit, the adequacy of parking shall be of prime consideration. Any application shall demonstrate provisions for anticipated traffic and parking. In the event that congestion or traffic hazards develop through such use, the community development director may suspend or terminate the permit upon 30 days' written notice. During the 30 day period, the holder of the permit may request review of the revocation by the city council. The building may be enlarged, but the office areas shall not exceed 25 percent of the total square footage of the building.~~

**Section 34.** Section 21.48.116, entitled "Limitations on uses – Residential uses," of the Lynnwood Municipal Code is amended to read as follows:

**21.48.116 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 services, including a main lobby, desk attendant, and room service. When accessory uses providing services for the ~~motor~~ hotel patron, 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. Dwellings may be permitted, consistent with the use and development regulations for multiple-family dwellings in the PCD zone.

1546 ~~C. Convalescent and Nursing Homes and Assisted Living and Continuing Care Housing for the~~  
1547 ~~Elderly and Physically Disabled. These uses may be allowed by conditional use permit are~~  
1548 ~~allowed subject to the following:~~

- 1549 1. Staff Evaluation and Recommendation. Before any conditional use permit for  
1550 the uses designated in this subsection is considered by the hearing examiner and  
1551 city council, a joint recommendation concerning development of the land and/or  
1552 construction of the buildings shall be prepared by the fire and community  
1553 development departments, specifying the conditions to be applied if approved. If  
1554 it is concluded that the application for a conditional use permit should be  
1555 approved, each requirement in the joint recommendation shall be considered and  
1556 any which are found necessary for the protection of the health, safety, and  
1557 general welfare of the public shall be made part of the requirements of the  
1558 conditional use permit. In any case, the approval of the conditional use permit  
1559 shall include the following requirements:
- 1560 a. The proposal's proximity to stores and services, safety of pedestrian  
1561 access in the vicinity, access to public transit, design measures to  
1562 minimize incompatibility between the proposal and surrounding  
1563 businesses;
  - 1564 b. Compliance with all applicable state, federal, and local regulations  
1565 pertaining to such use, a description of the accommodations, and the  
1566 number of people accommodated or cared for, and any structural  
1567 requirements deemed necessary for such intended use;
  - 1568 c. The amount of space around and between buildings shall be subject to  
1569 the approval of the fire chief as being adequate for reasonable circulation  
1570 of emergency vehicles or rescue operations and for prevention of  
1571 conflagration;
  - 1572 d. The proposed use will not adversely affect the surrounding area as to  
1573 prevent use or character of the future development;
  - 1574 e. ~~Restriction to such intended use except by revision through a subsequent~~  
1575 ~~conditional use permit.~~
- 1576 2. Development Standards. Housing for the elderly and physically disabled  
1577 facilities shall conform to the following criteria:
- 1578 a. Lot area per dwelling unit: 1,000 square feet minimum per unit;
  - 1579 b. Passive recreation and/or open space: 200 square feet per unit. In  
1580 the city's higher density multiple-family zones, developments are required to  
1581 provide active recreational space to help satisfy a portion of the demand for  
1582 recreational facilities. Housing for the elderly those in need of care has a similar  
1583 need but is of a passive nature. Therefore, passive recreation space and/or open  
1584 space shall be provided. Up to 50 percent of the requirement may be indoors;  
1585 provided, that the space is utilized exclusively for passive recreation and/or open  
1586 space (i.e. arts and crafts rooms, solariums, courtyards). All outdoor recreation  
1587 and/or open space areas shall be set aside exclusively for such use and shall not  
1588 include areas held in reserve for parking, as per LMC 21.18.800. All open space  
1589 and/or recreational areas shall be of a permanent nature, and they may be  
1590 restricted to use by tenants only. The use of private and semi-private patios and  
1591 balconies in meeting these requirements is not permitted.

1592 ~~D. Living Quarters, Homeless Teenage Parents. Living quarters for homeless parents and their~~  
1593 ~~children are permitted in any commercial zone of the city. For the purposes of this section,~~  
1594 ~~“living quarters for homeless teenage parents” is defined to mean a building or buildings~~  
1595 ~~occupied for living purposes by not more than eight teenage parents and their children.~~

- 1596 1. ~~Supervision and Maximum Occupancy. Such living quarters must have an adult~~  
1597 ~~supervisor residing therein. The maximum number residing therein at any time~~  
1598 ~~shall not exceed 21, including parents, children, and adult supervisor(s).~~  
1599 2. ~~Development Regulations and Standards. Subdivision and zoning development~~  
1600 ~~standards for living quarters for teenage parents shall be the same as for the low~~  
1601 ~~density multiple family residential zone (RML). Such quarter shall be treated as~~  
1602 ~~an R occupancy for fire and building codes.~~

1604 **Section 35.** Section 21.46.118, entitled "Limitations on Uses – Light Industrial uses," of the  
1605 Lynnwood Municipal Code is amended to read as follows:

1607 **21.48.118 Limitations on uses – Light Industrial uses.**

1608 A. General.

1609 1. Scope of Conditions. Wherever these are permitted under conditional use  
1610 proceeding, the hearing examiner may stipulate the type of machinery allowable, that the  
1611 performance standards and landscaping requirements of the Light Industrial zone shall  
1612 apply, that the use must be conducted entirely within a building which is constructed so  
1613 as to contain the expected noise, and such other conditions as are necessary to assure  
1614 compatibility with surrounding properties.

1615 ~~2. Requirements for Uses Occupying 10,000 Square Feet or Less That are Permitted~~  
1616 ~~as a Principal Use. Certain light industrial uses taking up 10,000 square feet or less are~~  
1617 ~~allowed without a conditional use permit. No such use will be allowed without a~~  
1618 ~~conditional use permit when:~~

1619 a. ~~There is a person, corporation, partnership or association with an~~  
1620 ~~ownership interest in the business; and~~

1621 b. ~~Such person, corporation, partnership or association or any combination~~  
1622 ~~thereof has an ownership interest in another business at the same~~  
1623 ~~business site or park which has not obtained a conditional use permit~~  
1624 ~~because it uses 10,000 square feet or less of floor space; and~~

1625 c. ~~The combined space of both businesses or uses exceeds 10,000 square~~  
1626 ~~fee~~

1627 B. Public Use Facilities. This use includes facilities owned by a public utility and directly  
1628 used in the performance of a public service but does not include offices or warehouses of  
1629 a public utility. Public utility offices and warehouses are permitted in the same zones and  
1630 on the same basis as other offices and warehouses.

1631 ~~C. Auto Wrecking Yards and Recycling Collection Centers. These uses may be permitted~~  
1632 ~~by conditional use permit. In considering such a conditional use permit application, the~~  
1633 ~~hearing examiner shall take into account all impacts upon the surrounding neighborhood~~  
1634 ~~with particular emphasis on visual, noise, water quality, and dust impacts. Due to the~~  
1635 ~~demonstrated tendency of wrecking yards and recycling collection centers to be visually~~  
1636 ~~offensive, such uses should not be located adjacent to residential zoning or to established~~  
1637 ~~business uses of such low intensity or having such an aesthetic emphasis as to be~~  
1638 ~~adversely impacted by close proximity to a wrecking yard or recycling collection center.~~  
1639 ~~The hearing examiner may prescribe any conditions deemed necessary to minimize the~~  
1640 ~~impacts of such uses.~~

1642 **Section 36.** Section 21.46.119, entitled "Limitations on uses – Other uses," of the Lynnwood  
1643 Municipal Code is repealed.

1645 ~~21.46.119 Limitations on uses – Other Uses~~

- 1646 ~~A. Licensed Dance Halls. All conditional and special use permit applications for licensed~~
- 1647 ~~dance halls shall be evaluated for potential adverse impacts related, but not limited to,~~
- 1648 ~~noise, traffic, and the adequacy of on-site parking. Applications shall also be evaluated~~
- 1649 ~~for locational and design considerations which might foster potential nuisances or~~
- 1650 ~~criminal activities. The minimum standards which shall be required of any such~~
- 1651 ~~proposed uses are as follows:~~
- 1652 ~~1. A separation of at least 300 feet between the building which the dance hall~~
- 1653 ~~occupies and the nearest residentially zoned property, as measured in a straight~~
- 1654 ~~line without regard to any intervening building, shall be required.~~
- 1655 ~~2. The parking standards for dance halls stated in Chapter 21.18 LMC shall apply.~~
- 1656 ~~3. All abutting streets shall be improved to the standards of the Lynnwood public~~
- 1657 ~~works department.~~
- 1658 ~~B. Charitable or Relief Supplies Collection and Storage. Centers for the collection,~~
- 1659 ~~temporary storage and distribution of charitable or relief supplies may be permitted upon~~
- 1660 ~~approval of a conditional use permit. In considering such a conditional use permit~~
- 1661 ~~application, the hearing examiner may impose restrictions on outdoor storage, truck~~
- 1662 ~~parking, and use of machinery, and may impose such other conditions as are necessary to~~
- 1663 ~~assure compatibility with surrounding properties.~~

1665 **Section 37.** Section 21.48.210, entitled “Additional development standards,” of the Lynnwood  
 1666 Municipal Code is amended to read as follows:

1667 **21.48.210 Additional development standards.**

- 1669 A. Site Screening Standards for Outdoor Displays and Outdoor Storage Areas. Any outdoor
- 1670 displays or outdoor storage permitted in this zone, and which are not affected by the
- 1671 standards of LMC 21.48.220, shall be enclosed within a site-screening fence of sufficient
- 1672 height to effectively screen the outdoor display or storage from view, and not less than
- 1673 six feet high in any case, set back five feet from the property line. The outer five feet
- 1674 shall be landscaped with evergreen conifer trees with a minimum height of six feet at
- 1675 planting spaced a maximum of 15 feet on center and low evergreen plantings which will
- 1676 mature to a total groundcover within five years; provided, however, that where these
- 1677 requirements do not apply because the principal use of a property involves the display of
- 1678 merchandise for view from the streets, the display area shall be improved as a parking lot
- 1679 (except for paving where the nature of the merchandise makes paving impractical) with a
- 1680 10-foot planting strip along the entire street frontage, as per subsection (B)(2)(b) of this
- 1681 section. Display areas shall be segregated from the required customer parking so that
- 1682 there is always sufficient customer parking to meet the minimum parking requirements of
- 1683 this code.
- 1684 B. Parking.
- 1685 1. Required Number of Stalls. See Chapter 21.18.LMC, with the exception of
- 1686 residential parking below.
- 1687 2. Residential parking shall have a minimum of one and a maximum of one and one
- 1688 half spaces per dwelling units or as determined by the Community Development Director
- 1689 based upon data submitted by the applicant.
- 1690 ~~2.3.~~ Landscaping in Parking Areas.
- 1691 a. Purpose. The purpose of these landscaping provisions is:
- 1692 i. To break up the visual blight created by large expanses of barren
- 1693 asphalt which make up a typical parking lot;
- 1694 ii. To encourage the preservation of mature evergreens and other
- 1695 large trees which are presently located on most undeveloped
- 1696 sites in this city;



- 1747 gross leaseable area of 1,140,000 square feet or greater, all open parking areas  
 1748 shall have a minimum landscape coverage of eight percent; provided that:
- 1749 i. No landscaping areas shall be less than 25 feet square feet on area or  
 1750 less than three feet in width;
  - 1751 ii. No parking stall shall be located more than 45 feet from a landscaped  
 1752 area; and
  - 1753 iii. All landscaping must be located between parking stalls, at the end of  
 1754 parking columns, or between parking stalls and the property lines.
- 1755 e. Landscaping Adjacent to Parking Stalls.. Where landscaping areas which  
 1756 fulfill city standards are adjoined by angular or perpendicular parking stalls,  
 1757 landscaping in the form of groundcover materials or plants may be installed in  
 1758 that portion of any parking stall which will be ahead of the wheels and adjacent  
 1759 to the landscaped area; provided, that curbing or wheel stops are installed in a  
 1760 position which will protect the plants from damage. Such landscaping shall not  
 1761 be construed to be part of the percentage of landscaped area required by this  
 1762 chapter nor a reduction of the parking stall.
- 1763 f. Additional Landscaping along Specified Streets. Along streets where it  
 1764 may be desirable and feasible to obtain a higher degree of continuity in  
 1765 landscaping from property to property than is provided for here, the city council,  
 1766 upon recommendation by the planning commission, may designate specific street  
 1767 frontage landscaping plans for those streets. See Chapter 21.06 LMC.
- 1768 C. Fences and Hedges. Fences and hedge regulations are as provided in Chapter 21.10  
 1769 LMC.

