Lynnwood Planning Commission
Meeting of November 14, 2002

Staff Report

Agenda Item: G-1
Secure Community Transition Facilities
(Interim Ordinance)

Lynnwood Dept. of Community Development — Staff Contact: Dennis Lewis, Senior Planner

PLEASE BRING THE ITEM G-2 AGENDA MATERIALS FROM THE OCTOBER 24, 2002 MEETING TO THIS MEETING

BACKGROUND:
The initial consideration of this matter by the Planning Commission was at the October 24th meeting. A copy of the interim ordinance and background materials were presented and discussed with the Commission. It was decided that a representative of the Department of Health and Human Services (DSHS), and the City Attorney should be asked to attend the next Commission meeting so that any necessary amendments to the interim ordinance could be identified. Staff has invited and confirmed the attendance of DSHS staff and the City Attorney. The focus of the discussion should be on identifying any necessary changes to the interim ordinance and directing staff to come back to the Commission with draft amendments for consideration at the December 12th Commission meeting. If the amendments meet with the approval, the Commission would then be ready to make recommendations to the City Council on amendment of the interim ordinance on Secure Community Transition Facilities (SCTF).

SUGGESTED AMENDMENTS:
The DSHS has commented on the interim ordinance and suggested that the following amendments are either necessary or desirable. The following five DSHS concerns are taken from the staff report to the City Council.

1. Undue impacts. DSHS believes that the language in Section 4.C.2 relating to undue impacts is too broad and is not supported by statute. They are suggesting the deletion of the language referring to “racial, cultural, or socio-economic groups”.

G:\2002\SCTF\PCWS 11-14-2002.DOC G-1 -- 1
2. **Extensive Buffering.** DSHS is recommending that the general reference to “extensive buffering” in Section 4.C.3 be deleted.

3. **Security Plan and Operating Rules.** DSHS prefers not to make the security plan and operating rules a part of the public record, and suggests that the interim ordinance be amended to clarify that the information DSHS would be required to provide would not jeopardize public safety. DSHS would prefer to enter into a long-term contract with the City regarding operating procedures of the facility.

4. **Concentration of Essential Public Facilities.** DSHS is concerned that the dependence of the interim ordinance on the Common Siting Process and Criteria for Essential Public Facilities contained in the Lynnwood Comprehensive Plan is inconsistent with RCW 71.09.250(8) for the siting of SCTF’s. They believe that this section limits the consideration of equitable distribution and undue burden to “mental health and correctional residential facilities, or registered sex offenders”, and not to include all types of essential public facilities. DSHS suggests the following modified language for the SCTF ordinance.

   “In considering the concentration of essential public facilities in the Site Evaluation Criteria described in the Capital Facilities & Utilities element of the Lynnwood Comprehensive Plan, the essential public facilities to be considered are those listed in RCW 71.09.250(8).”

5. **Mitigation.** DSHS is also concerned that the mitigation provisions contained in the Common Siting Process could result in mitigation requirements that would exceed those provided for by statute and could therefore preclude siting a secure community transition facility in violation of RCW 36.70A.200(5). No alternative language is suggested.

City staff also has determined that at least one amendment is required to better protect the City’s interests. The following text describes the additional amendment that staff believes is necessary to protect City interests.

Staff is not experienced in this area of public service planning. If DSHS decides to apply for location of a SCTF within Lynnwood, staff will need neutral third party expert assistance in reviewing the application and advising the City Council. Staff suggests that the SCTF ordinance should contain provisions for hiring such third party assistance. The ordinance should also provide for recovering the costs of such third party assistance through the fees paid by the applicant.

**MAPPING:**

The interim ordinance restricts possible locations of Secure Community Transition Facilities to an area in southwest Lynnwood, and then to only non-residentially zoned properties within the area. The statute permits this area restriction so long as there are viable sites available for a SCTF within the restricted area. In order to determine whether or not viable sites are available requires a mapping process. Certain activities and facilities are to be given special protection from being too close to the SCTF. These “risk potential activities and facilities” are: Public and private schools, school bus stops,
licensed day care and licensed preschool facilities, public parks, publicly dedicated trails, sport fields, playgrounds, recreational and community centers, churches, synagogues, temples, mosques, and public libraries. These risk potential activities and facilities (RPAF) are not to be within the “line of sight” of the SCTF. Line of sight is defined by statute as meaning “it is possible to reasonably visually distinguish and recognize individuals”. For planning purposes, the DSHS staff has used a distance of 600 feet from the SCTF. However, each site will have its own characteristics and the actual separation distance between the SCTF and the RPAF’s will vary. Factors such as topography, vegetation, and existing development may make it possible to locate a SCTF much closer to a RPAF.

