DESIGN REVIEW, CONDITIONAL USE PERMIT, SEPA

To
City of Lynnwood – Community Development

For
City of Lynnwood Justice Center

Dated
November 22, 2021

Project Number
2210388.00
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3. CRC Site Plan and Elevations
4. City Center Design Checklist
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7. Project Schedule – September 29, 2021
8. Electrical Fixture Cut Sheets
9. Existing Site Photographs
I. PROJECT SUMMARY

Applicant: Mackenzie
500 Union Street, Suite 410
Seattle, WA 98101

Owner: City of Lynnwood
PO Box 5008
Lynnwood, WA 98046

Site Address: 19321 44th Avenue W
Lynnwood, WA 98036

Assessor Site Acreage: 00740500110100 – 2.06 Acres
00372600500800 – 0.95 Acres
Total Site – 3.01 Acres

Zoning: CC-C – City Center Core

Comprehensive Plan: City Center

Adjacent Zoning: North: RS-8: Residential 8,400 square feet
Northwest portion: P-1: public
East: CC-C: City Center Core
South: CC-C: City Center Core
West: P-1 Public

Existing Structures: Lynnwood Civic Justice Center (western portion)

Related Projects: CUP/DR Application EPF-009677-2020,
Building Application BLDC-027069-2021

Request: Consolidated review for design review, conditional use permit, and
SEPA approval for a new 9,910 square foot addition for a recovery
center and a third level to the two-level parking structure previously
approved.

Project Contact: Michael Chen, Senior Planner
Mackenzie
500 Union Street, Suite 410
Seattle, WA 98101
206-582-2573
mchen@mcknze.com
II. INTRODUCTION

Description of Request

The City of Lynnwood is planning to construct a Community Recover Center (CRC), a new three-story (3) building within the approved Community Justice Center building footprint. The Community Justice Center approval was issued on May 17, 2021 under file number EPF-009677-2020. An additional level to the adjacent parking structure is also proposed to provide additional parking stalls to support the CRC. The addition of the Community Recovery Center to the expanded civic center campus is a direct response from state and local leaders alongside community groups to provide Lynnwood with quality behavioral health urgent care working alongside the City’s Police Department.

The consolidated processing of Design Review, Conditional Use Permit, and SEPA seeks an approval that will allow the City of Lynnwood to expand their civic center campus to serve the growing community.

Existing Site & Surrounding Land Use

The site consists of two (2) city-owned lots. The western lot is developed and serves as the existing Justice Center. The lot on the east is under construction for the previously approved renovation and expansion of the Justice Center. Existing, new and proposed development on these two parcels is commonly referred to as the civic center campus.

The existing Justice Center is a two-story structure and was built in 1985. The footprint of the building is about 14,740 square feet. The first floor has a base floor area of about 14,573 SF. The second floor is about 8,965 SF. Parking wraps around the west tax lot and there is a small parking lot on the east side of the building.

The site is zoned City Center Core. Adjacent uses include residential and park uses to the north, a medical center to the east, retail and offices to the south, and park and library to the west.

<table>
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<tr>
<th>TABLE III-1 SURROUNDING ZONING AND LAND USE</th>
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<tr>
<td>Zone</td>
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<td>Site: City Center Core – (CC-C)</td>
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<td>North: Residential 8,400 SF – (RS-8)</td>
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<td>East: City Center Core – (CC-C)</td>
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<td>South: City Center Core – (CC-C)</td>
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<td>West: Public – (P-1)</td>
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Description of Proposed Development

The City of Lynnwood has approved plans to renovate and expand the existing Justice Center to accommodate court and jail functions as well as provide space for new programs and services. The City has also approved plans (BLDC-027069-2021) to construct a new building for the City’s Police Department on the vacant site next to the existing Justice Center. This proposal is to construct two additional stories on top of the ground level in the northeast section that was previously approved, within the same
footprint. The proposal also includes adding a level (38 stalls) to the approved two-level parking structure (finished total of three levels).
III. NARRATIVE & COMPLIANCE

Chapter 21.24 Conditional Use Permits

The issuance of any conditional use permit must be in accordance with procedures set forth in Process I, LMC 1.35.100 et seq. (Ord. 2020 § 12, 1994; Ord. 1789 § 4, 1990; Ord. 1530 § 2, 1986; Ord. 1425 § 1, 1984; Ord. 1358 § 5, 1983; Ord. 1151 § 7, 1980; Ord. 631 § 1, 1971; Ord. 522 § 2, 1969; Ord. 494 § 2, 1969)
Response: The proposed development and addition to the Lynnwood Justice Center intends to meet the provisions outlined within the City of Lynnwood Municipal Code and Comprehensive Plan. This standard is met.

21.24.100 Authority for issuance.
The hearing examiner may issue conditional use permits for any of the uses for which this title requires the obtaining of such permits, but not for any other use or purpose. In considering any conditional use permit, the hearing examiner shall prescribe any conditions that he/she deems to be necessary to or desirable for the public interest, and where appropriate may stipulate that the permit is temporary and establish an expiration date. However, no conditional use permit shall be granted unless it is found that:
A. The use for which such a permit is sought will not be injurious to the neighborhood or otherwise detrimental to the public welfare; and
B. It will be in harmony with the general purpose of this title.
The hearing examiner may allow relaxation of the development standards of this title if he/she finds that alternative amenities, improvements, proposed location of uses or structures, or other features incorporated into the proposal are in harmony with the general purpose of this title and would provide equal or better protection to the public interest than would the standards proposed to be relaxed. (Ord. 2441 § 8, 2003; Ord. 2020 § 12, 1994)
Response: The City of Lynnwood proposes to construct a three-story building within the previously approved footprint of the renovations and expansion to the Justice Center for the purposes of establishing a Community Recovery Center (CRC). The first floor footprint of the CRC was included in the approved site plan for the renovation and expansion of the Justice Center; this proposal is to construct an additional two stories within that dedicated footprint. The proposed development will enhance the existing Lynnwood civic center campus by adding additional operational areas and provide more parking within the revised three-story parking structure.

The growing community within the City of Lynnwood has created a need for additional services to support the increasingly high density residential and commercial development within the City Center Core. The proposed Community Recovery Center would be the first and only behavioral health urgent care and crisis stabilization facility in South Snohomish County. This zone is intended to create a strong identity for the Lynnwood city center, and the proposed medical use is consistent with the existing zoning. Multiple uses are allowed in this zone including, commercial, office, retail, residential and civic uses. The zone also promotes attractive streetscapes and urban green spaces. The proposal will allow expanded operations at the Lynnwood civic center campus to serve the public with behavioral health care. The CRC project is classified as a “Medical Service” and permitted within the City Center Core Zone, adjacent to a residential community to the north, continues the medical use to the east, and compliments the use of the current Justice Center and Municipal Court. The existing public facility abuts a residential zone to the north, which requires the need for a conditional use permit for the addition of the CRC and additional level to the previously approved parking garage. The development will complement the surrounding civic uses and increase public welfare, by creating a safe and secure facility and increase service to the community and residential zones within the City of Lynnwood.
21.24.150 General criteria for issuance of conditional use permit.

In determining findings, the hearing examiner shall take into account the character and use of adjoining buildings and those in the vicinity, the number of persons residing or working in such buildings or upon such land, traffic conditions in the vicinity, compliance with any special conditional use criteria for that specific use set forth in this chapter and all factors relevant to the public interest.

In case of rejection by the hearing examiner on any application processed, a six-month waiting period shall be necessary before reapplication. (Ord. 2441 § 8, 2003; Ord. 2020 § 12, 1994)

Response: The proposed CRC project will enhance the current operations of the Lynnwood Justice Center within the City Center-Core along 44th Avenue West and 194th Street Southwest, as behavioral health urgent care is a valued alternative resource to the Police Department. The existing Justice Center shares the property with the Lynnwood Municipal Court and is in close proximity to the Lynnwood Civic Center and Library across 44th Avenue. The recently approved two-story parking garage shares its parcel boundary with the local hospital. Other uses within the direct vicinity include retail, restaurants, law office, and single-family residential homes. Due to the growing population within the City of Lynnwood, additional and alternative intervention service needs by the police are needed and therefore support the high-density infrastructure within the City Center Core. The recently approved plans for the renovated justice center building and proposed CRC design and landscaping will reinforce the strong identity of the Lynnwood City Center.

The City Center Core Zone encourages access to and dense multi-modal transportation including an effort to support pedestrian movement and public transit service throughout the area. Based on the TIA prepared by Perteet November 18, 2021 (Attachment 6), the trip generation for the CRC was analyzed as a Nursing Home land use (“the CRC will be a live-in facility with treatment and medical services. The Nursing Home land use is the most applicable land use for this facility”). The trip generation rate for the Nursing Home is calculated per bed. Based on the Trip Generation Manual, the proposed CRC project is anticipated to add an additional four total trips during the PM peak hour, well below the 50 peak hour trip threshold. As trip generation associated with the CRC is expected to be similar to the trip potential of the existing buildings and uses, the transportation system is capable of safely supporting the proposed use.

The proposed addition to the civic center campus for the CRC and the parking garage will have adequate lighting and security features to protect the facility and members of the community. The proposed CRC building will enhance public safety due to the nature of its use as a behavioral health urgent care service. As part of the civic center campus, the site is designed with safety and security in mind, significant glazing is proposed around the main entry vestibule, which provides additional surveillance of the parking structure adjacent to the main entry. The main entry is oriented toward the entry plaza and parking structure facing east, not towards the existing residences along the northern boundary of the subject site; therefore, privacy will be maintained for adjacent residences north of the site.

Public outreach efforts and public meetings for the justice center renovation and expansion have been ongoing for the last several years, most recently for the addition of the CRC. Below is an outline of the outreach methods and timeline of each event. The City of Lynnwood Police Department has established a website as part of its outreach efforts some the community can learn more about the project: https://www.lynnwoodwa.gov/CJCproject.

