



**AGENDA**  
**Lynnwood Planning Commission**  
**Diversity, Equity and Inclusion Commission**  
**Human Services Commission**

Meeting  
Thursday, August 27, 2020 — 6:30 pm  
Online via Zoom

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**A. CALL TO ORDER – ROLL CALL**

**B. APPROVAL OF MINUTES**

**C. PUBLIC COMMENTS** – (on matters not scheduled for discussion or public hearing on tonight's agenda) Note: Individuals 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. Individuals 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. Development Agreement and Binding Site Plan Code Amendments
2. Land Use Application Extensions

**E. WORK SESSION TOPICS**

1. Housing Action Plan – Needs Assessment

**F. OTHER BUSINESS**

**G. COUNCIL LIAISON REPORT**

**H. PLANNING MANAGER'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.*

## Joining Planning Commission via Zoom

### How the Meeting Will Work

Virtual Planning Commission Meetings will be held via Zoom Webinar. The Community Development Department is hosting the meeting, the Lynnwood Planning Commission are the Panelists, and Lynnwood residents and members of the public – as well as City staff or guest presenters – are attendees. Webinar attendees do not interact with one another; they join in listen-only mode, and the host can unmute one or more attendees as needed.

### Meeting Links and Numbers

- **Join from a PC, Mac, iPad, iPhone or Android device:**
  - Download the Zoom Client at: <https://zoom.us/download>.
  - Use Zoom Version 5.0.4 (25694.0524) or later.
  - Please click this URL to join. <https://lynnwoodwa.zoom.us/j/94892782907>
- **Or join by phone:** +1 253 215 8782  
Webinar ID: 948 9278 2907

### How to Provide Public Comments

The Community Development Department is accepting public comments on behalf of the Planning Commission via Email.

- **Email:** Please add the Planning Commission meeting date in the subject line or in body of the text message such as in the examples below.
  - Send Email to: [planning@LynnwoodWA.gov](mailto:planning@LynnwoodWA.gov)
  - Subject Line: Public Comment for the 6/25/20 Planning Commission Meeting
- **Live Public Comment:** If you are unable to provide a written comment, you may join the webinar as an attendee to comment during the public comment period. Public participation guidelines are provided at the bottom of this page.

### Participation Guidelines

Below are recommendations for attendees in meetings conducted via Zoom Webinar.

- **Identification:** Upon entering the webinar, please enter your name or other preferred identifier, so that the host can call on you during the public comment period.
- **Raise Hand (see link below for instructions):** You have the ability to virtually raise your hand for the duration of the webinar, but you will not be acknowledged and your mic will remain muted until you are called on during the public comment period.  
<https://www.lynnwoodwa.gov/files/sharedassets/public/city-council/business-meeting-agendas/raising-hand-in-zoom.pdf>
- **Public Comment Period:** Use “Raise Hand” to be called upon by the host. The host will unmute your mic and you will have the ability to share your comment. Each speaker is allowed up to five (5) minutes.
- **Use headphones/mic** for better sound quality and less background noise.

**Topic: Development Agreement and  
Binding Site Plan Code Amendments****Staff Report  
Agenda Item D.1**

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

Staff Contact: Ashley Winchell, AICP, Planning Manager

**Summary**

The proposed code changes will expand flexibility provided through Development Agreements citywide. Flexibility through Development Agreements is currently only permitted in the City Center and Regional Growth Center. Proposed changes will also allow Binding Site Plans to vest to Development Agreement timelines.

**Background**

Development agreements provide a tool for the City and Developer to work collaboratively on mutual agreed terms and conditions. The proposed amendment was prepared to improve the tool to facilitate development under the approval of City Council citywide.

The amendments also allow Binding Site Plans to vest timelines to approved Development Agreements.

**Proposed Amendment:**

Development Agreements (DAs) are a tool to provide certainty and flexibility, when appropriate, to developments while negotiating for public benefits beyond the base requirements. Changes adopted to the Development Agreement code in 2019 allowed for flexibility and identified possible public benefits for developments within the City Center and Regional Growth Center.

The code amendment also includes a provision to amend the Binding Site Plan code (Chapter 19.75 LMC). A Binding Site Plan is an alternate process to subdivide non-single family residential property. Put simply, Binding Site Plans divide land into smaller lots that can be legally sold and developed, typically for commercial and mixed-use projects.

The proposed code amendments:

1. Expand Development Agreement eligibility citywide;
2. Allow for longer vesting periods to align with Development Agreement timelines;
3. Provide flexibility in Binding Site Plan requirements; and
4. Recoup costs for preparation of a Development Agreement.

The main purpose of this ordinance is to expand the benefits and flexibility of a Development Agreement citywide. It also clarifies approval timelines, as Development Agreements sometimes establish longer vesting periods than

permitted outright by the code. The proposed changes benefit the community by incentivizing development through flexibility and project timeline consistency.

The code amendment also proposes a mechanism to recoup some of the City's costs to prepare a Development Agreement. Currently, there are no costs to the applicant for Development Agreements. The City is responsible for paying for all city attorney fees and notification costs. The code amendment proposes a \$2,500 fee to be deposited to a trust fund. These fees would be used to cover city attorney fees and notification costs. If fees are accrued beyond \$2,500 they will be billed to the applicant and required to be paid before a City Council hearing. If excess fees remain after project approval they will be refunded to the applicant. Staff time would continue to be offered at no cost to the applicant.

All subdivisions, including Binding Site Plans, have two phases: preliminary and final. Preliminary Binding Site Plans show the overall site including proposed streets, lots and covenants for the review of a general layout. The final Binding Site Plan is the drawing of record for the County Auditor that shows all requirements per code. Recording of the Binding Site Plan officially divides the land. Before the Binding Site Plan can be recorded improvements, such as roads and utilities, must be constructed or bonded.

Currently, the code does not allow for phasing of subdivisions and requires all improvements associated with a Binding Site Plan to be constructed within three years of the approval of the preliminary Binding Site Plan. This has been identified and potentially problematic when associated with Development Agreements, which may have much longer timelines.

For example, a Development Agreement may vest a project over a 10-year time frame. Development may be completed in phases. The current structure of the code requires the developer to either:

1. Make all improvements at once. This can be cost-prohibitive and difficult since road and utility improvements are often constructed at the time of building construction; or
2. File several Binding Site Plans over the years. This is difficult for staff as they cannot assess the larger project at once and subjects the developer to greater uncertainties.

The proposed changes would allow the entire development to be reviewed at the time of preliminary Binding Site Plan. The phasing will be locked in with the approval of the Binding Site Plan and will correspond to the Development Agreement timing. The amendment will then allow each final Binding Site Plan to come in as phases. This allows the developer to only build what is necessary at the time of development. This is helpful as these improvements are often financially tied to individual building construction.

The amendment proposes breaking the Binding Site Plan fees into a preliminary payment and final payment. Currently the Binding Site Plan fee is a one-time payment of \$15,000. This includes review of the preliminary and final stage. The current fee structure does not take multiple final plat reviews into account. The

proposed fee structure is \$10,000 for preliminary review and \$5,000 for each final plat review. This ensures the city can recoup costs based on added work from proposed phasing.

The following is a proposed scenario of how a Binding Site Plan could be vested and developed under the proposed changes.

- In 2020 a Development Agreement is approved which allows for the construction of four buildings on three separate lots, two public roads, open space, and several utility and right-of-way improvements over 10 years.
- In 2020 the developer submits a preliminary Binding Site Plan which shows four phases as follows:
  - Phase 1: construction of one building on one lot, one public road, and associated utilities and right-of-way improvements.
  - Phase 2: construction of two buildings on one lot, open space, and associated utilities and right-of-way improvements.
  - Phase 3: construction of the fourth and final building on one lot, and all remaining roads and improvements.
- In 2022 the developer submits the final Binding Site Plan for phase 1. All required improvements are made, and the building is constructed. Lot 1 is created.
- In 2025 the developer submits the final Binding Site Plan for phase 2. All required improvements are made, and the two buildings are constructed. Lot 2 is created.
- In 2029 the developer submits the final Binding Site Plan for phase 3. All required improvements are made, and the building is constructed. Lot 4 is created.

