

COLLEGE DISTRICT MIXED USE (CDM) CODE AMENDMENTS
CHAPTER 21.57
(2/25/16)

21.57.100 Purpose

A. This mixed use zone is designated to provide opportunities for the creation of a ~~small~~ college- and neighborhood –oriented mixed use district in close proximity to the campus and the Highway 99 commercial node at the 196th Street intersection.

~~B.~~—The purpose of this zone is to implement the vision of a district that consists of offices, and service businesses, integrated residential apartments, condominiums, artist lofts and / or dormitories, along with street level small businesses that cater primarily to the college and surrounding neighborhood. Businesses shall be limited in size to ensure neighborhood scale, with commercial spaces required at street level along portions of 68th Avenue and 202nd Street. Office and residential uses will be encouraged above and behind the businesses. Development standards and guidelines based on this vision will provide design guidance, emphasizing building and spatial relationships, with particular emphasis on the design of pedestrian spaces, linkages between the college and business district, and related pedestrian facilities and amenities.

~~21.57.200~~ **Applicability**

~~The CDM zone shall be applied in close proximity to the Edmonds Community College (EdCC) campus generally as follows:~~

- ~~A. North boundary: 200th Street, extending north about 85 feet at the intersection with 68th Avenue W.~~
- ~~B. East boundary: 66th Place, extending southward to 204th~~
- ~~C. South boundary: 204th Street Southwest~~
- ~~D. West boundary: 68th Avenue, extending 200 feet into the EdCC campus.~~

21.57.3200 Interpretation

A. All regulations and design guidelines, ~~herein, of this zone, the college district overlay zone (CDO) zone~~ and the Citywide Design Guidelines (All-Districts and Commercial Districts) shall apply to properties within the CDM zone. In the event of conflict between requirements, the provisions of the CDM zone and its design standards shall prevail.

B. Land uses not specifically listed in the following sections may be allowed when determined by the ~~and~~ Director of ~~e~~ Community ~~d~~Development to be compatible with the listed uses and consistent with the intended development of the district, ~~as described in the college district plan. The director's written decision is subject to appeal per LMC 1.35.200 (Process II).~~

21.57.4300 Land uses.

- A. Principal Uses Permitted Outright (square footage calculation is individual to a use and not cumulative for a building).
 - 1. College and university-buildings,-support services and college accessory facilities.
 - 2. Library.
 - 3. Public transit ~~facilities~~ stops and stations.
 - 4. ~~Conference or community center (college/community meetings and activities).~~

5. ~~Tot lot, greenway, vest pocket park, bikeway and other park/open space linkages.~~
- 6.4 ~~Retail store or service business under 45,000 square feet GFA per tenant, including, but not limited to:~~
- a. ~~Convenience, drug or variety store;~~
 - b. ~~Books, magazines, stationery and school supplies;~~
 - c. ~~Child day care center (fewer than 13 children)~~
 - d. ~~Art gallery, art or photo studio, film/photo processing;~~
 - e. ~~Art supplies store or frame shop;~~
 - f. ~~Professional services (engineering, legal, medical, financial and similar);~~
 - g. ~~Business services (bookkeeping, taxes, accounting management, etc.);~~
 - h. ~~Computer repair, maintenance and training, and related technical services;~~
 - i. ~~Personal services (grooming, photo processing, counseling, tutoring, etc.~~
 - j. ~~Laundry self service and pick up station;~~
 - k. ~~Shoe repair, tailoring, locksmith and similar personal services;~~
- 7 ~~Movie theater (single or two screen at neighborhood scale).~~
- 8 5. ~~Medical offices or clinic (limited services to neighborhood and/or college).~~
- 9 6. ~~Food and beverage service businesses under 24,000 square feet GFA, including:~~
- a. ~~Donut shop, bakery or similar specialty food outlet~~
 - b. ~~Café, coffee shop or restaurant;~~
 - c. ~~Soda fountain, ice cream parlor, candy store;~~
 - d. ~~Delicatessen or other specialty food store;~~
 - e. ~~Tavern, brew pub or nightclub.~~
- 10 7. ~~Multiple-family dwellings:~~
- a. ~~Maximum density: 20 43 units per net acre;~~
 - b. ~~Minimum density: 42 20 units per net acre;~~
 - c. ~~Density may be less than minimum if residential units are combined with other uses in same building or on same lot.~~
- 11 ~~Accessory parking lots and structures. Park n ride and park n pool facilities are not permitted. Student/faculty parking shall be located west of 68th Avenue~~
- 12 8 ~~Electric vehicle charging station, Level 1, Level 2 and Level 3, if accessory to a permitted use or conditionally permitted use~~
9. Arts or performance facilities;
10. Child day care center (13 or more children) per LMC 21.42.110(E);
11. Boarding house, dormitory or other group residential facilities suitable for students;
12. Inn, hotel, or similar transient lodging ((20) guest rooms or less)
13. Battery exchange station (electric vehicle), and only if accessory to a permitted.