1770  
 1771 **Section 38.** Chapter 5.92 entitled “Living Quarters for Homeless,” of the Lynnwood Municipal Code,  
 1772 including Sections 5.92.010 (Definitions), 5.92.020 (License), 5.92. 030 (Adult Supervisor), 5.92.040  
 1773 (Maximum number of persons) and 5.92.050 (Preference) is repealed.

1774  
 1775 **Section 39. Amendment – New (Definitions).** LMC 21.02.275 (Distribution Center) is hereby added to  
 1776 read as follows:

1777  
 1778 **21.02.275 Distribution Center**

1779 “Distribution Center” is a warehouse or other specialized building, often with  
 1780 refrigeration or air conditioning, which is stocked with products (goods) to be redistributed to  
 1781 retailers, to wholesalers, or directly to consumers.

1782  
 1783 **Section 40. Amendment – New (Definitions).** LMC 21.02.049 (Assisted Living Facility) is hereby  
 1784 added to read as follows:

1785  
 1786 **21.02.049 Assisted Living Facility**

1787 “Assisted living facility” also known as “assisted living residences”, “continuing care  
 1788 community” and “Alzheimers/dementia care facility” means an establishment which provides  
 1789 full time convalescent or chronic care or both for three or more individuals who are not related by  
 1790 blood or marriage to the operator or who, by reason of chronic illness or infirmity, are unable to  
 1791 care for themselves. Minor medical care may be provided at the facilities. A hospital or  
 1792 sanitarium shall not be construed to be included in this definition. This definition was formerly  
 1793 called “nursing or convalescent home”.

1794  
 1795 **Section 41. Repeal (Definitions).** LMC 21.02.441 (Housing for the elderly and physically disabled) is  
 1796 repealed

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1798 **21.02. 441** ~~Housing for the Elderly and Physically Disabled.~~  
1799 ~~““Housing for the elderly and physically disabled” means multiple dwelling housing~~  
1800 ~~which is designed for the particular needs of those elderly and physically disabled who may have~~  
1801 ~~functional limitations due to advanced age or physical impairment but are otherwise in good~~  
1802 ~~health. Residents of such housing can maintain an independent or semi-independent lifestyle and~~  
1803 ~~do not require more intensive care as provided in a nursing or convalescent home. For the~~  
1804 ~~purposes of this definition, elderly shall typically mean 62 years of age or older. Design features~~  
1805 ~~may include but are not limited to wide doors and hallways and low counters to accommodate~~  
1806 ~~wheel chairs, support bars, specialized bathroom and kitchen fixtures, and common dining,~~  
1807 ~~recreation, or lounge areas. That term “housing for the elderly and physically disabled” shall~~  
1808 ~~include congregate care.” The definition shall not be construed to include facilities to house~~  
1809 ~~persons under the jurisdiction of the superior court or the Board of Prison Terms and Paroles.~~  
1810

1811 **Section 42. Repeal (Definitions).** LMC 21.02.530 (Nursing or convalescent home) is repealed.

1812  
1813 **21.02. 530** ~~Nursing or convalescent home.~~  
1814 ~~“Nursing of convalescent home” means an establishment which provides full time convalescent~~  
1815 ~~or chronic care or both for three or more individuals who are not related by blood or marriage to the~~  
1816 ~~operator or who, by reason of chronic illness or infirmity, are unable to care for themselves. No care for~~  
1817 ~~acutely ill, or surgical or obstetrical service shall be provided in such homes. A hospital or sanitarium~~  
1818 ~~shall not be construed to be included in this definition. This definition was formerly called “nursing or~~  
1819 ~~convalescent home.~~  
1820

1821 **Section 43. Amendment – New (Definitions).** LMC 21.02.659 (Senior housing) is hereby added to read  
1822 as follows:

1823  
1824 **21.02. 659 Senior housing.**  
1825 “Senior housing” means multiple dwelling housing which is designed for the particular  
1826 needs of those elderly and physically disabled who may have functional limitations due to  
1827 advanced age or physical impairment but are otherwise in good health. Residents of such housing  
1828 can maintain an independent or semi-independent lifestyle and do not require more intensive care  
1829 as provided in a nursing or convalescent home. For the purposes of this definition, elderly shall  
1830 typically mean 62 55-years of age or older. Design features may include but are not limited to  
1831 wide doors and hallways and low counters to accommodate wheel chairs, support bars,  
1832 specialized bathroom and kitchen fixtures, and common dining, recreation, or lounge areas. The  
1833 term “senior housing” shall include “congregate care”, and independent living community.” The  
1834 definition shall not be construed to include facilities to house persons under the jurisdiction of the  
1835 superior court or the Board of Prison Terms and Paroles.  
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1837 **Section 44.** Table I-1. Plan and Zone Consistency of the Implementation Element of the City of  
1838 Lynnwood Comprehensive Plan is amended to read as follows:

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

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**Section 45.** Table LU-6(E) entitled “Land Use Designations,” of the Land Use Element of the City of Lynnwood Comprehensive Plan is amended to read as follows:

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**Table I-1 Plan and Zone Consistency**

<b>Plan Land Use Designation</b>	<b>Consistent Zoning</b>
<b>SF-1</b> – Low-density Single-family	<b>RS-8</b> – Low density Single-family <b>MHP</b> – Mobile Home Park
<b>SF-2</b> – Medium-density Single-family	<b>RS-7</b> – Medium-density Single-family <b>MHP</b> – Mobile Home Park
<b>SF-3</b> – High-density Single-family	<b>RS-4</b> – High Density Single-family <b>MHP</b> – Mobile Home Park
<b>MF-1</b> – Low-density Multi-family	<b>RML</b> – Low-density Multi-Family <b>MHP</b> – Mobile Home Park
<b>MF-2</b> – Medium-density Multi-Family	<b>RMM</b> – Medium-density Multi-Family <b>MHP</b> – Mobile Home Park
<b>MF-3</b> – High-density Multi-Family	<b>RMH</b> – High-density Multi-family <b>MHP</b> – Mobile Home Park
<b>MU</b> – Mixed Use	<b>MU</b> – Mixed Use <b>CDM</b> – College District Mixed Use <b>CR</b> – Commercial-Residential <b>PCD</b> – Planned Commercial Development
<b>LC</b> – Local Commercial	<del><b>B-3 NC</b></del> – Neighborhood Commercial
<del><b>CC</b></del> – <del>Community Commercial</del>	<del><b>B-2</b></del> – <del>Limited Business</del>
<b>RC</b> – Regional Commercial	<del><b>B-1</b></del> <del>Community Business</del> <del><b>NC</b></del> – <del>Neighborhood Commercial</del> <b>CG</b> – General Commercial <b>PCD</b> – Planned Commercial Development <b>PRC</b> – Planned Regional Center
<b>City Center</b>	<b>CC-W</b> – City Center-West <b>CC-C</b> – City Center Core <b>CC-N</b> – City Center-North
<b>BT</b> – Business/Technical Park	<b>BTP</b> – Business/Technical Park
<b>I</b> – Industrial	<b>LI</b> – Light Industrial
<b>PF</b> - Public Facilities	<b>P-1</b> – Public Use
<b>PRO</b> – Parks, Recreation, and Open Space	<b>P-1</b> – Public Use
<b>H99</b> – Highway 99 Corridor	<b>HMU</b> – Highway 99 Mixed Use <b>CG</b> – General Commercial
<b>Alderwood – City Center Transition Area</b>	<b>ACC</b> – Alderwood-City Center Transition Area
<b>SF-4</b> – High Density- Single Family MUGA	<b>TBD</b>
<b>WFB</b> – Waterfront Beach	<b>TBD</b>
<b>MUCTR</b> – Mixed Use Urban Center	<b>TBD</b>

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**Section 46.** 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.

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**Section 47.** The Future Land Use Map is hereby amended as described below and in the following exhibits, which are hereby attached hereto and incorporated herein by reference.

1. Change the future land use designation of Parcel Number 00758300100100 from Community Commercial (CC) to Local Commercial (LC).
2. Change the future land use designation of Parcel Number 00372700900701 from Community Commercial (CC) to Medium-Density Multi-Family (MF-2).
3. Change the future land use designation of Parcel Number 27041600300100 from Community Commercial (CC) to Local Commercial (LC).
4. Change the future land use designation of Parcel Number 27041600302700 from Community Commercial (CC) to Local Commercial (LC)
5. Change the future land use designation of Parcel Numbers 00608400100402, 00608400100404, 00608400100403, 00608400300104, 00608400300105, 00608400300202, and 00608400300302 from Community Commercial (CC) to Local Commercial (LC).

**Section 48.** This Ordinance, or a summary thereof consisting of the title, shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after publication.

PASSED BY THE CITY COUNCIL, the \_\_\_ day of \_\_\_\_, 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.”~~

1953 On the \_\_\_\_ day of \_\_\_\_\_, 2016, the City Council of the City of Lynnwood, Washington,  
1954 passed Ordinance No.\_\_\_\_. A summary of the content of said ordinance, consisting of the title,  
1955 provides as follows:

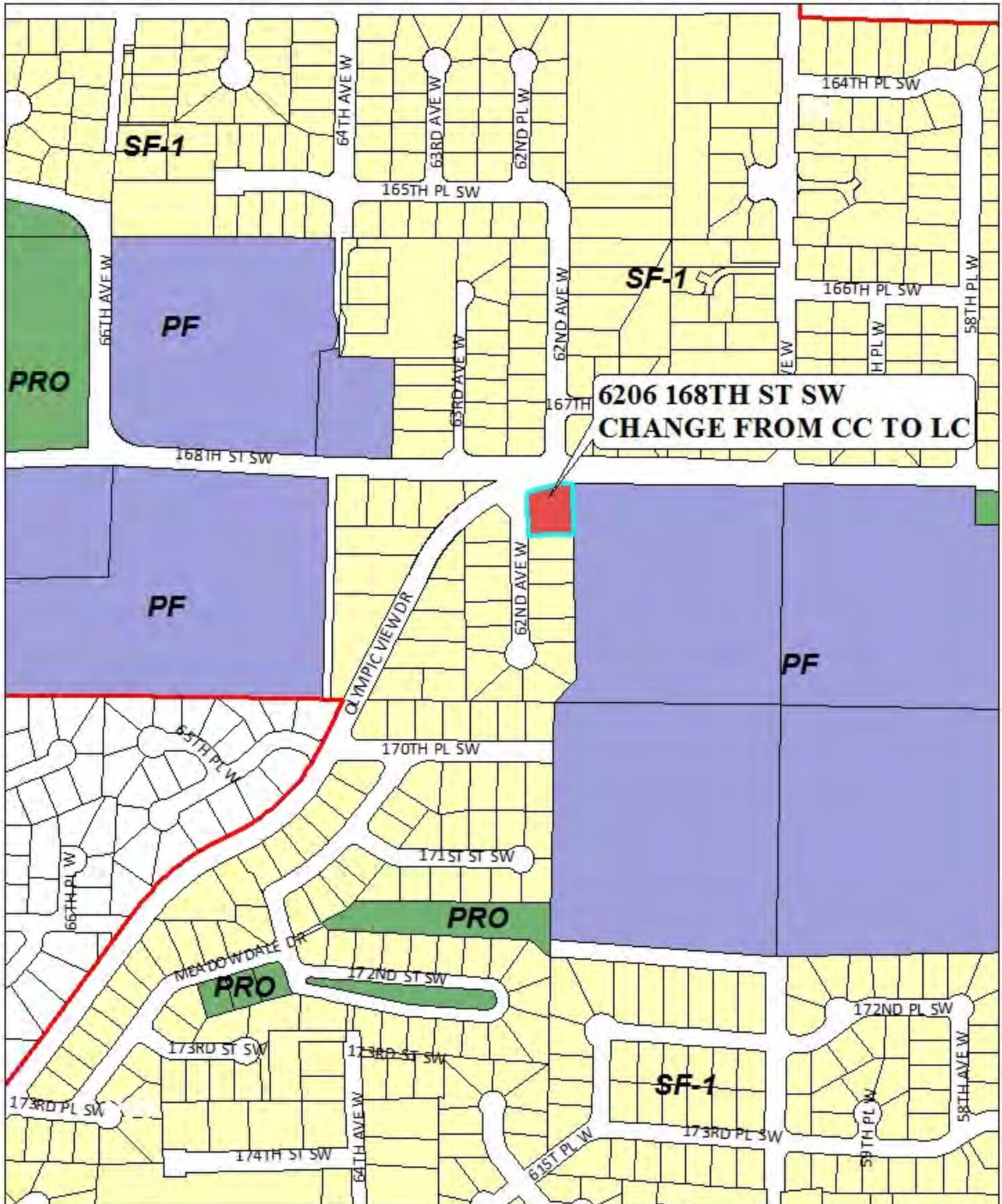
1956 AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, RELATING TO  
1957 DEFINITIONS AND COMMERCIAL AND PLANNED REGIONAL SHOPPING CENTER  
1958 ZONING DISTRICT REGULATIONS; ADDING NEW SECTIONS 21.02.049, 21.02.275  
1959 AND 21.02.659 TO THE LYNNWOOD MUNICIPAL CODE; AMENDING SECTIONS  
1960 21.46.050, 21.46.100, 21.46.105, 21.46.110, 21.46.111, 21.46.116, 21.46.118,  
1961 21.46.119, 21.46.120, 21.46.210, 21.46.220, 21.46.900, 21.48.100, 21.48.116,  
1962 21.48.118 AND 21.48.210 OF THE LYNNWOOD MUNICIPAL CODE; REPEALING  
1963 SECTIONS 21.02.272, 21.02.273, 21.02.441, 21.02.530, 21.46.112. 21.02.113,  
1964 21.48.112, 21.48.113, 21.48.115 AND LMC 21.48.119, REPEALING CHAPTER 5.92  
1965 OF THE LYNNWOOD MUNICIPAL CODE; AMENDING TABLE I-1 OF THE  
1966 IMPLEMENTATION ELEMENT AND TABLE LU-6(E) OF THE LAND USE ELEMENT OF  
1967 THE COMPREHENSIVE PLAN, AMENDING THE FUTURE LAND USE MAP AND  
1968 PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND SUMMARY  
1969 PUBLICATION.

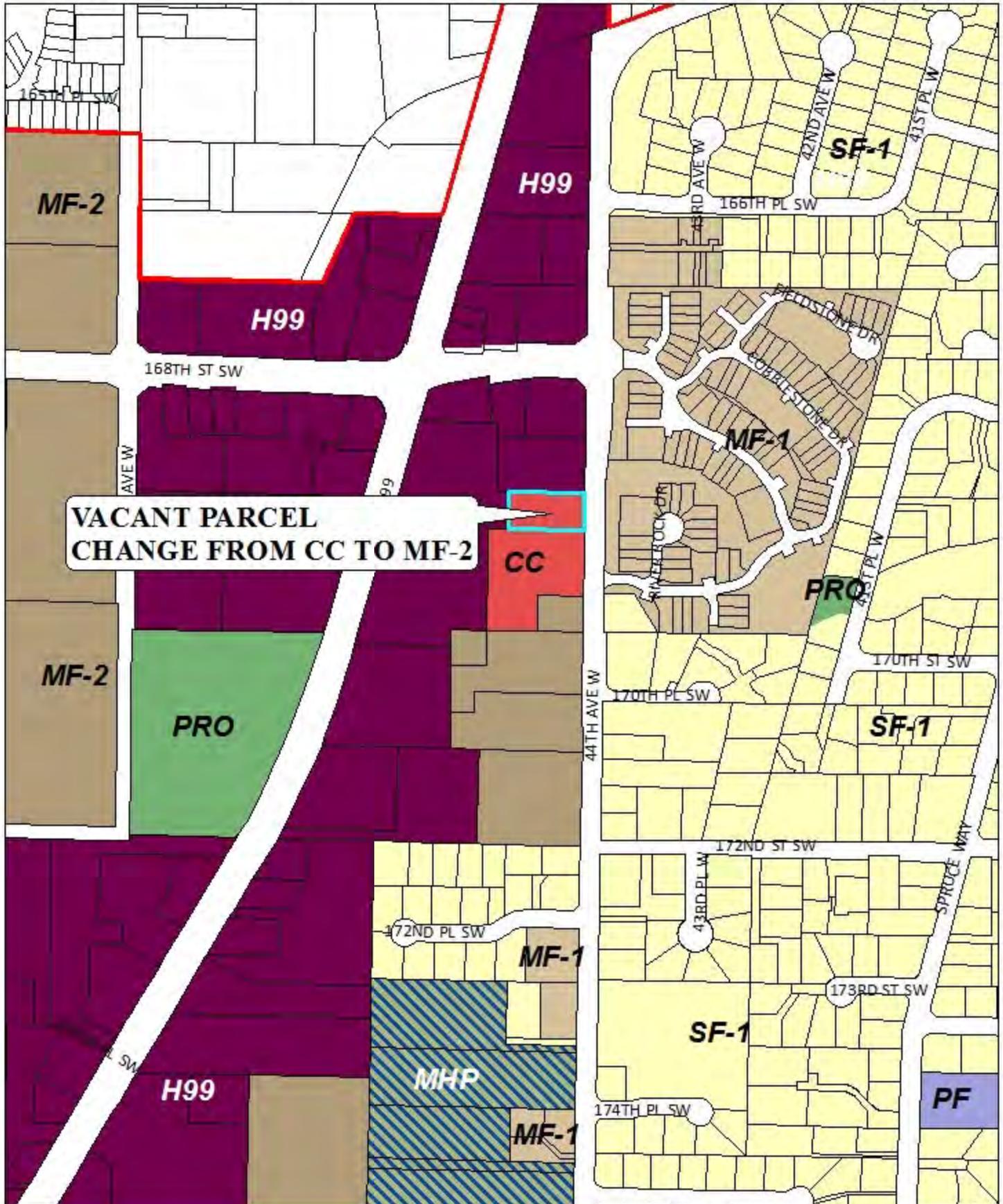
1970  
1971 The full text of this Ordinance will be mailed upon request.

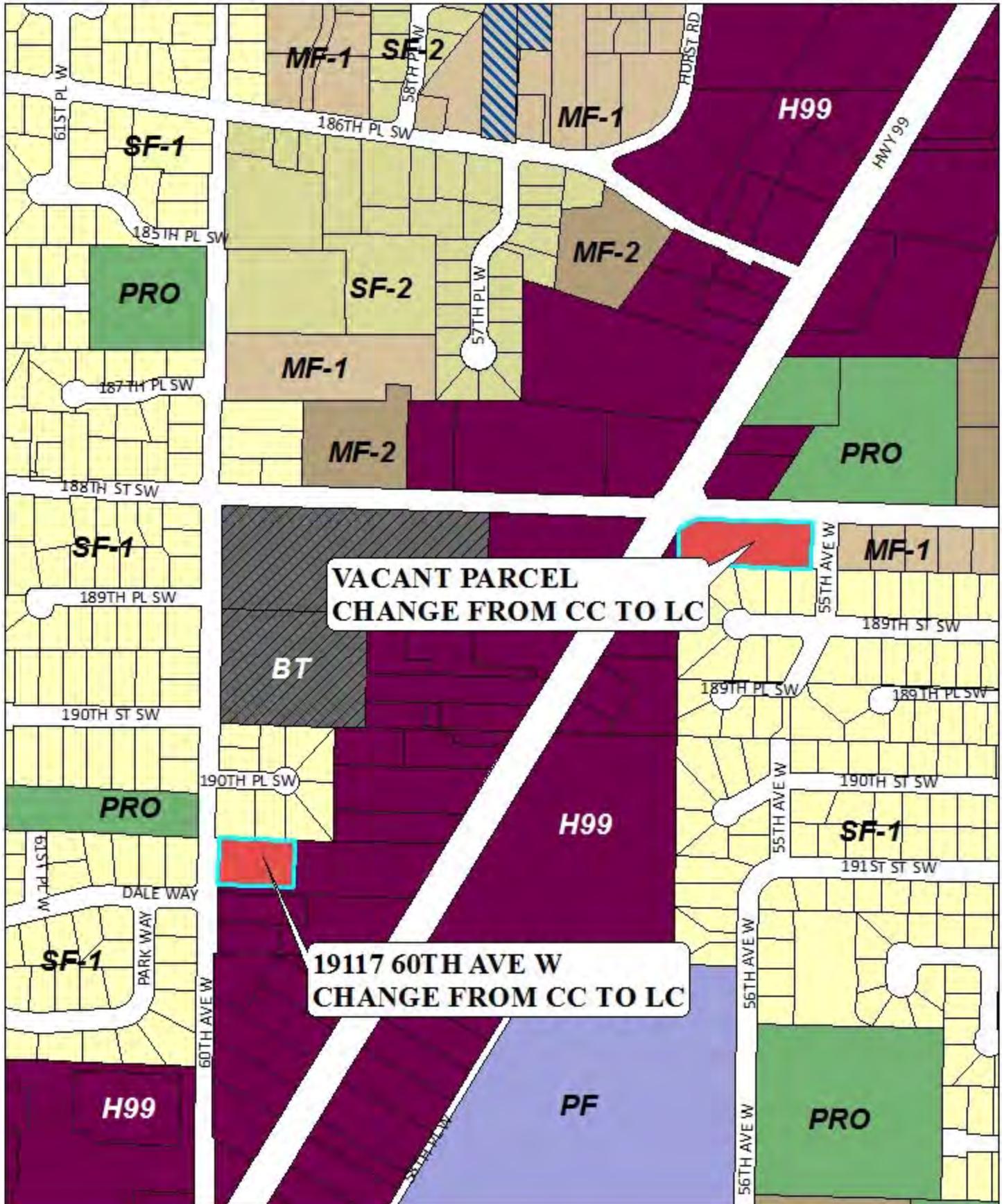
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1973 DATED this \_\_\_\_ day of \_\_\_\_\_, 2016.