At the time of Phase 3 the entire development would be constructed in accordance with the Development Agreement and preliminary Binding Site Plan.

**Previous Planning Commission / City Council Action:**

A Work Session was held with Planning Commission on August 13, 2020.

**Administrative Recommendation:**

Make a recommendation regarding the proposed amendments and recommend that the City Council to hold a public hearing regarding the matter.

**Attachments:**

1. Draft Amendments

1 **CITY OF LYNNWOOD**

2  
3 **ORDINANCE NO. \_\_\_\_\_**  
4

5 AN ORDINANCE OF THE CITY OF LYNNWOOD,  
6 WASHINGTON, RELATING TO REGULATION OF  
7 DEVELOPMENT AGREEMENTS AND BINDING SITE  
8 PLANS; AMENDING CHAPTER 3.104; AMENDING  
9 CHAPTER 19.75; AND AMENDING CHAPTER 21.29; AND  
10 PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE  
11 AND SUMMARY PUBLICATION.

12 WHEREAS, the City of Lynnwood is a municipal corporation organized under the laws  
13 of the State of Washington; and

14 WHEREAS, RCW 36.70B.170-.210 authorize cities in Washington to enter into  
15 agreements governing the development of real property with a person having ownership or  
16 control of such property; and

17 WHEREAS, on March 14, 2005, the Lynnwood City Council passed Ordinance No. 2553  
18 adopting the City Center Sub-Area Plan as an amendment to the City of Lynnwood  
19 Comprehensive Plan; and

20 WHEREAS, on July 10, 2006, the Lynnwood City Council passed Ordinance No. 2626  
21 authorizing the use of development agreements, which provisions were codified as Chapter 1.37  
22 LMC; and

23 WHEREAS, on August 12, 2019, the Lynnwood City Council passed Ordinance No.  
24 3340 repealing Chapter 1.37 and replacing with Chapter 21.25, which limited flexibility through  
25 Development Agreements to the Regional Growth Center and City Center;

26 WHEREAS, flexibility through development agreements has been identified as being  
27 beneficial citywide; and

28 WHEREAS, the timelines established by the Chapter 19.75 Binding Site Plans are more  
29 restrictive than required by RCW 58.17.035; and

30 WHEREAS, as currently regulated, Development Agreements allow vesting rights which  
31 do not align with the current allowances of the Binding Site Plan code;

32 WHEREAS, the ability to align phasing and timelines for Development Agreements and  
33 Binding Site Plans improves customer service and responds to market needs; and

34 WHEREAS, on August 27, 2020, the Lynnwood Planning Commission held a public  
35 hearing on the revisions to the Lynnwood Municipal Code stated in this Ordinance, and all  
36 persons wishing to be heard were heard; and

37 WHEREAS, following the public testimony portion of the public hearing, the Planning  
38 Commission deliberated on the draft legislation and by regular motion voted to recommend that  
39 the Lynnwood City Council adopt the provisions of this Ordinance; and

40 WHEREAS, on DATE, the City Council held a public hearing on the revisions to the  
41 Lynnwood Municipal Code stated in this Ordinance, and all person wishing to be heard were  
42 heard; and

43 WHEREAS, the City Council after due consideration finds that the provisions of this  
44 Ordinance are consistent with and implement the City’s Comprehensive Plan, are consistent with  
45 applicable state law, and are to the best interest of the public health, safety and general welfare;  
46 and

47 WHEREAS, the City Council finds that there are sufficient reasons to take action to  
48 ensure that development agreement may be a development tool to provide adequate flexibility to  
49 meet market demands while providing additional public benefits.  
50

51 THE CITY COUNCIL OF THE CITY OF LYNNWOOD, WASHINGTON, DO  
52 ORDAIN AS FOLLOWS:

53 **Section 1: Findings.** Upon consideration of the provisions of this Ordinance, the City Council  
54 finds that the new code and amendments contained herein are: a) consistent with the  
55 comprehensive plan; and b) substantially related to the public health, safety, or welfare; and c)  
56 not contrary to the best interest of the citizens and property owners of the city of Lynnwood.

57  
58 **Section 2: Purpose.** The purpose of this ordinance is expand flexibility provided through  
59 Development Agreements citywide. Flexibility through Development Agreements is currently  
60 only permitted in the City Center and Regional Growth Center. Changes will also allow Binding  
61 Site Plans to vest to Development Agreement timelines.

62  
63 **Section 3: LMC Title 19 Fees and Charges**

64 **104.190 LMC Title 19 fees and charges.**  
65 The fees and charges set forth in Table 3.104.190 are the city of Lynnwood fees and charges  
66 related to the provisions of LMC Title 19.

**Table 3.104.190 – LMC Title 19 Fees and Charges**

<b>Type of Fee</b>		
<b>LMC TITLE 19 – SUBDIVISION FEES</b>		
Boundary line adjustment		1,500.00
Lot combination		1,500.00
Subdivision		15,000.00
Short subdivision	Creating two lots	2,000.00
	Creating 3-9 lots	7,500.00
<b>Preliminary Binding Site Plan</b>		<b>10,000.00</b>

**Table 3.104.190 – LMC Title 19 Fees and Charges**

<b>Type of Fee</b>	
<b>LMC TITLE 19 – SUBDIVISION FEES</b>	
<b>Final Binding Site Plan</b>	<b>5,000.00</b>
<b>City Attorney Support</b>	Actual cost
<b>Hearing Examiner</b>	Actual cost
<b>Public Notice Requirements</b>	
Posting costs	Hourly rate (posting notification on proposed project site and civic sites)
Mailing costs	Actual cost of postage plus staff hourly rate
Publication in newspaper	Actual cost

67

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Table [3.104.210](#) – LMC Title [21](#) Fees and Charges

Type of Fee		
LMC TITLE <a href="#">21</a> – ZONING FEES		
<b>Accessory Dwelling Unit</b>		500.00
<b>Administrative Amendment (LMC <a href="#">1.35.180</a>)</b>		1,500.00
<b>Conditional Use Permits</b>		5,000.00
<b>Development Agreements *</b>		<b>2,500.00</b>
<p style="color: red;">* Development Agreement fees are deposits to trust accounts to cover city attorney fees and public notice costs. Excess funds will be refunded to the applicant. Costs over the original deposit shall be charged to the applicant and be paid prior to Council hearing.</p>		
<b>Essential Public Facility</b>	Local	1,500.00
	Regional or State	20,000.00
<b>Miscellaneous Plan Review</b>	Fee for review not related to a permit (e.g., parking lot)	263.00
<b>Parking Alternatives Review</b>		1,500.00
<b>Planned Unit Development (PUD)</b>		10,000.00
<b>Preapplication Meeting</b>		200.00
<p>*Fee credited towards development review charges.</p>		
<b>Project Design Review</b>	Under 5,000 gross sq. ft.	3,500.00
	5,000 gross sq. ft. and above	15,000.00

**Table 3.104.210 – LMC Title 21 Fees and Charges**

<b>Type of Fee</b>		
<b>LMC TITLE <u>21</u> – ZONING FEES</b>		
<b>Reclassification (Rezone)</b>		10,000.00
<b>Variance, Single-Family</b>		500.00
<b>Variance, Standard (Non-Single-Family)</b>		3,000.00
<b>Wireless Communication Facility (WCF)</b>		5,000.00
Small wireless facility <sup>1</sup> , permit review	Up to five small wireless facilities	500.00
	Each additional small wireless facility	100.00
Small wireless facility, right-of-way access and/or attachment to city-owned pole/structure	Per year, per pole/structure	270.00
<b>Zoning Code Interpretation</b>		1,000.00
<b>Zoning Certification Letter</b>		150.00
<b>Signs with Searchlights</b>	Per permit	86.00
<b>City Attorney Support</b>	Actual cost	
<b>Hearing Examiner</b>	Actual cost	
<b>Public Notice Requirements</b>		
Posting costs	Hourly rate (posting notification on proposed project site and civic sites)	
Mailing costs	Actual cost of postage plus staff hourly rate	
Publication in newspaper	Actual cost	

71 **Section 4: Chapter 19.75 Binding Site Plan Amendments**

72 **19.75.060 Time limits, extensions, ~~and~~ effect of preliminary binding site plan approval, and**  
73 **flexibility through development agreements.**

74 A. The city shall approve, approve with conditions, disapprove or return to the applicant for  
75 modification all binding site plans within 90 days from the date of filing thereof unless the  
76 applicant consents to an extension of time; provided, that if an environmental impact statement  
77 (EIS) is required pursuant to Chapter [43.21C](#) RCW, or other environmental studies required for a  
78 determination of nonsignificance, or if a variance or other similar applications are required, the  
79 90-day period shall not include time spent preparing and circulating a required EIS, or the time  
80 required for processing the other application(s).

