Action: The Commission is requested to hold a public hearing, take and consider public input and forward the proposed 2004 – 2009 TIP to the City Council with a “Do Pass” recommendation.

Purpose of the Hearing: The purpose of this public hearing is to accept public comments pertaining to transportation in general, specific problems or issues, and the contents of the attached Proposed Six Year Transportation Improvement Plan (TIP) for 2004 to 2009.

Description: The City of Lynnwood is required annually, as are all jurisdictions in the State of Washington, to amend and adopt the City’s Six Year TIP. This requirement is set out in RCW 35.77.010, RCW 36.81.121 and modified by HB 1525.

The Proposed TIP document before you covers the years 2004 - 2009. The projects in the TIP are derived from The Capital Facilities Plan for 2003 that, in turn, is based on the Twenty Year Plan. All of these plans are based on the policies set forth in the City of Lynnwood Comprehensive Plan.

The Commission’s recommendation will be forwarded to the City Council for consideration at their Public Hearing on June 9, 2003.

Discussion: Attached is a summary project list for the 2004 – 2009 Six Year TIP. There are 30 projects on this year’s list, down from 35 last year. Of these, five (5) are new projects. Most of the new projects add capacity to support the Proposed City Center Project. One project, the I-5 City Center Exit, is a major regional and State project.

Attachment: Presentation and Proposed 6-Year TIP for 2004 - 2009
6-Year TIP 2004 - 2009

- State requirement
- Updated yearly
- City Council Adopts Ordinance by June 30
- Submitted to Secretary of Transportation
- Rolling 6 year time frame
6-Year TIP 2004 - 2009

5 New Projects

➢ 44th Ave W: I-5 to 194th St SW
➢ 196th St SW (SR-524): 48th Ave W to 37th Ave W
➢ 200th St SW: SR-99 to 48th Ave W
➢ I-5 city center exit: southbound I-5 to AMB
➢ Bus radii improvements

5/8/2003 Planning Commission Hearing
6-Year TIP 2004 - 2009

10 Projects Dropped off of List

- 44th Ave: 196th St SW to 200th St SW (funded)
- 176th St SW: Intersection Improvements (funded)
- 200th St SW at 46th Ave W & 48th Ave W (funded)
- Ped Overpass: Interurban Trail to 44th Ave W (dropped)
- Traffic Signal: 176th St SW/Olympic View Dr (funded)
- Signal Modification: 33rd Ave W/188th St SW (completed)
- ITS Installation & Rechannelization: AMP/AMB & AMP/196th (completed)
- ITS Installation: 33rd Ave W/184th St SW (completed)
- Alderwood Mall Holiday Traffic Management Plan (completed)
- Signal Modification & Rechannelization: 184th St SW/Nordstrom Driveway (completed)
6-Year TIP 2004 - 2009

9 Projects Deferred without Grants

- Maple Road Extension: 36th Ave to AMP
- Sidewalks 52nd Ave W: 168th St SW to 176th St SW
- Sidewalks 48th Ave W: 180th St SW to 182nd St SW
- 204th St SW: 68th Ave W to SR-99
- Traffic Signal: 52nd Ave W/176th St SW
- Traffic Signal: 48th Ave W/188th St SW
- Traffic Signal: 212th St SW/66th Ave W
- Traffic Signal: 36th Ave W/172nd St SW
- Traffic Signal: 204th St SW/68th Ave W
6-Year TIP 2004-2009

- Grant picture is bleak

5/8/2003
6 - Year TIP 2004 - 2009

Schedule

- May 8 Planning Commission public hearing
- May 26 City Council public hearing
- June 9 City Council adoption

5/18/2003
Proposed TIP 2004 - 2009

\[ A + B = C \]

A = Changes to 2003 - 2008 TIP

B = New Projects

C = Proposed 2004 - 2009 TIP
Proposed TIP 2004 - 2009

A = Changes to 2003 – 2008 TIP

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5/8/2003 Planning Commission Hearing
### Proposed TIP 2004 - 2009

#### A = Changes to 2003 – 2008 TIP

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# Proposed TIP 2004 - 2009

A = Changes to 2003 – 2008 TIP

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5/8/2003  Planning Commission Hearing
## Proposed TIP 2004 - 2009

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## Proposed TIP 2004 - 2009

### B = New Projects

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5/8/2003 Planning Commission Hearing
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C = Proposed 2004 – 2009 TIP
Staff Report

Agenda Item: F.1
Opiate Substitution Program
Ordinance

Recommendation:
Continue considering recommendations to the City Council as to the appropriate land use regulation of Opiate Substitution Programs in the City of Lynnwood.