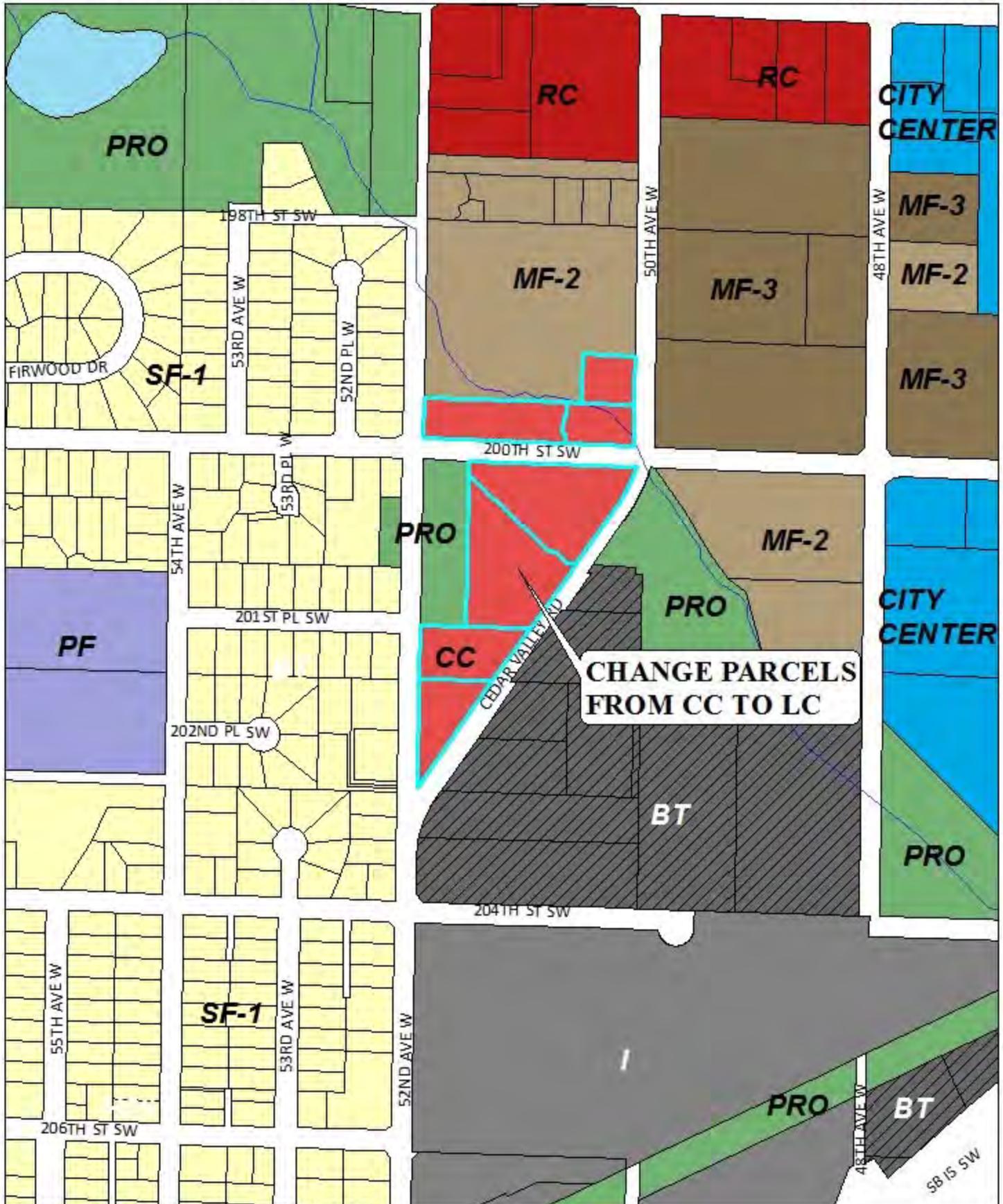
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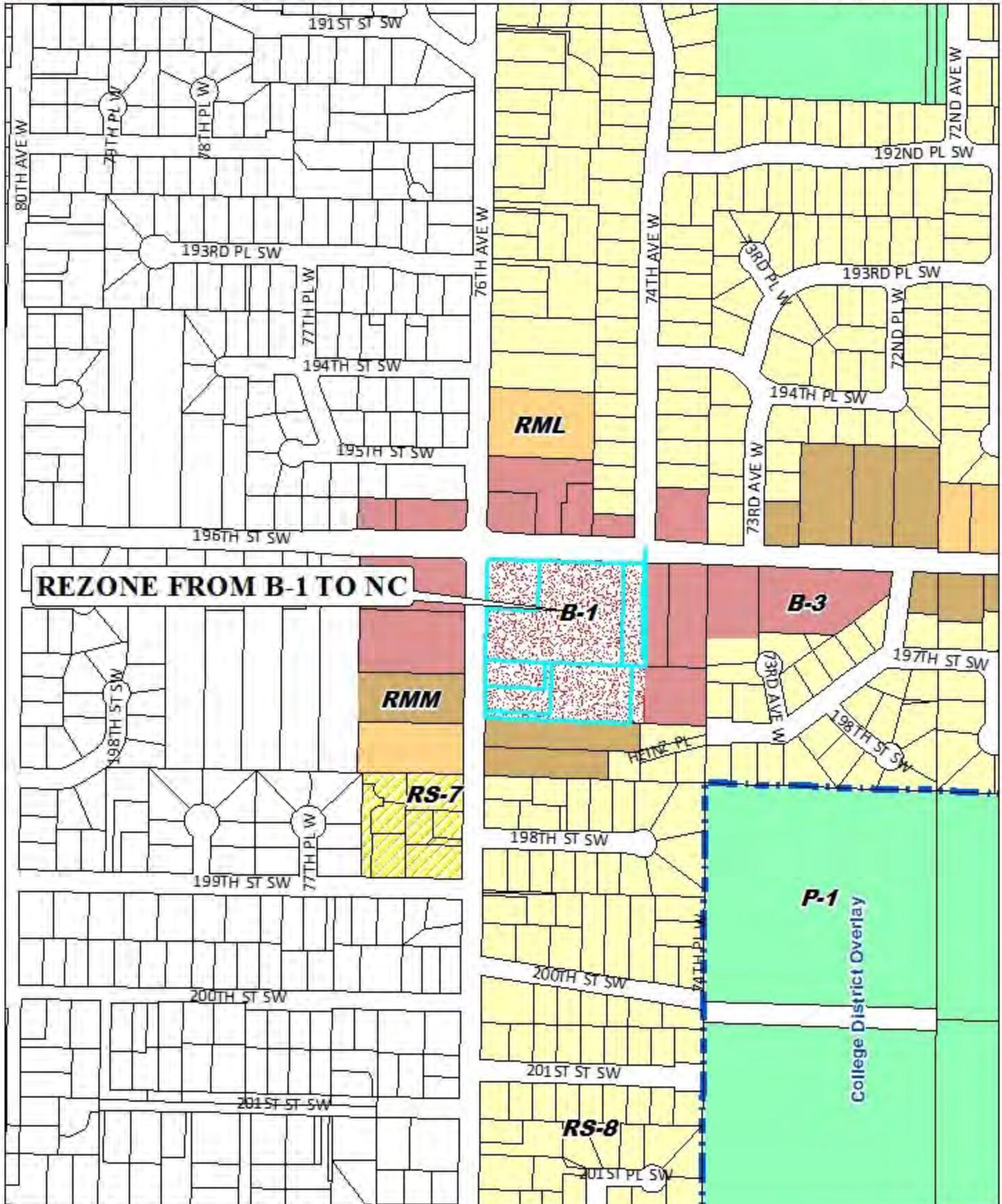
\_\_\_\_\_  
Sonja Springer  
Finance Director

