AGENDA
Lynnwood Planning Commission
Thurs., Nov. 18, 2004 — 7:00 pm — City Council Chambers, 19100 – 44th Ave. W., Lynnwood

A. Call to Order
Chair JOHNSON
Commissioner BIGLER
Commissioner DECKER
Commissioner ELLIOTT
Commissioner PEYCHEFF
Commissioner POWERS
Commissioner WALTHER

B. APPROVAL OF MINUTES
1. Minutes of October 28, 2004 Planning Commission meeting

C. CITIZEN COMMENTS — on matters not on tonight’s agenda:

D. COMMISSION MEMBER DISCLOSURES:

E. PUBLIC HEARINGS: None

F. NEW BUSINESS: None

G. WORK SESSIONS:
1. Shoreline Master Program: Continued discussion of the draft and related issues in preparation for an informal public meeting and recommendation on Dec. 9.

H. UNFINISHED BUSINESS: None

I. DIRECTOR’S REPORT & INFORMATION:
1. City Council Actions
2. Upcoming Meetings

J. ADJOURNMENT
BACKGROUND:

An early draft of the Shoreline Master Program (SMP) was given to the Planning Commission on September 9, and the Commission had an opportunity to ask questions about the draft on September 23 and again on October 28. At this meeting, the Commission will receive the completed edition of the draft SMP.

David Pater from the Department of Ecology (DOE) will be at the November 18 Planning Commission meeting to participate in the review and discussion of the draft SMP. After the November 18 work session, the Planning Commission will hold an informal public meeting on the draft SMP. This December 9 informal public meeting is for the purpose of taking public comments on the draft. After receiving public comments and making any necessary changes, the final draft can be submitted to the Department of Community Trade and Economic Development (CTED), our grant-funding agency, for acceptance in satisfaction of our grant obligation. We need to accomplish this submittal by the December 15 grant deadline.

In addition to sending the SMP draft to our funding agency (CTED), we will also send the draft to DOE for informal review. The informal review comments received from DOE will set the work program for any follow-up work needed on the SMP. Some additional work can be expected. So, the project will continue into 2005. If the amount and type of work needed is more than our staff can handle we may need to apply for grant funding from DOE to obtain the necessary assistance in finalizing our SMP. A new round of grant funding from DOE is opening in January.

SHORELINE MASTER PROGRAM CONTENTS:

The October 28 staff report informed the Planning Commission of new information from Department of Ecology staff resulting in a decision to expand the focus of the SMP to include the possible annexation of areas within the adopted Lynnwood Urban Growth Area. There are two additional shoreline jurisdiction areas within the UGA. The Puget Sound shoreline area of Meadowdale Park, and the western shore of Martha Lake are the areas that must be studied and included within the Lynnwood SMP. Adding coverage for these areas increases the complexity and volume of our SMP.
The October 28 draft of the SMP was to have included the two new environment designations necessary to cover the additional of the two areas within the UGA. A miscommunication between staff resulted in the new information not being included in the SMP draft that was distributed with the agenda. The new information, contained in Section 5, was handed out at the meeting, but not all members were in attendance. In any case, the new designations are: “shoreline residential” and “rural conservancy”. The “shoreline residential” will only apply to the Martha Lake shoreline. The “rural conservancy” designation will only apply to the developed park portion of Meadowdale Park. The other two designations, “aquatic” and “high-intensity”, will also apply to the Meadowdale Park shoreline area.

The November 18 draft SMP includes other additions and modifications. Section 1 additions include information on the relation of the SMP to other land use regulations. Considerable editing has been done to the middle sections on policies and regulations. This editing has been done to make the borrowed “boilerplate” text fit the specifics of the Lynnwood situation. The largest addition has been to Section 8 through the addition of an appendix containing a shoreline conditions assessment.

While the November 18 SMP draft is considered a complete document, it can stand further editing. Each Commission member is encouraged to question the material and offer suggestions for improvement. We will be taking input from other departmental and city staff too.

ENCLOSURE:
Draft Lynnwood Shoreline Master Program
Background/Discussion:

On October 28, 2004, the Lynnwood Planning Commission, at the request of Associate Broker Donna Lambourn of Coldwell Banker Real Estate, initiated a review and possible amendment of the Zoning Code to allow schools in the B-2 (Limited Business) zone. B-2 is the only commercial zone that does not allow schools as either a permitted principal use or by Conditional Use Permit.

Only a few scattered sites are currently zoned B-2. This zone provides an office-oriented business environment that includes mostly offices, but also allows limited residential uses, facilities for elderly and disabled, churches, other institutional uses, personal services, research and development, and very limited retail.

Certain types of business and technical or vocational schools are very compatible with a business environment. They are usually adaptable to office buildings and often provide evening learning opportunities for those who work during the day.

Based on Ms. Lambourn’s request, an amendment is being drafted to Land Use Table 21.46.04 to allow the category Universities, Colleges, Schools, including preschools, commercial schools, such as dancing, music, trade, etc. in the B-2 zone.

Taken from the October 28, 2004 Planning Commission [draft] Meeting Minutes:

CITIZEN COMMENTS

Donna Lambourn is representing William Benny Teal who recently purchased the Building located at 20818 - 44th Avenue West in the Quadrant 1-5 Business Park. The owner has been approached by ITT Educational Services, Inc. (post graduate school for technical training) to lease 20,000 square feet of this building; however, when Ms. Lambourn checked the zoning she found that B-2 zoning would not allow this type of educational facility. Ms. Lambourn has asked the Planning Commission for a change in the code to allow ITT Educational Services, Inc. the opportunity to lease this space. She would like to expedite this if possible, if it is delayed too long, ITT will move it’s facility to the City of Everett.