Background/Discussion:
The Planning Commission closed the public hearing on this ordinance on April 24 and began discussion of a recommendation to the City Council. As no motion for a recommendation gained the required four votes, the Commission continued this item to this meeting.

Commissioner Decker was absent at the last meeting. Staff is providing him a copy of the tapes of that meeting. After he has listened to the tapes, he will be able to participate in this discussion.

Purpose of this Code Amendment:
Establish appropriate land use regulation for Opiate Substitution Programs in Lynnwood.

Next Steps:
The Commission’s recommendation will be presented to the City Council. The Council will hold a hearing on that recommendation before taking any action.

Attachments:
1. See staff reports for April 10 and 24 meetings.
Introduction:

On April 10, the Planning Commission conducted a public hearing and forwarded its recommended Study List for the City Council’s consideration.

While the City Council considers the Study List, the Planning Commission will continue the review process begun during the April 24th work session. Group #2 includes four suggested amendments.

Schedule:

The following schedule should be considered flexible and may change to accommodate the City Center Plan or unexpected disruptions.

- April 24 – Planning Commission Work Session – Group #1 (completed)
- May 5 – City Council Work Session – overview of all proposals.
- May 8 – Planning Commission Work Session – Group #2
  - City Center Plan [postponed until later]
  - Mobile Home Park Study Suggested Map Amendment
  - Palmer Suggested Map Amendment
  - Lytton Suggested Map Amendment
- May 12 – City Council Approval of Final Study List
- May 22 – Planning Commission Work Session – Group #3
  - Code-related Plan Amendments
  - Implementation Element Update
  - Environmental Element Update
- June 12 – Planning Commission Public Hearing & Recommendations
- Sept. 8 – City Council Public Hearing
- Sept. 22 – City Council Final Action/Adoption of Plan Amendments
Suggested Amendments:

The following is a general description of the four Group #2 proposals. A more detailed description will follow:

5. City Center Plan
   Location: Lynnwood Triangle portion of Subregional Center (general area)
   Description: A subarea plan is being prepared to guide the long-range development of a new City Center for Lynnwood. A Planned Action SEIS and implementing development regulations are expected to accompany this plan as it goes through the review process this summer.

6. Mobile Home Park Study Map Amendment
   Location: Northwest Corner of 44th Ave W and 176th St SW
   Request: Change the Plan designations of two adjacent mobile home parks from MF-1 (Low-density Multi-family) to SF-3 (High-density Single-family).

7. Palmer Map Amendment
   Location: Kingsbury West Annex mobile home park. South side of 176th Street, west of Highway 99.
   Request: Change the Plan designation from MF-1 (Low-density Multi-family) to MF-2 (Medium-density Multi-family) and apply consistent zoning.

8. Lytton Map Amendment
   Location: 21011 – 67th Ave. W. – SE corner of 210th Street and 67th Avenue
   Request: Change the Plan designation from RC (Regional Commercial) to MF-3 (High-density Multiple-family).
5. City Center Plan Suggested Amendment:

Applicant: City of Lynnwood
Contact: Kevin Garrett, Dept. of Community Development
Location: Lynnwood Triangle portion of Subregional Center (general area)
Description: A subarea plan is being prepared to guide the long-range development of a new City Center for Lynnwood. A Planned Action SEIS and implementing development regulations are expected to accompany this plan as it goes through the review process this summer.
Schedule: Because of the size and complexity of this project, it will follow a separate track through the approval process and will be adopted along with other Comprehensive Plan amendments when ready.
6. Mobile Home Park Study:

Applicant: City of Lynnwood
Contact: Tim Fargo (425) 670-6654
Location: Northwest Corner of 44th Ave W and 176th St SW
Site: The site consists of two similar mobile home parks. The following is a summary:

<table>
<thead>
<tr>
<th></th>
<th>Kingsbury East</th>
<th>The Squire</th>
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<tbody>
<tr>
<td>Location</td>
<td>17408 – 44th Ave. W</td>
<td>4515 – 176th Street SW</td>
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<td>Current Zone</td>
<td>RS-8 (Single-family)</td>
<td>RS-8 (Single-family)</td>
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Source: Snohomish County Assessor's Office, February 13, 2003
History: For many years the Kingsbury East and The Squire mobile home parks have been zoned single-family RS-8. The Comprehensive Plan was adopted in 1995 with a plan designation of multiple-family MF-1 for the parks. The parks have had conflicting plan and zoning designations since that time. According to state law, these designations must be consistent with one another. Mobile home parks can be located in either single-family or multiple-family zones, so a change in zoning would not make the existing mobile home parks nonconforming.

During 2001, the plan and zoning designations of many properties throughout the City were changed in order to achieve consistency between the Comprehensive Plan and Zoning maps. The Planning Commission at that time recommended that the Comprehensive Plan designations for the mobile home parks continue to be multiple-family MF-1 and that the zoning designations be changed to multiple-family RML. The City Council took no action, however, as all mobile home parks were put on hold for further study. The Council's priority at that time was to preserve single-family housing and discourage multiple-family development.

Last year, during the 2002 Comprehensive Plan Amendments process, the Planning Commission recommended these two mobile home parks for single-family SF-2 plan and single-family RS-7 zoning designations, consistent with the stated but not yet adopted goal of the City Council. The RS-7 zoning designation was intended to give the owners greater density and flexibility if they decide to redevelop while keeping the properties single-family in nature. This recommendation was in line with Council priorities, but the Council did not adopt this recommendation, leaving the mobile home parks inconsistent pending further study in 2003.

Surrounding Uses:

North: Mostly single-family houses; two fourplexes
West: Mostly multiple-family condominiums; some Highway 99 commercial
South: Multiple-family condominiums, apartments, a triplex, and a single-family house
East: Mostly single-family houses; a church

Options: The character of 44th Avenue is primarily residential in the immediate vicinity of these two parks. Thus, a residential option seems most appropriate. Some of the following are possibilities under different development scenarios:

1. **SF-3/RSH High-Density Single-Family Residential/Cottage Housing**
Small-lot single-family may be the most appropriate land use for this site. SF-3 and RSH are currently proposed Comprehensive Plan and Zoning amendments. These designations would allow single-family units at a density of up to 12 units per acre. By recommending this option, the City of Lynnwood will have an opportunity for a higher-density housing option that is single-family in nature, the preferred form of housing for many individuals. The location is ideal for high density single-family, as it is situated between low-density single-family and low- and medium-density multiple-family, near commercial properties, and bus lines. In considering the possible subsequent uses of other older mobile home parks
throughout the city, small-lot single-family or cottage housing also may be appropriate. Recommending SF-3 and RSH for this site will provide a test case and an example of where small-lot single-family housing designations may serve the needs of the community. This proposal would allow up to 67 single-family units for Kingsbury East and up to 63 single-family units for The Squire.

**Examples of Cottage Housing**

Photos: **Third Street Cottages**, Langley, WA, The Cottage Company

Photos: **Poulsbo Place**
2. MF-1/RML Low-Density Multi-Family Residential
This is the most straightforward option, considering that the current comprehensive plan designation is already MF-1. It is also the option favored by the park owners. Changing the zoning to RML would achieve consistency between the plan and the zoning. In 2001, the Commission recommended the plan to continue to be multiple-family MF-1 and the zoning to be RML. The City Council, however, put all mobile home parks on hold at that time and directed study on the prospect of a mobile home park zone. MF-1 and RML may be appropriate for the site, given its proximity to both higher- and lower-density housing and also considering that the City now has a Design Review process to help ensure quality design. This proposal would allow up to 67 multiple-family units for Kingsbury East and up to 63 multiple-family units for The Squire.