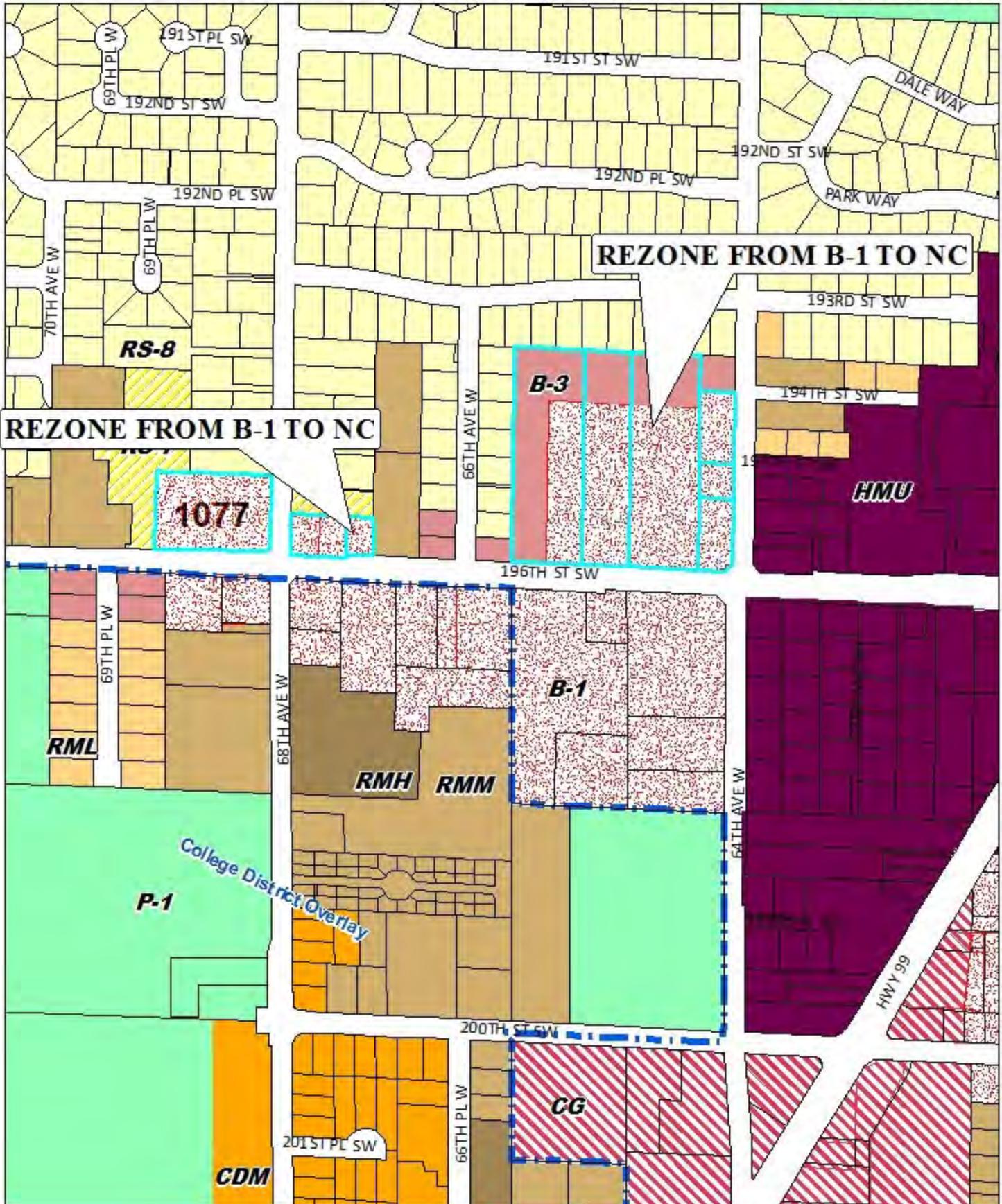


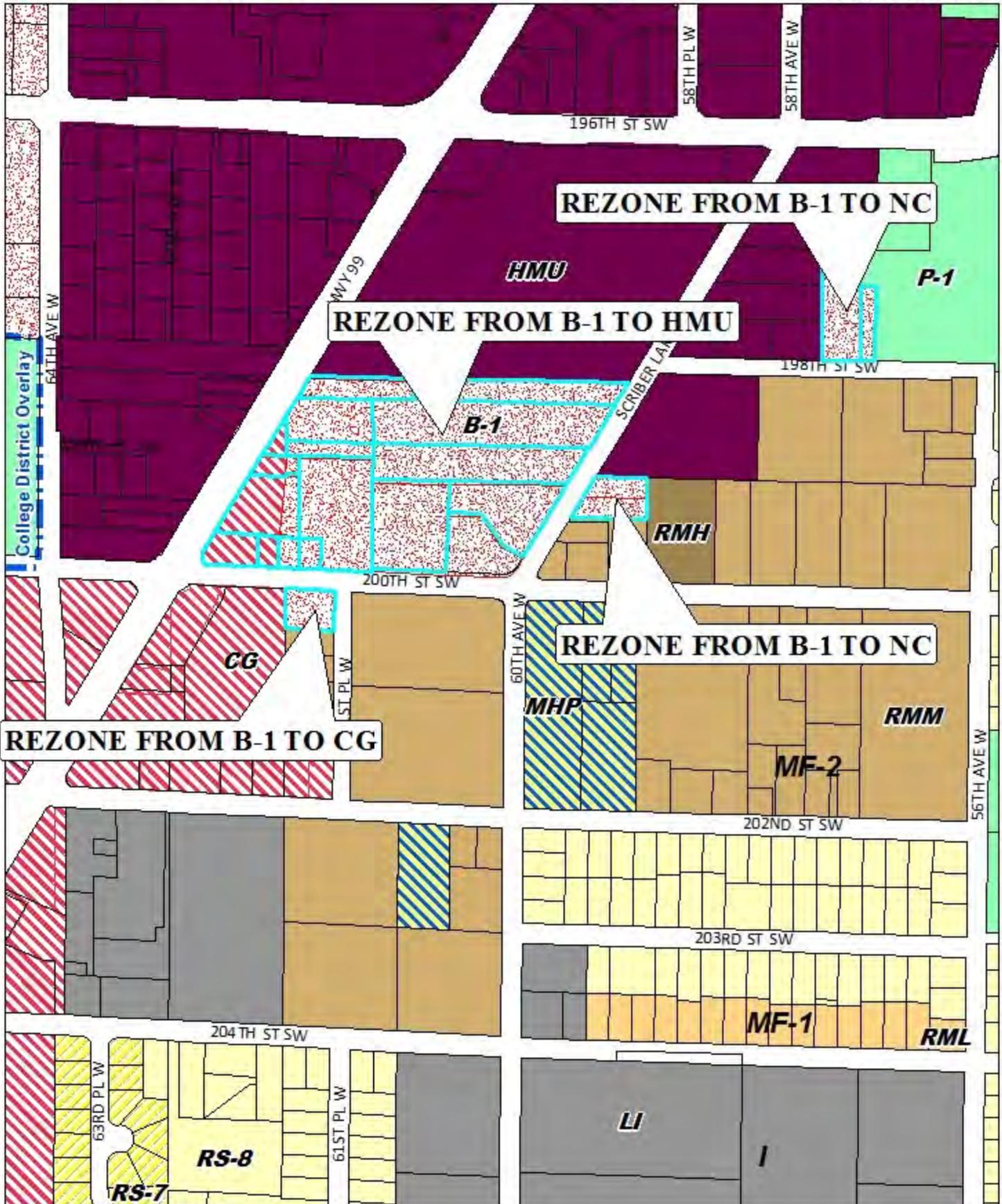


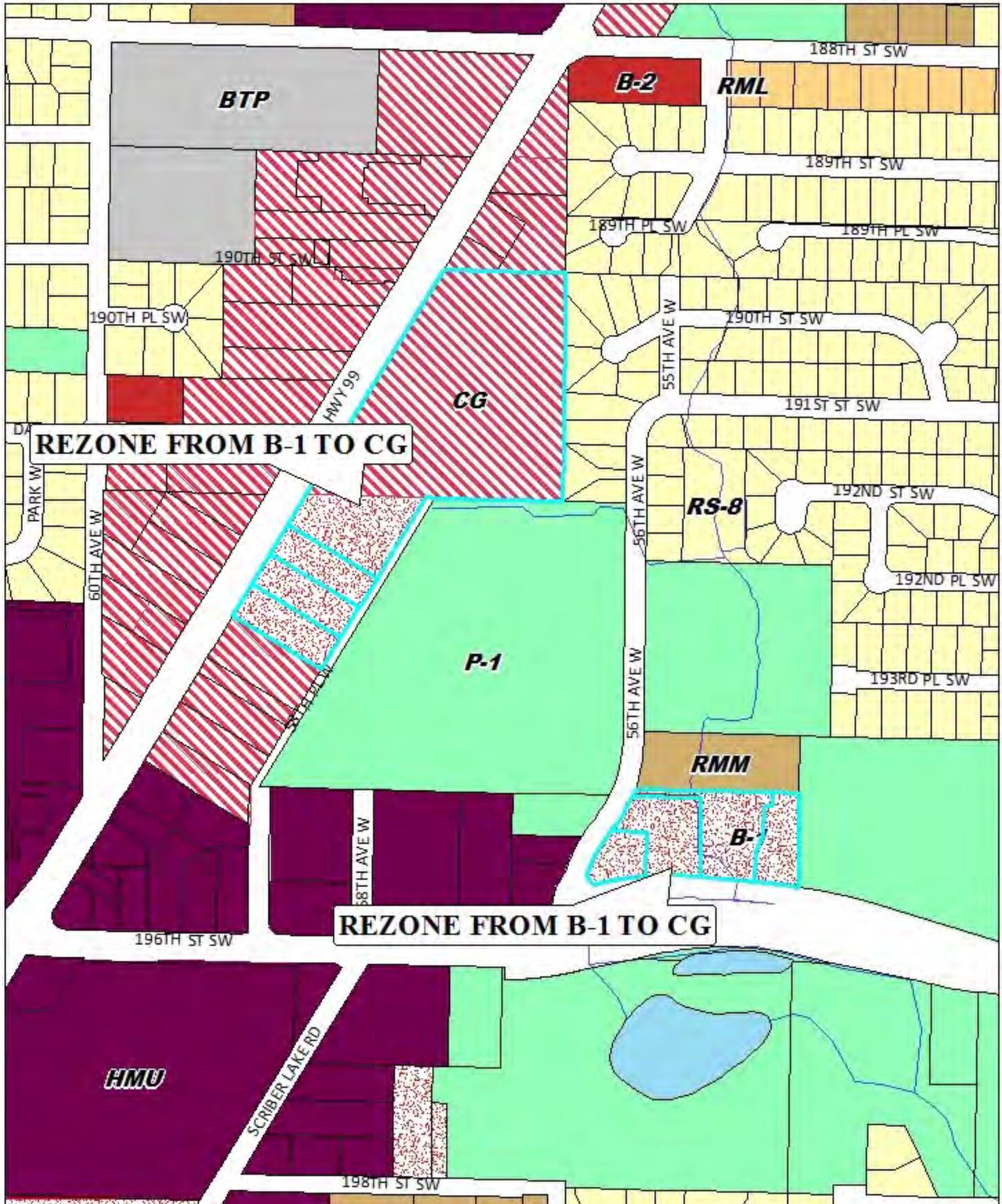


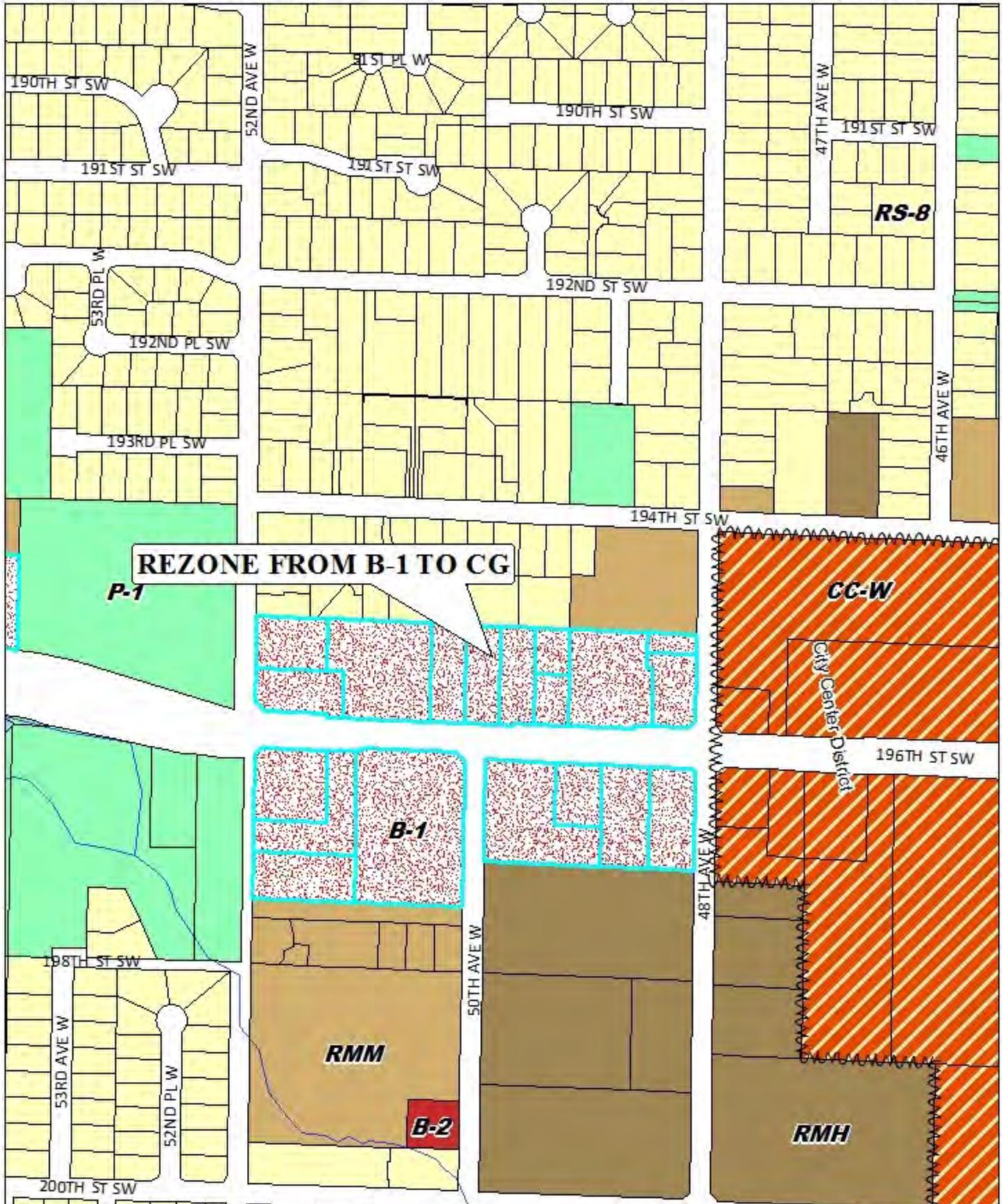


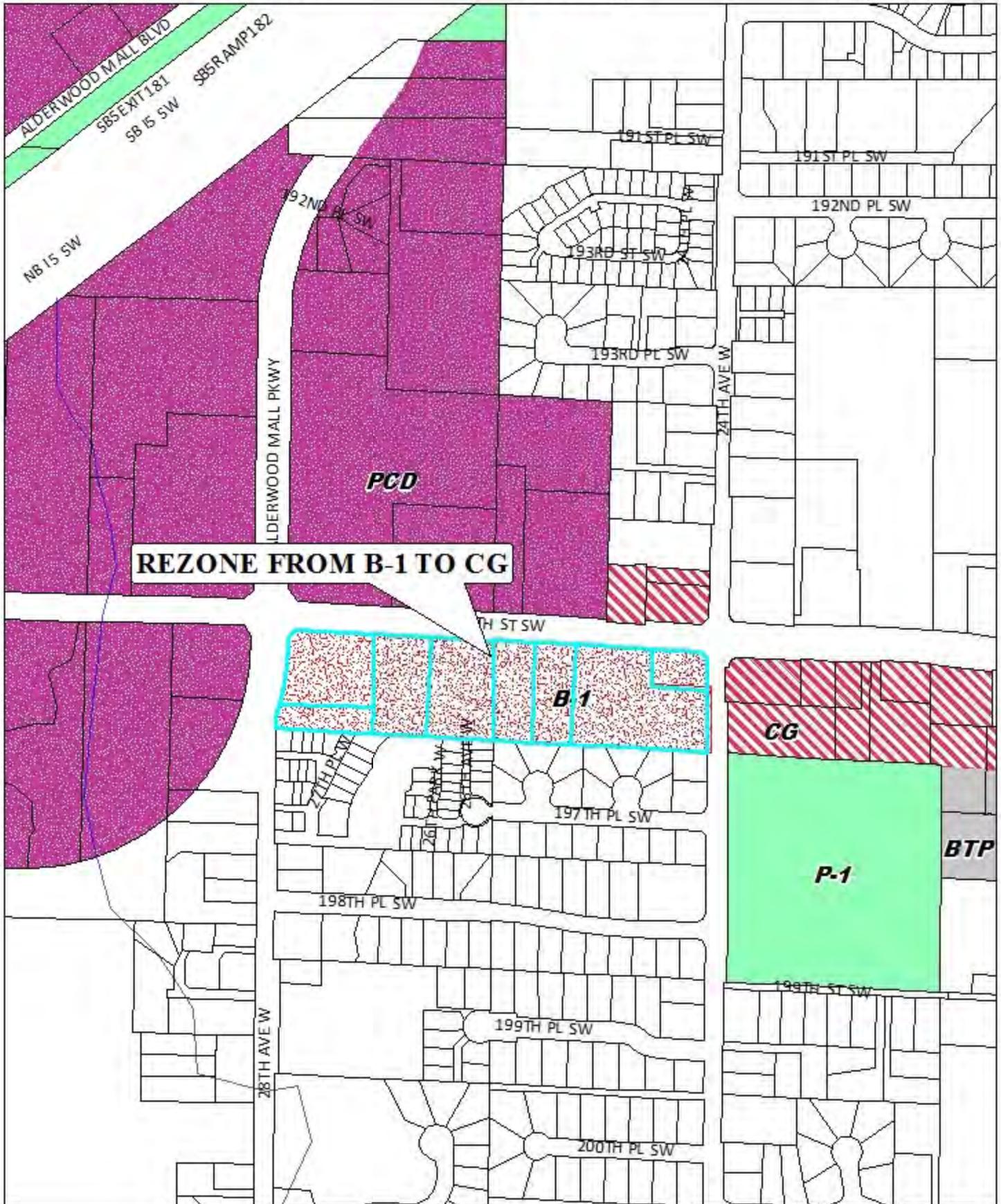


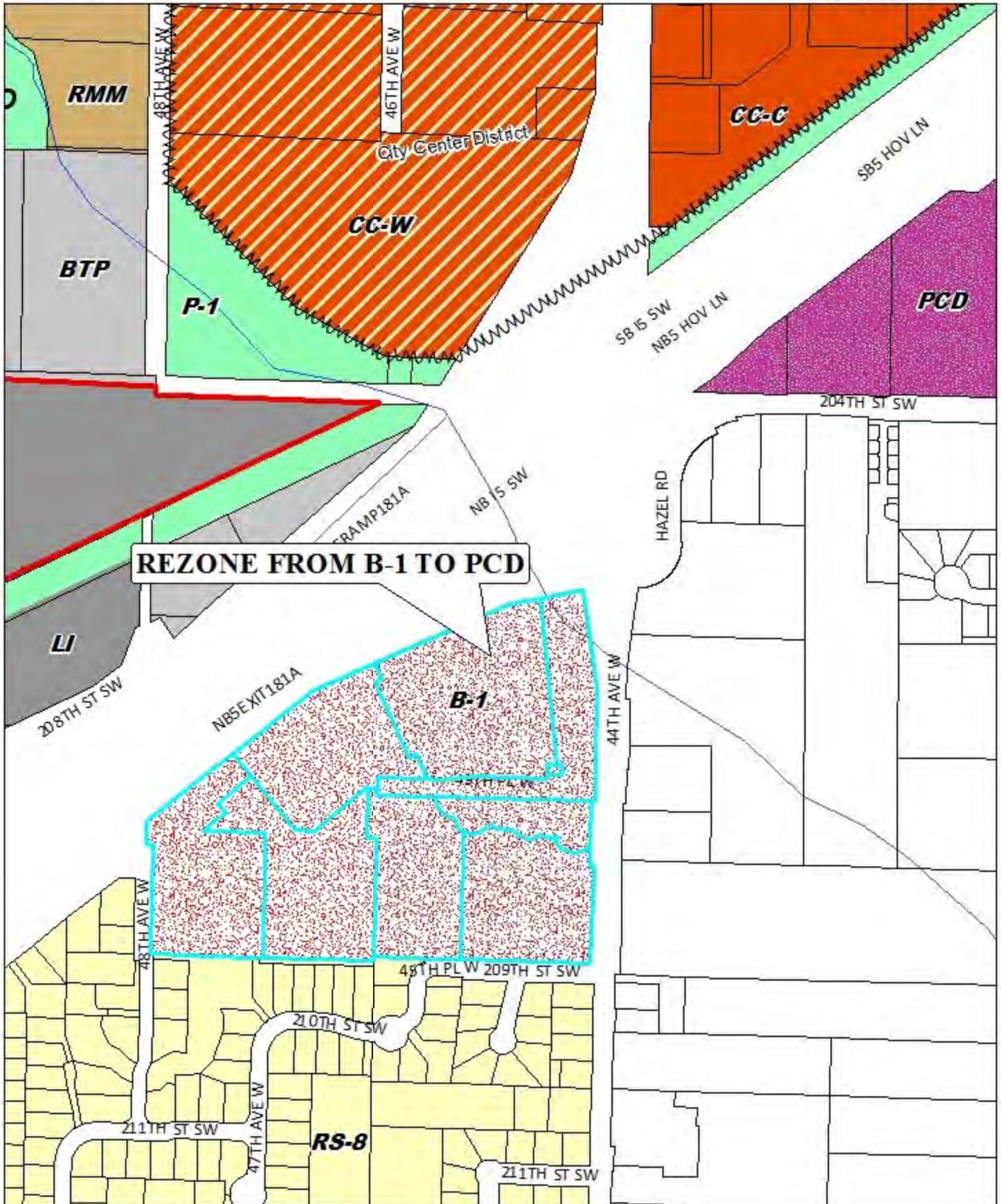












EXCERPT – Minutes from September 22, 2016 Planning Commission

**2. Chapter 21.46 – Commercial Zone Amendments and Mapping Amendments (CAM-004093-2016/CPL-3761-2016)**

Senior Planner Gloria Rivera explained that staff decided to bring this back because the Planning Commission was short on members at the last meeting. The intent is to reduce the number of commercial zones in the City in Chapter 21.46 to Neighborhood Commercial Zone, Planned Commercial Development (mostly near the mall), and General Commercial (mostly on Highway 99). Staff is proposing repealing B-1 and B-2 zones and absorbing uses into the remaining three categories. Senior Planner Rivera reviewed the amendments as listed in the staff report. Staff is looking at recommending a size limitation such as 7500 square feet on new retail coming into the Neighborhood Commercial Zone. Anything pre-existing would be allowed to remain. Some uses have been repealed that did not seem appropriate; others were added.

Senior Planner Rivera responded to questions raised at the last meeting.

- Staff clarified the difference between senior and other housing with new definitions.
- There was a question raised about florist, greenhouses, and nurseries, and whether or not a florist should be in a Neighborhood Commercial Zone. She stated it is conceivable that a small florist could be located in that zone, especially if it is under 7500.
- There was a question about the distance between trees in the buffers. Staff is concerned that if the trees are closer together they might die. Staff is in support of keeping it at 20 feet instead of 15 feet on property lines.
- Changes in the neighborhoods. Many commercial businesses are already on arterials and the uses are similar between the current B-1 and the recommended Neighborhood Commercial Zone. A recommendation was a size restriction on new businesses in that zone. Many of the Neighborhood Commercial uses would be small retail with some offices and multi-family.
- More adjustments were made to the retail and auto-related tables to address concerns.