14. Single-family residences, including home occupations, subject to the development standards set forth for the RS-7 zone in LMC 21.42.02, Table 21.42.02.
15. Any other use similar to those listed above or any other use determined by the community development director to be consistent with the College District Plan.

~~B. Principal Uses Allowed by Conditional Use Permit~~

- ~~1. Tavern, brew pub, club or restaurant that serves alcohol when within or adjacent to a structure that also contains residences or child care facilities.~~
- ~~2. Indoor amusements such as arcades, bowling, pool card rooms,, etc.~~
- ~~3. Athletic club or health spa (indoor facilities).~~
- ~~4. Performing arts facilities.~~
- ~~5. Child day care center (13 or more children) per LMC 21.42.110(E);~~
- ~~6. Boarding house, dormitory or other group residential facilities suitable for students (*should this be an out right permitted use above*).~~
- ~~7. Inn, hotel, or similar transient lodgings (20 accommodations or less).~~
- ~~8. Battery exchange station (electric vehicle), and only if accessory to a permitted or conditionally approved use.~~

C.(B). Allowed Accessory Uses. Accessory uses are permitted per LMC 21.58.300, including

1. ~~Child care when serving the patrons or employees of a principal uses~~
2. ~~Commercial food services in public buildings.~~
- 3 1. Food Vendors – in outdoor public spaces, subject to city permits.

D. (C) Prohibited Uses.

1. Marijuana and marijuana- infused products retail sales, processing or production.
2. Medical marijuana collective gardens.
3. The following uses are prohibited unless their sites have frontage on and access to 196th Street SW. and 64th Avenue W, or Highway 99:
 - a.. Gas stations, car washes, auto parts stores, auto repair and maintenance and similar auto-related uses.
 - b. Drive-through facilities.

21.57.5400 Development Standards.

A. Building to Site Relationships

1. Minimum lot area: ~~None~~ One-half acre
2. Minimum lot area per dwelling: none.
3. Minimum lot width: none.
4. Minimum frontage at street: none.
5. Front yard setback: no minimum; 15 feet maximum.
6. Side setbacks: none.
7. Rear setbacks: 25 feet (may be used for parking, private yards, recreation, etc.).
8. Minimum building separation: none.
9. Maximum lot coverage: ~~8~~ 90 percent.
10. Maximum building height: 50 feet.

11. Minimum floor area: none.
- B. Buildings and Uses
1. Architectural Consistency. The scale and design features of a new or remodeled building shall be compatible with its surroundings and consider the architectural style of existing development on and off campus.
 2. Utilities. Newly installed utility services shall be placed underground.
 3. Reduced Parking. Businesses in this zone will be within a pedestrian-oriented environment designed to cater to walk-in and bicycle traffic from the college and surrounding neighborhoods. To emphasize the pedestrian intent and discourage automobile usage, minimum parking requirements for nonresidential uses within the CDM zone shall be calculated at 50 percent of the normally required standards of Chapter 21.18 LMC. With the exception of required “accessible spaces,” development proposals may include provisions for off-site parking and shared parking agreements to meet parking requirements and maximize parking space utilization, providing the proposed parking is within a walking distance of 500 feet of its principal use.
 4. Pedestrian Environment. 68th Avenue between 200th and 204th Streets, 204th Street between Highway 99 and the campus and 202nd Street from the campus to Highway 99 are designated “pedestrian-oriented” streets. The following shall apply to properties fronting these streets:
 - a. Buildings shall be at least two stories in height (maximum 50 feet height).
 - b. Street level spaces shall be reserved for retail, office, service uses or similar active non-residential functions.
 - c. Upper floors may be used for additional retail, offices, services, studios or residential uses, including living/working lofts, to a maximum density of ~~20~~ 43 DU/ac (net).
 - ~~5. Multi-story Buildings. Buildings of two or more stories are encouraged throughout the CDM zone.~~
 - ~~6~~ 5. Mix of Uses. With the exception of the commercial spaces required at street level in subsection (B)(4)(b) of this section, all buildings within the CDM zone may be used for retail, offices, services, studios, living/work lofts, other residential uses or a combination of those uses.
- C. Outdoor Areas.
1. To enhance the pedestrian environment of the CDM zone, the design of open front yard areas and spaces between buildings shall consider and incorporate such elements as decorative landscaping and paving, seating areas, outdoor eating areas, bike racks, public art, kiosks, trees, awnings or other protection from the natural elements, and access to drinking fountains and public restrooms.
 2. Plans for outdoor pedestrian areas shall include a coordinated design for safe and convenient outdoor lighting and signage. The outdoor lighting plan along 68th Avenue W., 202nd Street SW. and 204th Street SW., will further the concept of a “neighborhood center” and will provide