3. SF-2/RSM Medium-Density Single-Family Residential
In 2002, the Commission recommended the plan to be single-family SF-2 and the zoning to be RS-7. The RS-7 zoning designation was intended to give the owners greater density and flexibility if they decide to redevelop while keeping the properties single-family in nature. This recommendation was in line with Council priorities, but the Council continued the parks for further study. Although this option may also be appropriate for the site, the City Council rejected this recommendation last year. This proposal would allow up to 33 single-family units for Kingsbury East and up to 31 single-family units for The Squire.

Approval Criteria for Option #1:
The following criteria are contained in the Implementation Element of the Lynnwood Comprehensive Plan and should be used by the Planning Commission and City Council when processing the proposals. The following applies only to Option #1.

A proposal can be approved only if it meets all of the following criteria:

A. The proposal is consistent with the provisions of the Growth Management Act and will not result in Plan or regulation conflicts.

- No apparent conflict with GMA.
- The proposal is consistent with GMA urban density and housing objectives and with the good planning practice of locating higher density housing in close proximity to urban services, employment, shopping, entertainment, etc.
- The proposal could provide an opportunity for higher-density single-family housing, consistent with the goals of GMA.

B. The proposal will change the development or use potential of a site or area without creating significant adverse impacts on existing sensitive land uses, businesses, or residents.

- The proposal may result in the eventual redevelopment of the mobile home park, possibly displacing residents. Most of the mobile homes in the parks, however, are not up-to-code. The current owners have not made public any plans for redevelopment.
- The proposal for SF-3 will result in a minor increase in the density of development on this site, but will keep the properties single-family in nature, albeit a different type of single-family development.
- The proposal could provide for an increase in the number of single-family homes, and prevent the encroachment of multi-family development into single-family neighborhoods, especially to the east side of 44th Avenue W.
- A future project will be subject to environmental and design review to ensure that environmental impacts are avoided or minimized.

C. The proposed amendment can be accommodated by all applicable public services and facilities, including transportation.
- All needed utilities are available at the site.
- The transportation advantages of this site include its close proximity to local Community Transit bus routes on Highway 99 and 44th Ave W.
- Vehicle access will be from 44th Ave W or 176th St SW. These streets can accommodate the traffic generated by the proposal.

D. The proposal will help implement the goals and policies of the Lynnwood Comprehensive Plan.
- The proposal will be consistent with the Comprehensive Plan.
- The new proposed plan designation of SF-3 will benefit the community by providing a new housing opportunity for single-family housing that may be more affordable to residents who have lower incomes, consistent with the affordable housing subgoal that encourages the development of affordable housing for all income levels within the city.
- The proposal is consistent with the "Housing Opportunities" subgoal of the Housing Element by providing diverse, safe, and decent housing opportunities to meet local housing needs without encroachment into established single-family neighborhoods.
- The proposal is consistent with Objective H-2 by providing opportunities for housing that is responsive to market needs within our region.
- The proposal is consistent with Land Use Policy LU-2.2, which encourages innovative-housing techniques for housing diversity and affordability.
- The proposal is consistent with the "Residential Balance" subgoal of the Land Use Element, which is to "Assure that there is a balance of housing types in a ratio of 60% single-family units and 40% multi-family units in the area of the City outside of the City Center (study area)."
- The most significant conflict is with Land Use Policy 2.5, which states that existing mobile home parks offer a unique and important form of housing, and that land use regulations shall allow for the continued viability of these parks. The change in zoning may promote the redevelopment of the property, although the current owners have not made public any plans for redevelopment. Most of the mobile homes in the parks are not up-to-code. Additionally, the owners of the mobile home parks can choose to redevelop the mobile home parks at any time, regardless of the zoning. High-density single-family housing, such as cottage housing, would also provide a unique and important form of housing for the community.

