



ORDINANCE NO. 2976

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LYNNWOOD, WASHINGTON, APPROVING AN AMENDMENT TO THE FUTURE LAND USE MAP OF THE CITY OF LYNNWOOD 2020 COMPREHENSIVE PLAN, AND PROVIDING FOR AN EFFECTIVE DATE, SEVERABILITY AND SUMMARY PUBLICATION

WHEREAS, the City of Lynnwood adopted a Comprehensive Plan to comply with the requirements of the Growth Management Act (GMA) on April 10, 1995, by Ordinance No. 2033, and amended the Plan in subsequent years by ordinance in accordance with GMA and the Lynnwood Municipal Code (LMC); and

WHEREAS, pursuant to RCW 36.70A.130, the City's Comprehensive Plan and development regulations shall be subject to continuing review and evaluation; and

WHEREAS, as provided by Chapters 1.35 and 18.04 LMC, and as provided by the Implementation Element of the Comprehensive Plan, the City has established procedures and decisional criteria for proposed amendments to the Comprehensive Plan; and

WHEREAS, the City's comprehensive plan amendment process includes multiple opportunities for meaningful public participation and input, including public hearings conducted by the Planning Commission and by the City Council; and

WHEREAS, the amendment of the Comprehensive Plan set forth within this Ordinance is necessary to enact a planned action under RCW 43.21C.031(2), and RCW 36.70A.130(2) authorizes the City to consider such amendments separate from, and in addition to, the City's annual amendment process; and

WHEREAS, on March 1, 2006 and August 9, 2012, the Edmonds School District submitted applications to amend the Comprehensive Plan's Future Land Use Map and the Parks, Recreation and Open Space Element to facilitate redevelopment of the former site of Lynnwood High School; and

WHEREAS, pursuant to the State Environmental Policy Act (SEPA), a Determination of Significance (DS) was issued by the City of Lynnwood SEPA Responsible Official and an Environmental Impact Statement was prepared and issued for the proposed redevelopment of the former Lynnwood High School property; and

WHEREAS, on October 13, 2011 and December 4, 2012, the proposed amendments to the Comprehensive Plan and the Zoning Code (Title 21 LMC) were submitted to the Department of Commerce in accordance with RCW 36.70A.106 and WAC 365-196-630; and

WHEREAS, on December 8, 2012, notice of the January 10, 2013 public hearing before the Planning Commission was provided in accordance with applicable law, and on January 10, 2013 all persons wishing to be heard were heard; and

WHEREAS, on January 22, 2013, notice of the February 11, 2013 public hearing before the City Council was provided in accordance with applicable law, and during the public hearing all persons wishing to be heard were heard; and

WHEREAS, after considering all testimony and other evidence submitted at or before the public hearings, the City Council has determined that it is in the best interests of the public health, safety and general welfare to approve the amendment to the Comprehensive Plan Future Land Use Map as stated below in this Ordinance;

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

Section 1: Amendment of Lynnwood 2020 Comprehensive Plan. The Comprehensive Plan of the City of Lynnwood is hereby amended to change the Future Land Use designation of property addressed as 3001 184th Street SW, Lynnwood, WA, and as further identified by Exhibit A to this ordinance. The Future Land Use Map designation for the property is hereby changed from PF – Public Facility to MU – Mixed Use, subject to the following conditions:

1. Execution and recording of a development agreement between Edmonds School District, Cypress Equities, and the City of Lynnwood prior to the issuance of construction permits. The development agreement shall be recorded by January 30, 2014, and shall provide for development of the property substantively consistent with the proposal described in the land use applications filed under City File No. 2006CPL0003, 2012CAM0007 and 2012RZN0003, and shall contain detailed provisions for issues that include:
 - A. Design of transportation and utility infrastructure.
 - B. Construction timing and phasing of transportation and utility infrastructure.
 - C. Integration of transit facilities, or pedestrian and bicycle connections between the proposed buildings/land uses and nearby transit facilities.

- D. Urban design and streetscape features for public and private transportation corridors, including orientation to and appearance from 184th Street SW.
 - E. The appearance of the development as seen from the Gateway Intersection of Alderwood Mall Parkway, SR-525, and Maple Road.
 - F. Onsite recreation and open space amenities.
 - G. Connection and access between the mixed-use development and the Interurban Trail.
 - H. Final site plan.
 - I. Architectural design features or standards for structures (including parking structures), street furnishings, signs, and open space.
 - J. Detailed design information regarding the appearance of the development as seen from the Gateway Intersection of Alderwood Mall Parkway, SR-525, and Maple Road.
 - K. Paved pedestrian pathways to and throughout the development site.
 - L. Measures to conserve energy, promote sustainability, and reduce or off-set Greenhouse Gas Emissions.
 - M. Landscaping plans, including tree retention, re-vegetation, and decorative landscaping.
2. The Future Land Use Map amendment approved in Section 1 of this Ordinance shall take effect on the date that the development agreement specified by Condition of Approval 1 above is recorded with the Snohomish County Auditor's Office; provided, that if the development agreement is not recorded by January 30, 2014, then the approval of the Future Land Use Map amendment shall be null and void, and of no force or effect.
 3. Development plans, permits, and mitigation shall be consistent with Alternative 2, as described by the Environmental Impact Statement for Lynnwood Crossing Mixed Use Project, October 7, 2011 and March 30, 2012.