Staff has mapped the area designated in the interim ordinance for location of a SCTF using different distance of separation from RPAF’s. Using a separation distance of 600 feet results in a very limited number of parcels being available for locating a SCTF. Reducing the separation distance to 300 feet significantly increases the number of parcels available.

Whether the area set aside for location of a SCTF in the interim ordinance is sufficient to meet the statutory requirement is a matter for discussion at the meeting. If the DSHS staff believes that the area needs to be expanded, the Commission will need to consult with the City Attorney on the matter and make a determination whether to recommend enlargement of the area, and if so where.

Attachments:

1. Map – SCTF Siting Criteria – 600 foot radius
2. Map – SCTF Siting Criteria – 300 foot radius
3. Aerial photo – SCTF parcels available

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Recommendation:

No action at this work session. Following a public hearing on December 12, 2002, the Planning Commission will be asked to recommend this code amendment to the City Council.

Background:

For several years now, the old Manor Hardware building at the northeast corner of 36th Avenue W and new 195th Place SW (formerly Alderwood Mall Blvd.) has been vacant. During this time the property has been subject to vandalism and use by “transients”. Also during this time, the owners of the property have been exploring ways to restore and remodel the building and make it economically viable again.

The old Manor Hardware property is included in the table of “Sites and Structures with Historic Interest” in the Background Report document of the City’s Comprehensive Plan. The building was also identified in the Alderwood Manor, Archeology and Historical Resources report prepared for the I-5/196th Street Interchange project EIS as eligible for listing in the National Register of Historic Places. (Excerpt of this document included as Attachment B.)

The original structure (that was to eventually become Manor Hardware) was constructed by the Puget Mill Company sometime prior to 1919. The structure was originally used as a temporary school building by the Edmonds School District until a permanent brick school building was constructed. In 1922, the building was moved onto a new foundation and remodeled to house four or five retail shops. Since 1922, the building has been occupied by a number of tenants including the Alderwood Manor Post Office. After the post office moved to a larger building, the Manor Hardware store expanded to occupy the entire building until the business relocated in 1997.

In January of this year, the Historical Commission began discussing on possible changes to current Zoning Code development standards to encourage the preservation and enhancement of historic properties with the old Manor Hardware building as their focus. The Commission found that rehabilitation of the building would require compliance with a number of zoning development standards. They found that required compliance with current building setbacks,
parking requirements and parking lot landscaping requirements were major stumbling blocks to
rehabilitating the building. In September, the Historical Commission completed work on
preliminary draft amendments to the Zoning Code that would make it easier to rehabilitate and
enhance the old Manor Hardware building and other historic properties in the City. They
recommended that the preliminary draft code amendments be forwarded to the Planning
Commission for review and public hearing.

Recently, James Ive (an architect working for one of the owners) has prepared plans to
rehabilitate the north, south and east sides of the building and remodel the west side that faces
36th Ave. W. The attached conceptual site plan and building elevations were designed to locate
one or more small professional office tenants in the building (See Attachment C).

Draft Code Amendment:

Attached is a draft Historical Preservation Code Amendment Ordinance (Attachment A) for
Planning Commission review and discussion. The draft code amendment would allow certain
Zoning Code development standards to be reduced or waived in return for listing a historic
property on a new City of Lynnwood historic landmark register. Once a structure is listed on the
register, rehabilitation or enhancement would need to be consistent with national or state
guidelines for rehabilitation of historic structures. Reducing or waiving development standards
would be considered through an administrative review and approval process (Process III - LMC
1.35.300). The decision to reduce or waive development standards would be made by the
Community Development Director with appeal to the Hearing Examiner.

The following are major features of the draft code amendment:

- Applications to reduce or waive development standards would be considered through Process
  III administrative review and approval (New LMC 21.80.175 – Process – page 4 of draft
  ord.).

- Community Development Director would have the authority to reduce or waive development
  standards for properties listed on a new City historic landmark register (New LMC 21.80.200
  – Authority for Reducing or Waiving Development Standards – page 4 of draft ord.).

- Building setbacks, parking, parking area landscaping and lot coverage development standards
  may be reduced or waived subject to specified limitations for properties listed on the new
  historic landmark register (New LMC 21.80.300 – Development Standards Limitations –
  Pages 5 & 6 of draft ord.).