E. If the proposal could have significant impacts beyond the Lynnwood City Limits, it has been sent to the appropriate Snohomish County officials for review and comment.
- No significant impacts beyond the City limits are anticipated.
Staff Conclusions and Recommendations:

- High-density single-family housing, such as cottage housing, may be a good option in order to keep the properties single-family in nature and to offer an economic incentive to redevelop the substandard mobile home parks. This type of housing can be done in a multiple-family zone, but the owner easily could build apartment buildings instead, which would defeat the single-family objective.

- The proposed new residential plan designation of SF-3 would provide for the same number of units that MF-1 would provide, except that they would be required to be single-family units. This option is consistent with the initial intent of the comprehensive plan designation for the redevelopment of the properties, the wishes of the property owners for greater allowable densities, and the vision of the city council to promote single-family development.

- The proposal for SF-3 and RSH may be the most appropriate one to serve the housing needs of the segment of the population that is currently served by the existing mobile home parks, householders living alone who prefer separate housing units. Due to a shift in demographics over the past decade, the number of householders living alone has increased to approximately 30% of the population of Lynnwood. One-third of these householders are senior citizens. There is great demand for quality, lower-cost detached housing in and adjacent to single-family neighborhoods. Small-detached housing offers a chance for these residents, as well as couples and small families, to live in small affordable homes that are appropriate for their needs.

- The subject properties are ideally suited to high-density single-family development due to their location between medium- and low-density multiple-family and low-density single-family, and their close proximity to commercial properties and bus routes.

- The proposal for a SF-3 plan designation is consistent with Lynnwood’s long-range objectives and with the urban growth objectives and requirements of the Growth Management Act.
7. Palmer Map Amendment:

**Applicant:** Jeff Palmer, Manager of Kingsbury West Annex Mobile Home Park  
**Location:** South side of 176th Street – west of Highway 99  
**Site:** Kingsbury West Annex is a 2 acre mobile home park, located immediately adjacent to the larger (9+ ac.) Kingsbury West Mobile Home Park. The Annex contains 16 units (homes) at a density of 7.7 units per acre. The density is second lowest of Lynnwood’s 17 mobile home parks.

**History:** The designation of this mobile home park was changed from MF-2 (medium-density multi-family) to MF-1 (low-density multi-family) in 2002 as a result of the citywide Plan/Zone Consistency Review. At the same time, a property to the immediate north was changed from single-family to MF-2 to accommodate an already-approved condominium development. Mr. Palmer has asked for the designation to be reconsidered. He feels his requested change would be compatible with surrounding land uses and consistent with the designations and zoning of similar properties along the Highway 99 corridor.
Surrounding Uses:
- West: Kingsbury West Mobile Home Park (SF-2 Plan designation).
- North: Condominiums and other multi-family uses (MF-2 designation).
- East: City open space (storm detention) and commercial (RC).
- South: Automotive wrecking yard (RC designation).

Long-range Plan:
- The park owner is not proposing redevelopment or any other changes to this mobile home park at this time. However, he would like to secure the Plan designation and zone that will be of greatest long-term benefit when the time comes to consider redevelopment of the property. The City’s long-term plan for this property is to allow low-density multi-family development that will be a compatible neighbor to all surrounding uses and, at the same time, minimize the number of new multi-family dwellings that can be built at this location.

Request:
- Change the Plan designation from **MF-1** (Low-density Multiple-family) to **MF-2** (Medium-density Multiple-family).

Zoning:
- If the request is approved, the zoning would be changed from **RML** (Low-density Multi-family) to **RMM** (Medium-density Multi-family). The result of that change would raise the maximum development potential from 12 units per acre to about 18 units per acre—an increase of 12 total units for this 2 acre property.

Approval Criteria:

The following criteria are contained in the Implementation Element of the Lynnwood Comprehensive Plan and should be used by the Planning Commission and City Council when processing this proposal.