81 ~~B. The applicant shall have three years from the date of preliminary approval to submit to the~~  
82 ~~city a final binding site plan meeting all requirements of this chapter. Failure to do so will result~~  
83 ~~in the expiration of preliminary binding site plan approval. However, an applicant who files a~~  
84 ~~written request with the mayor's office at least 30 days before the expiration shall be granted one~~  
85 ~~one-year extension upon a showing that the applicant has attempted in good faith to submit the~~  
86 ~~final binding site plan within the three-year period.~~

87 ~~BC.~~ Approval of a preliminary binding site plan by the mayor is approval of the proposed  
88 binding site plan's design, and relationship with adjoining property. The engineering,  
89 construction and installation of improvements and final detail shall be subject to approval of the  
90 public works director. Approval of the preliminary binding site plan shall authorize the applicant  
91 to proceed with the preparation of the final binding site plan in conformance with the approved  
92 preliminary binding site plan and the conditions stipulated. Upon the approval of detailed  
93 construction plans by the public works director, construction and installation of the  
94 improvements may proceed.

95 ~~C. The applicant shall have three years from the date of preliminary approval to submit to the~~  
96 ~~city a final binding site plan meeting all requirements of this chapter. Failure to do so will result~~  
97 ~~in the expiration of preliminary binding site plan approval. However, an applicant who files a~~  
98 ~~written request with the mayor's office at least 30 days before the expiration shall be granted one~~  
99 ~~one-year extension upon a showing that the applicant has attempted in good faith to submit the~~  
100 ~~final binding site plan within the three-year period.~~

101 ~~D. Binding site plan timing may be revised for flexibility when associated with an approved~~  
102 ~~development agreement. When associated with an approved development agreement, time limits~~  
103 ~~for preliminary and final binding site plan must be established at the time of preliminary binding~~  
104 ~~site plan approval. The city may require the applicant to submit a single preliminary binding site~~  
105 ~~plan showing the full extent of the project. The city may approve several subsequent final~~  
106 ~~binding site plans to be recorded in phases. In no case shall the time frames for the binding site~~  
107 ~~plan exceed the time frames of the development agreement.~~

108

109 **Section 5: Chapter 21.29 Development Agreement Amendments**

110

111 **21.29.010 Purpose.**

112 Certainty in the development review process can significantly encourage development or  
113 redevelopment of real property. This certainty is especially important for large-scale or  
114 multiphase developments that take years to complete and that require substantial financial  
115 commitments at an early stage. The city may, when appropriate, enhance certainty by entering  
116 into a development agreement with a project sponsor that addresses the “ground rules” for  
117 review of the development application and construction of the project. A development agreement  
118 provides the opportunity for the city and the developer to agree on the scope and timing of the  
119 project, applicable regulations and requirements, mitigation requirements and other matters  
120 relating to the development process. A development agreement promotes the general welfare by  
121 balancing the public and private interests, providing reasonable certainty for a development  
122 project, and addressing other matters, including reimbursement over time for the financing of  
123 public facilities.

124 **21.29.020 Authority.**

125 **A.** Pursuant to RCW 36.70B.170 through 36.70B.210, the city council may approve and enter  
126 into a development agreement with any person, partnership, corporation or other entity that  
127 controls real property within the city or within the city’s urban growth area.

128 **B.** The city council may approve and enter into a proposed development agreement if the council  
129 finds, in its sole discretion, that the proposed agreement is consistent with the city’s  
130 comprehensive plan, the development regulations and the purpose of this chapter, and that  
131 entering into the agreement is in the city’s best interest.

132 **21.29.030 Agreement contents.**

133 A proposed development agreement shall, at a minimum, include provisions required by  
134 RCW 36.70B.170 through 36.70B.210, and shall set forth the development standards and other  
135 provisions that shall apply to and govern the use and development of the real property for the  
136 duration specified in the agreement. An agreement may also contain such other provisions as the  
137 city and the property owner or person controlling the property may mutually agree on, such as,  
138 but not limited to, the financing for or timing of mitigation and the vesting of development  
139 rights. A development agreement shall be consistent with applicable development regulations,  
140 including this chapter.

141 **21.29.040 Public notice.**

142 **A.** The applicable department director shall distribute the notice at least 20 calendar days  
143 before the hearing in the following manner:

- 144 1. Publishing the notice in the official newspaper of the city (LMC 1.08.010);
- 145 2. Posting the notice at the official posting place(s) of the city (LMC 1.12.010) and at  
146 the subject property so that the notice is readable from all adjacent public streets; and

147 3. Mailing the notice by regular mail to owners of property within at least 600 feet of the  
148 boundary of the subject property.

149 B. The notice requirement(s) of this section shall be satisfied by substantial compliance with  
150 such requirements.

151 **21.29.050 Public hearing.**

152 A. Prior to acting on a proposed development agreement, the city council shall hold a public  
153 hearing on the proposed agreement, at which time all those wishing to speak shall be heard. The  
154 applicable department director shall prepare a notice of the public hearing that contains the  
155 following:

- 156 1. Name of the property/project to which the agreement would apply;
- 157 2. Street address and/or a description of the property in nonlegal terms;
- 158 3. Statement that a development agreement is proposed for the subject property and  
159 reference to this chapter;
- 160 4. Brief summary of the proposed development agreement;
- 161 5. Date, time and place of the hearing; and
- 162 6. Statement of the right of any person to participate in the hearing.

163

164 ~~21.29.070 Decision criteria.~~

165 ~~The city council may approve and enter into a proposed development agreement if the council~~  
166 ~~finds, in its sole discretion, that the proposed agreement is consistent with the city's~~  
167 ~~comprehensive plan, the development regulations and the purpose of this chapter, and that~~  
168 ~~entering into the agreement is in the city's best interest.~~

169 **21.29.090 Recording.**

170 ~~The applicant shall be responsible to record the agreement with the Snohomish County pursuant~~  
171 ~~to RCW 36.70B 190. The development agreement shall include a provision that requires the~~  
172 ~~applicant to record the agreement with the Snohomish County Auditor's Office.~~

173 **21.29.100 Mobile home park preservation.**

174 The owner of an existing mobile home park that is identified in policy MH-1 of the  
175 comprehensive plan may preserve the mobile home park pursuant to a development agreement  
176 that:

177 A. Is processed and approved in accordance with this chapter;

178 B. Preserves and maintains the mobile home park for a minimum term of five years, which term  
179 shall renew automatically for additional periods as agreed to by the city and the owner, unless

180 the owner notifies the city and the residents and occupants of the mobile home park in writing of  
181 termination of the development agreement at least one year before the termination date;

182 C. Includes special rates for water, surface water and sewer service as set forth in this code;

183 D. Waives all permit, approval, processing and inspection fees for any construction or repair to  
184 maintain, operate or improve the mobile home park during the agreement period, and renewals  
185 thereof; and

186 E. Contains additional terms and conditions that are agreed to by the owner and the city council.

187 **21.29.200 Development agreement in the Regional Growth Center or City Center.**  
188 **Decision Criteria.**