- Rehabilitation and enhancement of properties listed on the new historic landmark register
  must be consistent with the US Secretary of Interior’s Standards for Rehabilitation or
  Washington State Advisory Council’s Standards for the Rehabilitation and Maintenance of

- A site or structure must meet certain criteria to be listed on the new historic landmark register
  (New LMC 21.80.400 A & B – City of Lynnwood Register of Historic Landmarks –
  pages 6-8 of draft ord.).
- Historical Commission would make decision on designating a property to the new historic landmark register (New LMC 21.80.400.C – City of Lynnwood Register of Historic Landmarks – pages 8 & 9 of draft ord.)

- Community Development Director’s decision to reduce or waive development standards may be appealed to the Hearing Examiner (New LMC 21.80.550 – Appeal – page 10 of draft ord.).

The City Attorney is currently reviewing the preliminary draft ordinance. At the work session, staff will present any changes recommended by the City Attorney.

**Environmental Review:**

The City’s Environmental Review Committee reviewed the draft code amendments and issued a Determination of Nonsignificance (DNS) on October 17, 2002. The appeal period for the DNS ended October 31, 2002.

**Referrals:**

Staff has sent the preliminary draft code amendments to all City Departments and affected public agencies for review and comment. Ken Korshaven, City’s Building Official commented that building alterations must meet building code rated wall setback requirements and that lot coverage is also addressed by Fire Codes. Laurie Cowan, City’s Parks Planner recommended that the words “renovation”, “restoration” and “Lynnwood Historical Commission” be defined. (See Attachment D for complete referral comments.) No other City department who responded had comments.

The Washington State Office of Archeology and Historic Preservation (OAHP) was the only public agency that submitted comments. The draft ordinance incorporates OAHP comments.

**What’s Next:**

Planning Commission is tentatively scheduled to hold a public hearing on the draft ordinance on December 12, 2002. It is anticipated that a public hearing on the draft ordinance would be held by the City Council in January or February of 2003.

**Attachments:**

A. Draft Historic Preservation Code Amendment Ordinance
B. Excerpt from Alderwood Manor, Archeology and Historical Resources report
C. Conceptual Site Plan and Building Elevations for Manor Hardware
D. Referral Summary
CITY OF LYNNWOOD

ORDINANCE NO.______

AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, REGARDING ZONING DEVELOPMENT STANDARDS AND THE PRESERVATION, REHABILITATION, AND ENHANCEMENT OF HISTORICAL PROPERTIES, CREATING A NEW CHAPTER IN TITLE 21 OF THE LYNNWOOD MUNICIPAL CODE; PROVIDING FOR SEVERABILITY; ESTABLISHING AN EFFECTIVE DATE; AND PROVIDING FOR SUMMARY PUBLICATION.

WHEREAS, the City Council has determined it is important to safeguard the heritage of the City of Lynnwood as represented by those sites, buildings, structures and landscapes that reflect significant elements of Lynnwood history; and

WHEREAS, there are occasions when compliance with zoning development standards acts as an impediment to the preservation, rehabilitation and enhancement of properties with local, state and/or national historical significance; and

WHEREAS, Policy HR-1.1 in the Cultural and Historic Resources Element of the City of Lynnwood Comprehensive Plan calls for development of an historical preservation program that provides incentives such as the relaxation of Zoning Code standards to encourage property owners to rehabilitate, restore, retain or reproduce historical elements of their properties; and

WHEREAS, the City Council has determined it is appropriate to reduce or waive certain zoning development standards, particularly those regarding building setbacks, parking, parking area landscaping and lot coverage for properties listed on a new City of Lynnwood historic landmark register.

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

Section 1. Chapter 21.80 of the Lynnwood Municipal Code is hereby enacted as follows:

21.80.050 Purpose

The purpose of this chapter is to encourage the preservation, rehabilitation, re-use and enhancement of eligible historic properties within the City of Lynnwood in order to:

A. Safeguard the heritage of the City of Lynnwood as represented by those buildings, sites, structures and landscapes that reflect significant elements of Lynnwood history;

Attachment A
B. Foster civic and neighborhood pride in the beauty and accomplishments of the past, and a sense of identity based on Lynnwood history;

C. Stabilize or improve the aesthetic and economic vitality and values of such sites, buildings and structures;

D. Conserve valuable material and energy resources by ongoing uses and maintenance of the existing built environment.

21.80.100 Definitions

The following words and terms when used in this chapter shall mean as follows, unless a different meaning clearly appears from the context:

A. City of Lynnwood Register of Historic Landmarks. “City of Lynnwood Register of Historic Landmarks” or “Register” means the local listing of properties provided for in Section 21.80.400.

B. Emergency repair. “Emergency repair” means work necessary to prevent destruction or disrepair to real property immediately threatened or damaged by fire, flood, earthquake, vandalism or other disaster.