A proposal can be approved only if it meets all of the following criteria:

**A. The proposal is consistent with the provisions of the Growth Management Act and will not result in Plan or regulation conflicts.**

- No apparent conflict with GMA.
- The proposal is consistent with GMA urban density and housing objectives and with the good planning practice of locating higher density housing in close proximity to urban services, employment, shopping, public transportation, etc.
- The proposal could provide additional opportunities for new affordable housing or market rate housing for those households who need it.
- The proposal conflicts with the “Residential Balance” subgoal of the Lynnwood Comprehensive Plan, which strives to achieve a housing ratio of 60% single-family and 40% multi-family units. Changing the Plan designation to MF-2 and the zoning to RMM will encourage additional multi-family units, at the expense of the existing mobile/manufactured homes (single-family dwellings).

**B. The proposal will change the development or use potential of a site or area without creating significant adverse impacts on existing sensitive land uses, businesses, or residents.**

- The proposal will change the density potential of the property and, in turn, may result in the eventual redevelopment of the mobile home park and the related displacement of its residents.
• A City storm water detention facility is located immediately adjacent to the site. Increased density and a greater intensity of land use may also increase the potential for adverse impacts on this open space facility, including contaminated run-off from impervious surfaces, discarded or windblown debris, etc.

• The proposal for SF-3 will result in a minor increase in the density of development on this site, but will keep the properties single-family in nature, albeit a different type of single-family development.

• The proposal and a related increase in density would result in a slight increase in the amount of traffic generated from this site.

• A future project will be subject to environmental and design review to ensure that environmental impacts are avoided or minimized.

C. The proposed amendment can be accommodated by all applicable public services and facilities, including transportation.

• All needed utilities are available at the site.

• The transportation advantages of this site include its close proximity to local Community Transit bus routes on Highway 99.

• Vehicle access will be from 176th St SW and all necessary parking will be accommodated on-site as a requirement of any new development.

D. The proposal will help implement the goals and policies of the Lynnwood Comprehensive Plan.

• The proposal directly conflicts with the "Residential Balance" (60/40) subgoal of the Land Use Element of the Lynnwood Comprehensive Plan by increasing opportunities for additional multi-family housing units at the expense of single-family units.

• The proposal conflicts with the "Density" subgoal of the Land Use Element by proposing higher-density multi-family development adjacent to a low-density mobile home park, open space and commercial development. Although a new multi-family development exists to the north, that development is consistent with other development on the north side of 176th Street and has little or no relationship to the mobile home park developments on the south side.

• The proposal conflicts with Policy LU-2.5: "Land use regulations shall recognize that existing mobile home and manufactured home parks offer a unique and important form of housing and shall allow for the continued viability, maintenance and upgrading of these parks."

• The proposal is generally consistent with housing-related goals and policies including the "Housing Opportunities" subgoal: "Provide for diverse, safe, and decent housing opportunities that meet local housing needs without encroachment into established single-family neighborhoods."

• The proposal is consistent with the "Affordable Housing" subgoal: "Encourage the development of affordable housing for all income levels within the City."

E. If the proposal could have significant impacts beyond the Lynnwood City Limits, it has been sent to the appropriate Snohomish County officials for review and comment.

• No significant impacts beyond the City limits are anticipated.
Staff Conclusions and Recommendations:

- The zoning of this mobile home park was changed from RMM to RML to make the zoning consistent with the long-range Comprehensive Plan for this property.

- The RML zone allows development to a density of 12 units per acre, which is not too high to be compatible with the Kingsbury West mobile home park to the west nor with the commercial and industrial land uses to the east and south. Higher density could result in more people living in close proximity to those uses and a higher rate of noise, odors, air pollution and other problems.

- A change to higher densities will allow more apartments and other multi-family development, which is contrary to the City Council’s “residential balance” goal.

- The proposal is consistent only with development on the north side of 176th Street but not with development on the south side.