189 ~~The City Council may utilize development agreements on properties located within the~~  
190 ~~designated Regional Growth Center as adopted by the Puget Sound Regional Council or the~~  
191 ~~Lynnwood City Center.~~

192 A. ~~Additional~~ Criteria for Approval. ~~For development agreements within the Regional Growth~~  
193 ~~Center and/or City Center, in addition to the criteria of LMC 21.29.070, t~~The City Council  
194 may enter into an agreement if the following criteria are met:-

195 1. The development agreement must be consistent with the comprehensive plan and  
196 any applicable subarea plan ~~the City Center Subarea or Regional Growth Center Plan;~~

197 2. The agreement must provide public benefits, including but not limited to those  
198 provided in LMC 21.29.200.C, that would not otherwise be achieved under the Code.;  
199 and

200 3. The City Council determines the agreement serves the public interest, including  
201 but not limited to achieving ~~the City Center Subarea~~ the comprehensive plan and any  
202 applicable subarea plan ~~or Regional Growth Center Plan~~ policies vision.;

203 4. The property is not zoned single-family residential;

204 5. The agreement must be consistent with the purpose of this chapter; and

205 6. Entering into the agreement is in the public's best interest.

206 B. Flexibility. The development agreement may provide flexibility to the following:

207 1. ~~Flexible~~ Development Regulations. The development agreement may provide  
208 flexibility in the development regulations by proposing alternative requirements as  
209 agreed to by City Council. In no case shall the development agreement allow uses  
210 that are not otherwise permitted under this title.

211 2. Public Infrastructure Requirements. The development agreement may allow  
212 modifications to public infrastructure standards to achieve project implementation.

- 213 3. **Timing.** The development agreement may provide flexibility in timing for any  
214 **division of land, land use, or construction permit review, approval, expiration, or**  
215 **extension requirements.**
- 216 C. **Public Benefits.** The City Council may seek to balance flexibility for development with  
217 additional public benefits by incorporating public benefit elements into the development  
218 agreement. The development agreement may include, but **is** not limited to, benefits such as  
219 the following:
- 220 1. **Sustainability.** The support of sustainability may be sought by including any of the  
221 following:
- 222 a. Green Building standards such as USGBC LEED or equivalent are incorporated  
223 into the development. The level of certification may be determined at time of  
224 development agreement approval.
- 225 b. Electric Vehicle Charging Stations are provided throughout the development  
226 and are made available to the public.
- 227 c. Greenhouse Gas (GhG) inventories are conducted annually and reported to the  
228 City of Lynnwood.
- 229 2. **Affordable Housing.** The development may be required to provide a portion of  
230 units to be affordable units. The range of income qualifications, number of units, and  
231 term length shall be determined at time of development agreement approval;
- 232 3. **Park and Open Space.** Development may be required to dedicate a portion of land  
233 for the use of parks and open space as consistent with the adopted ~~Pparks-,  
234 Rrecreation, Oopen Sspace Pplan and/or city center parks plan~~ **or any other applicable**  
235 **parks plan.** Land dedication may be used to offset Park Impact Fees per LMC 3.107;
- 236 4. **Economic Benefits.** The City Council may require an Economic Benefits Analysis  
237 to be conducted prior to or following the adoption of the development agreement;
- 238 5. **Public Infrastructure.** The development agreement may outline public  
239 infrastructure improvements that ~~serve the City Center and~~ are provided by the  
240 developer. These projects may be credited to applicable service, connection, or  
241 impact fees;
- 242 6. **Public Art and Placemaking.** The development agreement may outline elements  
243 of public art and other placemaking methods that exceed currently adopted  
244 requirements; or
- 245 7. **Other Public Benefits.** The agreement may include other public benefits as  
246 proposed by an applicant and approved by the City Council.

247

248 **21.29.300 Previously Approved Land Use Agreements.**

249 Previously approved land use agreements including, but not limited to, contract rezones and  
250 concomitant zoning agreements are repealed following the approval of a Development  
251 Agreement. Any future changes to an approved contract rezone, concomitant zoning agreement,  
252 or similar land use agreement, shall be adopted as a Development Agreement.

253

254 Section 6. Effective Date: This ordinance or an approved summary thereof consisting of its  
255 title shall be published in the City’s official newspaper of record and shall take effect and  
256 be in full force five days following its publication.

257

258

259 Section 8. Severability. If any section, sentence, clause or phrase of this ordinance should  
260 be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or  
261 unconstitutionality shall not affect the validity or constitutionality of any other section, sentence,  
262 clause or phrase or word of this ordinance.

263

264

265

PASSED BY THE CITY COUNCIL THIS XX day of XXXXXXXX 2020.

267

268

APPROVED:

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270

271

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\_\_\_\_\_  
Nicola Smith, Mayor

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ATTEST/AUTHENTICATED:

APPROVED AS TO FORM:

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Sonja Springer, Finance Director

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Rosemary Larson, City Attorney

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PASSED BY THE CITY COUNCIL:

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PUBLISHED:

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EFFECTIVE DATE:

286

ORDINANCE NUMBER:

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288



**Topic: Land Use Extension Ordinance**

Agenda Item: D.2

**Staff Report**

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

Staff Contact: Kirk Rappe, Planner, Community Development

**Summary**

Some land use approval types have completion deadlines in the Lynnwood Municipal Code that during this economic downturn may be difficult for some applicants to meet. The proposed ordinance would extend the deadlines an additional 1 year (365 days) for certain approvals. It will also extend recording deadlines for Accessory Dwelling Units from 10 to 30 days.

**Background**

The current economic downturn and uncertainty over when the Covid-19 pandemic will end has highlighted to staff some city-mandated land use deadlines that may be difficult for property owners and developers to meet.

City code provides 2 to 3 years, depending on land use application types, for applicants to complete infrastructure improvements or complete work permitted. Some land use approvals include an optional 1-year extension if approved by the Mayor or Community Development Director. Despite having up to 3 or 4 years to complete projects, construction material supply chain disruptions, financing challenges, and contractors struggling with workforce challenges means projects have been slowed.

Accessory Dwelling Unit (ADU) recording deadlines in our code are also more difficult to meet with county offices closed. Recording documents with the county requires mailing hard copies to Snohomish County records and awaiting processing.

Snohomish County, Lake Stevens, and Bothell are just a few governments that have passed similar extensions.

The ordinance proposes that land use extensions that have already received an approved extension by the Mayor or Director will automatically be extend an additional 1-year (365 days). It will also extend the ADU recording deadline from 10 to 30 days.

**Previous Planning Commission / City Council Action**

Planning Commission reviewed and commented on the draft ordinance at the August 13, 2020 Work Session.

**Adm. Recommendation**

Hold a public hearing. After assessing public comment, vote on recommending the ordinance for Council action.

