

REZONING

What is a “Zoning”?

The City’s zoning regulations divide the City into “zones” and allow land uses that are compatible or complementary in the same zone. Similarly, these regulations separate uses that are not compatible (industries and single family homes). They do this by dividing the City into “zones” that allow different types of land uses, such as:

- Single family residential zones;
- Multiple family residential zones
- Commercial zones; and,
- Industrial zones.

City ordinances designate every property in the City to a particular zone. A zone sets the allowable uses or activities for that property as well as development standards. A map of the zoning for all properties in the City is called the “Zoning Map.”

Generally, the City first zones a

property at annexation. Over time, either changing conditions in the real estate market or growth of the City and development of nearby properties may indicate that a different zone would be more appropriate. In these cases, property owners may apply to change the zoning of a property.

Who Decides The Zoning of My Property?

The City Council decides whether to approve or deny an application for a change of zone (“rezoning”). Before the City Council acts, the City’s Planning Commission may make a recommendation on the application. The Planning Commission holds an informal public meeting on all rezoning applications. The primary purpose of this meeting is to help the City Council organize the major issues with an application and the

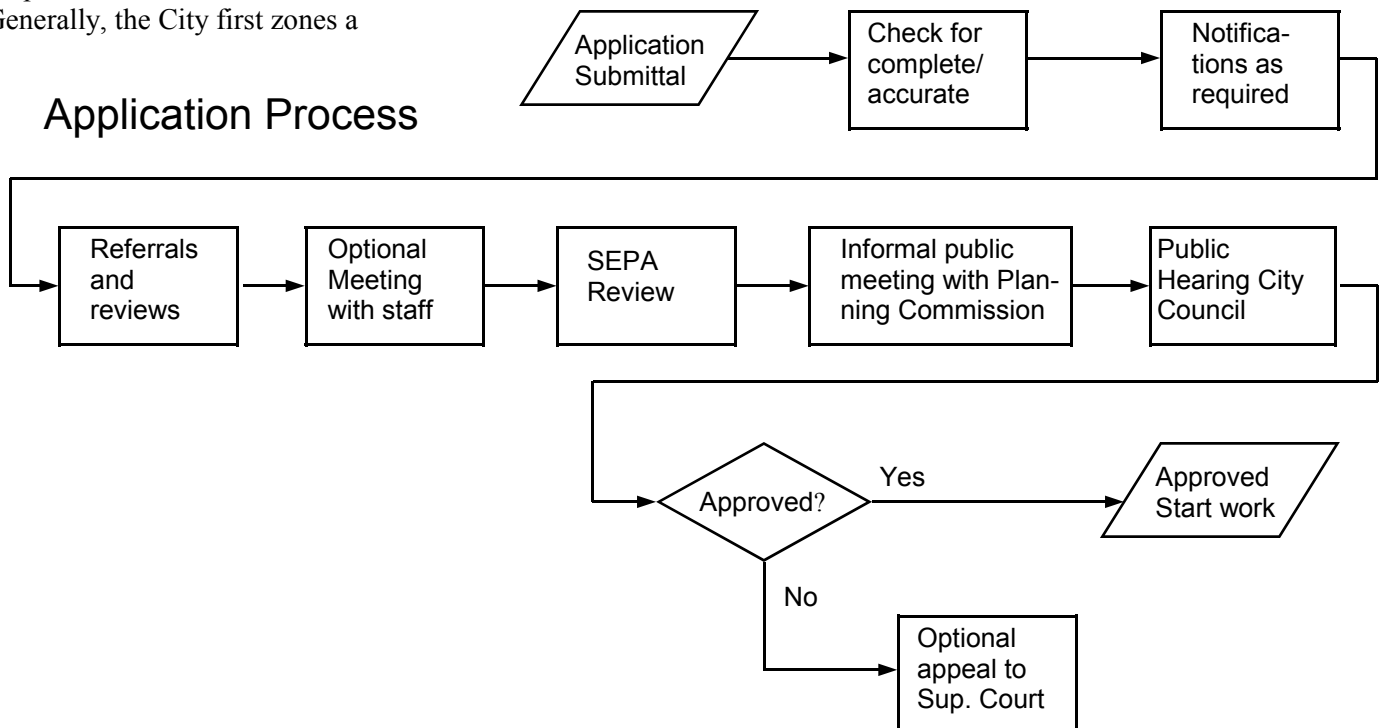
information in the record about the application. At close of the informal meeting, the Planning Commission may recommend approval or denial of the application.

How Does The City Council Make This Decision?

The City Council will hold a public hearing on an application for a rezone. City staff will mail notice of this hearing to owners of property within 300 feet of the project site. The City will also publish the notice in the newspaper and will post the notice at the site. At the hearing, the City Council will listen to testimony from both proponents and opponents of the proposed rezoning and will review all written documents, maps and other information on the application. Following the hearing, the City Council will dis-

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Application Process



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cuss the application and information in the record and will decide whether to approve or deny the application.

The City Council uses the following criteria to decide a rezoning application:

1. The rezone is consistent with and implements the Comprehensive Plan.
2. The rezone is consistent with and implements the purpose of the zone.
3. The rezone is compatible with the zones and uses of surrounding properties.
4. There have been significant changes in the circumstances of the subject property or surrounding properties to warrant consideration of the proposed rezone.
5. There is infrastructure capacity to adequately serve the proposed uses of the subject property.
6. The property is practically and physically suited to the uses allowed in the proposed zone.
7. The benefit to the public health, safety, and welfare is sufficient to warrant consideration of the proposed rezone.
8. Other adopted plans, program goals, and policies of the City.

How Long Will It Take To Get A Decision?

The entire process, from application submittal, as long as the application remains active, to a final decision by the City Council is to be completed within 120 active processing days.

By law, the City Council must make a final decision within 120 calendar days of “active permit processing.” Review of most rezone applications will require the full 120-day period. In the first four weeks, staff refers the application to other agencies and City departments for their comments. Following receipt of these comments, the City’s Environmental Review Committee will determine if the proposal could cause a significant impact on the environment (some minor projects are exempt from this phase). This process usually extends through Week 12 (including comment and appeal periods). Meanwhile, usually in Week 7, 8 or 9, the Planning Commission holds the informal public meeting on the application. Following completion of the environmental review process, staff will schedule the public hearing before the City Council. This hearing will generally be held in Week 14 or 15.

Active Processing

Active processing means that review of the application is proceeding normally and a request for additional information has not put processing “on-hold.” Processing straightforward applications for large projects, for sites with major or unusual constraints (wetlands or steep slopes), or for projects with unexpected problems (soil contami-

nation) often require additional information or clarification.

Appeal of Unfavorable Decision

An unfavorable City Council decision can be appealed to Superior Court.

An application packet can be obtained and application submitted at the Community Development Department. An application is also available at http://www.ci.lynnwood.wa.us/Docs/rezone_application.pdf

NOTE

This brochure is a **summary**. The information in this brochure cannot replace an understanding of City codes and State law. Applicants and others interested in the conditional use permit process are strongly encouraged to review the Zoning Code and other City regulations and relevant portions of State law. You could also consider seeking professional advice or assistance.

For More Information

If you have questions, please call the Community Development Department at 425-670-6645.

Staff will assign a project coordinator to each application. For information about a particular application, please call the Department and ask to speak with the coordinator for that project.

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