C. Historic property. “Historic property” means real property together with improvements thereon which is listed in the City of Lynnwood Register of Historic Landmarks, Washington State Heritage Register or the National Register of Historic Places.

D. National Register of Historic Places. “National Register of Historic Places” means the register maintained by the Secretary of the Interior composed of districts, sites, buildings, structures and objects significant in American history, architectural history, archaeology, engineering, and culture.

E. Ordinary repair and maintenance. “Ordinary repair and maintenance” means work for which a permit issued by the City of Lynnwood is not required by law, and where the purpose and effect of such work is to correct any deterioration or decay of, or damage to, the real property or structure appurtenances thereto and to restore the same, as nearly as may be practicable, to the condition prior to the occurrence of such deterioration, decay, or damage.

F. Rehabilitation. “Rehabilitation” is the process of returning a property to a state of utility through repair or alteration, which makes possible an efficient contemporary use while preserving those portions and features of the property that are significant to its architectural and cultural values.
G. Washington Heritage Register. "Washington Heritage Register" means the state listing of properties significant to the community, state, or nation that may or may not meet the criteria of the National Register of Historic Places.

H. Washington State Advisory Council Standards for the Rehabilitation and Maintenance of Historic Properties. "Washington State Advisory Council Standards for the Rehabilitation and Maintenance of Historic Properties" means the rehabilitation and maintenance standards as set forth in WAC 254-20-100 as presently enacted or hereinafter amended as minimum requirements for determining whether or not an historic property is eligible for special valuation and whether or not the property continues to be eligible for special valuation once it has been so classified.

21.80.150 Application

A. The owner(s) of any property listed on the City of Lynnwood Register of Historic Landmarks may apply for approval for reduction or waiving of certain development standards under this chapter. An application for the above shall at a minimum:

1. Identify the property(ies) for which development standards reduction or waiving is proposed; and

2. Include a site plan (and landscape plan if necessary) to scale indicating existing and proposed building(s), parking and site landscaping.

   a. The site and/or landscape plan shall indicate the following:

      1. Existing and proposed building(s) setbacks from property lines;

      2. Existing and proposed lot coverage;

      3. Existing and proposed parking;

      4. Width of existing and proposed street frontage landscaping and percentage of existing and proposed parking lot landscaping;

      5. All structures to be demolished.

3. Include building elevations to scale indicating existing facades and any proposed modifications and/or additions to existing facades. Elevations shall also indicate exterior building materials.

B. A property owner may apply for approval to reduce or waive development standards under this chapter while the Historical Commission is reviewing a nomination by the owner to designate the property for the Register. However, the
Director shall not issue a decision on an application to reduce or waive development standards until the Historical Commission has approved designation of the property to the Register.

21.80.175 Process

The Community Development Director shall consider applications to reduce or waive requirements of the Zoning Code (LMC Title 21) for properties listed on the City of Lynnwood Register of Historic Landmarks utilizing Process III administrative permits review and approval (LMC 1.35.300).

21.80.200 Authority for Reduction or Waiving Development Standards

The Community Development Director (Director) may reduce or waive requirements of the Zoning Code (LMC Title 21) for properties listed on the City of Lynnwood Register of Historic Landmarks if:

A. The applicant has carried the burden of proof and produced evidence sufficient to support the conclusion that the application merits approval or approval with modifications;

B. The applicant has demonstrated that the proposal complies with applicable decision criteria of this chapter; and

C. The subject property is listed on the City of Lynnwood Register of Historic Landmarks.

21.80.250 Decision Criteria

The Director may approve or approve with modifications an application to reduce or waive Zoning Code development standards specified under 21.80.300 if:

A. The proposal is not injurious to the surrounding properties or detrimental to the public welfare;

B. The proposal is consistent with other applicable requirements and regulations of the Lynnwood Municipal Code;

C. The proposal does not cause a significant adverse environmental impact; and

D. The proposal is not precluded by city code or state law from being decided administratively.
21.80.300 Development Standards Limitations

Zoning Code development standards identified below may be reduced or waived subject to limitations specified under this section.

A. Building Setbacks

1. Any structure listed on the Register may be restored, rehabilitated and enhanced regardless of existing nonconforming building setbacks as long as the work is consistent with the architectural review requirements of 21.80.350.

2. Additions to an historic structure listed on the Register may be made as long as they do not increase an existing nonconforming setback and they are consistent with the architectural review requirements of 21.80.350.

B. Parking

1. Minimum parking standards may be reduced for a property listed on the Register if it can be demonstrated that adequate parking can be provided for the historic property.