Public Meeting - Council Actions to date:

- September 13, 2021 – Council Business Meeting Presentation – Build a Community Recovery Center on the site of the Community Justice Center.
- October 18, 2021 – Council Work Session – Discussion of proposed contract award for CRC design services.
- October 25, 2021 – Council Business Meeting – Contract award for CRC design services.

**Media:**

This criterion is met.

**21.24.200 Application, hearing and notice.**

Application for a conditional use permit shall be made on forms prescribed by the city, and shall be accompanied by the following information; provided, that the community development director may waive any of these items, pursuant to LMC 1.35.015(A), upon request by the applicant and finding that the item is not necessary to analyze the application:

A. A site plan of the property, drawn to scale, showing existing natural features, existing and proposed grades, existing and proposed utility improvements, existing and proposed rights-of-way and improvements, and existing and proposed structures and other improvements, and particularly identifying the location of parking for the proposed use; this site plan shall also show structures, other improvements and natural features that are located within 50 feet of the project site; this information may be shown on several sheets if needed for readability;

**Response:** The design review plan set dated November 22, 2021, contains the site plan, existing conditions, clearing and grading, utility, building elevations, and floor plan of the property and has been provided in this development application (Attachment 3). This standard is met.

B. A landscape plan, showing existing and proposed landscaping and fencing;

**Response:** A landscaping plan showing existing and proposed landscaping and fencing for the civic center campus has been previously approved with CUP/DR Permit EPF-009677-2020. This landscape plan is applicable for the proposed addition of the CRC. This standard is met.

C. A vicinity map, showing the location of the site in relation to nearby streets and properties;

**Response:** A vicinity map, showing the location of the site in relation to nearby streets and properties has been provided with this development application. This standard is met.

D. A written summary of the proposal, including the goals of the proposal, the section(s) of this municipal code which require approval of the application, and the relationship of the arrangement of buildings and other structures, parking, and landscaping to those goals and to development and use of adjoining properties;

**Response:** A summary of the proposal, which will include the goals of the project, the sections of the municipal code that apply specifically to this project, and the design of the development will be provided within this narrative to show how the proposed project will enhance the current operation of the Lynnwood Justice Center and its compatibility of the development with adjacent uses within the City Center -Core zoning district.
E. A summary table of project statistics, including site area, building coverage, coverage by impervious surface, required and proposed parking, and similar data, as required, to evaluate conformance of the proposed project with city regulations;

Response: A summary table of project statistics, including site area, building coverage, coverage by impervious surface, required and proposed parking, and similar data will be provided in a later section of this narrative in response to Chapter 21.60 City Center-Core (CC) Zone municipal requirements. The summary of the project statistics can also be found on the cover page of the design review plan set dated November 22, 2021.

F. A list of uses for which the conditional use permit is sought and the gross floor area or gross lot area that each use would occupy;

Response: A conditional use permit is sought after for the construction of the Lynnwood Community Recovery Center, which includes a 9,910 square foot two-story addition and additional level to the two-level parking structure, and is described within the Chapter 21.60 City Center District (CC) Zone section of this narrative.

G. A written description of the proposed operation of the use, including hours of operation, number of employees, and any proposed storage or use of hazardous materials;

Response: A written description of the current use and the proposed development will be described within the Chapter 21.60 City Center District (CC) Zone section of this narrative and Chapter 21.60 City Center District (CC) Zone section of this narrative.

H. A written statement addressing the decision criteria;

Response: Written findings addressing the decision criteria for project design review and conditional use permit will be described within this narrative. This standard is met.

I. A legal description of the property, including parcel number;

Response: A legal description of the property, including parcel number, has been provided within the design review plan set dated November 22, 2021.

J. A statement to the effect that the applicant or applicants are the sole owners of the property;

Response: The City of Lynnwood is the sole owner of the property. A Title Report of the parcels has been provided with this development application.

K. Photographs of the site;

Response: Photographs of the site have been provided within this development application (Attachment 9).

L. A completed SEPA checklist (for environmental review), unless the project is categorically exempt from SEPA review;

Response: A completed SEPA checklist and associated environmental studies have been provided as part of this application (Attachment 6). This standard is met.

M. A list of other permits that are or may be required for development of the property (issued by the city of by other government agencies), insofar as they are known to the applicant;

N. A list of other city permits that are to be processed concurrently with this permit, pursuant to LMC 1.35.080;

Response: The proposed project will require the procurement of several permits issued by several local and state agencies. The following is a list of the permits required:
City of Lynnwood
- Project Design Review, Conditional Use Permit, SEPA Environmental Checklist, Site Grading and Utility Permits, Commercial Building Permit, Mechanical, Electrical and Plumbing Permits

WA Department of Labor and Industries
- Elevator Permit

This standard is met.

O. Deposit funds or post bond for required fees and costs as set forth in Chapter 3.104 LMC;
Response: Deposit funds or post bond for required fees and costs are provided within this development application.

P. Exterior elevation of all existing and proposed structures;
Response: A comprehensive design review drawing set of exterior elevation have been provided for the proposed Community Recovery Center and parking structure addition. This standard is met.

Q. A colors and materials board showing all proposed colors and materials;
Response: A color and materials board has been provided in this application. This standard is met.

R. If the project is to be developed or occupied in phases, a schedule for each phase;
Response: The addition of the CRC will be Phase II of the renovation and expansion of the Justice Center. Construction of the CRC is anticipated to start July 2022. A schedule of each phase is enclosed as Attachment 8. This standard is met.

S. A list of all development standards for which the applicant is requesting relaxation, pursuant to this section, and an explanation of the reason or justification for relaxation of each standard.
Response: The proposed development will request a conditional use permit for the Community Recovery Center and parking structure addition. No additional relaxation of development standards is being pursued.

A conditional use permit application shall be processed in accordance with the procedures set forth in Process I, LMC 1.35.100 et seq. (Ord. 2656 §§ 1, 2, 2006; Ord. 2441 § 8, 2003; Ord. 2242 § 9, 1999; Ord. 2075 § 3, 1996; Ord. 2020 § 12, 1994; Ord. 1630 § 5, 1988; Ord. 1135 § 5, 1980; Ord. 522 § 2, 1969; Ord. 494 § 2, 1969)
Response: Per LMC 21.73.020, siting or expansion of local essential public facilities: A conditional use permit shall be required as provided in this section before any local essential public facility may be located or expanded within the city of Lynnwood, regardless of the zoning district in which such facility is or is proposed to be located. Therefore, the proposed Community Recovery Center and addition to the parking structure (LMC 21.02.318 Essential Public Facility) requires a Conditional Use Permit (Process I) and Design Review. When a proposal involves more than one application for the same property the component applications can be consolidated into one application package, to be reviewed through the highest-numbered procedure required. Therefore, the consolidated application package will be reviewed through a Process I decision that will include a public hearing and decision by the hearing examiner.

21.24.300 Expiration of conditional use permits.
Any conditional use permit which is issued and not utilized within two years from the effective date of the permit, or within such shorter period of time as may be stipulated by the hearing examiner, shall expire. In
order for a conditional use permit to be considered as being utilized, there shall be submitted to the city, by the applicant for the permit, a valid building permit application including a complete set of plans in the case of a conditional use permit for a use which would require new construction; an application for a certificate of occupancy and business license in the case of a conditional use permit which does not involve new construction; or, in the case of an outdoor use, evidence that the site has been and is being utilized in accordance with the terms of the conditional use permit. After a use has been established in accordance with the terms of the conditional use permit, a lapse of one year during which the premises are not used for the purposes provided for in the permit shall cause the permit to expire and be of no further consequence. Any conditional use permit approved prior to the enactment of this chapter shall expire two years from the date of approval by the hearing examiner unless the permit has been utilized as provided in LMC 21.24.100 through this section. (Ord. 2824 § 3, 2010; Ord. 2441 § 8, 2003; Ord. 2020 § 12, 1994; Ord. 522 § 2, 1969; Ord. 494 § 2, 1969)

**Response:** This is understood.

### 21.24.310 Extension.

Upon application of the applicant or agent of record, the community development director may extend a conditional use permit, not to exceed one year, if:

A. Unforeseen circumstances or conditions necessitate the extension of the conditional use permit; and

B. Termination of the conditional use permit would result in unreasonable hardship to the applicant, and the applicant is not responsible for the delay; and

C. The extension of the conditional use permit will not cause substantial detriment to existing uses in the immediate vicinity of the subject property.

D. Exception. Effective until June 1, 2010, the applicant or agent of record for any unexpired conditional use permit approval granted on or before the effective date of the ordinance codified in this section, or expired conditional use permit valid as of January 1, 2009, may submit a written application in the form of a letter with supporting documentation to the community development department requesting an additional one-time, one-year time extension. The extension for a currently unexpired conditional use permit shall be one year from the expiration date. The extension for an expired conditional use permit shall be valid for one year from the date of the retroactive extension approval. The director shall make a decision using the criteria set forth for extensions in this section. (Ord. 2824 § 4, 2010)

**Response:** No extension of the conditional use permit is anticipated to be pursued at this time. This does not apply.

### 21.24.400 Compliance with conditions of permit required.

The conditions of the permit shall be fully complied with, and upon failure to comply, the community development director may investigate and enforce the conditions of the conditional use permit in the same manner as an ordinance violation. The community development director may also initiate a hearing by the hearing examiner to determine the degree of noncompliance. Upon finding a substantial degree of noncompliance the hearing examiner may recommend to the city council that the permit be revoked. Should the hearing examiner recommend that the permit be revoked the city council shall consider the matter as though it were an appeal of the examiner’s decision in accordance with LMC 1.35.150 through 1.35.160. Continuation of the use after a permit has been revoked by the city council shall be considered an illegal occupancy and subject to each and every legal remedy available to the city. (Ord. 2441 § 8, 2003; Ord. 2020 § 12, 1994; Ord. 494 § 2, 1969)

**Response:** The proposed facility will comply with the provisions of the Lynnwood Municipal Code Chapter 21.24 Conditional Use Permit and Conditions of Approval appointed by the Hearing examiner. This standard is understood.
21.24.410 Secure community transition facility (SCTF).