- In the absence of compelling evidence in support of this Plan Amendment, staff is leaning toward a recommendation for denial.
8. Lytton Map Amendment:

**Applicant:** Daniel Lytton, owner

**Location:** 21011 – 67th Ave. W. – SE corner of 210th Street and 67th Avenue

**History:** In October 2001, following a citywide Plan/Zone Consistency review, the Plan designation of this 16,553 sq. ft. property was changed from multi-family residential to commercial. The property contains an 8-unit apartment building constructed in 1969, and a single-family residence. Mr. Litton (applicant) was in the process of purchasing the property and was advised by the seller not to worry about the proposed changes. The subsequent changes left his building nonconforming and prevented Mr. Lytton from making certain improvements. Mr. Lytton is requesting the MF-3 (high-density multi-family) Plan designation. There is no other high-density zoning in the vicinity, although properties to the north, across 210th Street, are designated MF-2 and zoned RMM (medium-density multi-family).

**Surrounding Uses:**
- **North:** Multi-family apartments on north side of 210th Street.
- **East:** Commercial use (RC designation).
- **South:** Commercial use, Bill’s Glass (RC designation).
- **West:** Commercial use (RC designation).
Long-range Plan:

The City's long-range plan for this area is commercial.

Request: Change the Plan designation from RC (Regional Commercial) to MF-3 (High-density Multiple-family).

Zoning: If the requested change is approved, the zoning will be changed from CG (General Commercial) to RMH (High-density Multiple-family). The RMH zone allows up to 43 dwellings per acre.

Options: This property has commercial on the adjacent properties to the east and south, and commercial across the street to the west. The redesignation of this property within the past couple of years to commercial was an appropriate long range planning decision. However, because of the restrictive nature of the City's non-conforming regulations the redesignation has created some problems for the property owner. Staff suggests there are two options to be considered in this case. The first option is to leave the Plan and zoning designations as they are and try to address any unreasonable limitations on maintenance and improvement of the property through amendments to the City's non-conforming regulations. The second option is to change the designation of the property back to multi-family residential use. In this option, staff suggests that the maximum density allowed should be MF-2 and RMM which would be consistent with similar designations to the north.

Approval Criteria:

The following criteria are contained in the Implementation Element of the Lynnwood Comprehensive Plan and should be used by the Planning Commission and City Council when processing this proposal.

A proposal can be approved only if it meets all of the following criteria:

A. The proposal is consistent with the provisions of the Growth Management Act and will not result in Plan or regulation conflicts.
   - No apparent conflict with GMA.

B. The proposal will change the development or use potential of a site or area without creating significant adverse impacts on existing sensitive land uses, businesses, or residents.
   - The proposal may result in the construction of additional dwelling units on the site, although this would require some design creativity to meet the off-street parking requirements. Such intensification of use is not likely to have a significant negative effect on surrounding land uses. The effects are more likely to be on the residents of the subject property. Increased housing density on this site is not likely to have a positive effect on the living environment.

C. The proposed amendment can be accommodated by all applicable public services and facilities, including transportation.
• All needed utilities are available at the site.

D. The proposal will help implement the goals and policies of the Lynnwood Comprehensive Plan.

• The proposal to give the property an MF-3 Plan designation could allow for additional dwelling units on this property. Adding more units on this property works against the 60/40 housing ratio objective. Also, there is no other MF-3 designated property in the immediate area. So, the proposal would not help implement the goals and objectives of the Lynnwood Comprehensive Plan.

• The option of retaining the RC Plan designation is not inconsistent with the goals and policies of the Lynnwood Comprehensive Plan.

• The option of changing the Plan designation to MF-2 and zoning to RMM would not result in the creation of more multi-family units so it would not be inconsistent with the goals and policies of the Lynnwood Comprehensive Plan.

E. If the proposal could have significant impacts beyond the Lynnwood City Limits, it has been sent to the appropriate Snohomish County officials for review and comment.

• No significant impacts beyond the City limits are anticipated.

Staff Conclusions and Recommendations:

• The Plan designation of the Lytton property was changed to include all areas south of 210th Street in the Regional Commercial (RC) designation for consistency. The probable effect of the change to commercial on this property was known at the time, but the decision didn't seriously consider the adverse consequences to the owner, nor of the long-term consequences of a property that can't be significantly improved because of its nonconforming status.

• Take another look.
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- The following schedule is for planning purposes – subject to adjustments.