**Attachments**

Draft Land Use Expiration Extension Ordinance



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

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LYNNWOOD, WASHINGTON, IN RESPONSE TO THE COVID-19 PANDEMIC, POSTPONING EXPIRATION OF LAND USE APPROVALS AND APPROVED LAND USE ACTIONS, AND EXTENDING DEADLINES FOR RECORDING ACCESSORY DWELLING UNITS WITH SNOHOMISH COUNTY; PROVIDING FOR SEVERABILITY; ESTABLISHING AN EFFECTIVE DATE; AND PROVIDING FOR SUMMARY PUBLICATION.**

WHEREAS, the World Health Organization has determined that a pandemic exists due to the global spread of the highly contagious virus commonly known as Covid-19; and

WHEREAS, a state of emergency has been declared by federal, state, county and municipal governments in response to the Covid-19 pandemic; and

WHEREAS, on May 4, 2020 Governor Jay Inslee (“governor”) released a 4-phase, county-by-county “Safe Start” reopening plan; and

WHEREAS, on June 6, 2020 Snohomish County progressed to Phase 2; and

WHEREAS, as of June 30, 2020 cases of Covid-19 have continued to increase in Snohomish County and Snohomish County Executive Dave Somers stated that Snohomish County may need to slow or reverse the phased reopening; and

WHEREAS, land development and construction activities, though exempted from the governor’s Stay Home – Stay Healthy Order, are experiencing disruption in the construction material supply chain and difficulties in completing work with required social distancing rules; and

WHEREAS, Snohomish County recording offices are closed for walk-up service requiring mailing of documents for processing, delaying recording; and

WHEREAS, Lynnwood Municipal Code Title 19 and 21 imposes certain time limitations on completion of infrastructure improvements, submittal of final applications to the City of Lynnwood (“City”), and recording of documents with Snohomish County; and

WHEREAS, the expiration of approved land use permits can have a significant financial impact to property owners and developers, and also adversely affect financial institutions and investors that have provided financing; and

WHEREAS, the Lynnwood Municipal Code allows one-time extensions to the expiration of land use approvals, but the existing time extensions may be insufficient due to the unknown rate at which the phased reopening will continue and prolonged economic downturn; and

WHEREAS, the City Council wishes to encourage a continuation of property development activity delayed by the emergency restrictions and the uncertain timeline of the phased reopening plan through postponement of the deadlines and expiration dates for land use applications and certain recordings; and

1 WHEREAS, pursuant to WAC 197-11-880 and LSMC Chapter 16.04, the adoption of this  
2 ordinance is exempt from the requirements of a threshold determination under the State  
3 Environmental Policy Act (SEPA); and

4 WHEREAS, the proposed official control will promote the public health, safety, morals,  
5 or general welfare, and it is consistent with the goals and polices of the Comprehensive Plan;  
6

7 NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LYNNWOOD, WASHINGTON, DO  
8 ORDAIN AS FOLLOWS:  
9

10 Section 1: Findings. Upon consideration of the provisions of this Ordinance, the City Council  
11 finds that the amendments contained herein are: a) consistent with the comprehensive plan;  
12 and b) substantially related to the public health, safety, or welfare; and c) not contrary to the  
13 best interest of the citizens and property owners of the city of Lynnwood.  
14

15 Section 2: Purpose. The purpose of this ordinance is to temporarily extend the land use  
16 approval expiration deadlines and certain recording deadlines in Titles 19 and 21 of the  
17 Lynnwood Municipal Code.  
18

19 Section 3: Extension of Land Use Approval Deadlines.  
20

- 21 A. This section applies to all land use approvals with City-mandated expiration deadlines in  
22 Title 19 – Subdivisions and Title 21 – Zoning of the Lynnwood Municipal Code.
- 23 B. Any land use permit or development approval that is eligible for and received a one-  
24 time extension or is provided no applicable extension in the Lynnwood Municipal Code,  
25 has its expiration deadline extended 365 days (1 year) from the current expiration date.
- 26 C. As of the effective date of this ordinance any land use permits or development  
27 approvals that are eligible for a one-time extension but have not yet applied for an one-  
28 time extension, must apply for and receive approval for a one time extension before  
29 being automatically extended per part B, above.  
30

31 Section 4: Extension of Accessory Dwelling Unit Recording Deadline.  
32

- 33 A. This section applies to all Accessory Dwelling Unit approvals as described in LMC  
34 21.42.100.G.
- 35 B. The 10-day recording deadline in LMC 21.42.100.G.e. is hereby extended to 30 calendar  
36 days from notice of approval.  
37

38 Section 6. Effective Date: This ordinance or an approved summary thereof consisting of its  
39 title shall be published in the City’s official newspaper of record and shall take effect and  
40 be in full force five days following its publication.  
41

42 Section 7: Expiration. The temporary controls adopted herein shall be in effect for a  
43 period of twelve (12) months from the effective date of this Ordinance and shall automatically

1 expire after a period of 12 months, unless otherwise superseded by action of Council,  
2 whichever occurs first. Because these are temporary regulations it shall not be codified.

3  
4 Section 8. Severability. If any section, sentence, clause or phrase of this ordinance should  
5 be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or  
6 unconstitutionality shall not affect the validity or constitutionality of any other section,  
7 sentence, clause or phrase or word of this ordinance.  
8  
9

10  
11 PASSED BY THE CITY COUNCIL THIS XX day of XXXXXXXX 2020.  
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14 APPROVED:

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18 Nicola Smith, Mayor

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20 ATTEST/AUTHENTICATED:

21 APPROVED AS TO FORM:

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29 PASSED BY THE CITY COUNCIL:  
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32 ORDINANCE NUMBER:

**Topic: Housing Action Plan****Staff Report**

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

Staff Contact: Kristen Holdsworth, AICP, Senior Planner, Community Development

**Summary**

Staff will brief the Planning Commission on the City of Lynnwood's plan to create a Housing Action Plan. The Diversity, Equity, and Inclusion and Human Services Commissions have been invited to join. This meeting is intended to serve as a time for the Commissioners to learn about the Housing Action Plan, discuss together, and provide feedback to staff.

At the meeting staff will provide an update on the following topics:

- Overview of the Housing Action Plan project
- Recap of existing housing efforts (within Lynnwood and regionally)
- Review Housing Needs Assessment report
- Online Open House (August 24 – Sept 21 with 2 live meetings August 25 and 26)
- Next steps

**Project Background, Scope, and Public Engagement Plan**

In Fall 2019, the City of Lynnwood applied for and received a \$100,000 grant from the Department of Commerce (under ES2HB 1923) to develop a Housing Action Plan. The Housing Action Plan will identify strategies and implementing actions that promote more housing diversity, affordability, and access to opportunity for residents of all income levels. The Plan will address current and future housing needs.

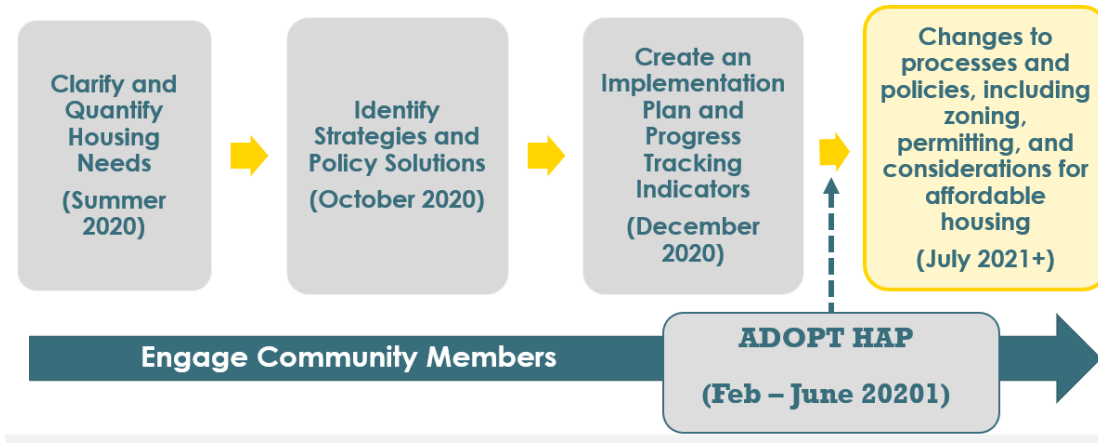
A detailed background of the Housing Action Plan, Project Scope, and a summary of Public Engagement efforts are available in the June 25, 2020 staff report to the Planning Commission (attached).

To learn more about the Housing Action Plan, visit the project website at [lynnwoodwa.gov/housingactionplan](http://lynnwoodwa.gov/housingactionplan) or view the [Project FAQ handout](#) (attached). The website also includes several resource documents for background information (under the "Documents" dropdown).

**Housing Action Plan Development**

The following image provides an overview of the process to create Lynnwood's Housing Action Plan, along with our anticipated project timeline.