Commissioner Peycheff made a motion to direct staff to expeditiously look into affecting this zoning change. Chair Johnson seconded the motion.

Motion passed unanimously.
Although the proposal was requested to meet the needs of a particular business at a specific location, the proposed amendment will be designed to apply equally to all properties within the B-2 zone.

Options:

1. **No Change:** Land Use Table 21.46.04 will remain unchanged and schools will not be permitted in the B-2 zone.

2. **Change as Requested:** Schools within the stated category will be permitted as “P” principal uses in the B-2 zone.

3. **Change with Restrictions:** Schools may be permitted in the B-2 zone as “C” (upon approval of a Conditional Use Permit).

4. **Change with Limitations:** Schools, or just certain types of schools, may be permitted in the B-2 zone, subject to limitations or special requirements intended to prevent or mitigate any identified adverse impacts.

Recommendation:

At the present time, Option #2 (Change as requested) is the basic request and also appears to be most reasonable. However, outside comments may bring new information or ideas that could affect the final recommendation.

A formal administration recommendation will be presented at the Commission’s public hearing on December 9. In the meantime, staff is reviewing options, gathering input and carrying out other required steps in the process, as described under “Next Steps.”

Next Steps:

- **Proposal:** The first draft of this code amendment is ready for the Commission’s review. Staff will continue to fine-tune the proposal in preparation for the Commission’s public hearing on the final proposal in December.

- **Comments:** Changes to City codes are always routed to key staff members and other departments to get their input early in the process. The deadline for those comments is November 12 and could affect the wording of the proposal.

- **SEPA Review:** Code changes require environmental review. A SEPA Checklist is being prepared and is scheduled for discussion by the Environmental Review Committee (ERC) on November 24. ERC will make its determination prior to the Commission’s public hearing.

- **Planning Commission public hearing:** A public hearing is scheduled on December 9 to accept public comments on the proposed change.

- **60-day Review:** Following the Commission’s recommendation, the proposal will be submitted to various agencies for a mandatory 60-day review. The City Council will take action following receipt of those comments.

- **Council Hearing:** The City Council must conduct at least one work session and a public hearing before making its final decision.
• **Adoption:** If approved by the Council, Land Use Table 21.46.04 will be amended by ordinance.

**The Current Code:**

The category **Universities, Colleges, Schools, including preschools, commercial schools, such as dancing, music, trade, etc.** is allowed in commercial zones as follows:

B1: “P” Permitted principle use  
**B2:** — **Not permitted**  
B3: “P” Permitted principal use  
B4: “C” Conditional Use Permit  
PCD: “P” Permitted principal use  
CG: “CA” Permitted principal use, except in controlled area

The Zoning Code has no additional limitations or special requirements for schools. However, limitations or requirements could be added if it is determined that adverse impacts resulting from this use need to be mitigated or prevented.

A primary purpose of the Commission’s work session is to discuss the various aspects of this proposal and determine whether or not a school use will fit comfortably with other B-2 businesses and be compatible with surrounding land uses – particularly residential.

**Table 21.46.04**

<table>
<thead>
<tr>
<th>Institutional Uses</th>
<th>B-4</th>
<th>B-3</th>
<th>B-2</th>
<th>PCD</th>
<th>B-1</th>
<th>CG</th>
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<tbody>
<tr>
<td>Child Day Care+</td>
<td>C</td>
<td>P</td>
<td>–</td>
<td>P</td>
<td>P</td>
<td>P-X</td>
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<tr>
<td>Churches, not using complementary parking</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P-X</td>
</tr>
<tr>
<td>Churches with complementary parking+</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>P</td>
<td>C</td>
<td>C-X</td>
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<tr>
<td>Nursing and Convalescent Homes and Housing for the Elderly and Physically Disabled+</td>
<td>C</td>
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<tr>
<td>Libraries, Museums, Art Galleries and similar institutions</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P-X</td>
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<tr>
<td>Municipal Services</td>
<td>P</td>
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<tr>
<td>Universities, Colleges, Schools, including preschools, commercial schools, such as dancing, music, trade, etc.</td>
<td>C</td>
<td>P</td>
<td>–</td>
<td>P</td>
<td>P</td>
<td>P-X</td>
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**Key:**  
P = Permitted as principal use  
A = Permitted as accessory use with a principal use  
C = May be permitted as a principal use upon approval of a conditional use permit  
AI = Permitted as accessory use if located in the building of a permitted principal use, and internally oriented with principal public access through the main access of the building  
= Not permitted  
-X = Not permitted in controlled area  
CA = Permitted only in controlled area. See LMC 21.46.120.
### Lynnwood Planning Commission
#### Meeting of November 18, 2004

### Staff Report

**Agenda Item:** I  
**Upcoming Commission Meetings**

<table>
<thead>
<tr>
<th>Lynnwood Dept. of Community Development — Staff Contact: Ron W. Hough, Planning Manager</th>
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- The following schedule is for planning purposes – subject to adjustments.

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<thead>
<tr>
<th>Date</th>
<th>Public Hearing</th>
<th>Work Session</th>
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| Nov. 18 | Env. Critical Areas – LMC Ch. 17  **CANCELLED** | Shoreline Master Program  
B-2 Zone Code Amendment |
| Dec. 9  | B-2 Zone Code Amendment | Shoreline Master Program |
|         | Planning Commission’s Annual Report – Review Draft  
Sign Code II – Amendments  
Election of Officers – Prep. for January 2005 |
| Jan. 13 | None | Election of Officers for 2005  
2004 Annual Report – Approval |
| Jan. 27 | None | TBA |