2. Shared parking may be approved if it can be demonstrated that adequate parking can be provided for the property listed on the Register and other properties where sharing is to occur.

3. Nearby on-street parking may be included in this analysis.

C. Parking Area Landscaping

1. Parking area landscaping requirements may be reduced or waived for a property listed on the Register subject to the following:

a. Street frontage and parking area coverage landscaping should be provided, where feasible, as long as it does not affect the provision of adequate parking.

D. Lot Coverage

1. Any structure listed on the Register may be restored, rehabilitated and enhanced regardless of existing nonconforming lot coverage.

2. Additions to structures listed on the Register may be made as long as they do not increase existing nonconforming lot coverage, if that condition exists.

E. Other Development Standards
1. The Community Development Director may reduce and waive other Zoning Code development standards based on physical conditions and special circumstances of a property listed on the Register.

21.80.350 Architectural Review

A. Restoration, rehabilitation and enhancement of structures listed on the Register shall be:

1. Consistent with the US Secretary of Interior’s Standards for Rehabilitation or Washington State Advisory Council’s Standards for the Rehabilitation and Maintenance of Historic Properties; and

2. Reviewed by a public agency or consulting architect with appropriate architectural review expertise.

B. Ordinary repair and maintenance and emergency repair to structures listed on the register are exempt from the above architectural review requirement.

21.80.400 City of Lynnwood Register of Historic Landmarks

A. Criteria for Determining Designation in Register

Any building, structure, site, object or landscape (including trees and other plants) may be designated for listing in the City of Lynnwood Register of Historic Landmarks, with owner consent, by the Lynnwood Historical Commission. The criterion for age is at least fifty (50) years. The building, structure, site, object or landscape must possess integrity of location, design, setting, materials, workmanship, feeling, species, age and association, that is significant in the history, architecture, archaeology, engineering or cultural heritage of America, Washington State and/or City of Lynnwood. In addition to meeting the age and historical significance criteria, the following criteria will be considered:

1. That are associated with significant historic events; or

2. That are associated with a person or persons who significantly contributed to the culture and development of the City of Lynnwood; or

3. That embody the distinctive characteristics of a type, period, or method of construction, architectural design, detail, material, craftsmanship, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
4. That exemplify the cultural, economic, social, or historic heritage of the City of Lynnwood; or

5. That embody distinguishing characteristics of an architectural type or specimen; or

6. That embody elements of architectural design, detail, materials, or craftsmanship that represent a significant architectural innovation; or

7. That have a relationship to other distinctive areas that are eligible for preservation according to a plan based on an historic, cultural, or architectural motif; or

8. That have a unique location or singular physical characteristic representing an established and familiar visual feature of a neighborhood, community, or the City of Lynnwood; or

9. That have yielded, or may be likely to yield information important in prehistory or history; or

10. That by virtue of the species, age, scarcity, outstanding quality, location or connection to an historic event or person such landscape, trees or other plant material contribute significantly to the community or the City of Lynnwood.

B. Special Criteria for Determining Designation in Register

Ordinarily cemeteries, birthplaces, or graves of historical figures, properties owned by religious institutions or used for religious purposes, structures that have been moved from their original locations, reconstructed historic buildings, properties primarily commemorative in nature, and properties that have achieved significance within the past thirty (30) years shall not be considered eligible for the Register. However, such properties may qualify if they are integral parts of districts that meet the criteria of 21.80.400.A or if they meet the following criteria:

1. A religious property deriving primary significance from architectural or artistic distinction or historical importance; or

2. A building or structure removed from its original location but which is significant primarily for architectural value, or which is the surviving structure most importantly associated with an historic person or event; or

3. A birthplace or grave of an historical figure of outstanding importance if there is no appropriate site or building directly associated with his/her productive life; or
4. A cemetery which derives its primary significance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events; or

5. A reconstructed building when accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan, and when no other building or structure with the same association has survived; or

6. A property, building, structure or object primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own historical significance; or

7. A property, building, structure or object achieving significance within the past 29 years if it is of exceptional importance; or

8. A property, building, structure or object that exemplifies or promotes the value of historic preservation and contributes to a better understanding of a connection to Lynnwood’s or the area’s history.

C. Process for Designating Properties to the Register of Historic Landmarks

1. Nomination. Any person may nominate a building, structure, site, object or landscape for listing in the City of Lynnwood Register of Historic Landmarks. In its designation decision, the Historical Commission shall consider the criteria in Section 21.80.400, Historical Commission's Historic Resources Inventory and the Comprehensive Plan.

2. Notification of Review. The public, property owner(s), lessee and nominator shall be notified prior to the public meeting to review the nomination.