A. The siting of an SCTF in the city of Lynnwood requires the issuance of a conditional use permit in accordance with the provisions of this chapter and section. The siting process and criteria for essential public facilities eligible for common site review described in the Capital Facilities and Utilities element of the Lynnwood Comprehensive Plan is hereby adopted as an optional process that may be elected by the sponsor of an SCTF in addition to the conditional use permit process required by this section. In considering the concentration of essential public facilities in the site evaluation criteria described in the Capital Facilities and Utilities element of the Lynnwood Comprehensive Plan, the essential public facilities to be considered are those listed in RCW 71.09.250(8). Any mitigation required under the common siting process will not exceed those provided for by RCW Title 71.

Response: The proposed development will solely support the existing Justice Center and Municipal Court. A Secure community transition facility, as defined as a “Secure community transition facility (SCTF)” means a residential facility, as defined in Chapter 71.09 RCW, for the housing of civilly committed and conditionally released sexually violent predators (Ord. 2460 § 2, 2003) per Title 21 Zoning Definition Section 21.02.521. The proposed development of a CRC does not include elements of a Secure community transition facility or programs of such. This standard does not apply.

B. In addition to the requirements required of all conditional uses in this chapter, an SCTF shall also be subject to the following standards:

1. Siting shall be limited to locations zoned general commercial (CG), business/technical park (BTP), and light industrial (LI) and only in such zoned areas that are south of 208th Street SW, and west of 60th Avenue W.

Response: The proposed development does not include elements of a “Secure community transition facility (SCTF).” This standard does not apply.

2. Siting Criteria.
   a. Policy guidelines adopted by the Secretary of Social and Health Services for the State of Washington for the siting of an SCTF shall be considered when providing for the siting of secure community transition facilities.
   b. The siting requirements set forth in RCW 71.09.285 through 71.09.340 shall be considered as minimum requirements and nothing therein shall prevent the imposition of any condition or cause for denial of a conditional use permit for an SCTF so long as the condition or cause for denial does not impose a requirement more restrictive than those specifically addressed in RCW 71.09.285 through 71.09.340.

Response: The proposed development does not include elements of a “Secure community transition facility (SCTF).” This standard does not apply.

3. Conditional Use Permit Application Process. A conditional use permit application for an SCTF shall comply with all the permitting and procedural requirements pertaining to a conditional use permit under this chapter and the application thereof shall be accompanied by the following:
   a. The siting process used for the SCTF, including alternative locations considered.
   b. An analysis showing that consideration was given to potential sites such that siting of the facility will have no undue impact on any one racial, cultural, or socio-economic group, and that there will not be a resulting concentration of similar facilities in a particular neighborhood, community, jurisdiction, or region.
c. Proposed mitigation measures including the use of effective site buffering from adjacent uses.
d. A general description of the security plan for the facility and the residents.
e. Proposed operating rules for the facility.
f. A schedule and analysis of all public input solicited or to be solicited during the siting process.

Response: The proposed development does not include elements of a “Secure community transition facility (SCTF).” This standard does not apply.

4. The city of Lynnwood will require expert assistance in reviewing the state’s SCTF application. The fee charged for the SCTF application shall be sufficient to pay for such expert assistance. (Ord. 2460 §§ 3, 4, 2003)

Response: The proposed development does not include elements of a “Secure community transition facility (SCTF).” This standard does not apply.

Chapter 21.60 City Center District (CC) Zone

21.60.050 Overall Purpose.
A. To create a distinct, strong identity for the city center, producing a heart for Lynnwood that is surrounded by solid neighborhoods.
B. To provide opportunities to increase the city’s tax base, thereby helping to fund public improvements and public services.
C. To encourage private and public investment, attract shoppers and visitors, and appeal to existing and new residents.
D. To produce a concentration and a mixture of commercial, office, retail, residential, and civic uses within the city center.
E. To develop a city center that supports pedestrian movement and use of public transit.
F. To implement both the city’s comprehensive plan and the city center subarea plan.
G. To promote attractive streetscapes and urban green spaces. (Ord. 2554 § 1, 2005)

Response: The development of the City of Lynnwood Community Recovery Center will serve the needs of the growing community.

21.60.075 Relationship to rest of title.
The regulations in this chapter, together with the applicable regulations in the rest of this title and other titles of the Lynnwood Municipal Code, shall govern development and use of property in the city center zones. Where the regulations of this chapter conflict with or vary from regulations in other chapters or titles, the regulations in this chapter shall control.

A. Exceptions. The following chapters of this title shall not apply in the city center:
   1. Chapter 21.06 LMC;
   2. Chapter 21.12 LMC;

Response: The proposed design of the new recovery center will comply with the LMC chapters identified.

21.60.200 Zones established and described.
A. City Center – Core (CC-C). This zone is envisioned to have the highest intensity uses, especially office buildings, residences, and hotels contained within high-rise buildings. Shops and restaurants would be located along key streets, particularly the principal pedestrian corridor, referred to as the “Promenade” in the city center subarea plan. A major public open space would anchor the
zone. Over time, parking would be increasingly located within parking structures. The convention center is located in the northeast corner of this zone.

**Response:** The proposed recovery center will complement the uses planned in the City Center – Core.

**B. City Center – West (CC-W).** This zone is envisioned to have a mixture of higher density housing, retail and restaurants, and some office buildings contained within mid-rise buildings. A public open space would anchor the zone. Over time, parking would be increasingly found within parking structures.

**Response:** The proposed project is not located in CC-W.

**C. City Center – North (CC-N).** This zone is envisioned to have a mixture of mid-rise office buildings and retail. Over time, parking would be increasingly found within parking structures. (Ord. 2937 § 6, 2012; Ord. 2554 § 4, 2005)

**Response:** The proposed recovery center will be multiple floors (three) and contain a parking structure along the far east side of the project.

### 21.60.300 Uses prohibited in city center zones.

All uses shall be allowed in the city center zones unless specifically prohibited below:

**A. Prohibited in all city center zones:**

1. Adult establishments;
2. Billboards;
3. Industrial uses (excluding management, research and development, and sales operations);
4. Outdoor storage or display of materials and equipment (except during construction) except as provided for in subsection (A)(10) of this section;
5. Auto-oriented uses, including:
   a. Vehicle washing;
   b. Drive-throughs, including drive-up windows and drive-up kiosks, unless within an enclosed parking structure;
   c. Vehicle repair;
   d. Battery exchange station (electric vehicles);
   e. Battery charging station (electric vehicle), Level 1, Level 2 or Level 3 (unless contained within an enclosed parking structure or attached to the exterior of a building containing a principal use);
   f. Gasoline service stations;
   g. Rental car agencies with outdoor fleet;
   h. Outdoor sales of boats, vehicles or equipment;
6. Sewage treatment plants;
7. Work release facilities;
8. Wrecking yards;
9. Secure community transition facilities;
10. Uses not contained within a building except:
   a. Accessory outdoor dining;
   b. Accessory outdoor display of merchandise up to a maximum of 200 square feet and where the display only occurs during business hours;
   c. Temporary special events; or
   d. Accessory outdoor recreation areas, in an amount not greater than the gross floor area of the principal use it serves, not to exceed one-half acre;
11. Self-service storage facilities;
12. Marijuana and marijuana-infused products retail sales, processing or production;
13. Medical marijuana collective gardens;
14. Dry cleaning and laundry plants (with the exception of dry cleaning and laundry, self-service and pick-up stations and incidental cleaning as an in-house service);
15. Outdoor commercial recreation and entertainment, including stadiums, race tracks, outdoor theaters, swimming pools, golf courses;
16. Overnight campgrounds;
17. Retail lumber yards;
18. Assembly of glass, light metal, plastic, electronic, electrical or wood parts, which are extracted, stamped, manufactured or shaped elsewhere, not precluding minor processes such as cutting or drilling;
19. Bottling or packaging plants (except as incidental to a brewery or winery);
20. Greenhouses, plant nurseries and agriculture;
21. Outdoor fresh fruit, vegetable or produce stands (except for temporary uses such as farmers markets or accessory to a principal use contained within a building);
22. Warehouses of 10,000 square feet or less;
23. Distribution centers;
24. Drive-in and drive-through restaurants;
25. Detached single-family or manufactured homes;
26. Detached wireless communication facilities (wireless attached facilities are allowed subject to LMC 21.46.110);
27. Supervised drug consumption facilities; and
28. Any other uses similar to those listed above or any other use determined by the community development director to be inconsistent with the intent of the city center zones as described in this chapter and the city center subarea plan. Appeals of the community development director’s decision shall be processed as a Process II application (LMC 1.35.200).

Response: The proposed recovery center will require a conditional use permit.

B. Additionally, prohibited in the portion of the city center – core zone (CC-C) that is north of 194th St. SW:
   1. Multifamily residential. (Ord. 3336 § 3, 2019; Ord. 3305 § 12, 2018; Ord. 3258 § 24, 2017; Ord. 3136 § 13, 2015; Ord. 2937 § 7, 2012; Ord. 2554 § 5, 2005)

Response: The proposed recovery center is an essential public facility. Therefore, this code section does not apply.

21.60.350 Use limitations.
A. Ground floor principal uses in all city center zones shall be occupiable space.
   1. Exception. Structured parking may occupy the ground floor of a building; provided, that the parking does not occupy more than 40 percent of the ground floor space facing a street frontage. In such instances, the remaining portion of the building facing the street shall consist of occupiable space.

