



**LYNNWOOD**  
WASHINGTON

**ORDINANCE NO. 3087**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LYNNWOOD, WASHINGTON, APPROVING THE 2014 AMENDMENTS TO THE CITY OF LYNNWOOD 2020 COMPREHENSIVE PLAN REGARDING THE HIGHWAY 99 SUBAREA PLAN, AND PROVIDING FOR AN EFFECTIVE DATE, SUBMISSION TO THE STATE, SEVERABILITY AND SUMMARY PUBLICATION**

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WHEREAS, the City of Lynnwood adopted a Comprehensive Plan to comply with the requirements of the Growth Management Act on April 10, 1995, by Ordinance No. 2033, and amended the Plan annually in subsequent years by ordinance in accordance with GMA and Lynnwood Municipal Code Title 18; 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, applications and suggestions to amend the Comprehensive Plan were accepted and docketed for processing after April 1, 2014, in accordance with the approved amendment schedule; and

WHEREAS, the proposed amendments were subject to environmental review, culminating in issuance of a Determination of Non-Significance for the amendment proposal; and

WHEREAS, the proposed amendments were submitted for the mandatory 60-day state agency review, agencies were asked to comment prior to final action by the City Council, and no comments were received; and

WHEREAS, the Lynnwood Planning Commission reviewed the list of proposed annual Comprehensive Plan amendments at their May 22, 2014 meeting; and

WHEREAS, at their July 28, 2014 business meeting, the Lynnwood City Council approved the final list of annual Comprehensive Plan amendments, which includes proposed amendments to Land Use Policies 1.3.3 and 3.2.1 in the Highway 99 Subarea Plan ("Comprehensive Plan Amendments"); and

WHEREAS, the Lynnwood Planning Commission held a public hearing on September 11, 2014 on these proposals, and following the public hearing recommended approval of all the proposed Comprehensive Plan Amendments; and

WHEREAS, the Lynnwood City Council conducted a public hearing on October 13, 2014, and determined that taking action on the Comprehensive Plan Amendments, as described herein, was desirable and in the best interest and general welfare of the public;

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

**Section 1:**     **Amendment of Lynnwood 2020 Comprehensive Plan.** The Highway 99 Subarea Plan is hereby amended as follows:

**Section 1.1.** Land Use Policy 1.3.3 is amended to read as follows:

**1.3.3 Establish for buildings incorporating residential development a maximum height of 90 feet, not to exceed six stories.**

In order to encourage more residential development along the corridor, a maximum height of 90 feet, not to exceed six stories, is established for buildings incorporating residential units within the HMU zone. Design standards and guidelines have been established to ensure new development does not negatively impact adjacent residential neighborhoods.

**Section 1.2.** Land Use Policy 3.2.1 is amended to read as follows:

**3.2.1 Allow residential development outside the nodes through approval of a planned unit development.**

In addition to the nodes identified in Policies 1.1 and 1.2, parcels within other parts of the corridor may be suitable for residential or mixed-use-with-residential development. Owners of such parcels may seek to develop the property as if it was located in a node by applying for approval of a planned unit development (PUD), as provided in the Zoning Code. An application for a PUD under this policy shall be evaluated for general compliance with the regulations of the Highway 99 Mixed Use Zone, though variations from those regulations may be approved by the City Council if it finds that either site-specific circumstances necessitate a variation or that the variation is fully consistent with the purpose and intent statements of this Subarea Plan and the Highway 99 Mixed Use Zone.

**Section 2:**     **Submission of Plan to the State.** The Director of Community Development is hereby directed to submit a copy of all approved amendments to the City of Lynnwood – 2020 Comprehensive Plan and Lynnwood Municipal Code to the Department of Commerce of the State of Washington.

Section 3: Effective Date of Amendment and Adoption. This Ordinance and the Comprehensive Plan Amendments adopted by this Ordinance shall become effective five days following passage and publication of this Ordinance.

Section 4: Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

PASSED this 28<sup>th</sup> day of October, 2014, and signed in authentication of its passage this 30<sup>th</sup> day of October, 2014.

APPROVED:

  
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Nicola Smith, Mayor

ATTEST/AUTHENTICATED:

  
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Lorenzo Hines Jr., Finance Director

APPROVED AS TO FORM:

  
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Rosemary Larson, City Attorney

FILED WITH ADMINISTRATIVE SERVICES: 10/28/2014  
PASSED BY THE CITY COUNCIL: 10/27/2014  
PUBLISHED: 10/31/2014  
EFFECTIVE DATE: 11/5/2014  
ORDINANCE NUMBER: 3087



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WASHINGTON

## **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. 3087 of the City of Lynnwood, Washington, entitled as follows:

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LYNNWOOD, WASHINGTON, APPROVING THE 2014 AMENDMENTS TO THE CITY OF LYNNWOOD 2020 COMPREHENSIVE PLAN REGARDING THE HIGHWAY 99 SUBAREA PLAN, AND PROVIDING FOR AN EFFECTIVE DATE, SUBMISSION TO THE STATE, SEVERABILITY AND SUMMARY PUBLICATION**

That said ordinance was passed by the Council on October 27, 2014 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 October 31, 2014.

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



On the, 27th day of October, 2014 the City Council of the City of Lynnwood, Washington, passed ordinance 3087. A summary of the content of this ordinance, consisting of the title, provides as follows:

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

DATED this 31st day of October, 2014.

  
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Lorenzo Hines Jr., Finance Director