~~pedestrian-level lighting at a coverage that complies with the public safety standards for such public outdoors areas.~~

3. Deciduous street trees having a minimum caliper size of two inches shall be provided at 30 feet intervals or clustered when spacing is not feasible, along 68th Avenue W, 204th Street SW., 196th Street SW., 64th Avenue W, and 202nd Street SW as a design element of the project.
4. Unless designed as a plaza or other outdoor pedestrian area, not more than 10 percent of landscaped areas may be covered with inanimate materials, unless the applicant can document a problem on the site that makes it unsuitable for plant materials.
5. In areas determined to be unsuitable for plants, such alternatives as fences, walls, and paving of brick, wood, stone, concrete pavers, gravel or cobbles may be used in the design – subject to design review approval.

D. Other Limitations and Standards

1. The college district mixed use (CDM) zone is considered a “commercial” zone and subject to applicable limitations on uses and other development standards, contained in Chapter 21.46 LMC, Commercial Zones, and not contained in this chapter.
2. Tandem parking may be used to meet residential parking requirements, providing both spaces are assigned to the same dwelling. Tandem parking will not be approved for nonresidential applications.
3. Parking lot design and related landscaping shall be in accordance with LMC 21.46.210(B) (parking lot development standards for commercial zones). Off-street parking, whether in surface lots, or structures, shall be located beside or behind buildings, and prohibited between buildings and streets, with the exception of master-planned parking on the EdCC campus.
4. Signage shall comply with LMC 21.16.310 (commercial signage requirements), ~~except as adjusted by the signage limitations of the college district overlay zone.~~ The following types are prohibited within the CDM zone, with the exception of commercially zoned properties fronting 196th Street SW. and 64th Avenue W.
 - a. Freestanding signs, other than ground signs
 - b. Pole signs;
 - c. Roof signs.
5. The location and design of trash and recycling facilities shall comply with the requirements of LMC 21.46.900 (refuse and recycling collection areas and enclosures).
6. The provisions of the CDM zone shall prevail in cases of conflict.
- ~~7. Transition or Buffer Strips.~~
 - A. Transitional or buffer landscaped strips (also referred to as greenbelts) of which the purpose of the landscaping is to provide a sight, sound, and psychological barrier between zones with a high degree of incompatibility. The transition or buffer strips shall be installed in the following situations:

1. Where the side yard or rear yard of a property zoned to any commercial zone is adjacent to a property zoned multiple-family residential or public and semi-public.
 - a. 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. 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.

21.57.6 500 Site Plan and design approval.

- A. New development with the college district mixed use (CDM) zone shall comply with the development standards of LMC 21.57.500 and with Lynnwood Citywide Design Guidelines All-Districts and Commercial Districts), as adopted by reference in LMC 21.25.145(B)(3) and receive approval pursuant to Chapter 21.25.LMC.
- ~~B. New development is also subject to review and approval per Chapter 21.32 LMC (Site Plan and Design Review).~~
- B. In addition to the general decision criteria established in 21.25 LMC, the following criteria shall be considered when reviewing development proposals in the CDM zone:
 1. The proposal is compatible with the design and function of surrounding development and land uses.
 2. Streetscapes are designed to include a combination of facilities to serve pedestrians, cyclists and transit patrons, such as attractive lighting, awnings and canopies, seating, directional signage, information kiosks, designated street crossings, bus shelters, and/or other amenities to enhance the pedestrian environment.
 3. Public sidewalks and/or trails, bikeways or greenbelt linkages are provided to connect parks, municipal golf course, the college and other public areas frequented by the general public when the proposed development is on or adjacent to such planned facilities.