Response: The proposed two-story addition to a portion of the approved Justice Center expansion will not change the footprint of the approved site plan (EPF-009677-2020, BLDC-027069-2021). The entire length of the civic center campus is approximately 675 feet; this includes the existing building, proposed building, and parking structure. The parking structure is approximately 237’ in length or 35% of the ground floor space facing a street frontage. The remaining portion of the building faces 194th Street SW and will be occupiable space.

B. For buildings that directly front the Promenade Street, no less than 40 percent of the lineal frontage of any building shall be occupied by a permitted, nonresidential use. (Ord. 3336 § 4, 2019)
Response: The recovery center expansion is not located along a Promenade Street. This code criteria does not apply.

21.60.400 Basic development standards.
A. Height.
   1. Minimum Building Height. The intent is that the city center zones accommodate dense urban form development. All new development shall be built to at least the minimum building height of three stories and no less than 30 feet; provided, that uses predominantly characterized as places of public assembly featuring auditoriums or meeting facilities, including but not limited to religious institutions, movie or performing arts theaters, symphony halls and convention facilities, shall have a minimum building height of 30 feet and no minimum story requirement. However, due to current economic conditions, in the first five years from the date of adoption of the ordinance codified in this chapter, this requirement is waived and, if conditions are not improved beyond this five-year period, the city council may extend this waiver further.
      a. Exception. A single-story building shall be permitted adjacent to or within a park as identified by the City Center Parks Master Plan. Such structure shall be approved by a development agreement.

Response: The proposed building is three (3) stories and no less than 30 feet; the project is located within 150 feet of residential zoned property. Section 2.b.i below applies.

2. Maximum Building Height.
   a. In the city center – core (CC-C) zone, the maximum building height shall be 350 feet, except as follows:
      i. From the centerline of 196th St. SW north up to but not exceeding a distance of 360 feet, the maximum building height of any portion of a building shall be 240 feet.
      ii. North of a line 360 feet north of the centerline of 196th St. SW, the maximum building height of any portion of a building shall be 130 feet.
      iii. Notwithstanding the above subsections, the maximum height of any portion of a building 150 feet or less from a residential zone shall be 35 feet.
   b. In the city center – west (CC-W) and city center – north (CC-N) zones, the maximum building height shall be 140 feet, except as follows:
      i. The maximum height of any portion of a building 150 feet or less from a residential zone shall be 35 feet.

Response: The proposed building will be three (3) stories; the proposed height of the CRC building will be 34’-10 1/8”, matching the height of the CJC building, please see Attachment 3 for the building height calculations. This code criteria is met.

3. Mechanical penthouses, stair/elevator overruns, and antennas shall be excluded from building height calculation, provided they are no more than 20 feet above the roof deck.

Response: The new recovery center will share the mechanical penthouse of the justice center expansion, which will screen the rooftop HVAC units. The screens will be approximately 6.5-8 feet above the roof.

4. Building height may be increased by up to 20 percent for a nonhabitable, architectural roofline element. This allowance does not apply within 150 feet from a residential zone or in the city center – core zone (CC-C) where the maximum height is less than 350 feet.
Response: This code criteria does not apply, the subject site is within 150 feet from a residential zone.

B. Setbacks.

1. From Streets.

   a. To permit the widening of city center streets without creating nonconforming situations or the need to impact buildings, all buildings shall be located at the property line established by the future street right-of-way contained in Table 21.60.4 utilizing the fronting street for fire access except as permitted otherwise in this chapter, the city center design guidelines or unless there is or will be a building between such building and the future street right-of-way. In exceptions where buildings do not utilize the street for fire access, a circulating fire lane may be required.

   Response: We have confirmed the ultimate right-of-way width of 194th Street SW, no additional dedication is necessary. The proposed building adjoins the approved Justice Center which will be adjacent to the code-required 12-foot sidewalk along 194th Street SW. No dedication is required along 44th Avenue W. The existing justice center will stay, no modifications to the building footprint are anticipated.

   b. Buildings may be set back from the street for the purpose of providing public plazas as a FAR bonus feature and as required by the city center design guidelines. The public plaza may exceed the minimum open space/public plaza size requirement provided in the design guidelines. Up to 30 percent of any building’s street frontage per street may be set back from the setback line to accommodate a public plaza. Open space/public plaza space may be combined at intersections.

   Response: An open space/public plaza is approved between the existing justice center and the new expansion as part of the overall civic center campus. A FAR bonus is not anticipated.

   c. To allow buildings to be setback from wider streets, buildings along boulevard streets may be set back up to 17 feet from the property line established by the future street right-of-way provided in Table 21.60.4 subject to the following requirements:

      i. The boulevard street shall be utilized as the fire lane. No setback shall be allowed that would result in requiring a fire lane between the building and the street.

      ii. The setback shall be utilized only for open space/public plazas complying with subsection (B)(1)(b) of this section and the city center design guidelines.

   Response: The proposed CRC adjoins the approved new Justice Center building, which is situated directly behind the 12-foot sidewalk adjacent to 194th Street SW.

2. Interior Side. None required.

3. Interior Rear. None required.

Response: Interior side setbacks will be zero for the east property line. The parking structure is planned to be constructed adjacent to the property line. Both the CRC and parking structure additions will be set back approximately 25 feet from the rear property line to allow for five feet of code required ingress/egress and the 20-foot landscape buffer from residential zoned property.
C. Building Frontage.
   1. Less Than 100 Feet of Frontage. The minimum building frontage length shall be less the space required to provide a drive aisle to service the site. If no drive aisle is provided the minimum frontage shall be 65% of percent the length of the abutting property line.
   2. One Hundred Feet of Frontage or Greater. The minimum building frontage length shall be 70 percent of the length of the abutting property line. This length may be reduced at the discretion of the community development director to accommodate required fire access or drive aisles leading to parking areas.
   3. Panhandle Lots and Landlocked Lots. Properties that only have access to a public or private right-of-way through a panhandle or have no property line adjacent to a public or private right-of-way are not required to provide building frontage.

Response: The CRC addition is within an approved footprint as part of the Justice Center expansion and parking garage structure which account for nearly 100 percent of length of frontage abutting the property line along 194th Street SW.

D. Floor Area Ratio.
   1. Basic Allowable Floor Area Ratio. The basic floor area ratio (FAR) of buildings in the city center shall be limited as shown in Table 21.60.1. The bonuses are described in subsection (D)(2) of this section.

<table>
<thead>
<tr>
<th>Table 21.60.1: Floor Area Ratio (FAR)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Maximum FAR</strong></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>Maximum allowable “as of right” for existing nonconforming sites and structures</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>Maximum allowable FAR “as of right” for new development</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>Maximum with bonuses</td>
</tr>
<tr>
<td></td>
</tr>
</tbody>
</table>

Notes:
   a. Floor area is measured to the inside face of exterior walls.
   b. The following uses shall be excluded from floor area calculation:
      • Space underground (e.g., basements);
      • Space dedicated to parking;
      • Floor area devoted to rainwater collection;
      • Floor area devoted to gray water collection/storage/distribution;
      • Floor area devoted to waste recovery/separation;
      • Floor area devoted to service areas (such as storage areas, closets, and restrooms);
      • Balconies, patios, breezeways and decks without a solid cover;
      • Air spaces within buildings such as vaulted ceilings. More specifically, the floor area shall be counted as actual floor area only and not in the air spaces above;
      • Space used as FAR bonus feature (see Table 21.60.2);
      • Privately owned land area for the Promenade Walkway.
   c. Allowable FAR for nonresidential and residential uses shall be added together for the respective use types within a mixed use residential project, to provide for a combined FAR total.
   d. Hotels shall be considered nonresidential for the purpose of this chart.
   e. In situations where both conforming and nonconforming development are located on a site, the maximum FAR for conforming and nonconforming development may be combined, but each shall be limited to their respective FAR per Table 21.60.1. (For example, without bonus features, conforming development FAR maximum is 2.0; nonconforming FAR maximum is 0.5. Conforming development on the site may have a maximum FAR of 2.0; nonconforming maximum FAR of 0.5.)
Response: The maximum FAR for the project is 2.0; as currently proposed, the FAR for both parcels is below that threshold. Included in the FAR is the existing building and new building expansion; the parking structure is not included in the FAR calculations as the first level is below grade and the second level is at grade.

2. FAR Bonus. The FAR at a property may be increased above the amount permitted “as of right” shown in Table 21.60.1 by including any of the features listed in Table 21.60.2 into development of the property.

<table>
<thead>
<tr>
<th>Bonus Features</th>
<th>Feature Requirements</th>
<th>Additional Floor Area for Each Feature</th>
</tr>
</thead>
<tbody>
<tr>
<td>LEED Silver or similar certification elements</td>
<td>Checklist stamped by the project architect illustrating LEED Silver or similar certification elements have been incorporated into project.</td>
<td>10 percent increase in total floor area for meeting LEED Silver certification standards (or similar) or above.</td>
</tr>
<tr>
<td>LEED Gold or similar certification elements</td>
<td>Checklist stamped by the project architect illustrating LEED Gold or similar certification elements have been incorporated into project.</td>
<td>25 percent increase in total floor area for meeting LEED Gold certification standards (or similar) or above.</td>
</tr>
<tr>
<td>LEED Platinum or similar certification elements</td>
<td>Checklist stamped by the project architect illustrating LEED Platinum or similar certification elements have been incorporated into project.</td>
<td>40 percent increase in total floor area for meeting LEED Platinum certification standards (or similar) or above.</td>
</tr>
<tr>
<td>Office use above the ground floor</td>
<td></td>
<td>2 sq. ft. of floor area for each sq. ft. of office use above the ground floor.</td>
</tr>
<tr>
<td>Parking, underground</td>
<td></td>
<td>2 sq. ft. of floor area for each sq. ft. of parking below grade.</td>
</tr>
<tr>
<td>Parking, structured</td>
<td></td>
<td>1 sq. ft. of floor area for each sq. ft. of structured parking above grade.</td>
</tr>
<tr>
<td>Public plaza</td>
<td>Provision of public plaza in excess of the requirement identified in the city center design guidelines.</td>
<td>5 sq. ft. of floor area for each sq. ft. of plaza above the amount required by the city center design guidelines.</td>
</tr>
<tr>
<td>Promenade Walkway (along public right-of-way)</td>
<td>Portions or all of the Promenade Walkway that are adjacent to or near and parallel to the public right-of-way or are located within the public right-of-way. (Access easement dedication where on private property to the public must be recorded with approved maintenance provisions.) The Promenade Walkway must conform to the design guidelines.</td>
<td>5 sq. ft. of floor area for each sq. ft. of Promenade.</td>
</tr>
<tr>
<td>Promenade Walkway (bisecting large blocks)</td>
<td>Promenade Walkway providing a connection through a large block not adjacent to or in the public right-of-way. However, up to 5 percent of the project’s Promenade Walkway (bisecting large blocks) can be adjacent to or within the public right-of-way and still receive 20 sq. ft. of floor area bonus. (Access easement dedication to the</td>
<td>0 sq. ft. of floor area for each sq. ft. of Promenade.</td>
</tr>
</tbody>
</table>
public must be recorded with approved maintenance provisions.) The Promenade Walkway must conform to the design guidelines.