**Image 1. Steps to Develop a Housing Action Plan**



First, it is important to identify Lynnwood’s housing conditions and needs prior to identifying strategies and solutions. A Housing Needs Assessment is a report that identifies existing and future housing needs to serve all economic segments of the community. It is developed using the best available data as well as input from community members. We are releasing the Housing Needs Assessment for public review and feedback on August 24. The Housing Needs Assessment is discussed further in the next section of this staff report.

We are also working on a Policy and Code Audit to identify what is working well to support housing productions, and where there are barriers. This report will be completed in September and will help identify potential changes that may help increase housing production. We will share this report once it is complete.

Then, we will transition to evaluating strategies and policy solutions that are most likely to result in the kinds of housing that are in greatest need in Lynnwood. The City will continue our public engagement process to help identify what should be considered for inclusion in the Housing Action Plan. The Housing Action Plan will identify responsible parties, timelines, steps for implementation, and potential funding sources. It is important to remember that the Housing Action Plan is a strategy document. The plan itself does not enact changes – it identifies changes to be made. If Council chooses to adopt the Housing Action Plan, the City will then continue public engagement to enact and implement changes.

### **Housing Needs Assessment (HNA) Report**

A Housing Needs Assessment report includes an analysis of who lives in Lynnwood (as well as future population projections), who works in Lynnwood, what type of housing is available, and where gaps exist. It provides a foundation to support informed decision making and guide the use of limited resources.

We received feedback on a draft Housing Needs Assessment from our Stakeholder Advisory Group and are working to incorporate their feedback. We will send you a copy of the Housing Needs Assessment on August 24.

At the upcoming Planning Commission meeting staff will present an overview of the Housing Needs Assessment. Below are some of the gaps that the report identifies in Lynnwood's housing market:

- Annual production of housing units from 2013-2020 averaged 291 units—Lynnwood needs annual average of 393 units to meet estimated growth by 2044.
- In 2010, half of households could afford an average-priced apartment without cost burden—by 2018 only 38% of households could afford the same apartment without cost burden.
- Estimated costs to buy a home based on 2019 values indicate that less than 20% of Lynnwood households can afford to purchase an average priced home without assistance.
- Workers in Lynnwood face difficulties obtaining affordable housing in the private market. In 2019, the average monthly rent for an apartment was \$2,001. To avoid cost burden, a household would need to earn \$80,040 annually to afford this rent.

The Housing Needs Assessment also includes 7 takeaways about Lynnwood:

1. White and Black, Indigenous, and People of Color (BIPOC) residents typically live in separate communities.
2. Lynnwood's current housing stock lacks housing type variety.
3. The pace of housing unit construction needs to accelerate to meet expected future demand.
4. Housing costs are rising faster than incomes.
5. Homeownership is out of reach for a growing proportion of residents, with the largest gaps for Black, Indigenous, and People of Color (BIPOC) communities.
6. Almost 40% of Lynnwood's population is cost-burdened.
7. Many renters qualify for housing assistance but lack access to subsidized housing.

### **Online Open House (August 24 – September 21)**

The City of Lynnwood is committed to being a safe, welcoming, and equitable community for all. When community members provide input on housing needs and potential solutions, the City can create a plan that better reflects everyone's values, interests, needs, and wants.

Meaningful public engagement is an important component of this project. Starting next week (August 24), the City is hosting an online open house to hear from the community as the Housing Action Plan is developed.

The Online Open House consists of 2 Online Meetings (**Tuesday, August 25 from 6:00 – 8:00 pm** and **Wednesday, August 26 from 3:00 – 5:00 pm**) and an interactive website that will be available from **August 24 through September 21**.

## **Open House Meetings**

You are invited to join the online open house meetings (which occur the two days before the Planning Commission meeting). Both Online Meetings will follow the same format. They will start with a short presentation on Lynnwood's housing needs and efforts to develop a housing strategy that creates housing opportunities for all residents. Meetings will also include a time for questions from the public and responses from City staff.

How to attend the Online Open House Meetings (the same links will be used for both meetings):

- Zoom: <https://lynnwoodwa.zoom.us/j/93630132992>
- Phone: (253) 215-8782, Webinar ID 936 3013 2992
- Facebook Live: <https://www.facebook.com/LynnwoodWA>

## **Open House Website**

The Open House Website will provide information about the plan, the Housing Needs Assessment report, surveys, and other opportunities to provide feedback. It will also include a recording of the meetings after they occur. A link to the Open House Website will be posted to the following website on August 24:

[lynnwoodwa.gov/housingactionplan](http://lynnwoodwa.gov/housingactionplan).

## **Next Steps**

The immediate next steps for this project include:

1. Online Open House ([lynnwoodwa.gov/housingactionplan](http://lynnwoodwa.gov/housingactionplan))
2. Finish Policy and Code Audit (September 2020)
3. Develop Project Goals and Objectives (September 2020) and begin identifying strategies to address housing needs
4. Continue Stakeholder Advisory Group meetings, Council Policy Committee meetings, Planning Commission presentations, and City Council updates.

## **Attachments:**

- Planning Commission staff report from June 25, 2020
- Project FAQ Handout
- Housing Needs Assessment (will be sent on August 24, 2020)



**Topic: Housing Action Plan****Staff Report**

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

Staff Contact: Kristen Holdsworth, AICP, Senior Planner, Community Development

### Summary

This meeting will brief the Planning Commission on the City of Lynnwood's plan to create a Housing Action Plan. Staff is seeking feedback on next steps and to identify potential stakeholders for the outreach and engagement process. The following will be discussed at the meeting:

- Overview of housing in Lynnwood
- Planning efforts to-date
- Public engagement strategies
- Next steps

### Background

In mid-2019 the Community Development Department presented the Lynnwood Housing White Paper to Planning Commission and City Council. The Lynnwood Housing White Paper was a preliminary assessment of the city's housing needs as well as existing programs and policies to address housing affordability. The City Council affirmed housing as a priority and requested that City staff continue pursue efforts to address housing affordability. *(Note: The Lynnwood Housing White Paper was previously provided to the Planning Commission. This document, as well as several other background documents, are available on the City's website at <https://www.lynnwoodwa.gov/housingactionplan> under the "Documents" dropdown.)*

In Fall 2019, the City of Lynnwood applied for and received a \$100,000 grant from the Department of Commerce (under ES2HB 1923) to develop a Housing Action Plan. The Housing Action Plan will comprehensively ensure that a variety of housing is available and affordable for people of all income levels in Lynnwood. The Plan will address current housing needs as well as those of the projected future population.

Lynnwood's Housing Action Plan is:

- An actionable policy document that outlines how to meet all of Lynnwood's housing needs.
- Based on data and analysis vetted and grounded through an inclusive and robust public process.
- A comprehensive approach to leverage resources and implement cohesive, effective, and feasible housing strategies tailored to the Lynnwood community.

- Tailored to the housing needs of the Lynnwood community to ensure decent, safe, and affordable housing for all.

In January 2020 the City released a Task Order to its on-call consultants to assist with the Housing Action Plan. In February 2020 the City contracted with BERK (consulting firm) to assist in development of the City's Housing Action Plan.

The Department of Commerce grant funding began in February 2020 and ends June 2021. As a condition of the grant, if the City does not adopt a Housing Action Plan by June 2021 it will forfeit \$30,000 dollars in reimbursement of consultant work.

To learn more about the Housing Action Plan, visit the project website at [lynnwoodwa.gov/housingactionplan](http://lynnwoodwa.gov/housingactionplan) or view the [Project FAQ handout](#) (attached).