- Charitable or relief supply collection locations were changed to a permitted use.

Senior Planner Rivera then reviewed and discussed B-2 Future Land Use and Rezone Map Amendments and B-1 Rezone Map Amendments.

Commissioner Wojack referred to page 143, line 1635, and noted it should be corrected to Section 21.48.

Chair Braithwaite referred to the 7500 square foot limitation on new development and asked what would happen if QFC left and the shopping center wanted a new tenant in that space. Senior Planner said her interpretation was that if it was going to another grocery store it would be allowed. If they removed the building they would be able to do mixed use because there is at least an acre there.

Chair Braithwaite solicited public comments. There were none.

Commissioner Wojack commended staff on all the adjustments and cleanups from last time. Chair Braithwaite concurred.

**Topic: Detached ADUs (DADUs)**  
**(File No. CAM-003688-2016)**

Agenda Item: D.3

**Staff Report**

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

Staff Contact: Chanda Emery, AICP, Senior Planner, Community Development

**Summary**

This staff report is provided for your review for the public hearing on October 26, 2016. The Planning Commission was briefed on a proposal known as “Detached Accessory Dwelling Units” on September 22, 2016. The Planning Commission recommended that staff move forward and prepare detached accessory dwelling unit code amendments.

**Action**

The Community Development Department recommends APPROVAL of the attached ordinance as proposed.

**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.

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 restricted changes to Chapter 21.42 Residential Single Family.

### **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.

### **Discussion**

The proposed code amendment is limited. Staff is proposing to solely 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. Other minor edits include the requirement that the primary residence remain owner-occupied and that DADUs would be restricted to be constructed only in the RS-8 and not allowed in RS-7 or RS-4.

### **Analysis**

The following sections provide a summary and analysis of the proposed amendment to Lynnwood Municipal Code:

#### **New Edits – Chapter 21.42 of Title 21 Zoning:**

Please refer to Attachment 1 for the proposed code amendment.