3. Review. The Historical Commission shall consider the merits of the nomination, according to the criteria in Section 21.80.400 at a public meeting.

4. Findings. If the Historical Commission finds that the nominated property is eligible for the Register, the Commission shall designate, with owner's consent, the property as listed on the Register.

a. In the case of individual properties, the designation shall include a site reference and all features, interior and exterior, and outbuildings that contribute to its designation.

5. Notification of Designation. The public, property owner(s), lessee, and nominator shall be notified of the Historical Commission’s designation.
6. Recording. Properties listed on the Register of Historic Landmarks shall be identified on the City's zoning map and recorded with Snohomish County Auditor.

D. Removal of Properties from the Register

1. A property may be removed from the Register if alterations to the property result in loss of historical integrity.

2. In the event that any property is no longer deemed appropriate for designation to the Register, the Commission may initiate removal from such designation by the same procedure as provided for in establishing the designation. A property may be removed from the Register without the owner's consent.

E. Effects of Listing on the Register

1. Listing on the Register is an honorary designation denoting significant association with the historic, archaeological, engineering, or cultural heritage of the community. Properties are listed individually or as contributing properties to an historic district.

21.80.450 Effects of Removing Properties from the Register

In the event that a property on the Register that has been granted reduction or waiver of zoning code development standards is removed from the Register by the owner or the Historical Commission, the property shall be considered legally non-conforming with respect to those development standards that were reduced or waived.

21.80.500 Additional Information and Conditions

The Community Development Director may require additional information and impose any conditions necessary to protect surrounding properties in approving reductions or waiving of Zoning Code development standards.

21.80.550 Appeal

The Community Development Director's decision to reduce or waive Zoning Code development standards may be appealed to the Hearing Examiner under Process II (LMC 1.35.200).

Section 2. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or
unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase or word of this ordinance.

Section 3. Effective Date. This ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum, and shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

PASSED this ___ day of ____________, 2003 and signed in authentication of its passage this ___ day of ____________, 2003.

MIKE McKINNON, MAYOR

ATTEST:

APPROVED AS TO FORM:

MICHAEL BAILEY
Administrative Services Director

GREG A. RUBSTELLO
Lynnwood City Attorney

FILED WITH THE CITY CLERK:
PASSED BY THE CITY COUNCIL:
PUBLISHED:
EFFECTIVE DATE:
ORDINANCE NO.
I-5/196TH STREET SW INTERCHANGE PROJECT
ENVIRONMENTAL IMPACT STATEMENT

ALDERWOOD MANOR, ARCHAEOLOGICAL AND
HISTORICAL RESOURCES

Prepared for
HUCKELL/WEINMAN ASSOCIATES, INC.
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Kirkland, Washington 98033

by
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Carla Bush, M.A., Assistant Historian
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Gail Thompson, Ph.D., Project Manager

HISTORICAL RESEARCH ASSOCIATES, INC.
119 Pine Street, Suite #301
Seattle, Washington 98101

October 16, 1992 Attachment B
History

The Masonic Temple was constructed in 1921, and has always been used for that purpose. The cornerstone was chiseled by William Morrice, an early settler and mason from Scotland (Broom 1990: 64-65).

National Register Eligibility

Like the Wickers Building, the Masonic Temple is a well-recognized landmark in the area that serves as a reminder of the early period of Alderwood Manor.

According to several members of the Alderwood Manor Heritage Association, modifications to this structure have been moderate (Little 1992). They include the addition of front steps during the 1950s, alterations to the portico, and a rebuilt kitchen. However, the design of this colonial-style building remains intact. The Masonic Temple has retained its character-defining features, such as the detailed brickwork, original windows, Masonic emblem, and cornerstone. Owing to its association with the establishment of Alderwood Manor and to its prominence in that community, the project historian believes that this building is eligible for listing in the National Register under criterion A (concerning events that have made a significant contribution to the broad patterns of history), at the local level of significance.

Site No. 4: Manor Hardware

Description

Manor Hardware is a one-story commercial building accentuated in the front by brick columns and bay windows.

History

Manor Hardware dates to the establishment of Alderwood Manor (1917-1920s). Originally used as a schoolhouse, it later housed a dentist’s office, a paint store, a post office, and a barber shop (Alderwood Manor Heritage Association 1992).

National Register Eligibility

Today, Manor Hardware is a well-recognized landmark linking the modern community to its rural past. Interviews with members of the Alderwood Heritage Association suggest that the building has been modified. Possible alterations include the addition of brick columns to the front exterior. However, the design of the building remains intact, and its character-defining features, including the row of windows in front, have been retained over the decades. Owing to its association with the establishment of Alderwood Manor, the project historian believes that
this building is eligible for listing in the National Register, under criterion A (concerning events that have made significant contributions to the broad patterns of history), at the local level of significance.