### **Housing Action Plan Project Scope**

The Department of Commerce grant established a project scope. The scope is summarized as follows:

- Deliverable 1: Project Purpose Statement. This task includes a project kick-off meeting with the consultants and the establishment of a common understanding of the project. The task will create a Project Purpose Statement, which will be utilized during the initial phase of public outreach.
- Deliverable 2: Existing Conditions and Needs Analysis Report. This task includes a Housing Needs Assessment to identify future housing needs to serve all segments of the community. It will also include a review of the City's existing policies and programs to identify what is working and where gaps exist.
- Deliverable 3a: Public Engagement Plan. Meaningful public engagement is an important goal of this project. This task includes the creation of a Public Engagement Plan to identify robust opportunities for feedback from Lynnwood's diverse community members. The Public Engagement Plan will be utilized throughout the duration of the project.
- Deliverable 3b – Project Goals and Objectives. This task will combine feedback from the Existing Conditions and Needs Analysis Report (Deliverable 2) to identify the draft Housing Action Plan's goals and objectives.
- Deliverable 4 – Draft Housing Action Plan. This task will develop strategies to increase housing supply and preserve naturally occurring affordable housing. Strategies will increase affordability, stabilize or reduce housing costs, and minimize displacement.
- Deliverable 5 – Final Housing Action Plan. This task will include revisions to the draft Housing Action Plan and final formatting of the Housing Action Plan for Council consideration. An adopted Housing Action Plan

must be submitted to the Department of Commerce by June 2021 in order to receive the final \$30,000 of the grant.

Tasks 1 and 3a have been completed. Tasks 2 and 3b are currently underway.

### **Public Engagement**

The goal of the Lynnwood Housing Action Plan is to address housing for all of the community's diverse needs. Meaningful public engagement is an important goal of this project.

We have created a Public Engagement Plan, which is a working document that identifies stakeholders, outreach techniques, and robust engagement options to increase community awareness and gather feedback throughout the planning process. This will inform housing policies that more accurately and equitably reflect the diverse values and needs of the community.

As the project evolves, public outreach and engagement will be adjusted as needed to ensure the development of the best plan for Lynnwood. Given the changes we are experiencing in our community related to COVID-19 and the Stay Home order, the City is adapting its engagement approach to support social distancing.

The Public Engagement Plan includes five main strategies for public engagement:

1. **Outreach and Communications.** This task includes general outreach and communication efforts designed to reach a broad set of community members. The primary goal is to inform community members of the City's efforts to review and update the City's housing policies through the Housing Action Plan. Examples include a project website, print and social media, branding, and public notices.
2. **Community Stakeholder Engagement.** This task includes stakeholder interviews, open houses (in person and hosted via an online platform), community events, focus group discussions, and a Stakeholder Advisory Group. The Housing Action Plan is required to be developed with participation and input from community members, community groups, local builders, local realtors, nonprofit housing advocates, and local religious groups (RCW 36.70A.600(2)(f)). The Stakeholder Advisory Group fulfills grant requirements and will review and provide recommendations to City staff, the consultant team, and the Housing Policy Committee. The kick-off meeting for the Stakeholder Advisory Group was on June 3.
3. **Boards and Commissions.** The Community Development Department will coordinate with city-appointed boards and commissions to provide status updates and obtain feedback regarding the direction of the project. The Planning Commission will serve as the primary Commission since they will be reviewing the plan and providing a recommendation prior to

its presentation to Council. Housing policy overlaps with many of the efforts from the Diversity Equity, and Inclusion Commission as well as the Human Services Commission. The Diversity Equity and Inclusion Commission and Human Services Commission will be invited to attend Planning Commission meetings to provide input throughout the project.

4. **City Council.** The City Council has prioritized housing as a policy topic for 2020. The Community Development Department presented a summary of housing efforts to date and an overview of the Housing Action Plan grant at the 2020 Council Retreat. The Community Development Department is also a member of the Council Housing Policy Committee. The Community Development Department is committed to working with the Council throughout the creation of the Housing Action Plan.
5. **Coordination with Other Jurisdictions.** The Community Development Department will continue coordination with neighboring jurisdictions to address housing affordability regionally and to share lessons learned.

### **Next Steps**

The immediate next steps for this project include:

1. Public launch of the project, including Lynnwood Today mailer, emails, website ([lynnwoodwa.gov/housingactionplan](http://lynnwoodwa.gov/housingactionplan)), and a survey in English, Spanish, and Korean (available via the website)
2. Develop Existing Conditions and Needs Analysis Report (Housing Needs Assessment and evaluation of existing City housing policies and programs)
3. Continue Stakeholder Advisory Group meetings, Planning Commission presentations, and City Council updates.

### **Attachment:**

- [Housing Action Plan FAQ](#)



The City is creating a Housing Action Plan to make sure that a variety of housing is available and affordable for people of all incomes in Lynnwood. The Plan will address current and future housing needs. When complete in early 2021, Lynnwood's Housing Action Plan will be a roadmap to help the City implement housing policies, programs, and strategies.

Lynnwood's Housing Action Plan is:

- An actionable policy document that outlines how to meet all of Lynnwood's housing needs.
- Based on data and analysis vetted and grounded through an inclusive and robust public process.
- A comprehensive approach to leverage resources and implement cohesive, effective, and feasible housing strategies tailored to the Lynnwood community.
- Tailored to the housing needs of the Lynnwood community to ensure decent, safe, and affordable housing for all.

## Get Involved

The City wants the housing strategies to be based on community members' knowledge and experiences. The Housing Action Plan will be shaped by prior planning efforts, data, analysis, and an inclusive public process. In response to public health considerations for COVID-19, in-person community events are postponed until further notice. However, there are other ways to be involved:

- **[Stay tuned!](#)** Check the project webpage for more opportunities to share your perspectives as this project continues: <https://www.lynnwoodwa.gov/HousingActionPlan>
- **[Share your housing story.](#)** Help kick off the project by telling us about your experience living or working in Lynnwood. Your input will help us develop a Plan based on first-hand input

from the community it will serve. The survey can be accessed from the project website or at <https://makers.mysocialpinpoint.com/lynnwoodhap>.

- **Sign up** to receive email announcements about this project. Go to the project website to sign up for "Housing Action Plan" updates. If you already receive City of Lynnwood emails, be sure to update your preferences.

## Frequently Asked Questions

### What is a Housing Action Plan (HAP)?

A Housing Action Plan (HAP) is a policy document and implementation guide that will develop clear, actionable strategies to meet current and future housing needs. Washington State law requires the HAP identify strategies to encourage construction of:

- A greater variety of housing types; and
- Housing at prices that are accessible to people with a wide range of incomes.

### Why is the City developing a HAP now?

1. Through a previous study, the City found that: Lynnwood is experiencing unprecedented growth;
2. A significant number (37%) of Lynnwood households spend a disproportionate amount of their income on housing; and
3. Most planned housing projects will not offer ownership opportunities.

While many housing policies and programs are already in place, there is a need for an updated coordinated housing strategy. To address these issues the City of Lynnwood applied for and received a \$100,000 grant from the Department of Commerce (under ES2HB 1923) to develop a HAP.

### How will the Housing Action Plan work with existing housing efforts?

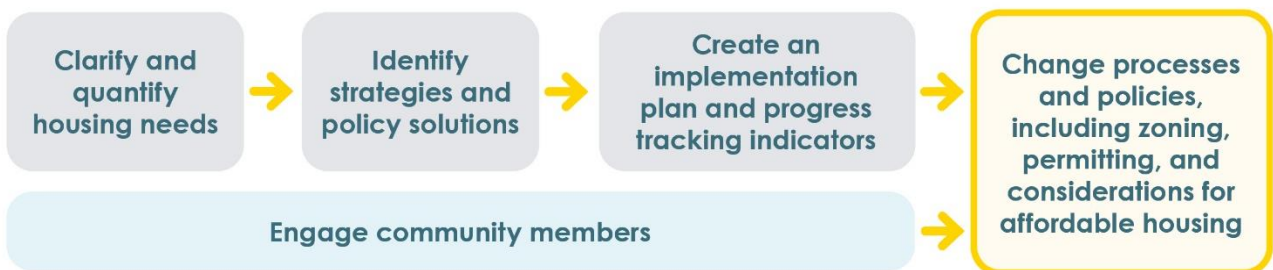
The HAP will optimize existing policies, create strategies to fill gaps, and present a unified housing vision. A robust HAP with effective and achievable policy recommendations will enable City leadership to target scarce resources. The HAP allows Lynnwood to thoroughly review policy options, provide recommendations, and confidently implement a path forward.