### **Compliance with State Law and the City of Lynnwood Comprehensive Plan**

#### **Growth Management Act (GMA) Planning Goals**

The GMA planning goals adopted in RCW 36.70A.020 guides the development and adoption of comprehensive plans and development regulations. The goals are not priority listed. The GMA planning goals are addressed in the City of Lynnwood’s Comprehensive Plan. The City Council adopted updates to the 2035 Comprehensive Plan on June 22, 2015. This document guides the

development of regulations required under RCW 36.70A.040. The regulations proposed by this ordinance are reasonably related to and necessary for the advancement of the following GMA goals:

1. GMA Goal 4 “Housing” – The provisions in this ordinance will encourage the availability of affordable housing and will contribute to a variety of residential housing types. The proposed amendments address some of the issues related to the national housing crisis, specifically for residents in our community that wish to “age-in-place” and residents that are unable to afford the high cost of market rate rental units, including but not limited to young families with children and students wishing to attend college and “live at home” with their parents.
2. GMA Goal 5 “Economic Development” – The provisions in this ordinance address the difficulties that the region is experiencing in the housing market for rental units that are considered affordable for segments of our population that cannot meet that gap. Staff notes that housing is not just a home or a shelter and recognizes that housing is health care and housing is community. A robust local economy is based on a strong community for all income levels.
3. GMA Goal 6 “Property Rights” – The proposed amendments and ordinance outlined in this staff report do not result in a taking of private property and the property rights of the land owners will not be subjected to arbitrary and discriminatory actions.
4. GMA Goal 11 “Citizen Participation and Coordination” – The legislative drafting process undertaken complies with GMA and the City’s public participation requirements as outlined in LMC Titles 1 and 2 and in the goals and policies of the City of Lynnwood’s Comprehensive Plan.

#### City of Lynnwood Comprehensive Plan Goals and Policies

The proposal complies with the City of Lynnwood’s Comprehensive Plan which sets forth the following goals and policies related to the proposed regulations:

1. *Housing Element – Goal – “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.”*
  - *Policy H-10 – “Provide opportunities for housing that is responsive to market needs within our region, including both ownership and rental opportunities.”*
  - *Policy H-14 – “Provide for diverse, safe, and decent housing opportunities that meet local housing needs without encroachment into established single-family neighborhoods.”*

- *Policy H-19 – “Continue to update the Zoning Code (Title 21 LMC) to remove unnecessary development obstacles and allow greater innovation in design and construction.”*
  - *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, such as small lots, townhouses, multiplexes, and mixed-use housing.”*
2. *Land Use Element – Goal – “The scale, character, and configuration of land uses throughout Lynnwood will preserve and protect existing residential neighborhoods, protect environmentally sensitive areas, support physical activity and public health, minimize the threat of natural and manmade hazard, promote commerce and business, and accommodate population and employment growth.*
- *Policy LU-6 – “Land use policies and regulations should:
 
    - Be consistent with federal and state law, including the Growth Management Act.*
3. *Economic Development Element – Goal – “Provide high-quality development and infrastructure projects.”*
- *Strategy 3.2 Housing: “Encourage the development of a range of housing types to ensure balanced housing options within the City of Lynnwood.”*

### **Impacts**

The proposed regulations are consistent with and help to implement the City’s Vision as well as the goals and policies of the City of Lynnwood’s adopted Comprehensive Plan. The proposal provides for allowing detached accessory dwelling units (DADUs) while applying existing accessory dwelling unit (ADU) development standards to the property as a whole. The proposed amendments do not change or decrease development standards applicable to DADUs, and do provide for additional affordable housing options and aging-in-place opportunities.

### **Environmental Review**

This proposal is categorically exempt from SEPA per Part Nine of the SEPA Rules, and in RCW 43.21C.035, .037, and .0384.

### **Notification of State Agencies**

Pursuant to RCW 36.70A.106, a Notice of Intent to adopt the proposed regulations and standards was transmitted to the Washington State Department of Commerce for distribution to state agencies. No comments were received.

## Attachment

1. Proposed Draft Ordinance titled: RELATING TO DETACHED ACCESSORY DWELLING UNITS, ADOPTING PROVISIONS FOR DETACHED ACCESSORY DWELLING UNITS AND AMENDING LYNNWOOD MUNICIPAL CODE CHAPTER 21

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ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LYNNWOOD, WASHINGTON, RELATING TO DETACHED ACCESSORY DWELLING UNITS, ADOPTING PROVISIONS FOR DETACHED ACCESSORY DWELLING UNITS AND AMENDING LYNNWOOD MUNICIPAL CODE CHAPTER 21.42; PROVIDING FOR SEVERABILITY; ESTABLISHING AN EFFECTIVE DATE; AND PROVIDING FOR SUMMARY PUBLICATION

**WHEREAS**, this is a non-project proposal to amend the Lynnwood Municipal Code (LMC) to allow detached accessory dwelling units (DADUs), while regulating the impacts of the same; and

**WHEREAS**, the City desires to provide for opportunities to “age-in-place” for our senior residents, and allow for the younger generation “millennials” to “live at home with their parents” given a life change or circumstance, including not limited to attending college, having children, or solely a desire to reduce expenses due to high cost of the current housing market and promote community in our neighborhoods which in turn strengthens our local economy.; and

**WHEREAS**, Community Development briefed the Lynnwood City Council at a work session on May 16, 2016; and

**WHEREAS**, Community Development briefed the Lynnwood Planning Commission (the “planning commission”) at a public meeting on September 22, 2016; and

**WHEREAS**, the Planning Commission held a public hearing on October 26, 2016, to receive public testimony concerning the proposed regulations; and

**WHEREAS**, on October 26, 2016, the Planning Commission deliberated on the proposed regulations at an advertised public meeting; and

**WHEREAS**, at the conclusion of its deliberations the Planning Commission voted to recommend that the City Council approve the proposed regulations; and

**WHEREAS**, on December 12, 2016, the City Council held a public hearing after proper notice, and considered public comments and the entire record related to the proposed regulations contained in this Ordinance; and

45           **WHEREAS**, the City Council has determined that the provisions of the Ordinance are in  
46 the best interest of the public health, safety, and general welfare of the community;

47  
48           **NOW, THEREFORE**, THE CITY COUNCIL OF THE CITY OF LYNNWOOD, WASHINGTON, DO  
49 ORDAIN AS FOLLOWS:

50  
51 **Section 1.** The City Council adopts the following findings in support of this Ordinance:

- 52  
53       A. The foregoing recitals are adopted as findings as if set forth in full herein.  
54  
55       B. This Ordinance will amend the Lynnwood Municipal Code (LMC) to allow detached  
56 accessory dwelling units (DADUs) while regulating the impacts of the same.  
57 Accordingly, this Ordinance does not create any inconsistencies with state law or the  
58 City Code.  
59  
60       C. This Ordinance complies with and implements the following Snohomish County  
61 General Policy Plan (GPP) goals, objectives, and policies related to the proposed  
62 regulations:  
63  
64           Goal ED 1                      Promote the maintenance and enhancement of a healthy  
65    economy.  
66  
67       D. This Ordinance complies with and implements the following City of Lynnwood  
68 Comprehensive Plan Goals and Policies of the Housing and Economic Development  
69 Elements related to the proposed regulations:  
70  
71           HE GOAL                      Provide for sufficient availability and a variety of  
72    opportunities for safe, decent, and affordable housing in  
73    strong, cohesive neighborhoods to meet the needs of  
74    present and future residents of Lynnwood.  
75  
76       E. Procedural requirements.  
77  
78           1. This proposal is categorically exempt from SEPA per Part Nine of the SEPA  
79 Rules, and in RCW 43.21C.035, .037, and .0384.  
80  
81           2. The Planning Commission held a public hearing on September 22, 2016, to  
82 receive public testimony concerning the proposed regulations contained in  
83 this Ordinance.  
84           3. Pursuant to RCW 36.70A.106, a notice of intent to adopt this Ordinance was  
85 transmitted to the Washington State Department of Commerce for  
86 distribution to state agencies.

87 4. The public participation process used in the adoption of this Ordinance has  
88 complied with all applicable requirements of the GMA and the LMC.  
89

90 F. The proposal is consistent with the record for this proposal.  
91

92 5. The proposal allows for detached accessory dwelling units in accordance with  
93 Title 21 and existing development standards of Chapter 21.42.  
94

95 **Section 2.** The City Council makes the following conclusions:  
96

97 A. The proposal is consistent with the goals, objectives and policies of the Growth  
98 Management Act (GMA).  
99

100 B. The proposal is consistent with Washington State law and the Snohomish County  
101 Code (SCC).  
102

103 C. The proposal is consistent with the Lynnwood Municipal Code (LMC).  
104

105 D. The City has complied with all SEPA requirements in respect to this non-project  
106 action.  
107

108 E. The proposed regulations are needed to improve the economic situation of local  
109 residents; and to support our residents of all income levels by allowing for “aging in  
110 place” and “living at home” within the RS-8 zone of Lynnwood , thereby supporting  
111 the need to allow for affordable housing options and opportunities that protect the  
112 single family residential character of the above stated zoning classification.  
113

114 **Section 3.** The City Council bases its findings and conclusions on the entire record of the City  
115 Council, including all testimony and exhibits. Any finding which should be deemed a  
116 conclusion, and any conclusion which should be deemed a finding, is hereby adopted as such.  
117

118 **Section 4.** ~~Edits to Chapter 21.42 are made to LMC 21.42.110.G is hereby amended Title 21 of~~  
119 ~~the Lynnwood Municipal Code~~ to read as follows:

120 **LMC 21.42.110(G) Accessory Dwelling Units.** Accessory dwelling units shall be permitted subject to the  
121 provisions of this subsection.

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

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

- 126 b. Create additional affordable housing in Lynnwood;
- 127 c. Allow a property owner to continue to reside in a neighborhood after a lifestyle change, in
- 128 particular, by having the opportunity to receive rental income;
- 129 d. Develop housing that is appropriate to smaller households; and
- 130 e. Protect neighborhood stability, property values, and the appearance and character of
- 131 single-family neighborhoods by regulating the installation and use of accessory dwelling units
- 132 and by ensuring that properties continue to be owner-occupied.

133 2. Permitted Zones. Attached ADUs shall be permitted in the R-7 and R-8 zones; Detached ADUs

134 shall be permitted only in the RS-8 zone, provided, that an ADU may be permitted only on a lot that

135 already contains a primary residence or is constructed concurrently with the primary residence.

136 3. Minimum Lot Size. Attached ADUs shall be allowed on lots meeting the minimum lot size

137 requirement for the applicable zones: RS-7 or RS-8 zone. Lots below the minimum lot size for the

138 RS-7 and RS-8 zone that were created utilizing lot size averaging or are nonconforming lots with

139 respect to lot size shall not be permitted an ADU unless otherwise approved by the community

140 development director depending on a case by case basis.

141 4. Number. A maximum of one ADU shall be permitted on a lot. A lot cannot have both an Attached

142 and a Detached ADU.

143 5. Location in Relation to Principal Residence. AttachedThe ADUs may be added to or within the

144 principal residence. Detached ADUs are required to meet all development standards for the RS-8

145 zone and shall be located only in the rear yard, or it may be connected to it by the foundation, floor,

146 walls, ceiling, and roof; connection by means of a breezeway or other partially open structure shall

147 not fulfill the requirement for an attached ADU.

148 The unit may be created by either building new habitable space or by converting existing habitable

149 space, or by a combination of new construction and conversion. Any new construction for the ADU

150 may not be located in front of (i.e., closer to the front property line than) the primary structure.

