



**ORDINANCE NO. 2978**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LYNNWOOD, WASHINGTON, APPROVING AN AMENDMENT TO THE CITY OF LYNNWOOD OFFICIAL ZONING MAP, AND PROVIDING FOR AN EFFECTIVE DATE, SEVERABILITY AND SUMMARY PUBLICATION**

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WHEREAS, the Edmonds School District submitted a complete application for reclassification of District-owned property known as the former Lynnwood High School property, from P-1 – Public to C-R – Commercial Residential; and

WHEREAS, the purposes of the application for reclassification are to: a) maintain consistency with a requested change to the Comprehensive Plan Future Land Use Map designation for the same property, from PF – Public Facilities to MU – Mixed Use; and b) enable redevelopment of the now-vacant property as a mixed-use community and retail center; and

WHEREAS, prior to taking action on this Ordinance, the City Council has taken action on the requested change to the Comprehensive Plan Future Land Use Map for the former Lynnwood High School site; and

WHEREAS, as provided by Chapters 1.35 and 21.22 LMC, the City has established procedures and decisional criteria for proposed reclassifications of property; and

WHEREAS, for the purposes of this Ordinance, “Current Zoning Map” is synonymous with “Official Zoning Map” as referenced within LMC 21.04.020; and

WHEREAS, the process for amending the Comprehensive Plan Future Land Use Map and the Current Zoning Map include multiple opportunities for meaningful public participation and input, including public hearings conducted by the Planning Commission and by City Council; and

WHEREAS, the City Council acknowledges the Edmonds School District’s determination that the 40-acre property is no longer needed for educational purposes, and that no public

agency has come forward with a viable proposal to re-purpose this land, and that it is in the public's interest that the property now be redeveloped via private-sector resources; 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 City's Current Zoning 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 Zoning Map. Pursuant to Chapter 21.22 LMC, the Current Zoning Map approved by Ordinance 2938 is hereby amended to reclassify property addressed as 3001 184<sup>th</sup> Street SW, Lynnwood, WA, and as further identified by Exhibit A. The zoning designation for the property is hereby changed from P-1 – Public to C-R – Commercial Residential, 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.

2. The Zoning Map amendment approved in Section 1 of this Ordinance shall take effect on the date that the development agreement specified by Condition of Approval 1.1 above is recorded with the Snohomish County Auditor's Office; provided, that if the development agreement is not record by January 30, 2014, then the approval of the Zoning Map amendment shall be null and void, and of no force or effect.

Section 2: Effective Date of Amendment and Adoption. 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.

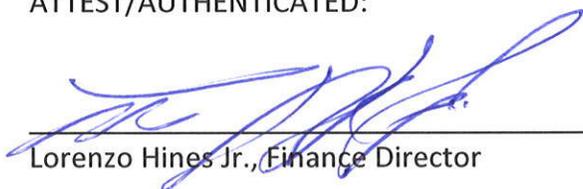
Section 4: Summary Publication. Publication of this ordinance shall be by summary publication consisting of the ordinance title.

*28<sup>th</sup>* PASSED this 25th day of February, 2013, and signed in authentication of its passage this February day of February, 2013.

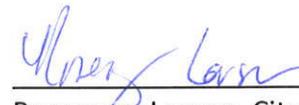
APPROVED:

  
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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:

File Name: Lynnwood Place  
File Number: 2012RZN0003

**EXHIBIT A  
ORDINANCE NO. 2978**

**LYNNWOOD PLACE**  
Former Lynnwood High School

**Address:** 3001 184<sup>th</sup> 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) F<sup>1</sup> 82+0 on the F<sup>1</sup> line survey line of SR 525, Swamp Creek Interchange to 164<sup>th</sup> St. S.W. and 50 feet southwesterly therefrom: Thence northwesterly to a point opposite HES F<sup>1</sup> 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 184<sup>th</sup> St. S.W.

Containing 41.20 acres more or less.

**Tax Parcel Number:** 27041500102900



**ORDINANCE NO. 2978**

On the 25th day of February, 2013, the City Council of the City of Lynnwood, Washington, passed Ordinance No. 2978. 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 CITY OF LYNNWOOD OFFICIAL ZONING MAP, 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.



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Lorenzo Hines Jr., Finance Director

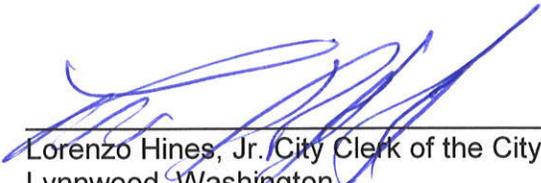


## CERTIFICATE

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. 2978 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 CITY OF LYNNWOOD OFFICIAL ZONING MAP, 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

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