The HAP builds on several existing housing efforts to reduce duplication of work:

- **Comprehensive Plan.** HAP strategies will inform and further develop the Housing Element of the Comprehensive Plan, which State law requires be revised by 2024. The HAP will inform the Comprehensive Plan and result in more cohesive and effective planning.
- **Housing White Paper.** In July 2019, City staff developed a white paper titled “Housing in Lynnwood: A Review of Housing Trends, Conditions, and Programs.” The paper was presented to City Council for review and discussion. The need for an organized housing strategy was identified through this process.
- **Leveraging Resources.** In May 2020, City Council adopted legislation to accept funds from the state for affordable and supportive housing (HB 1406). HB 1406 is not a new tax. Rather, it allows cities and counties to receive a portion of the State’s share of sale and use tax (sales tax) revenue. The HAP will provide strategy and guidance on how to best utilize the HB 1406 funds.
- **Regional Housing Efforts.** Mayor Nicola Smith co-chaired the Snohomish County Housing Affordability Regional Taskforce (HART). On February 5, 2020, HART released a five-year Report and Action Plan for jurisdictions to collaboratively and proactively address housing affordability needs throughout Snohomish County. The HAP will evaluate the City’s current progress and future ability to further implement HART strategies. Community Development staff will also continue to coordinate, and share lessons learned with neighboring jurisdictions and housing groups, such as the Alliance for Housing Affordability (AHA).

## What is the process for developing the HAP?

The process will include assessing housing needs and market conditions; reviewing past studies and research on the topic; and gathering information and feedback through conversations with the community.



## When will the HAP be complete?

The Department of Commerce requires the HAP to be adopted by July 2021. The timeline below

identifies project milestones. The final Plan will detail next steps for implementation so the HAP's goals can be fully realized.

Public outreach and engagement are a critical part of developing the HAP. In response to public health considerations for COVID-19, in-person community engagement will be postponed until further notice, potentially impacting the timeline and some milestones.



## Who should participate in developing the HAP?

Lynnwood's community includes a wide range of residents and households with unique perspectives and challenges. The City wants to hear from you to develop the HAP so that the housing strategies will reflect all residents and be grounded in community members' knowledge of Lynnwood's strengths and challenges.

Broad community engagement in developing the HAP also helps ensure that the plan reflects housing needs that might not show up in statistical data, such as the quality of existing housing units.

## How can I learn more?

The Community Development Department is the project lead for the Housing Action Plan. Visit the project website at <http://lynnwoodwa.gov/housingaction> plan or reach out to the project manager Kristen Holdsworth, AICP, Senior Planner at [kholdsworth@lynnwoodwa.gov](mailto:kholdsworth@lynnwoodwa.gov) or 425-670-5409.





The City is creating a Housing Action Plan to make sure that a variety of housing is available and affordable for people of all incomes in Lynnwood. The Plan will address current and future housing needs. When complete in early 2021, Lynnwood's Housing Action Plan will be a roadmap to help the City implement housing policies, programs, and strategies.

Lynnwood's Housing Action Plan is:

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- **[Share your housing story.](#)** Help kick off the project by telling us about your experience living or working in Lynnwood. Your input will help us develop a Plan based on first-hand input

from the community it will serve. The survey can be accessed from the project website or at <https://makers.mysocialpinpoint.com/lynnwoodhap>.

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### Why is the City developing a HAP now?

1. Through a previous study, the City found that: Lynnwood is experiencing unprecedented growth;
2. A significant number (37%) of Lynnwood households spend a disproportionate amount of their income on housing; and
3. Most planned housing projects will not offer ownership opportunities.

While many housing policies and programs are already in place, there is a need for an updated coordinated housing strategy. To address these issues the City of Lynnwood applied for and received a \$100,000 grant from the Department of Commerce (under ES2HB 1923) to develop a HAP.

### How will the Housing Action Plan work with existing housing efforts?

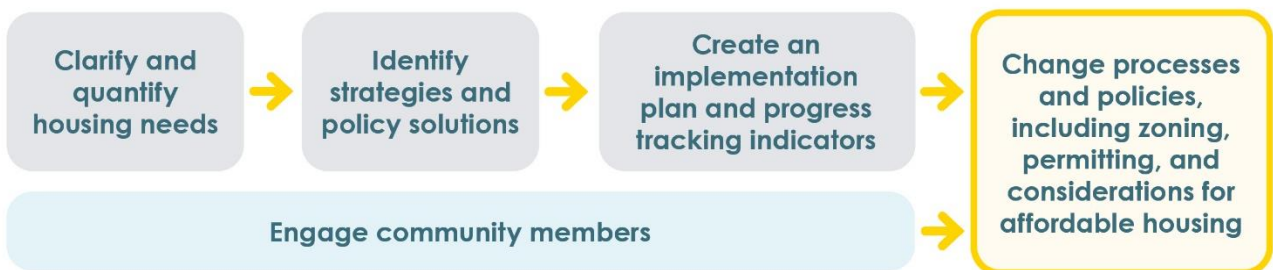
The HAP will optimize existing policies, create strategies to fill gaps, and present a unified housing vision. A robust HAP with effective and achievable policy recommendations will enable City leadership to target scarce resources. The HAP allows Lynnwood to thoroughly review policy options, provide recommendations, and confidently implement a path forward.

The HAP builds on several existing housing efforts to reduce duplication of work:

- **Comprehensive Plan.** HAP strategies will inform and further develop the Housing Element of the Comprehensive Plan, which State law requires be revised by 2024. The HAP will inform the Comprehensive Plan and result in more cohesive and effective planning.
- **Housing White Paper.** In July 2019, City staff developed a white paper titled “Housing in Lynnwood: A Review of Housing Trends, Conditions, and Programs.” The paper was presented to City Council for review and discussion. The need for an organized housing strategy was identified through this process.
- **Leveraging Resources.** In May 2020, City Council adopted legislation to accept funds from the state for affordable and supportive housing (HB 1406). HB 1406 is not a new tax. Rather, it allows cities and counties to receive a portion of the State’s share of sale and use tax (sales tax) revenue. The HAP will provide strategy and guidance on how to best utilize the HB 1406 funds.
- **Regional Housing Efforts.** Mayor Nicola Smith co-chaired the Snohomish County Housing Affordability Regional Taskforce (HART). On February 5, 2020, HART released a five-year Report and Action Plan for jurisdictions to collaboratively and proactively address housing affordability needs throughout Snohomish County. The HAP will evaluate the City’s current progress and future ability to further implement HART strategies. Community Development staff will also continue to coordinate, and share lessons learned with neighboring jurisdictions and housing groups, such as the Alliance for Housing Affordability (AHA).

### What is the process for developing the HAP?

The process will include assessing housing needs and market conditions; reviewing past studies and research on the topic; and gathering information and feedback through conversations with the community.



### When will the HAP be complete?

The Department of Commerce requires the HAP to be adopted by July 2021. The timeline below

identifies project milestones. The final Plan will detail next steps for implementation so the HAP's goals can be fully realized.

Public outreach and engagement are a critical part of developing the HAP. In response to public health considerations for COVID-19, in-person community engagement will be postponed until further notice, potentially impacting the timeline and some milestones.



## Who should participate in developing the HAP?

Lynnwood's community includes a wide range of residents and households with unique perspectives and challenges. The City wants to hear from you to develop the HAP so that the housing strategies will reflect all residents and be grounded in community members' knowledge of Lynnwood's strengths and challenges.

Broad community engagement in developing the HAP also helps ensure that the plan reflects housing needs that might not show up in statistical data, such as the quality of existing housing units.

## How can I learn more?

The Community Development Department is the project lead for the Housing Action Plan. Visit the project website at <http://lynnwoodwa.gov/housingaction> plan or reach out to the project manager Kristen Holdsworth, AICP, Senior Planner at [kholdsworth@lynnwoodwa.gov](mailto:kholdsworth@lynnwoodwa.gov) or 425-670-5409.