Site No. 5: Oak Barn

Description

This is a large commercial building with the appearance of a warehouse. It is gray in color, with dark blue-gray trim. Much of the interior has been painted white, and it features large, old-growth beams and posts (Bowen 1992). Currently it serves a furniture store.

History

The Oak Barn dates to the establishment of Alderwood Manor (1917-1920s). Originally used as a poultry feed store, the building included a loading dock along the interurban tracks in back (Bowen 1992; Gruwell 1992). Today, many early residents of Lynnwood recall purchasing feed at this building during Alderwood’s early days (Bowen).

National Register Eligibility

Historical photographs and interviews with the associate manager suggest that the Oak Barn has undergone dramatic modifications. Although the interior features original beams and posts, the building has been expanded and numerous windows have been recently replaced or added. The significance of this building is derived primarily from the early days of Alderwood Manor, during which this was an unadorned building with the appearance of a warehouse. Recent additions to the building’s exterior have weakened the connection between its present appearance and its original function. For this reason, the project historian believes that this property is not eligible for listing in the National Register.

Site No. 6: Paragon Glass Warehouse

Description

This is a long, one-story commercial building which currently houses several businesses. Located nearby is a tiny outbuilding, which looks as though it could have been moved there from another location.
### Comments From City Departments & Other Agencies

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<thead>
<tr>
<th>Department</th>
<th>Response</th>
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<tbody>
<tr>
<td>Public Works Department</td>
<td>No response.</td>
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<tr>
<td>Building Division</td>
<td>See attached. Ken Korshaven, Building Official 8/19/02</td>
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<tr>
<td>Police Department</td>
<td>No comment. Pat Fagan, Sergeant 8/27/02.</td>
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<tr>
<td>Fire Department</td>
<td>No comment. John Conderman, Fire Marshal 8/9/02</td>
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<tr>
<td>Parks &amp; Recreation Department</td>
<td>See attached. Laurie Cowan, Park Planner 8/19/02</td>
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<tr>
<td>Finance Department</td>
<td>No response.</td>
</tr>
<tr>
<td>Edmonds School District</td>
<td>No response.</td>
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<tr>
<td>Snohomish Health District</td>
<td>No response.</td>
</tr>
<tr>
<td>Other Agencies</td>
<td>Washington State Office of Archaeology &amp; Historic Preservation – Just a couple of additional edits to what we spoke about over the phone. (See attached). Megan Duvall, 8/13/02</td>
</tr>
</tbody>
</table>
TO: BUILDING DIVISION
   EXECUTIVE DEPARTMENT (FYI)
   FINANCE DEPARTMENT
   FIRE DEPARTMENT
   PARKS & REC. DEPARTMENT
   POLICE DEPARTMENT
   PUBLIC WORKS DEPARTMENT
   ECONOMIC DEVELOPMENT DEPT.
   ALDERWOOD WATER DISTRICT

FROM: Lynnwood Planning Department
19100 44th Avenue West
P.O. Box 5008
 Lynnwood, WA 98046-5008
(425) 670-6645

SUBJECT: Historical Preservation Code Amendment (2002CAM0004)

MESSAGE:

The City of Lynnwood is considering an amendment to Title 21 (Zoning) of the Lynnwood Municipal Code (LMC) to encourage the preservation, restoration and enhancement of designated historic properties in the City. The proposed amendment would allow certain Zoning Code development standards to be reduced or waived in return for listing a historic property on a City of Lynnwood historic landmark register and the owner committing to preserving or enhancing historic structures per national or state guidelines for rehabilitation of historic structures. Reducing or waiving development standards would be considered through an administrative review and approval process (Process III - LMC 1.35.300). The decision to reduce or waive development standards would be made by the Community Development Director with appeal to the Hearing Examiner. Please see the attached preliminary draft code amendment language for details.

Please review this proposal and return any comments or issues that you believe should be addressed. Please also note any revisions to the draft language you would recommend.

DATE: August 5, 2002  BY: Darryl Eastin  Phone: 425-670-6652  Email: deastin@ci.lynnwood.wa.us

REPLY: 21-500A MUST MEET HEIGHT WAS REQUIREMENTS
FOR SETBACK.
D. LOT COVERAGE MUST BE ADDRESSED BY FIRE TITLE 9,
   MUST CONSIDER.