<table>
<thead>
<tr>
<th>Residential use (single purpose building)</th>
<th>Residential development granted as bonus square footage cannot be used to achieve additional square foot bonus.</th>
<th>2 sq. ft. of floor area for each sq. ft. of residential use.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential use in vertically mixed-use building</td>
<td>Residential development granted as bonus square footage cannot be used to achieve additional square foot bonus.</td>
<td>4 sq. ft. of floor area for each sq. ft. of residential use if the development is vertical mixed use.</td>
</tr>
<tr>
<td>Street level retail</td>
<td>See definition (LMC 21.60.100(L)).</td>
<td>200 sq. ft. of floor area for each linear foot of retail frontage.</td>
</tr>
</tbody>
</table>

Response: The proposed project will not request a FAR bonus.

3. Change of Use and Continuation of Bonus.
   a. FAR bonuses granted based on the use of the building (e.g., office use, residential use, street level retail) and use of an area (e.g., Promenade Walkway or public plaza) shall be acknowledged in a document recorded in a form acceptable to the city with the Snohomish County auditor’s office. The document shall also reflect the requirement in subsection (D)(3)(b) of this section.
   b. If a business, activity or feature that supported a FAR bonus under this section is terminated, that use shall either be replaced by another use or feature of the same type (as listed in Table 21.60.2) or by another use that qualifies for an equal (or greater) FAR bonus. Alternatively and only in the case of a bonus use terminating, the property owner may request approval of a substitute method to qualify for the FAR bonus. Such substitution shall be subject to the approval of the community development director, who shall approve the substitution if he/she finds that the proposed substitution complies with this section and chapter. Appeals of the community development director’s decision shall be processed as a Process II application (LMC 1.35.200).

Response: The project will not seek a change of use or continuation of use bonus.

E. Parking Ratios. Notwithstanding Chapter 21.18 LMC, off-street parking shall be provided in conformance with Table 21.60.3 and the regulations in this subsection.

<table>
<thead>
<tr>
<th>Use Type</th>
<th>Minimum</th>
<th>Maximum</th>
</tr>
</thead>
<tbody>
<tr>
<td>Retail, personal services and offices serving customers on site</td>
<td>3 stalls/1,000 gross floor area (gfa)</td>
<td>4 stalls/1,000 gfa</td>
</tr>
<tr>
<td>Offices, not serving customers on site</td>
<td>2 stalls/1,000 gfa</td>
<td>4 stalls/1,000 gfa</td>
</tr>
<tr>
<td>Institutional uses</td>
<td>20 percent less than required in Table 21.18.03</td>
<td>Same as required in Table 21.18.03</td>
</tr>
<tr>
<td>Places of assembly</td>
<td>20 percent less than required in Table 21.18.06</td>
<td>Same as required in Table 21.18.06</td>
</tr>
<tr>
<td>Other uses</td>
<td>20 percent less than required in Table 21.18.11</td>
<td>Same as required in Table 21.18.11</td>
</tr>
</tbody>
</table>
Notes:
1. Parking requirements for permitted uses not listed in Table 21.60.3 shall be determined by a study of parking demand for that use.
2. Uses sharing a common parking facility that is accessible to all respective uses may reduce the required number of stalls by 40 percent.
3. Parking may be located off site, so long as it is within 1,000 feet of the property (measured along public sidewalks or walkways), is connected to the property by sidewalks or walkways, and is tied to the site by a contractual agreement that is filed with the city and deed of record at the county.
4. All developments with more than 50 parking spaces shall provide a minimum of one dedicated and signed carpool/vanpool space. All developments with more than 100 parking spaces shall provide a minimum of two dedicated and signed carpool/vanpool spaces.
5. The community development director may allow ratios higher than the maximums allowed if a parking demand study for a particular development indicates that additional parking is needed and a parking demand management program would not be effective. Appeals of the community development director’s decision shall be processed as a Process II application (LMC 1.35.200).

Response: The proposed essential public facility does not have a prescribed parking ratio. Per the Perteet parking memorandum dated November 18, 2021, parking demand analysis utilized the projected number of parking stalls based on City of Lynnwood’s Municipal Code requirements for a nursing home. The ITE Parking Generation Manual (5th Edition) description of a nursing home states: “A nursing home resident is not capable of operating a vehicle. Parking demand is entirely generated by employees, visitors, and deliveries.” Based on the projected parking requirements, as determined per square footage, the total parking demand of 15 stalls is needed at “peak” usage. The previously approved parking facility, shared with the justice center and recovery center, provides 127 stalls designated as “staff only” with an additional 29 stalls for public use for a total usable stall volume of 166 spaces. The proposed third level will add 38 stalls, in excess of the parking requirements from LMC 21.18.200.

F. Bicycle Facilities.
1. All nonresidential developments providing 20 or more parking stalls shall be required to provide at least one bicycle stall for every 20 vehicular parking stalls, up to a maximum of 20 bicycle stalls. Bicycle stalls may be storage lockers or bicycle racks/stands.

Response: Based on the total parking stall count of 204 there is a requirement to provide 10 bicycle stalls. The previous approval for the civic center campus expansion (EPF-009677-2020) reflects 12 bicycle stalls, 6 stalls adjacent to the police station entry and 6 stalls adjacent to the court entrance. This code criteria is met.

2. Bicycle stalls shall be located either inside of a building or outside within 100 feet of a building entrance and shall be designed to allow either a bicycle frame or wheels to be locked to a structure attached to the pavement or to a structure. It is not necessary for all on-site bicycle stalls to be located in one central location. Bicycle stalls may be located within vehicular parking areas.

Response: Bicycle stalls are located within 100 feet of an entrance and allow for a bicycle frame or wheels to be locked to a structure.

3. One indoor bicycle stall shall be provided for every four dwelling units in multifamily residential uses, with the exception of senior housing, unless individual garages are provided for every unit.

Response: No residential units are proposed, this requirement does not apply.

G. Service Areas.
1. Exterior service areas shall not be located within 30 feet of a residential-zoned property. Service areas include but are not limited to: loading docks, trash dumpsters, compactors,
all equipment, dedicated parking or serving areas, refuse and recycling areas, and mechanical equipment areas.

Response: Exterior service areas such as trash enclosures will be located within the parking structure; mechanical equipment will be placed beyond 30 feet from residential property to the north.

2. Exterior service areas shall be located within the dedicated parking areas.

Response: Service areas will be located in the parking structure.

3. All exterior refuse and recycling shall be enclosed on three sides within masonry walls with a minimum height of seven feet that shall match or complement the exterior materials of primary building(s) and be covered by a roof. Enclosure doors shall be provided and shall not be constructed of wood or chain link (with or without slats).

Response: The trash enclosure which contains refuse and recycling located in the parking structure will be enclosed on three (3) sides with masonry walls that match the concrete walls of the parking structure. The enclosure doors will be constructed of vinyl chain link with slats.

H. Fire Standards.

1. To eliminate private land devoted to fire lanes between the building and the right-of-way, all new development in the city center shall be constructed with sprinklers regardless of size. (Ord. 3336 § 5, 2019; Ord. 3192 § 8, 2016; Ord. 2937 § 8, 2012; Ord. 2554 § 6, 2005)

Response: The new building and parking structure will be sprinklered.

21.60.450 Transitional rules.

In the portion of the city center – core district (CC-C) that is north of 194th St. SW, development of any property that adjoins a property zoned to a single-family residential zone shall comply with the transitional buffer regulations in LMC 21.08.400. The minimum building setback from a single-family residential property shall be 25 feet. (Ord. 2554 § 7, 2005)

Response: The new building (CRC) and parking structure will be set back a minimum of 25 feet at the far northeast corner. A high buffer type of 20 feet is proposed to be maintained along the entire northern property line as the subject site is adjacent to single family residential property. There is an existing high buffer consisting of two rows of shore pines — one row will be removed to accommodate the addition of the justice center; however the high buffer will be retained with the remaining row of trees, as depicted in the site plan (Attachment 3).

21.60.475 Signs.

Signs in the city center zones shall comply with LMC 21.16.310 and other applicable sections of that chapter. Notwithstanding the regulations in Chapter 21.16 LMC, the following sign regulations apply in the city center zones:

A. Prohibited Signs. The following signs are prohibited in the city center zones:

1. Pole signs.
2. Electronic changing message signs and changeable letter signs, except for entertainment, public transportation uses, places of assembly, and institutional uses with an occupancy load of 200 persons or greater.
3. Roof signs.
4. Cabinet signs for new development.

Response: Signage will be designed and permitted under a separate permit.