Section 2: Effective Date. This ordinance shall become effective five days following passage and publication of this ordinance.

Section 3: Severability. If any section, subsection, sentence, clause, phrase or word of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase or word of this ordinance.

Section 4: Summary Publication. Publication of this ordinance shall be by summary publication consisting of the ordinance title.

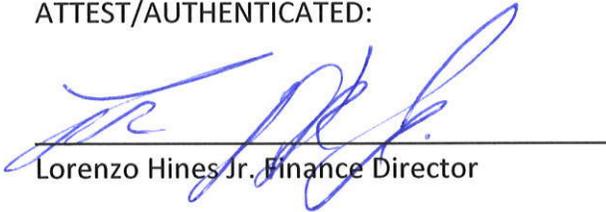
28th PASSED this 25th day of February, 2013, and signed in authentication of its passage this day of February, 2013.

APPROVED:



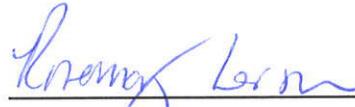
Don Gough, Mayor

ATTEST/AUTHENTICATED:



Lorenzo Hines Jr. Finance Director

APPROVED AS TO FORM:



Rosemary Larson, City Attorney

FILED WITH ADMINISTRATIVE SERVICES:	02/22/2013
PASSED BY THE CITY COUNCIL:	02/25/2013
PUBLISHED:	03/01/2013
EFFECTIVE DATE:	03/06/2013
ORDINANCE NUMBER:	2976

File Name: Lynnwood Place
File Number: 2011CPL0001

EXHIBIT A

ORDINANCE NO. 2976

LYNNWOOD PLACE

Former Lynnwood High School

Address: 3001 184th Street SW, Lynnwood, WA

Legal Description:

The northeast quarter of the northeast quarter of section 15, T. 27N. , R.4E. , W.M. Also known as "Bradner Park", according to the plat thereof recorded in Volume 14 of Plats on pages 60 and 61, records of Snohomish County, Washington.

EXCEPT: All that portion of the hereinafter described parcel lying northeasterly of the following described line: Beginning at a point opposite highway engineer's station (hereinafter referred to as HES) F¹ 82+0 on the F¹ line survey line of SR 525, Swamp Creek Interchange to 164th St. S.W. and 50 feet southwesterly therefrom: Thence northwesterly to a point opposite HES F¹ 85+50.9 and the end of this line description. And also EXCEPT: That part thereof conveyed to the City of Lynnwood by deed recorded march 18, 1971 under Auditor's File No. 2188576 for 184th St. S.W.

Containing 41.20 acres more or less.

Tax Parcel Number: 27041500102900



ORDINANCE 2976

On the 25th day of February, 2013, the City Council of the City of Lynnwood, Washington, passed Ordinance No. 2976. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LYNNWOOD, WASHINGTON, APPROVING AN AMENDMENT TO THE FUTURE LAND USE MAP OF THE CITY OF LYNNWOOD 2020 COMPREHENSIVE PLAN, AND PROVIDING FOR AN EFFECTIVE DATE, SEVERABILITY AND SUMMARY PUBLICATION

The full text of this Ordinance will be mailed upon request.

DATED this 1st day of March, 2013.



Lorenzo Hines Jr., Finance Director

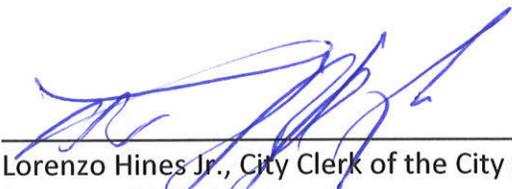


CERTIFICATE

I, the undersigned, Lorenzo Hines Jr., the duly appointed City Clerk of the City of Lynnwood, Washington, hereby certify that the Ordinance hereto attached is a full, true and correct copy of Ordinance No. 2976 of the City of Lynnwood, Washington, entitled as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LYNNWOOD, WASHINGTON, APPROVING AN AMENDMENT TO THE FUTURE LAND USE MAP OF THE CITY OF LYNNWOOD 2020 COMPREHENSIVE PLAN, AND PROVIDING FOR AN EFFECTIVE DATE, SEVERABILITY AND SUMMARY PUBLICATION

That said ordinance was passed by the Council of said City and was published and posted according to law; that said ordinance was duly published in the official newspaper of said City on March 1, 2013.



Lorenzo Hines Jr., City Clerk of the City of Lynnwood, Washington