21-400 HAS 2 'B'

WE MIGHT NEED TO BE SPECIFIC ABOUT OTHER CODES

☐ NO COMMENT  ☐ SEE ATTACHED

DATE: 8/19/02  BY:  

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TO: BUILDING DIVISION
   EXECUTIVE DEPARTMENT (FYI)
   FINANCE DEPARTMENT
   FIRE DEPARTMENT
   PARKS & REC. DEPARTMENT
   POLICE DEPARTMENT
   PUBLIC WORKS DEPARTMENT
   ECONOMIC DEVELOPMENT DEPT.
   ALDERWOOD WATER DISTRICT
   COMMUNITY TRANSIT
   EDMONDS SCHOOL DISTRICT
   FIRE DISTRICT ONE
   SNO. CO. PLANNING (LOUISE LINGREN)
   SNO. CO. P.U.D., MARGARET HART
   SNO. CO. P.U.D., SO. COUNTY OFFICE
   SNO. CO. HEALTH DISTRICT
   SNO. CO. ENGINEERING
   WASH. STATE DEPT. TRANS.

FROM: Lynnwood Planning Department
      19100 44th Avenue West
      P.O. Box 5008
      Lynnwood, WA  98046-5008
      (425) 670-6645

REPLY DUE August 19, 2002

SUBJECT: Historical Preservation Code Amendment (2002CAM0004)

MESSAGE:

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DATE: August 5, 2002   BY: Darryl Eastin   Phone: 425-670-6652   Email: deastin@ci.lynnwood.wa.us

REPLY: 'Under 'definitions' - add 'renovation' and 'restoration' in addition to the 'rehabilitation' definition. These terms are often used interchangeably and shouldn't be.

* Add reference to Secretary of the Interior Standards and Guidelines.
* Add Historical Commission to definitions.

Lynnwood

See additional notes.

NO COMMENT SEE ATTACHED

DATE: 8/19/02   BY: [Signature]

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**Lynnwood Planning Commission**  
**Meeting of November 14, 2002**

<table>
<thead>
<tr>
<th>Staff Report</th>
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<tr>
<td><strong>Agenda Item: G-3</strong></td>
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<tr>
<td><strong>Transitional Buffers Code Amendment</strong></td>
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</tbody>
</table>

Lynnwood Dept. of Community Development — Staff Contact: Kevin Garrett, Planning Manager

**Recommendation:**

No action at this work session. Following a public hearing on December 12, 2002, the Planning Commission will be asked to recommend this code amendment to the City Council.

**Background:**

The Zoning Code requires a transitional buffer at the property line dividing properties zoned to different types of zones. In most cases, the transitional buffer must be at least 20 feet wide, and it must have two rows of closely-planted evergreen trees and a six-foot fence. For example, a 20-foot buffer is required on a commercially-zoned property where it abuts a single family zoned property. Both rows and the fence are to be located on the commercial property. Where a commercially-zoned property abuts a multiple family zoned property, the Code requires a 10-foot landscaped buffer on both properties (for a total width of 20 feet). One row of trees is required on each property, and the fence is located on the property line. Transitional buffers are installed when properties are developed or redeveloped.

In some situations, however, topography, a low level of activity on the portion of the commercial property next to the single family property, or other factors indicate that a buffer with less width and/or planting will provide adequate protection for the adjoining property. At present, the Code requires approval of a variance to reduce the width of a buffer. The findings for approval of a variance go far beyond the adequacy of the separation between the two properties.

**Draft Code Amendment:**

Staff recommends instituting a process to allow a reduced buffer where conditions warrant a reduction. The attached ordinance authorizes the Community Development to revise the buffer if the Director finds that,

> “due to the intensity of existing or proposed landscaping, change in topography between properties, use of the properties along the abutting property line, or other characteristics of the abutting properties, a reduced buffer width will provide adequate separation between the properties.”
Notice of a pending action to revise a buffer would be mailed to owners of property that abut the site of the buffer.

A decision to change a transitional buffer could be appealed to the Hearing Examiner (PROCESS II).

The City Attorney is currently reviewing the preliminary draft ordinance. At the work session, staff will present any changes recommended by the City Attorney.

**Environmental Review:**

The City’s Environmental Review Committee reviewed the draft code amendments and issued a Determination of Nonsignificance (DNS) on October 30, 2002. The appeal period for the DNS ends November 13, 2002.

**What’s Next:**

Planning Commission is tentatively scheduled to hold a public hearing on the draft ordinance on December 12, 2002. It is anticipated that the City Council will hold a public hearing on the draft ordinance in January or February of 2003.

**Attachments:**

A. Draft Ordinance