PUBLIC AND SEMI-PUBLIC ZONE

21.44.050 Purpose

This classification is intended to provide for nonresidential uses of a public or quasi-public nature to be located in or near residential areas and to establish standards which will minimize the impact of the nonresidential use on nearby properties. Whereas, nonresidential uses are ordinarily prohibited in single-family residential zones in the public interest, it is the intent of this classification that instead of such nonresidential uses being excluded the public interest will be best served by development standards which minimize or eliminate completely any undesirable effects of the non-residential uses on existing homes. Also, it is intended that the provisions of this chapter will prevent future development in the area from being influenced towards a type of development contrary to that shown on the adopted comprehensive plan, with the result that the residential character will be preserved in the neighborhoods where this zone is established. Development in this zone may be undertaken through the actions of private or public entities or through a collaborative venture.

21.44.100 Purpose

A. Permitted Uses.

1. Residential Uses. All uses which are permitted in the RS-8 single-family residential zone are permitted.
2. Institutional Uses. The following uses are permitted, subject to the standards of this chapter:
 - a. Churches;
 - b. Private or semiprivate memorial buildings;
 - c. Community clubhouses, convention centers, public golf courses, and accessory uses;
 - d. Art galleries, libraries, and museums;
 - e. Private schools, universities, and colleges and accessory uses;
 - f. Child day care;
 - g. Public parks, playgrounds, and schools;
 - h. Municipal buildings, including fire stations =, and performance arts facilities;
 - i. Clubs or fraternal societies ~~but not including those which provide entertainment or allow alcoholic beverages.~~
 - j. Transit center;
 - k. Park-and-ride lots;
 - l. ~~park and pool lots;~~
 - m l. Existing wastewater treatment plant.
3. Temporary Uses. ~~The operation of a hot air balloons in conjunction with a temporary special event license in accordance with Chapter 5.30 LMC, except that no fee shall be required. Each applicant for such a temporary special event license shall verify that the balloon is to be operated by a licensed pilot and shall demonstrate adequate provisions for safe operation. No hot air balloon utilized in such a temporary special event shall bear any symbols, letters, or pictures whatsoever.~~

- ~~4. Electric vehicle charging stations, Level 1, Level 2 or Level 3, if accessory to a permitted use or conditionally permitted use.~~
- ~~5. Battery exchange station (electric vehicle, if accessory to a permitted use or conditionally permitted use.~~

B. Conditional Uses.

1. All uses permitted through the issuance of a conditional use permit in the RS-8 zone, except as amended by this section;
2. Charitable, nonprofit or social service organizations other than those uses specifically allowed as a permitted use;
3. Medical facilities, including hospitals, convalescent homes and medical or dental clinics; and
- ~~4. Legal and professional services; and~~
5. Expansion or major alteration of an existing wastewater treatment plant.

C. Factors for Consideration for Proposed Conditional Uses. In considering any condition use permit application, the hearing examiner shall consider all factors relevant to the public interest including, but not limited to:

1. Consistency of the proposal with the comprehensive plan and with the purpose of the P-1 zone as stated in LMC 21.44.050, especially discouraging activities of a commercial or industrial nature, whether public or private;
2. Impact of the proposal on the visual and aesthetic character of the neighborhood;
3. Impact of the proposal on the distribution, density or growth rate of the population in the neighborhood;
4. Orientation of facilities to developed or undeveloped residential areas;
5. Preservation of natural vegetation and other natural features;
6. Hours of operation;
7. Ability to provide adequate on-site parking;
8. Traffic impacts of the proposal on the neighborhood; and
9. Conformance of the proposal with the city noise ordinance, Chapter 10.12. LMC.

Whenever the proposed use involved occupying a partially or totally vacant school, the applicant must demonstrate that the proposed use will have no greater impacts than the use for which the facility was first designed.

D. Exemption from Conditional Use Permit Application Process. Some limited expansion of uses and structures of existing uses at the Lynnwood wastewater treatment plant may be approved for exemption from the conditional use permit process by the community development director if the proposed alteration meets the following criteria:

1. The alteration does not expand the treatment capacity of the plant.
2. The alteration does not result in a significant increase in noise, odor, traffic, or visual impact.

3. Any proposal to add accessory structures does not result in the addition of more than 500 square feet of building coverage.

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