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MEMORANDUM

To: Lynnwood City Council
Lynnwood Planning Commission

CC: ✓ Mayor Nicola Smith
Corbitt Loch, Community Development

From: John E. Galt, Hearing Examiner 

Date: January 5, 2015

Subject: Annual Report for 2014

The Lynnwood Municipal Code provides for an annual report from the Hearing Examiner to the City Council and Planning Commission:

The Examiner shall report in writing to and meet with the Planning Commission and City Council at least annually for the purpose of reviewing the administration of the land use policies and regulatory ordinances, and any amendments to City ordinances or other policies or procedures which would improve the performance of the Examiner process. Such report shall include a summary of the Examiner's decisions since the last report.

[LMC 2.22.170] This Report covers the cases which I decided during 2014. The report is divided into two parts: Hearing Activity and Discussion of Issues. I am available to meet at a time of mutual convenience with Council and/or Planning Commission at your request.

Hearing Activity

The pace of development activity requiring an open record pre-decision hearing increased ever so slightly in 2014 over recent years. Five applications (two for one project) were presented by four applicants.

By comparison, I decided three cases in 2013, one in 2012, five in each of 2011 and 2010, nine in 2009, five in 2008, 17 in 2007, seven in 2006, 16 in 2005, three in 2004, 11 in 2003, and 20 in 2002.

Last year's cases are listed in the order they were decided on the attached table. "Pre PUD" in the Type column, means preliminary planned unit development; "Okw/c" in the Decision column means "Approved subject to conditions."

Discussion of Issues

The Public Works Department's "56th Avenue West Facility" highlighted conflict and ambiguity in the City code, especially LMC 21.02.590 and 21.42.100, regarding what type of public works facilities are allowed in which zones. My Decision in that case contains a detailed analysis of the current code provisions and the problem they presented to Public Works in this case. I believe that correction of the contradictory and ambiguous provisions would benefit both City staff and the public.

Lynnwood Hearing Examiner Decisions: 2014

File #	Applicant	Project Name	Type	Acres	Lots	Decision	Decision Date	Recon.	Recon. Date
CUP-001124-2013	Lynnwood Washington Congregation of Jehovah's Witnesses		CUP	1.40		OKw/c	03/28/2014		
RZN-01518-2014	Northend Holdings I, LLC	Clare PUD	Pre PUD	1.16	6	OKw/c	06/09/2014		
PLT-001517-2014	Northend Holdings I, LLC	Clare PUD	Pre Plt	1.16	6	OKw/c	06/09/2014		
CUP-001752-2014	City of Lynnwood Public Works	56th Avenue W Facility	CUP	0.67		Grant in part	08/11/2014		
CUP-002063-2014	Edmonds School District No. 15	Support Services Center	CUP	19.80		OKw/c	11/12/2014		