B. Monument Signs. Maximum height shall be eight feet.

Response: No new monument signs are proposed.
C. Neon signs are permitted; however, outlining buildings or portions of buildings in neon is prohibited.

Response: No neon lighting for signage or building is proposed.

D. Window signs (signs located on the inside of a window so as to be easily and readily viewed from outside the window) may occupy up to 20 percent of the area of the window.

Response: Window signs are not proposed.

E. Nonconforming signs shall be governed by LMC 21.16.250, except that the structure, frame or support of an existing nonconforming pole sign or monument sign may be modified, provided:
   1. Such modifications result in a sign that is more conforming; and
   2. Such new or modified sign is located in the same location as the existing sign. (Ord. 2937 § 9, 2012)

Response: The recovery center is a new building and has no nonconforming signs.

21.60.500 Street types.
Notwithstanding LMC Title 19 and other adopted street standards, development and redevelopment of streets in the city center shall comply with Table 21.60.4: Street Standards.

<table>
<thead>
<tr>
<th>Design Standards</th>
<th>Boulevard</th>
<th>Collector Arterial</th>
<th>Grid Street</th>
<th>Promenade Street</th>
</tr>
</thead>
<tbody>
<tr>
<td>Streets</td>
<td>44th Ave. W., 200th St. S.W./AMB, 196th St. S.W., 36th Ave. W.</td>
<td>194th St. S.W., 40th Ave. W.</td>
<td>42nd Ave. W.</td>
<td>198th St. S.W. (see definition for Promenade Street)</td>
</tr>
<tr>
<td>Parking lane</td>
<td>No parking</td>
<td>194th St. S.W.: Both sides, 8 feet wide 40th Ave. W.: No parking</td>
<td>Both sides; 8 feet wide</td>
<td>Both sides; 7 feet wide</td>
</tr>
<tr>
<td>Sidewalks</td>
<td>Both sides, 12 feet wide, including 5-foot-wide zone for tree wells along the curb (plus 6&quot; curb)</td>
<td>Both sides, 194th St. S.W.: 12 feet wide, including 5-foot-wide zone for tree wells along the curb (plus 6&quot; curb) 40th Ave. W.: 16 feet wide, including 5-foot-wide zone for tree wells along the curb (plus 6&quot; curb)</td>
<td>Both sides, 16 feet wide, including 5-foot-wide zone for tree wells along the curb (plus 6&quot; curb)</td>
<td>Both sides, 16 feet wide, including 5-foot-wide zone for tree wells along the curb (plus 6&quot; curb)</td>
</tr>
<tr>
<td>Curb and gutter</td>
<td>Both sides; 6&quot; raised</td>
<td>Both sides; 6&quot; raised</td>
<td>Both sides; 6&quot; raised</td>
<td>Both sides; 6&quot; raised (or rolled with decorative...</td>
</tr>
<tr>
<td></td>
<td>5 – 8</td>
<td>194th St. S.W.: 2 40th Ave. W.: 3</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>------------------------------------</td>
<td>-------</td>
<td>---------------------------------</td>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>Travel lanes and turning lanes</td>
<td>11 – 12 feet</td>
<td>11 feet</td>
<td>14 feet</td>
<td>13 feet</td>
</tr>
<tr>
<td>(maximum #)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Travel lane width</td>
<td>44th Ave. W., 196th St. S.W., and 36th Ave. W.: No bicycle travel lane 200th St. S.W.: 5-foot on-street bicycle lanes (both sides)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bicycle travel lane</td>
<td>5-foot on-street bicycle lanes (both sides)</td>
<td>No separate on-street bike lane. Incorporate sharrows in traffic lane of street section</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>35-foot radius at boulevard; 25-foot radius at all other with 6-foot curb bulb extension</td>
<td>35-foot radius at boulevard; 25-foot radius at all other with 6-foot curb bulb extension</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Intersection curb</td>
<td>35-foot radius with no curb bulb extension along boulevard</td>
<td>35-foot radius at boulevard; 25-foot radius at all other with 6-foot curb bulb extension</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Raised landscape median (width)</td>
<td>6 feet in left turn pocket areas; 18 feet at all other areas</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
</tbody>
</table>

Notes:

a. Refer to city center design guidelines for access requirements.

b. The public works director may, with the concurrence of the fire marshal, modify the street standards in Table 21.60.4 if the modification does not impact the function for those streets. Appeals of the public works director’s decision shall be processed as a Process II application (LMC 1.35.200).

Response: Both frontage roads for the project (194th Street SW and 44th Avenue SW) are at their respective right-of-way widths. Frontage improvements on 194th Street SW and 44th Avenue SW were originally approved with the renovation and expansion of the CJC (EPF-009677-2020, BLDC-027069-2021). The addition of the CRC will not alter the approved frontage plans.

21.60.600 Design review.

A. Design Guidelines. The following structures and parking facilities permitted in the city center zones shall comply with the Lynnwood city center design guidelines (which are adopted by this reference as if fully set forth herein) and receive approval pursuant to Chapter 21.25 LMC, unless otherwise specified in this chapter: for proposals in these zones, the citywide design guidelines shall be replaced with the city center design guidelines.

1. Construction of any nonresidential structure or building with a gross floor area of more than 1,000 square feet.
2. Construction of any parking lot and/or parking structure with 20 or more stalls or paved parking area of 5,400 square feet or more.
3. Construction of any multiple-family residential structure.

Response: The proposed construction of the recovery center and parking structure addition will comply with the City Center Design Guidelines; each criteria will be addressed further in this narrative under the heading “City Center Design Guidelines.”

B. Supersede. Applicable Lynnwood city center design guidelines shall supersede any development standards and requirements of this title and other titles of this code that may conflict, unless otherwise specified in this chapter.
Response: Noted, the project has been designed to comply with Center City Design Guidelines, dated 2019. See Attachment 4 (project design review checklist) for each applicable design standard and how the project meets each criteria.

C. Gateways and Prominent Intersections. See city of Lynnwood zoning map to identify development project sites within a gateway or prominent intersection location. Such sites shall be subject to applicable gateway and/or prominent intersection design guidelines in the Lynnwood city center design guidelines. If any portion of a project site lies within a gateway or prominent intersection location, then the entire project shall comply with the applicable design guidelines.

Response: The subject site is located at the intersection of 194th Street SW and 44th Avenue SW; although not an identified gateway or prominent intersection, we will be maintaining the existing monument sign and enhancing the pedestrian experience at said intersection.

D. Compliance with Subarea Plan and Related Documents. For determining compliance with the comprehensive plan (that includes the city center subarea plan), as required by LMC 21.25.145(B)(3), an application for approval of structures and facilities under this section shall:

1. Demonstrate consistency and compatibility with the planned location and design of streets, as shown in the street protection ordinance, as amended. Where any locations and designs in this subsection (D)(1) conflict with the city center subarea plan, such locations and designs shall supersede the conflicting provisions of the city center subarea plan. (Ord. 2937 § 11, 2012; Ord. 2908 § 1, 2011; Ord. 2885 § 2, 2011; Ord. 2625 § 3, 2006; Ord. 2554 § 9, 2005)

Response: The placement of the new building is consistent with the City Center Core subarea plan.

21.60.700 Nonconforming structures, sites and uses.

It is expected that much development within the city center will be as a result of renovations and expansions as much as entirely new development, especially in the years before 2015 or 2020. It is not the intent of the city to discourage such development, as new investment should enhance the image and appeal of the city center. However, it is also necessary to ensure that all forms of development contribute positively to the character and quality of the area. The general principle to be applied is that changes to nonconforming conditions should not increase the degree of the nonconformity, but rather move the site and its uses and buildings towards greater conformity. Given the location and configuration of current buildings, application of all design standards may not be possible or practical; however, every effort should be made to comply with such standards for the portions of sites and buildings in proximity to the alterations being made. This section supersedes Chapter 21.12 LMC.

A. Nonconforming Uses. Any prohibited uses legally existing at the time of the adoption of the ordinance codified in this chapter shall be considered “legal nonconforming uses.” Such uses are not permitted to expand. Exterior landscaping, facade improvements, or interior upgrades are permitted.

Response: The existing justice center was established as a legal use prior to the adoption of the City Center code; as such the facility is a legal nonconforming use. The expansion of the newly approved justice center (considered an essential facility) received a conditional use permit on May 17, 2021 (EPF-009677-2020). The proposed addition for the Recovery Center also requires a conditional use permit under LMC 21.73.020. See section above (Chapter 21.24) for compliance with the conditional use requirements.

B. Nonconforming Sites. Throughout the city center, there are many properties where site development existing at the time of the adoption of the ordinance codified in this chapter does not comply with the site design standards and guidelines in this chapter. Certain types of minor
changes to existing site development would not trigger compliance with the development standards and design guidelines in this chapter, such as restriping of stalls, and new or altered signage or lighting or renovation of landscaping. Any other site improvements, exterior renovation or expansion of building footprints shall incorporate site design features that bring the site more into compliance with the standards of the city center design guidelines regardless of whether or not the site improvements, renovation, and/or expansion triggers the design review process requirement per LMC 21.60.600.

Response: The new building and parking structure addition will meet the requirements of the City Center design guidelines. This criterion is met.

C. Nonconforming Buildings. Throughout the city center, there are many buildings and other structures existing at the adoption of the ordinance codified in this chapter that do not comply with the building standards and guidelines in this chapter. In keeping with the general principle that changes to nonconforming conditions should not increase the degree of the nonconformity, but rather move the site and its uses and buildings towards greater conformity, the following shall apply:

1. Exterior renovation of buildings and structures shall not increase the degree of nonconformance.
2. All expansion of building footprints or increases in building height shall incorporate standards that bring the building more into compliance with the requirements of this chapter and the city center design guidelines regardless of whether or not the expansion is subject to the design review process requirement per LMC 21.60.600.
3. When practicable, as determined by the community development director, the expansion of building footprints shall locate towards the property line of the future street right-of-way as described in Table 21.60.4. Appeals of the community development director’s decision shall be processed as a Process II application (LMC 1.35.200).
4. Compliance with standards shall be localized to the area of the building being altered. Particular emphasis shall be given to the provision of pedestrian amenities oriented towards the street. For example, if a building is expanded towards the street, elements such as building design features and transparency, parking lot landscaping and pedestrian connections to the sidewalk are expected to be accomplished.
5. For buildings that are demolished, the replacement structure shall be considered new development.

Response: The proposed development is for a new building. This criterion is not applicable.

D. Alternative Process for Compliance. The community development director may approve a plan and design for alteration of a nonconforming site or building that does not fully comply with the requirements of subsections (B) and (C) of this section if the director finds that the alternative plan and design provides overall a greater degree of compliance with the principles of this section (as stated above). Appeals of the community development director’s decision shall be processed as a Process II application (LMC 1.35.200). (Ord. 2937 § 12, 2012; Ord. 2554 § 10, 2005)

Response: We are not requesting an alternative process for compliance as the proposed project is not furthering a nonconforming site or building. This criterion is not applicable.

21.60.800 Maximum amount of development in city center.
In no case shall the total amount of development (including all land uses) in the city center exceed 9.1 million square feet. (Ord. 2937 § 13, 2012; Ord. 2554 § 11, 2005)

Response: Noted, the additional stories for the CRC will add 9,910 square feet to the City Center.
Chapter 21.73 Essential Public Facilities

21.73.010 Purpose Applicability.
A. Essential public facilities are necessary and important in the provision of public systems and services. The city of Lynnwood already hosts, is planning to host, or borders on a number of essential public facilities, including, but not limited to, the following:
1. I-5.
2. Sound Transit/Community Transit – Transit Center.
3. Sound Transit light rail stations, parking facilities, tracks and related facilities.
4. State Route 525.
 Response: Code section does not apply.

B. The purpose of this chapter is to implement the Growth Management Act and the Lynnwood comprehensive plan by establishing processes for the siting and expansion of essential public facilities in the city of Lynnwood as necessary to support orderly growth and delivery of public services. The city’s goal in promulgating the regulations under this chapter is to ensure the timely, efficient and appropriate siting of EPFs while simultaneously identifying, analyzing, and mitigating adverse community and environmental impacts that may be created by such facilities. Nothing in this chapter should be construed as an attempt by the city to preclude the siting of essential public facilities in contravention of applicable state law. (Ord. 3126 § 3, 2015)
 Response: Comment noted.

21.73.020 Siting or expansion of local essential public facilities.
A. A conditional use permit shall be required as provided in this section before any local essential public facility may be located or expanded within the city of Lynnwood, regardless of the zoning district in which such facility is or is proposed to be located.
 Response: The proposed addition of the CRC to the Lynnwood Justice Center will require a conditional use permit. The first subsection of this narrative provides our responses to the conditional use permit approval criteria as identified in chapter 21.24.

B. A complete application for a conditional use permit for a local essential public facility shall include all items required under Chapter 21.24 LMC.
 Response: The first subsection of this narrative provides our responses to the conditional use permit approval criteria as identified in chapter 21.24.

C. A conditional use permit for a local essential public facility shall be approved upon a determination that:
1. The project sponsor has demonstrated a need for the project, as supported by a detailed written analysis of the projected service population, an inventory of existing and planned comparable facilities, and the projected demand for the type of facility proposed;
 Response: The addition of the CRC to the City’s civic center campus is necessary to meet the needs of the growing community. Several studies and reports were completed to demonstrate the need for the expansion to service the growing population. Studies include:
   - Pre-Design Study by Mackenzie
   - City of Lynnwood Resolution 21-06
2. The project sponsor has reasonably investigated alternative sites, as evidenced by a detailed explanation of site selection methodology, as verified by the city and reviewed by associated jurisdictions and agencies;
Response: The existing site already accommodates the existing court, jail, and police department. The location of the proposed CRC is within the City’s civil center campus. There are efficiencies in keeping all the community services adjacent to each other on the same property and within the civil center campus.

3. The local essential public facility is not located in any residential zoning districts, except as provided in this subsection. If the land on which a local essential public facility is proposed is located in a residential zoning district, the applicant must demonstrate that there is no other feasible location for the facility and that the exclusion of the facility from the residential districts of the city would preclude the siting of all similar facilities anywhere within the city. If the applicant is able to make such a demonstration, the hearing examiner shall authorize the essential public facility to be located in the residential zoning district; and

Response: The recovery center is not located in a residential zoned district, the zoning for the subject site is City Center Central. The site is located adjacent to residential zoning (immediately to the north) and all development criteria for the transition between the two (2) zones will be implemented. The addition to the building will continue to take the largest mass of the justice center and site it further south away from the residential zoned properties as much as possible, maintaining the required transitional development standards.

4. The local essential public facility meets all provisions of this code for development within the zoning district in which it is proposed to be located. If a local essential public facility does not meet all such provisions, the applicant must demonstrate that compliance with such provisions would preclude the siting of all similar facilities anywhere within the city. If the applicant is able to make such a demonstration, the hearing examiner shall authorize the essential public facility to deviate from the provisions of this code to the minimum extent necessary to avoid preclusion.

Response: The siting of the proposed CRC within the civic center campus meets all provisions of the chapter 21.73; the adoption of the city center code also considered the existing site and the proximity to the adjacent residential zone.

D. The hearing examiner may approve, or approve with modifications, and impose reasonable conditions upon the local essential public facility in order to ensure that:

1. Necessary infrastructure is or will be made available to ensure safe transportation access and transportation concurrency;

Response: The addition of the CRC will generate a total of four peak PM trips; transportation concurrency shall remain unchanged.

2. Adequate service capacity is or will be made available to ensure that public agencies have the capacity to handle changes in the demand for public services that may occur as the result of the facility, including but not limited to insurance costs, public awareness and public education costs and that the facility will not adversely affect public safety;

Response: The addition of the CRC to the civil center campus will provide enhanced public safety for the community and jail services for adjacent communities that choose to pay the City of Lynnwood for said services.

3. Any and all probable significant adverse environmental impacts including, but not limited to, noise, air quality, habitat, soil quality and soil stability of neighboring properties and light pollution are adequately mitigated.
Response: The addition of the CRC factors all the environmental impacts as addressed in the project’s SEPA environmental checklist (Attachment 6). A major consideration of the expansion also took into consideration the adjacent residential zoning. A SEPA amendment has been prepared for the two-story addition of the CRC. The natural topography of the site allows the first floor of the CRC to be constructed several feet below the finished floor elevation of the adjacent residential homes. All light fixtures on the civic center property and buildings will be placed to prevent light pollution to cross into residential zoned properties, as detailed in the photometric evaluation within the site plan (Attachment 3).

E. The decision criteria set forth herein shall not be applied in such a manner as to preclude the siting or expansion of any local essential public facility in the city of Lynnwood. In the event that a local essential public facility cannot, by the imposition of reasonable conditions of approval, be made to meet the decision criteria in this section on the preferred site described in the proposal, the hearing examiner shall either:

1. Require the local essential public facility to be located on one of the investigated alternative sites, if the proposal can be reasonably conditioned to meet the decision criteria at the alternative site; or

Response: The location of the proposed CRC addition (an essential public facility) is within the City’s civil center campus. There are efficiencies in keeping all the community services adjacent to each other on the same property and within the civil center campus.

2. Approve the siting or expansion of the local essential public facility at the proposed site with such reasonable conditions of approval as may be imposed to mitigate the impacts of the proposal to the maximum extent practicable, if there is no available alternative site on which the decision criteria can be met. (Ord. 3126 § 3, 2015)

Response: The siting and design of the CRC addition factored a multitude of codes and guidelines including the Lynnwood zoning code, City Center Design Guidelines, Essential Public Facilities, Conditional Use Permit criteria, and the City’s comprehensive plan. The proposed design of the essential facility minimizes the impacts to adjacent properties while balancing public dollars that will be used to construct the facility.

21.73.030 Siting and expansion of state and regional essential public facilities.

A. A development agreement shall be required as provided by Chapter 21.29 LMC and this section before any state or regional essential public facility may be located or expanded within the city of Lynnwood. Any proposal for the siting or expansion of a state or regional essential public facility shall follow the procedures established by the LMC for the underlying land use permit, such as short subdivision, binding site plan, or project design review, prior to the public hearing for the development agreement. If the underlying permit ordinarily requires a public hearing, the public hearing required for the underlying permit shall be consolidated with the public hearing for the development agreement. Notice of the application and the required public hearing shall be given as required for the underlying permit and for development agreements. The siting process for a secure community transition facility shall be as provided by LMC 21.24.410.

Response: Code section does not apply; the Lynnwood Community Recovery Center is a local facility.

B. If the land on which a state or regional essential public facility is proposed is located in a residential zoning district, the applicant shall have the burden to demonstrate that there is no other feasible location for the facility and that the facility is not expected to result in unmitigated significant adverse impacts. If the applicant is able to make such a demonstration, the hearing examiner shall authorize the essential public facility to be located in the residential zoning district.
Response: Code section does not apply; the Lynnwood Community Recovery Center is a local facility.

C. State and regional essential public facilities shall meet all applicable provisions of the LMC. If a proposed state or regional essential public facility does not meet all such provisions, the applicant shall have the burden to demonstrate that compliance with such provisions would either preclude the siting of such facilities in the city, or would not result in the public benefit related to the provision. If the applicant is able to make such a demonstration, the development agreement may authorize the essential public facility to deviate from the provisions of this code to the minimum extent necessary.  
Response: Code section does not apply; the Lynnwood Community Recovery Center is a local facility.

D. The city council may approve, or approve with modifications, and impose reasonable conditions upon the state or regional essential public facility in order to ensure that:
   1. Necessary infrastructure is or will be made available to ensure safe transportation access and transportation concurrency;
      Response: Code section does not apply; the Lynnwood Community Recovery Center is a local facility and will be reviewed by the City’s Hearing Examiner.
   2. Adequate service capacity is or will be made available to ensure that public agencies have the capacity to handle changes in the demand for public services that may occur as the result of the facility, including but not limited to insurance costs, public awareness and public education costs, and that the facility will not adversely affect public safety;
      Response: Code section does not apply; the Lynnwood Community Recovery Center is a local facility.
   3. Any and all probable significant adverse environmental impacts including, but not limited to, noise, air quality, habitat, soil quality and soil stability of neighboring properties and light pollution are adequately mitigated.
      Response: Code section does not apply; the Lynnwood Community Recovery Center is a local facility.

E. The city council may not preclude the siting or expansion of a state or regional essential public facility, but may impose reasonable conditions in order to mitigate adverse impacts that may otherwise occur. (Ord. 3126 § 3, 2015)  
Response: Code section does not apply; the Lynnwood Community Recovery Center is a local facility.

City Center Design Guidelines – 2019 update

City Center Site Design Standards
Response: Please see attached City Center Design checklist, attached as Attachment 4.

Comprehensive Plan

Land Use

Land Use Goals Policies, and Strategies

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

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

<table>
<thead>
<tr>
<th>Abbr.</th>
<th>Designation</th>
<th>Primary Land Use</th>
<th>All Other Facades</th>
<th>Design</th>
</tr>
</thead>
<tbody>
<tr>
<td>CCTR</td>
<td>City Center</td>
<td>Multifamily dwellings, retail, office, service, food and drink, hospitality and entertainment uses.</td>
<td>As designated by the City Center Sub-Area Plan and the Comprehensive Plan Future Land Use Map.</td>
<td>Multi-story buildings with orientation to pedestrians. Compliance with City Center Design Guidelines.</td>
</tr>
</tbody>
</table>

Response: The proposed development of the Community Recovery Center will enhance the current operations of the existing Lynnwood Justice Center at the site.

Policy LU-4.
Land use policies and regulations should:
A. Provide separation and/or buffering between incompatible land uses; and
B. Facilitate the co-location of dissimilar uses where desired and where compatibility can be achieved.

Response: The proposed CRC project will enhance the current operations of the City’s justice center. The site is zoned City Center – Core and is adjacent to residential zoning. A 20-foot landscape buffer with additional 5-foot egress path (25’ total setback) will be provided to buffer the justice center from the single-family residential property directly north.

Non-Residential Uses
Policy LU-34
Institutional and quasi-commercial land uses such as churches, childcare, group 38 homes, schools, and transit, utility and public facilities shall be allowed in 39 commercial areas.

Response: The CRC is considered an essential public facility and is sited in a commercial area.

Public Facilities
Policy LU-43.
The siting and design of public facilities should follow these guidelines:
A. Public facilities should be located in their service area.
B. Facilities that serve a single neighborhood should be located in such neighborhoods. Siting and design decisions should support efficient and effective operations and maximize compatibility with the surrounding area.
C. Facilities that serve two or more neighborhoods should, where possible, be located near the common boundary(ies) of the neighborhoods.
D. Facilities that serve the entire City shall be easily accessible from all parts of the City and should minimize and then mitigate use-generated traffic or other impacts to residential neighborhoods.
E. Facilities that serve regional needs shall be located in close proximity to regional
transportation systems (freeways, arterials, or major public transit lines); such facilities shall minimize and then mitigate use-generated traffic or other impacts to residential neighborhoods.

F. Regional facilities shall also be located in close proximity to supporting services.

G. Public facilities serving regional needs should also be located near supporting or complementary uses and away from residential areas.

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

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

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

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

Response: The addition of the CRC meets all the policies listed below and will be permitted with approval of a conditional use permit.

Community Center

Urban Design

Goal 1: Form and Identity
Value urban design as one of the primary drivers for community cohesiveness and a stronger civic identity.

Response: The CRC and civic center campus design is like no other found within the City. The urban design of glazing, concrete, metals, and wood-like panels give the facility a strong civic identity.

Policy CC-1.1
Recognize the basic elements of urban form – neighborhoods, centers, corridors, employment centers and open spaces – all of which help define Lynnwood’s sense of place.

Response: The proposed development is part of a larger campus that will provide a public plaza where visitors and employees can gather.

Policy CC-1.2
Ensure that land use and transportation decisions are consistent with zoning and design guidelines in order to improve the visual and functional character of the city.

Response: The CRC as an essential public facility is compatible with the City’s commercial zoning district.

Policy CC-1.3
The visual character of buildings shall be enhanced by means of architectural design and landscape elements to create a human scale and enhance and integrate visual character for the streetscape and abutting residential uses.

Response: The design of the new CRC and larger civic center campus provides architectural elements and landscape elements such as glazing, benches, planters, and pedestrian hardscape elements to create an inviting human scale experience as visitors and employees utilize the facility.

Policy CC-1.4
Special design features and standards shall be employed to strengthen the urban character and identity of the community.

Response: The essential facility will provide the City’s Arts Commission an opportunity to provide a special design feature that will complement the civic center campus, including the recovery center.
**Policy CC-1.5**
*Attractive gateways shall be established at principal entry points to the City.*  
**Response:** The proposal is not located at an identified gateway.

**Policy CC-1.6**
*Reconstruction of streets located within principal gateways shall incorporate high quality landscape and streetscape design and features.*  
**Response:** The proposal is not located within a principal gateway street.

**Policy CC-1.7**
*The design and character of Lynnwood’s employment centers shall be improved through streetscape improvements, including landscaping and public amenities, signage, buffering and screening and continued investment in existing buildings.*  
**Response:** The CRC, as part of the civic center campus, will enhance the streetscape along 194th Street SW and 44th Avenue W. Streetscape design will include elements identified and recommended within the City Center Design Guidelines.

**Policy CC-1.8**
*Ensure that all development abutting the freeway corridors includes special design features which provide an attractive entrance to the city and presents the city in an attractive manner (closely planted large plantings, unobtrusive signs, shielded lighting, terraced building mass).*  
**Response:** The proposed development is not adjacent to the freeway corridors.

**Noise Pollution:**
**GOAL 5: Noise Pollution:**  
*Reduce noise pollution due to commercial and industrial uses, as well as impacts from regional highways and local roads.*  
**Response:** The essential facility is an office building; noise levels will be consistent with other commercial uses within the City Center.

**Policy CC-5.1**
*Protect residents from excessive roadway noise by requiring appropriate mitigation measures, such as landscaped buffers, noise attenuating walls and windows.*  
**Response:** Subject project is not adjacent to a freeway and the justice center noise levels are similar to an office development.

**Policy CC-5.2**
*Mitigate potential noise pollution from new development on adjoining properties.*  
**Response:** Mechanical equipment located on the roof of the CRC will be visually screened and sound mitigation may be designed into the screening depending on the specification of each mechanical unit (if such noise mitigation is necessary).

**Policy CC-5.3**
*Maintain and administer building codes, regulations, and other applicable standards that mitigate noise impacts.*  
**Response:** Comment noted.

**Policy CC-5.4**
*Enforce the City’s noise emission standards.*
Response: Comment noted, the design of the building will not exceed the City’s noise emission standards.

Policy CC-5.5
Limit noise to levels that protect the public health and that allow residential, commercial and manufacturing areas to be used for their intended purposes through noise regulations.
Response: Section does not apply.

Policy CC-5.6
In city operations, reduce where possible, the use of noise-polluting equipment.
Response: Noise polluting equipment such as backup generators is designed into the parking structure to help mitigate any excessive noise levels when the generators are in use.

Policy CC-5.7 Support the use of technologies and engineering practices to lessen noise produced by traffic, aircraft, construction, and commercial and industrial facilities located near residential areas.
Response: Section does not apply.

Policy CC-5.8
Promote actions, such as equipment modifications and operational limits, that reduce noise from transportation modes, construction sites, industrial uses, and commercial 16 business establishments.
Response: Section does not apply.

Policy CC-5.9
Require buffering or other noise reduction and mitigation measures to reduce noise impacts from commercial and industrial areas on residential areas. Doors and windows, and any exterior mechanical equipment should be located or buffered to minimize noise impacts to surrounding properties.
Response: Noise polluting equipment such as backup generators is designed into the parking structure to help mitigate any excessive noise levels when the generators are in use. There are minimal doors and operable windows on the north elevation of the building adjacent to single family residential zoned property. The largest mass of the building has been located to the farthest south of the property to create a larger buffer for the residential areas.

Policy CC-5.10
Work with businesses and the community to provide education about the impacts of noise pollution on health and our quality of life.
Response: As a public essential facility, the proposed building will serve as an example of how a commercial use can be designed to minimize noise pollution.

Policy CC-5.11
Building standards should be modified to require noise attenuating walls and windows to decrease noise impacts on adjacent residents.
Response: Mechanical equipment located on the roof of the CRC will be visually screened, and sound mitigation may be designed into the screening depending on the specification of each mechanical unit (if such noise mitigation is necessary).
IV. CONCLUSION

This application requests project design review and conditional use permit approval for the addition of a 9,910 square foot Community Recovery Center and additional third level to the 84,750 square foot, three-level parking structure.

The development will provide the City of Lynnwood a Community Recovery Center (behavioral health urgent care facility) as part of a larger civic center campus, including a purpose-built police department, re-imagined misdemeanor jail, and a remodeled court, which will allow the necessary space and function to bring the best justice services to the local community. The addition of the CRC has been designed to meet the City Center design standards and will reinforce the strong identity of the Lynnwood City Center.

Based on the information presented and discussed in this narrative and the attached supporting plans and documentation, the proposed project meets the established standards and criteria and therefore merits approval.