151 6. Development Standards. Any new construction shall meet all the development standards for the

152 applicable zone, except as modified by this section, and shall comply with all applicable city codes,

153 including but not limited to required setbacks and the requirements of the adopted building,

154 electrical, fire, mechanical and plumbing codes. Only one electric meter, one water meter, and one

155 address shall be allowed for the entire parcel, serving both the primary unit and the ADU.

156 7. Size. The ADU shall have a maximum gross floor area of 800 square feet or 40 percent of the  
157 habitable square footage of the primary unit, whichever is less. A maximum of one bedroom shall  
158 be provided for ADUs less than 600 square feet in size; a maximum of two bedrooms shall be  
159 provided for ADUs 600 square feet or greater in size. When calculating the square footage of the  
160 ADU, covered exterior elements such as decks and porches will not be included. The total size of  
161 all such covered exterior elements shall not exceed 200 square feet and the design shall be  
162 consistent with the primary dwelling unit.

163 8. Design. The ADU shall be designed so that the appearance of the building remains that of a  
164 single-family residence. At a minimum, the plans for the unit shall conform to the following  
165 guideline: any new exterior construction associated with creating an ADU shall match the existing  
166 exterior materials and design of the principal residence, and the pitch of any new roof should match  
167 that of the principal residence. Any new landscaping should conform with or improve existing  
168 landscaping.

169 9. Entrance Location. The entrance(s) to the ADU shall be located in such a manner as not to  
170 appear as a second primary entrance to the structure which encompasses the principal residence.  
171 Only one primary entrance shall be permitted for the entire lot; however, a second street-facing  
172 entrance may be permitted if it is sufficiently screened from view using either fencing, landscaping,  
173 or a combination thereof.

174 10. Parking. One off-street parking space shall be provided for studio and one-bedroom ADUs and  
175 two spaces shall be provided for two-bedroom ADUs, in addition to the parking required for the  
176 main residence. Parking shall be paved in conformance with standard city requirements. Parking  
177 may be located in a garage, carport, or in an off-street area reserved for vehicle parking. Parking  
178 may be located in tandem with parking spaces for the primary unit. Only one driveway may be used  
179 to meet the parking requirement. Parking may not encroach into any portion of a public or private  
180 street right-of-way (including any landscaped portion).

181 11. Accessibility. In order to ~~allow for barrier-free accessible design, encourage the development of~~  
182 ~~housing units for people with disabilities,~~ the community development director may allow for  
183 reasonable deviations from the requirements of this section to install features or facilities that  
184 facilitate accessibility. Such features or facilities shall comply with the city's building and fire codes,  
185 more particularly with the requirements for a Type A unit as referenced by the adopted standards of  
186 Chapter 16.06 LMC.

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

192 13. Permitting. No construction permit or occupancy permit for any improvements for an ADU shall  
193 be issued until and unless a permit for the unit is approved and recorded pursuant to this  
194 subsection.

195 a. Application and Fee. The property owner shall submit an application for an ADU permit to  
196 the community development director, including plans for creating the ADU (including design  
197 plans for any new construction), evidence of current ownership (or purchase contract),  
198 certification of owner occupancy, payment of related fees and costs as set forth in Chapter  
199 3.104 LMC; and such other information as the director may require in order to determine  
200 whether the application conforms with city requirements.

201 b. Action. The community development director shall approve the application and issue an  
202 ADU permit if he/she finds that the application conforms with the requirements of this section  
203 and other applicable sections of this code. The application shall be exempt from the following  
204 procedure:

205 i. Notice of impending decision, LMC 1.35.330.

206 c. Validity. Any ADU permit issued pursuant to this section shall be issued only to the property  
207 owner and shall be valid only so long as the permit holder owns the property in title or as a  
208 contract purchaser. Such permit shall expire automatically upon any transfer of property  
209 ownership from the permit holder. Continued occupancy of the ADU as a separate living unit  
210 shall require application for a new permit by the contract purchaser or new property owner  
211 and renewal of the permit by the director. The director shall renew any permit under this  
212 subsection if he/she finds that the ADU complies with all provisions of this section. Any permit  
213 approved under this subsection shall not be effective until evidence of recording is presented  
214 to the director. The fee for ADU permit renewal shall be the same as that for an administrative  
215 amendment, as set forth in Chapter 3.104 LMC.

216 d. Extension of Tenancy After Property Sale. If a property is sold and the new owner files an  
217 application for a permit, the tenants may continue to reside at the property for the remainder  
218 of any lease, or up to 90 calendar days, whichever is longer, except that such residency

219 continuation shall not exceed one year. A single additional continuation of up to six months  
220 may be granted by the director, upon written request by both the tenant and the (new)  
221 property owner, if she/he finds that termination of residency by the tenants would impose a  
222 substantial and unusual hardship on the tenants.

223 e. Recording. The permit shall be recorded by the property owner and any subsequent  
224 owners with the Snohomish County auditor's office to indicate the presence of the ADU. At a  
225 minimum, the recorded information shall:

- 226 i. Be recorded as a deed restriction which runs with the land;
- 227 ii. Identify the address of the property;
- 228 iii. State that the owner(s) reside(s) in either the primary unit or the ADU for entire a  
229 minimum of six months per calendar year;
- 230 iv. Include a written description and/or a floor and site plan of the approved unit;
- 231 v. Include a statement of the requirements and conditions of approval, as determined by  
232 the director;
- 233 vi. Include a statement that the owner will notify any prospective purchasers of the  
234 limitations of this section; and
- 235 vii. Provide for the revocation of the issued permit for the ADU if any of the requirements  
236 of this subsection are violated.

237 Any permit approved under this subsection shall not be effective until evidence of recordation  
238 is presented to the director within 10 calendar days of notice of approval.

239 f. Expiration. Any permit for a new ADU shall expire two years from the date of approval  
240 unless a building permit for the ADU has been obtained. The director may grant a single one-  
241 year extension to this time limit, provided a written request for the extension is received two  
242 weeks prior to expiration.

243 g. Cancellation. Cancellation of an ADU may be accomplished by the property owner by  
244 recording with the Snohomish County auditor's office and by filing with the city a certificate  
245 stating that the ADU no longer exists on the property. Cancellation may also result from an  
246 enforcement action by the city.

247 h. Complaint. Upon receipt of a complaint of noncompliance, the city may require proof by the  
248 owner that all requirements of this section are met.

249 i. Revocation. In addition to the conditions imposed during the permit approval process,  
250 permits for ADUs shall expire automatically whenever:

251 i. The ADU is substantially altered and is thus no longer in conformance with the plans  
252 and drawings reviewed and approved by the city;

253 ii. The subject parcel ceases to maintain the required number of parking spaces; or

254 iii. The property owner(s) cease(s) to reside in either the primary unit or the ADU for a  
255 minimum of six months per calendar year, the owner-occupied unit is rented, or the  
256 current owner fails to record the certificate as required under this section.

257 j. Appeal. Any action by the director may be appealed by the applicant to the hearing  
258 examiner only for noncompliance with these regulations; provided, that such appeal shall be  
259 filed in writing within 10 calendar days of mailing of a notice of action. Such appeal shall be  
260 processed as provided for in Process II, LMC [1.35.200](#), et seq.

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

264 15. Home Occupations. Home occupations may be allowed in either the primary unit or the ADU,  
265 but not both, provided the home occupation is reviewed and approved in accordance with LMC  
266 [21.42.300](#) and any other applicable provisions of this code.

267 16. Legalization of Preexisting Illegal Accessory Dwelling Units. ADUs constructed without a permit  
268 that existed on or before the effective date of the ordinance codified in this subsection may be  
269 granted a permit as a legal nonconforming ADU. Applications shall be made within 12 months of  
270 the effective date of the ordinance codified in this subsection and shall be subject to the following  
271 requirements:

272 a. ADU Permit Application and Fee. The property owner shall submit an application for an  
273 ADU permit to the director, including a site plan, floor plan, evidence of current ownership,  
274 certification of owner occupancy, payment of related fees and any such other information as  
275 the director may require in order to determine whether the ADU can satisfy the minimum  
276 housing inspection requirements identified in subsection (G)(16)(d) of this section. The fee for

277 an ADU permit land use application processed under this subsection shall be the same as  
278 that for an administrative amendment, as set forth in Chapter [3.104](#) LMC.

279 b. Action. The [community development](#) director shall review the ADU permit application and  
280 issue an ADU permit for a legal nonconforming ADU if the director finds that the application  
281 conforms with the requirements of this subsection and other applicable sections of this code.  
282 The application shall be exempt from the following procedures:

283 i. Notice of application, LMC [1.35.020](#); and

284 ii. Notice of decision, LMC [1.35.040](#).

285 c. Design and Development Standards. The ADU shall have a maximum gross floor area of  
286 no more than 40 percent of the habitable square footage of the primary unit. Only one electric  
287 meter, one water meter, and one address shall be allowed for the entire parcel, serving both  
288 the primary unit and the attached ADU.

289 d. Inspection. The applicant shall request a minimum housing inspection prior to ADU permit  
290 approval, obtain all building permits and complete such improvements as may be required to  
291 meet minimum life and safety requirements as determined by the building official, fire marshal,  
292 and/or any other city official (and/or his/her designee) whose review may be required to  
293 ensure the intent of this subsection is satisfied. Preexisting illegal ADUs which cannot meet  
294 minimum life and safety standards of this subsection shall be discontinued. A certificate of  
295 occupancy shall not be issued until after an approved ADU permit is recorded with the  
296 Snohomish County auditor's office.

297 e. Recording. The ADU permit shall meet the recording requirements of this subsection  
298 (G)(13) and shall specify that the accessory dwelling unit is legally nonconforming.

299 f. Enforcement Action. Preexisting illegal ADUs for which an application has not been received  
300 to comply with the requirements of this subsection within the 12-month grace period are  
301 subject to an enforcement action in accordance with Chapter [1.40](#) LMC or other applicable  
302 code provisions. ADUs which cannot be brought into compliance with all requirements of this  
303 section for new ADUs shall be discontinued. The city shall require any such modifications  
304 necessary to ensure that the space cannot be used as an independent dwelling unit. (Ord.  
305 2824 § 10, 2010; Ord. 2823 § 3, 2010; Ord. 2656 §§ 1, 2, 2006; Ord. 2586 § 2, 2005; Ord.  
306 2466 § 1, 2003)

307 **Section 5. Severability.** If any section, sentence, clause or phrase of this Ordinance should  
308 be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or  
309 unconstitutionality shall not affect the validity or constitutionality of any other section,  
310 sentence, clause or phrase or word of this Ordinance.  
311

312 **Section 6. Effective Date:** This Ordinance or an approved summary thereof consisting of its  
313 title shall be published in the City’s official newspaper of record and shall take effect and  
314 be in full force five days following its publication.  
315

316 PASSED this ~~XX~~ day of ~~XXXXXXXX~~December, 20~~XX~~16, and signed in authentication of its  
317 passage this ~~XX~~ day of ~~XXXXXXXX~~December, 20~~XX~~16.  
318

319  
320 APPROVED:

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322  
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324 \_\_\_\_\_  
325 Nicola Smith, Mayor

326 ATTEST/AUTHENTICATED:

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329 \_\_\_\_\_  
330 Sonja Springer, Finance Director  
331

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333  
334 APPROVED AS TO FORM:

335  
336 \_\_\_\_\_  
337 Rosemary Larson  
338 City Attorney  
339

340  
341 | ADOPTED BY THE CITY COUNCIL: ~~0X-XX-2016~~  
342 | PASSED BY THE CITY COUNCIL:  
343 | PUBLISHED:  
344 | EFFECTIVE DATE:  
345 | ORDINANCE NUMBER: