



ORDINANCE NO. 3140

AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, CORRECTING NON-SUBSTANTIVE, MANIFEST ERRORS, AMENDING PROCEDURAL PROVISIONS, AND REMOVING EXPIRED PROVISIONS WITHIN TITLE 21 OF THE LYNNWOOD MUNICIPAL CODE (LMC), AMENDING LMC 21.12.400(D), LMC 21.16.310, LMC 21.25.145, LMC 21.46.100, LMC 21.46.116, LMC 21.48.116, LMC 21.50.100, AND LMC 21.50.210, AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND SUMMARY PUBLICATION.

WHEREAS, under Chapters 35A.11 and 35A.63 RCW, the City Council of the City of Lynnwood has the authority to adopt ordinances relating to the use of real property located within the City; and

WHEREAS, from time to time, it is appropriate to amend the City's land use and development regulations in order to correct inadvertent errors, omissions, inconsistencies, and to remove ambiguity that may impede efficient and effective application of legislation enacted by Ordinance by the City Council; and

WHEREAS, upon review of the provisions within this Ordinance, the City of Lynnwood SEPA Responsible Official on the 1st day of May, 2015, determined that the provisions of the Ordinance are procedural in nature and are categorically exempt from SEPA threshold determination and EIS requirements pursuant to chapter 197-11 WAC; and

WHEREAS, on the 1st day of May, 2015, notice of the proposed code amendment was sent to the Washington State Department of Commerce in accordance with RCW 36.70A.106; and

WHEREAS, on the 28th day of May, 2015, the Lynnwood Planning Commission held a public hearing on proposed amendments to the Lynnwood Municipal Code provided by this ordinance, and all persons wishing to be heard were heard; and

WHEREAS, following the public testimony portion of the public hearing, the Planning Commission deliberated on the draft legislation and by regular motion voted to recommend

that the Lynnwood City Council adopt the amendments to the Lynnwood Municipal Code as provided herein; and

WHEREAS, the City Council finds the provisions of this Ordinance to be in the best interest of the health, safety and welfare of the community; and

WHEREAS, on the 22nd day of June, 2015, the Lynnwood City Council held a public hearing on proposed amendments to the Lynnwood Municipal Code provided by this ordinance, and all persons wishing to be heard were heard; now, therefore:

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

Section 1. Findings. Upon consideration of the provisions of this Ordinance, the City Council finds that the amendments contained herein are: a) consistent with the comprehensive plan; and b) substantially related to the public health, safety, or welfare; and c) not contrary to the best interest of the citizens and property owners of the city of Lynnwood.

Section 2. Amendment. LMC 21.12.400D is hereby amended to read as follows:

D. Alternative Method for Bringing Nonconforming Structures or Sites into Compliance.

1. **Petition.** As a means of bringing a nonconforming site into general compliance with the intent of the zoning ordinance, an applicant may petition under the conditional use procedures to permit an alternate parking and landscaping plan and such permit, if approved, would specify the time period for compliance. Such petition shall be accompanied by a site plan of the entire site, designating the location and size of existing buildings, parking stalls, and landscaped areas. The applicant shall provide documentation of the uses and their respective parking capacity demands. In addition, the applicant shall submit a proposed landscape and parking plan along with a proposed completion schedule.

2. **Decision Criteria.** In considering the approval, denial or modification of such alternate plan and compliance schedule, the hearing examiner shall consider all factors relevant to the public interest including, but not limited to the following:

a. Whether or not the plan will adversely impact surrounding parking facilities or traffic flow or traffic circulation on nearby streets.

b. Whether or not the plan provides a reasonable number of available parking stalls without unreasonably reducing the required landscaping areas within parking lots on the site. Such a plan may propose compact stalls or time-sharing cooperative arrangements as a means of maximizing parking. In time-sharing arrangements, the applicant shall document the off-setting parking demand peaks. Street frontage landscaping shall not be relaxed.

c. The plan shall specify a reasonable amount of time to make the necessary improvements. However, such time shall not exceed two years from the date of approval of such petition.

d. A penalty bond equal to the amount of work to be done in the parking lot or completion of the parking lot requirements may be required prior to finalization of any building permit, occupancy permit or other authority to proceed and shall be released only after the work has been completed.

Section 3. Amendment. LMC 21.16.310 is hereby amended to read as follows:

21.16.310 Commercial signs.

This section concerns business signs, and applies in all commercial zones except the planned regional shopping center zone. Only those signs which do not conflict with regulations contained in this and other Lynnwood Municipal Code titles, and which are consistent with the definition of a business sign in LMC 21.02.672, are permitted subject to the following standards. The word "street," as it appears in this section, shall not include I-5, I-405, SR-525 or the Snohomish County PUD right-of-way.

A. Freestanding Signs.

1. Pole Signs.

a. Area. The total allowable sign area for pole signs on individual and multiple business sites that qualify for one pole sign shall be 75 square feet plus one-half foot for each lineal foot of street frontage over 250 feet. Any one pole sign shall be no more than 150 square feet in area per side.

On business sites which qualify for more than one pole or monument sign, per subsection (B) of this section, the total allowable sign area per street frontage shall be calculated at 75 square feet plus one-half square foot for each lineal foot over 250 feet. No pole sign face shall exceed 155 square feet in area. On business sites with both pole and monument signs, the total area of such signs oriented toward a particular street shall not exceed the maximum sign area based on that street's linear frontage, except on multiple business sites and sites with pole signs at least 50 feet from the street. See subsection (A)(2) of this section for calculation of monument sign area. The allowable sign area shall be computed separately for each street frontage, and only the sign area derived from the street frontage along a street may be oriented toward that street. The allowable sign area for a pole sign located at a corner shall be derived from the one street frontage it is oriented toward. Only one face of a double-faced sign shall be considered in computing its area, providing both sides pertain to the same business.

i. Additional Area for Multiple Business Sites. Multiple business sites shall be allowed an additional 20 square feet of freestanding sign area for each business in excess of one up to a total of 80 square feet of additional pole sign area per multiple business site. Such additional sign area shall not be used to increase the sign area of any business beyond that amount which would be allowed if located in an individual business site of the same size as the

multiple business site. Sign structures containing this additional sign area shall be constructed in such a way to be easily modified to reflect changes in the number of tenants on the site. Any multiple business site which is at least 150,000 square feet in lot area and contains at least 10 separate businesses shall be allowed one additional freestanding sign for identification of the site generally. Such signs shall not exceed 160 square feet in area.

ii. Additional Area for Pole Signs at Least 50 Feet from a Street. For all pole signs located at least 50 feet from a street, sign area may be increased five percent for each 10 feet the sign is from the street, up to a maximum of 200 square feet of total sign area per sign.

b. Number of Pole Signs. Along each public street abutting an individual or multiple business site, that site may have one permanently installed pole sign per the following schedule. However, on corner sites where two pole signs would be spaced less than 250 feet apart as measured in a straight line, only one sign shall be allowed.

Street Frontage per Street Pole	Signs Allowed
1 – 300 feet	1
301 – 600 feet	2
601 – 900 feet	3
901+ feet	4

On sites with less than 300 lineal feet of street frontage on one street or corner sites where two signs would be less than 250 feet apart as measured in a straight line, additional pole signs may be allowed by conditional use permit; provided, that such signs are in keeping with the intent of this title.

Whenever a conditional use permit for additional pole signs is considered, the hearing examiner may require that the height, area, and/or specific dimensions of signs be reduced and/or the setback from property lines be increased.

Sites which qualify for additional pole signs may substitute ground signs for those additional pole signs.

c. Location, Height and Design Criteria for Pole Signs.

i. Location. The setback for pole signs along public streets shall be as provided below:

(A) Pole signs shall be located more than 35 feet from the street right-of-way.

(B) Pole signs shall be located at least 100 feet from adjacent I-5, I-405, and SR-525 boundaries. Pole signs shall be located at least 100 feet from the Snohomish County PUD right-of-way where it is adjacent to I-5. This requirement does not apply to signs located adjacent to freeway on-ramps and off-ramps. Pole signs shall be located at least 10 feet from any side or rear property line and 25 feet from any property line adjacent to a residential zone.

These limitations do not apply to non-illuminated private traffic direction signs directing traffic movement within a business site, not exceeding four square feet in area for each sign, or traffic directions painted on the surface of a parking lot or driveway.

ii. Height. Pole signs shall comply with the height regulation for monument signs depending on their distance from the street up to a maximum of 25 feet in height above the average ground level at the base of the sign for all commercial zones. Pole signs may be 30 feet high if located within 500 feet of I-5, I-405 or SR-525 boundaries and at least 100 feet from a public street. However, pole signs shall not be higher than 20 feet on property separated from the above freeways by a public street. The height of signs may be further limited by the maximum height for buildings specified in the respective zone. When signs are located on sites within 100 feet of residential-zoned property, illuminated sections of the sign shall not exceed 20 feet in height if visible from those properties.

iii. Design Criteria. Pole signs shall meet the following design criteria and criteria indicated on Figure 3 of this chapter:

(A) The sign exterior shall consist of materials and colors that minimize reflection capabilities and are similar and complementary to those of the primary buildings on the property where the sign is located. The sign and support or base shall be constructed of materials that are easily maintained and maintain their shape, color, texture and appearance over time.

(B) The design of the sign and base or support shall be similar and complementary with the architecture of the primary buildings on the property where the sign is located.

(C) The sign base shall be surrounded by a single landscape area that is at least two feet wide between the sign base and raised curb that surrounds and protects the landscape area. The landscape area shall include evergreen plant material and may also include other materials, such as brick pavers or decorative planters.

2. Monument Signs.

a. Area. Maximum monument sign area shall be 35 square feet at the minimum setback from the street right-of-way and an additional two square feet for each one foot back from the minimum setback line measured perpendicular to the street, up to a maximum of 75 square feet per side.

b. **Number of Monument Signs.** The total number of monument, ground and pole signs on a business site shall not exceed the maximum number of pole signs allowed by subsection (A)(1)(b) of this section.

c. **Location, Height and Design Criteria for Monument Signs.**

i. **Location.** The leading edge of monument signs shall be located at least 10 feet from the street right-of-way, at least 10 feet from any side property line and at least 25 feet from any property line adjacent to a residential zone.

Monument signs shall be located at least 100 feet from adjacent I-5, I-405 and SR-525 boundaries. Monument signs shall be located at least 100 feet from the Snohomish County PUD right-of-way where it is adjacent to I-5. This requirement does not apply to signs located adjacent to freeway on-ramps and off-ramps.

Monument signs shall not be located within a triangular area at street intersections or street and driveway intersections formed by two points measuring 20 feet back from the point where the two street right-of-way lines merge or a street right-of-way line and edge of driveway merge and extending a line that connects these two points to complete the triangle. (See Figure 4 of this chapter.)

ii. **Height.** Monument signs shall be no more than six and one-half feet high at the minimum setback from the street right-of-way and one additional foot in height for each one and one-half feet back in a perpendicular line from the street. The maximum height for monument signs shall be 25 feet for all commercial zones. Monument signs may be 30 feet high if located within 500 feet of I-5, I-405, SR-525 boundaries and at least 100 feet from a public street. However, monument signs shall not be higher than 25 feet on property separated from the above freeways by a public street. When signs are located on sites within 100 feet of residential-zoned property, illuminated sections shall be no more than 20 feet in height if visible from those properties.

iii. **Design Criteria.** Monument signs shall meet the following design criteria and criteria shown on Figure 5 of this chapter:

(A) The sign shall be located so it does not interfere with the visibility of drivers, pedestrians, bicyclists, riders or others at intersections, driveways, bike lanes, crosswalks, or other places of ingress or egress.

(B) The sign exterior shall consist of materials and colors that minimize reflection capabilities and are similar and complementary to those of the primary buildings on the property where the sign is located. The sign and support or base shall be constructed of materials that are easily maintained and maintain their shape, color, texture and appearance over time.

(C) The design of the sign and base or support shall be similar and complementary with the architecture of the primary buildings on the property where the sign is located.

(D) The sign base shall be surrounded by a single landscape area that is at least two feet wide between the sign base and raised curb that surrounds and protects the landscape area. The landscape area shall include evergreen plant material and may also include other materials, such as brick pavers or decorative planters.

3. Ground Signs. The total number of ground, monument and pole signs on a business site shall not exceed the maximum number of pole signs allowed by subsection (A)(1)(b) of this section. However, one additional ground sign may be allowed to identify a business parking area that is not adjacent to the business site where the business is located and one additional ground sign may be allowed to identify an access driveway to a street not adjacent to the business site where the business is located.

All ground signs shall be subject to the following criteria:

- a. The sign is located to minimize interference with drivers' or others' visibility in intersection or at place of ingress or egress;
- b. The sign has no moving parts;
- c. The sign consists of materials and colors which minimize reflection capabilities;
- d. The sign components are securely attached to the sign structure and not temporary or removable;
- e. The sign shall not be internally illuminated, except for an individual letter sign or a sign with an opaque sign face background that only allows letters and/or business logos or graphics to be visible at night. Indirect lighting, if used, shall be uncolored, non-blinking, and directed away from traffic;
- f. The sign shall have a solid base that is not less than three-quarters of the width of the sign face;
- g. The sign shall be no more than 25 square feet in area;
- h. The sign shall be located at least five feet from the street right-of-way;
- i. The sign shall be no higher than three and one-half feet above the adjacent sidewalk or street curb;

j. The sign exterior shall consist of materials and colors that are similar and complementary to those of the primary buildings on the business site. The sign and base shall be constructed of materials that are easily maintained and maintain their shape, color, texture and appearance over time; and

k. The sign may be permanently attached to retaining walls and fences; however, such walls and fences shall be at least five feet from the street right-of-way.

Such signs may be located closer than five feet from the street right-of-way by conditional use permit, if it is found necessary or desirable in the public interest to locate the sign nearer to the right-of-way, and that it will not interfere with visibility as indicated above.

B. Building Signs.

1. Wall Signs.

a. Area. The total allowable sign area for each business for signs attached to a building frontage including mural signs shall be 60 square feet, or one square foot for each lineal foot of building frontage, whichever is greater, up to a maximum of 200 square feet. However, wall signs that comply with the Sign Design – Creative/Artistic Elements Guidelines of the Lynnwood Citywide Design Guidelines, as adopted by reference in LMC 21.25.145(B)(3), may be allowed up to a 30 percent increase in wall sign area. Businesses may have up to 10 square feet of sign area to place on a directory sign on any facade of the building where they are located, except in no case shall the maximum sign area exceed 15 percent of a building facade considered building frontage. See Figure 2 of this chapter and LMC 21.02.358 to determine building frontage.

On other building facades not considered frontage, the maximum sign area shall be one-half square foot for each lineal foot of building facade or 100 square feet, whichever is smaller. Wall signs on building facades that are oriented toward adjacent property zoned residential shall not be illuminated.

The allowable sign area shall be computed separately for each building facade. Sign area shall not be transferred from one facade to another. Only one face of a double-face sign shall be considered in computing its area, providing both sides pertain to the same business. For purposes of determining sign area, awning signs are part of the sign area allowed for signs attached to buildings.

b. Height. Wall signs shall not extend higher than one foot above the wall to which they are attached.

c. Transfer of Allowed Area from Freestanding Signs to Signs Attached to Buildings. Freestanding sign area may be applied to signs attached to buildings; provided, however, that such area be apportioned equally to all tenants and shall only be transferred to a building

frontage. A record of any such transfer must be filed with the planning department. The maximum wall sign area per building facade with transfer shall be 400 square feet or 10 percent of the building frontage area to which the sign is attached, whichever is smaller.

2. **Projecting, Marquee, and Non-rigid Awning Signs.** Projecting signs shall not extend above the wall to which they are attached. Marquee signs shall not extend higher than the wall to which they are attached. Non-rigid awning signs shall not extend higher than the wall to which they are attached.

Projecting and marquee signs and non-rigid awnings shall be at least eight feet above any walkway and 16 feet above any area used by vehicular traffic. However, non-rigid awnings with signs may be placed at the top of garage bay doors unless contact by vehicular traffic is possible. Projecting signs on business sites shall not extend into the public right-of-way or adjacent property. Marquee signs shall not block windows or doorways. The area for projecting, marquee and non-rigid awning signs shall come out of the sign area allocation for the building facade they are attached to. Non-rigid awning signs shall have a maximum dimension of four feet from top to bottom. The sign area for non-rigid awning signs shall be the entire area of any non-rigid awning that projects less than three feet from a building. The sign area for all other non-rigid awning signs shall be the rectangular area around letters and/or graphics displayed on the non-rigid awning. (See Figure 1 of this chapter.) Projecting and marquee signs may be illuminated; however, they shall not be illuminated if oriented toward adjacent residential-zoned property.

3. **Roof Signs.** The planning director may approve the placement of one roof sign per building if it is determined that such a sign is necessary because permitted wall signs cannot be placed so as to be readable from the street closest to the building. Any roof sign approved by the planning director may only be mounted on any building if it complies with the building code or other city regulations. A roof sign shall not be higher than 10 feet above the roof deck and shall be subject to the placement and design criteria described on Figure 6 of this chapter. The area of a roof sign shall come out of the sign area allocation for building facade closest to the sign.

When roof signs are located on sites which have street frontage within 100 feet of residential-zoned property, illuminated sections shall not exceed 20 feet in height from the ground if visible from those properties.

C. **Incidental Signs.** Incidental signs, each not more than four square feet in area per side, do not require a sign permit and may be in excess of the allowable sign area providing they are attached to a building below the roof line, or if placed in the ground, are no more than three feet above grade, and at least five feet from the street right-of-way. No more than four such signs per business shall be located on a business site. Incidental signs less than three square feet in area shall not be counted as one of the four allowable signs or as part of the allowable sign area.

D. **Electronic Changing Message Signs.** No sign shall have blinking or flashing lights; provided, however, electronically changing message signs shall be allowed. These signs shall not change displays or images at a rate less than one every five seconds except for signs which provide alternate messages only as to times and temperature, which may change at a rate of not less than one message every two seconds. All such signs shall be equipped with a device which automatically dims the intensity of the lights during hours of darkness.

E. **Internal Information Signs.** Signs intended to be seen by the public within a business site, oriented away from the street and not readable from the public right-of-way and adjacent property shall not be regulated as signs. Such signs shall include but are not limited to internal directory signs, certain incidental signs and menu boards.

F. **Portable Business Signs.** Portable signs shall only be allowed within eight feet of any building where a business is located. There is no limitation on the number of such signs. However, these signs shall not be placed in the ground, on walkways, in parking areas, drive aisles, or anywhere that might block visibility or create a safety hazard.

G. **Special Event Signs.** Signs for special events as defined by Chapter 5.30 LMC shall conform to the provisions of that chapter. Signs for temporary activities or occurrences not regulated as a special event shall conform to the provisions of this chapter.

H. **Searchlights.** Searchlights shall only be permitted if they meet the following criteria:

1. That the duration of time for display of the searchlight shall not be more than 10 days;

2. That no permit for display of a searchlight shall have been approved for the same applicant during the six-month period prior to the most recent application;

3. That the searchlight be so located as to minimize interference of driver visibility at intersections or at points of ingress and egress;

4. That the searchlight be located 35 or more feet from the right-of-way; and directed away from traffic on nearby streets;

5. The intensity and color of light and the duration of its operation shall not constitute a nuisance as defined in LMC 10.08.200; and

6. That a fee as shown in Chapter 3.104 LMC shall be paid in connection with any such permit.

I. **Real Estate Signs.** Signs advertising the sale, lease or rental of commercially zoned property on which the sign is located shall require a temporary sign permit. Such signs shall not be permitted unless a property, building(s) and/or tenant space(s) is for sale, lease or rent. Each

such sign shall not exceed 24 square feet in area, and if freestanding, shall be set back at least six feet from the street right-of-way. Such signs shall not be placed where they can obstruct driver, bicyclist or pedestrian visibility. There shall be no more than one such sign per street corner or one per street frontage, whichever is less. Such signs shall be no more than six and one-half feet in height, shall not be illuminated and shall be removed once the property and/or buildings being advertised are sold, leased or rented. In addition, any such nonconforming sign shall require a permit and be made conforming by October 9, 2000.

J. Construction Signs. Construction signs for commercially zoned property shall comply with the regulations of LMC 21.16.280.

K. Signs in Restricted Business Zone. Signs shall comply with the following:

1. No roof signs shall be allowed;
2. No freestanding signs shall be allowed, except ground signs in accordance with the regulations of this section; and
3. Building signs shall comply with the regulations of this section. All building signs shall be non-internally illuminated, except for individual letter signs and signs with opaque sign face backgrounds that only allow letters and/or business logos or graphics to be visible at night. Signs on building facades oriented toward nearby residential zones shall not be illuminated.

L. Sign Variances. Requests to relax standards of this section shall be processed as variances and shall meet all the criteria for granting of variances, unless otherwise provided for. In considering any application for a variance to relax the required setback for pole or monument signs, the hearing examiner shall take into account the following factors and all others in the public interest in determining whether special circumstances exist which warrant a variance:

1. The extent to which vegetation and/or topography of the subject and/or adjacent properties would obscure a pole sign at the required setback on the subject property; provided, that removal of the obstructing vegetation and/or topography is beyond the control of the owner of the subject property or contrary to city policies or ordinances.
2. The size of the subject property as it relates to possible locations for the proposed sign.
3. The extent to which nearby existing pole or monument signs located at less than the required setback would obscure a pole sign at the required setback on the subject property.
4. The extent to which visibility of the proposed sign might be enhanced by mounting the sign lower or higher (but not exceeding the required height limit) than nearby obstructions, rather than by reducing the required setback.

5. The width, alignment, and extent of improvement of the right-of-way toward which the proposed sign would be oriented, insofar as this determines the angle at which the sign would be viewed by the traveling public.

If the hearing examiner determines that a variance to relax a pole or monument sign setback is warranted, the examiner may require periodic review of any reduction granted and/or provisions for eventual relocation to the required setback if existing and anticipated future conditions so indicate. If provisions for relocation appear appropriate, the examiner may require installation of wiring and a foundation at the required setback concurrent with erection of the sign at a lesser setback and a bond or other suitable guarantee of relocation.

Section 4. Amendment. LMC 21.25.145 is hereby amended to read as follows:

21.25.145 Director's decision.

A. General.

1. **Coordination with Decisions Under SEPA.** If a SEPA threshold determination is required to be issued, the threshold determination must precede the director's decision on the project. If the SEPA threshold determination is appealed, the director's decision shall be issued prior to the open record hearing on the threshold determination appeal.

B. **Decisional Criteria.** The director shall use the criteria listed in this section.

1. It is consistent with the comprehensive plan.

2. It is consistent with all applicable provisions of this chapter.

3. It is consistent with the applicable design guidelines found in the Lynnwood Citywide Design Guidelines, adopted by this reference and incorporated in the provisions of the LMC and Chapter 21.25 LMC as fully as if herein set forth.

4. For development applications for remodeling or expansion of an existing development, it is consistent with those provisions in the Lynnwood Citywide Design Guidelines identified by the director as being applicable.

5. For such applications, the director may modify applicable design standards and guidelines to provide continuity between existing and new development and/or proposed phases of development.

C. **Conditions and Restrictions.** The director shall include in the written decision any conditions and restrictions that are necessary to ensure compliance with the decisional criteria listed in subsection (B) of this section.

D. Content and Notice of Decision. The decision of the Director shall be prepared and distributed as specified by Chapter 1.35 LMC.

Section 5. Amendment. Table 21.46.10 of LMC 21.46.100 is hereby amended to read as follows:

Table 21.46.10

Residential Uses	B-3	B-2	PCD	B-1	CG
Adult Family Homes	P	P	P	P	P
All uses permitted in single-family zones	–	–	P	–	–
Multiple-Family Housing Units ⁺	C*	C	P	–	–
Multiple-Family Housing Units (on parcels designated as Highway 99 Corridor on the Future Land Use Map) \pm	–	–	–	P	P
Caretaker or Watchman Quarters	C	C	–	C	C
Living Quarters for Homeless Mothers ⁺	P	P	P	P	P
Motels and Motor Hotels	–	P	P	P	P-X
Respite Care	P	–	P	P	P

* One-acre minimum lot size, subject to standards and procedures established in Chapter 21.43 LMC for the Multiple Residential Medium Density Zone (RMM) with the exception that maximum building height is three stories or 45 feet, whichever is less. Also subject to additional screening or privacy measures as determined by the hearing examiner during the conditional use permit process, including but not limited to: distance, architectural design, significant tree cover, significant elevation change, fencing, reduction or elimination of lighting immediately adjacent to single-family uses, and prohibitions on activities immediately adjacent to single-family uses that will create noise, odor or other impacts (i.e., garbage collection areas, recreation areas, parking lots). See Figure 21.46.1.

Section 6. Amendment. LMC 21.46.116 is hereby amended to read as follows:

21.46.116 Limitations on uses – Residential uses.

A. Motels and Motor Hotels. The initial development must contain at least 20 units composed of multiple-unit type buildings and shall provide hotel services, including a main lobby, desk attendant, and room service. When accessory uses providing services for the motor hotel patrons, such as barber, bar, beauty parlor, cleaners, clothing, drugs, pottery, souvenir, tobacco, and travel are included, they shall be primarily oriented internally. Provisions for public functions such as banquets or meetings need not be oriented internally.

B. Multiple-Family Housing.

1. Except for properties zoned PCD, dwellings may be permitted in commercial or office buildings on the fourth floor or higher, provided no more than one-half the floor area of the building (not including basements) is used for residential purposes. All provisions normally applying to high-rise multiple family housing shall apply.

2. For properties zoned PCD, dwellings may be permitted on the second floor of buildings or higher, provided that:

a. General commercial, office, or similar land uses occupy the ground level of the building where the building faces or abuts a public street.

b. Not more than 20 percent of the linear frontage of the ground level that faces a public street may be used for the entrance, lobby, leasing office, etc. for the building's residences.

c. Floor area at ground level limited to general commercial, office, or similar uses shall have a minimum depth of 30 feet, as measured perpendicular to the building façade, so that the floor area may be occupiable for non-residential land uses.

d. For development sites where the building is not accessible or visible from the abutting public street, the Community Development Director may authorize dwellings to be located below the second floor of the building.

3. For properties subject to the provisions of this chapter, development with multifamily dwellings shall provide a minimum of 40 square feet of onsite recreation area per dwelling. The onsite recreation area shall consist of a minimum of two of the following:

a. Individual patio, deck or balcony immediately adjacent to the corresponding dwelling. Individual patios, decks, or balconies shall be designed so that a six-foot by six-foot square will fit within the perimeter of the patio, deck or balcony.

b. Outdoor recreation area accessible to all residents of the development and designed so that a 15-foot by 15-foot square will fit within the perimeter of the outdoor recreation area. Common outdoor recreation areas shall include features such as: landscaped courtyard or plaza; seating; lighting; roof-top garden; children's play structure; and sport court. Outdoor recreation areas may include overhead weather protection, but shall not be enclosed. Landscaping required within parking areas shall not be considered outdoor recreation area.

c. Indoor recreation space accessible to all residents of the development and designed so that a 12-foot by 12-foot square will fit within the indoor recreation area. Indoor recreation areas shall include furnishings and fixtures for activities such as: aerobic exercise; children's play; indoor games; sports; hobbies and crafts; and video entertainment.

C. Multiple-Family Housing – Highway 99 Corridor in the Community Business (B-1) and General Commercial (CG) zones. Multiple-family housing is permitted in the B-1 and CG zones on specified parcels in the Highway 99 corridor as designated on the city of Lynnwood future land use map. Multiple-family residential development may be combined with mixed use development subject to the following bulk requirements:

**Table 21.46.13(a)
Development Level**

Development standard	Sites with residential development of less than 20 dwelling units per acre	Sites with residential development of 20 dwelling units or more per acre
Minimum lot area	None	None
Minimum setbacks*		
Public street	None	None
Interior property lines	None	None
Ground floor residential units+	10 ft.	10 ft.
Minimum sidewalk width along public streets	12 ft.	12 ft.
Maximum lot coverage	35%	None
Maximum building height	50 ft.	90 ft., not to exceed six stories
Minimum dwelling units/acre++	N/A	20 DU/A
Maximum floor-area ratio	1.0	3.0

* See LMC 21.62.450 for development adjacent to a residential zone (Transitional Property Lines).

+ Applies to residential projects only; setback is from all public rights-of-way, internal circulation (vehicle, bicycle, pedestrian), parking areas, or access easement. Alternatively, where vision-obscuring glass is installed, the setback may be eliminated.

++ The minimum number of residential units to qualify for this level shall be calculated using the entire project site. Where residential development is part of redevelopment of one or more parcels, this calculation shall be based only on the portion of the parcel(s) being redeveloped. Fractional portions of a unit are “rounded up” for this calculation.

Buildings within 200 feet of Highway 99 shall be mixed use development with commercial development on the first floor. Phased development may occur on large parcels but the initial development plan is required to illustrate the commercial activity adjacent to Highway 99.

Multiple-family development shall comply with the remainder of the development regulations established in Chapter 21.62 LMC, Highway 99 Mixed Use Zone, unless otherwise indicated in Chapter 21.62 LMC. Stand-alone multiple-family development or mixed use development shall also comply with the Design Guidelines for the Highway 99 Mixed Use zones.

Processing of a multiple-family development, including associated mixed use, will be subject to the provisions set forth in Chapter 21.30 LMC, Planned Unit Development.

D. Convalescent and Nursing Homes and Housing for the Elderly and Physically Disabled. These uses may be allowed by conditional permit.

1. Staff Evaluation and Recommendation. Before any conditional use permit for the uses designated in this subsection is considered by the hearing examiner and city council, a joint recommendation concerning development of the land and/or construction of the buildings shall be prepared by the fire and community development departments, specifying the conditions to be applied if approved. If it is concluded that the application for a conditional use permit should be approved, each requirement in the joint recommendation shall be considered and any which are found necessary for the protection of the health, safety, and general welfare of the public shall be made part of the requirements of the conditional use permit. In any case, the approval of the conditional use permit shall include the following requirements:

a. The proposal's proximity to stores and services, safety of pedestrian access in the vicinity, access to public transit, design measures to minimize incompatibility between the proposal and surrounding businesses;

b. Compliance with all applicable state, federal, and local regulations pertaining to such use, a description of the accommodations, and the number of persons accommodated or cared for, and any structural requirements deemed necessary for such intended use;

c. The amount of space around and between buildings shall be subject to the approval of the fire chief as being adequate for reasonable circulation of emergency vehicles or rescue operations and for prevention of conflagration;

d. The proposed use will not adversely affect the surrounding area as to present use or character of the future development;

e. Restriction to such intended use except by revision through a subsequent conditional use permit;

2. Development Standards. Housing for the elderly and physically disabled facilities shall conform to the following criteria:

a. Lot area per dwelling unit: 1,000 square feet minimum per unit;

b. Passive recreation and/or open space: 200 square feet per unit. In the city's higher density multiple-family zones, developments are required to provide active recreational space to help satisfy a portion of the demand for recreational facilities. Housing for the elderly has a similar need but is of a passive nature. Therefore, passive recreation space and/or open space shall be provided. Up to 50 percent of the requirement may be indoors; provided, that the space is utilized exclusively for passive recreation and/or open space (i.e., arts and crafts rooms, solariums, courtyards). All outdoor recreation and/or open space areas shall be set aside exclusively for such use and shall not include areas held in reserve for parking, as per LMC 21.18.800. All open space and/or recreational areas shall be of a permanent nature, and they may be restricted to use by tenants only. The use of private and semi-private patios and balconies in meeting these requirements is not permitted.

E. Living Quarters, Homeless Teenage Parents. Living quarters designed for homeless teenage parents and their children are permitted in any commercial zone of the city. For the purposes of this section, "living quarters for homeless teenage parents" is defined to mean a building or buildings occupied for living purposes by not more than eight teenage parents and their children.

1. Supervision and Maximum Occupancy. Such living quarters must have an adult supervisor residing therein. The maximum number residing therein at any time shall not exceed 2:1, including parents, children, and adult supervisor(s).

2. Development Regulations and Standards. Subdivision and zoning development standards for living quarters for teenage parents shall be the same as for the low density multiple-family residential zone (RML). Such quarter shall be treated as an R occupancy for fire and building codes.

Section 7. Amendment. LMC 21.48.116 is hereby amended to read as follows:

21.48.116 Limitations on uses – Residential uses.

A. Motels and Motor Hotels. The initial development must contain at least 20 units composed of multiple-unit type buildings, and shall provide hotel services, including a main lobby, desk attendant, and room service. When accessory uses providing services for the motor hotel patrons, such as barber, bar, beauty parlor, cleaners, clothing, drugs, pottery, souvenir, tobacco, and travel are included, they shall be primarily oriented internally. Provisions for public functions such as banquets or meetings need not be oriented internally.

B. Multiple-Family Housing. Dwellings may be permitted, consistent with the use and development regulations for multiple-family dwellings in the PCD zone.

C. Convalescent and Nursing Homes and Housing for the Elderly and Physically Disabled. These uses may be allowed by conditional use permit:

1. **Staff Evaluation and Recommendation.** Before any conditional use permit for the uses designated in this subsection is considered by the hearing examiner, a joint recommendation concerning development of the land and/or construction of the buildings shall be prepared by the fire and community development departments, specifying the conditions to be applied if approved. If it is concluded that the application for a conditional use permit should be approved, each requirement in the joint recommendation shall be considered and any which are found necessary for protection of the health, safety, and general welfare of the public shall be made part of the requirements of the conditional use permit. In any case, the approval of the conditional use permit shall include the following requirements:

a. The proposal's proximity to stores and services, safety of pedestrian access in the vicinity, access to public transit, design measures to minimize incompatibility between the proposal and surrounding businesses;

b. Compliance with all applicable state, federal, and local regulations pertaining to such use, a description of the accommodations and the number of persons accommodated or cared for, and any structural requirements deemed necessary for such intended use;

c. The amount of space around and between buildings shall be subject to the approval of the fire chief as being adequate for reasonable circulation of emergency vehicles or rescue operations and for prevention of conflagration;

d. The proposed use will not adversely affect the surrounding area as to present use or character of the future development;

e. Restriction to such intended use except by revision through a subsequent conditional use permit;

2. **Development Standards.** Housing for the elderly and physically disabled facilities shall conform to the following criteria:

a. Lot area per dwelling unit: 1,000-square-foot minimum per unit;

b. Passive recreation and/or open space: 200-square-foot minimum per unit. In the city's higher density multiple-family zones, developments are required to provide active recreational space to help satisfy a portion of the demand for recreational facilities. Housing for the elderly has a similar need but is of a passive nature. Therefore, passive recreation space and/or open space shall be provided. Up to 50 percent of the requirement may be indoors; provided, that the space is utilized exclusively for passive recreation or open space (i.e., arts and crafts rooms, solariums, courtyards). All outdoor recreation and/or open space areas shall be set aside exclusively for such use and shall not include areas held in reserve for parking, as per LMC 21.18.800. All open space and/or recreational areas shall be of a permanent nature, and they may be restricted to use by tenants only. The use of private and semi-private patios and balconies in meeting these requirements is not permitted.

D. Living Quarters, Homeless Teenage Parents. Living quarters designed for homeless teenage parents and their children are permitted in any commercial zone of the city. For the purposes of this section, “living quarters for homeless teenage parents” is defined to mean a building or buildings occupied for living purposes by not more than eight teenage parents and their children.

1. Supervision and Maximum Occupancy. Such living quarters must have an adult supervisor residing therein. The maximum number residing therein at any one time shall not exceed 21, including parents, children, and adult supervisor(s).

2. Development Regulations and Standards. Subdivision and zoning development standards for living quarters for teenage parents shall be the same as for the low density multiple-family residential zone (RML). Such quarters shall be treated as a R occupancy for fire and building codes.

Section 8. Amendment. LMC 21.50.100 is hereby amended to read as follows:

21.50.100 Uses allowed in the industrial zones.

Table 21.50.01

Use	BTP	LI
Accessory Greenhouses	AC*	–
Assembly of Wood, Light Metal, Glass, Electronic, Electrical or Plastic Parts or Components which are extruded, stamped, manufactured, shaped, or prepared elsewhere, not precluding minor processes such as cutting, drilling, soldering, or minor welding	P	P
Athletic Clubs and athletic facilities such-as handball, racquetball, and tennis, and basketball courts, swimming pools, and exercise rooms	P	P
Auditoriums	–	P
Auto Wrecking Yards	–	C
Automotive and Machinery Repairing and Storage	–	P
Banks and Other Financial Institutions	C	–
Barber Shops and Beauty Parlors	AC*	–
Battery Exchange Station (Electric Vehicle), Principal or accessory use	P, A	P, A
Biotechnology (except manufacturing pharmaceuticals)	P	P
Blacksmithing, Welding, and Metal Fabricating Shops	–	P
Bookstores, News Stands, and Stationery Stores	AC*	–

Table 21.50.01

Use	BTP	LI
Bottling and Packaging Plants	C	–
Building Material Yards	–	P
Business and Professional Offices including offices of a clerical or administrative nature	P	P
Business Services and Office Supplies	P	–
Cabinet, Millwork, or Wood Prefabrication Operations	C	P
Child Day Care (e.g., day care for children of employees or of patrons)	–	AC
Contractor’s Offices, Shops, and Indoor Storage	P	P
Contractor’s Offices, Shops, and Storage Yards	–	P
Electric Vehicle Charging Station, Level 1, Level 2 or Level 3, if accessory to a permitted or conditionally permitted use.	A	A
Employees’ Cafeterias	AC	P
Florist Shops	AC*	–
Food and Dry Goods Distribution Operations	P	P
Food and Dry Goods Processing and Packaging	C	P
Freight Warehouse Terminals	C	P
Furniture Manufacture and Repair Shops	C	P
Gift Shops	AC*	–
Research and Development	P	P
Laundry and Dry Cleaning Plants	–	P
Manufacturing, Rebuilding or Repairing Nonmetal Products	–	P
Manufacturing Pharmaceuticals	–	C
Mass Transit Storage and Maintenance Facilities	–	C
Mini-Warehouses	P	–
Municipal Services	P	P
Park and Pool Lots	C	P
Pharmacies in conjunction with medical, dental, optical, and chiropractic clinics	AC	–
Plant Nurseries	AC*	–
Printing, Publishing and Binding	P	–
Printing Plants	–	P

Table 21.50.01

Use	BTP	LI
Public Utility Facilities	C	–
Recycling Collection Centers	–	C
Repair Shops for Household Appliances	AC*	–
Residences for Watchmen or Custodians	–	P
Restaurants providing on-premises service	AC*	–
Retail Lumber Yards	–	P
Universities, Colleges, Schools, including preschools, commercial schools, such as dancing, music, trade, etc.	P	–
Veterinary Clinics and Veterinary Hospitals ⁺	C	–
Warehouses (except mini-warehouses)	P	P
Wholesale trade (i.e., wholesale stores)	P	P
Wholesale trade (i.e., wholesale stores) with retailing confined exclusively to products which are manufactured, packaged, repacked, reloaded or otherwise processed on the same premises	C	P
Wireless Communications Facility less than 300 feet from residential zones (as measured from the wireless communications support structure to the property line of the nearest residentially zoned parcel) ⁺	C	C
Wireless Communications Facility 300 feet or more from residential zones (as measured from the wireless communications support structure to the property line of the nearest residentially zoned parcel)	P	P
Wireless Communications Facility, Attached	P	P
Wood, Coal and Oil Fuel Yards	–	P

+See LMC 21.50.110.

Key:

P = Use is permitted as a primary use.

C = The use may be permitted through issuance of a conditional use permit.

A = Permitted as accessory use with a principal permitted or approved conditional use.

AC = Use is permitted as an accessory conditional use and must be related to the principal use of the tenant space or property.

AC* = These accessory conditional uses may occupy no more than 25 percent of the floor area.

– = Use is prohibited.

Section 9. Amendment. LMC 21.50.210 is hereby amended to read as follows:

21.50.210 Additional development standards.

A. Building Height.

1. **BTP Zone.** For buildings taller than three stories, the floor area to lot area ratio (FAR) shall not exceed 0.4, unless specifically allowed by conditional use permit approval. In connection with any such conditional use permit approval, the applicant shall demonstrate that the additional floor area will not adversely impact traffic flow and volumes on the public streets, as compared to other existing or anticipated developments on other properties in the same zone and vicinity.

2. **LI Zone.** The community development director may authorize an increase in maximum building height not to exceed eight feet in height from the floor of the roof when the applicant demonstrates conformance with the general intent of this chapter.

B. Setbacks for Fences. All setbacks specified by this chapter shall apply to fences. However, fences, walls and hedges up to six feet in height may be located in any portion of an industrial-zoned lot as long as the fence is not located within intersection and driveway sight distance triangles, does not obstruct driver and pedestrian visibility, and complies with applicable Lynnwood Citywide Design Guidelines, as adopted by reference in LMC 21.25.145(B)(3).

C. Landscaping Requirements for Sites in the Light Industrial Zone.

1. On a transitional site, at least 50 percent of the front yard area shall be landscaped which may include landscaping requirements in parking lots.

2. On a general site, at least 25 percent of the front yard area shall be landscaped which may include landscaping requirements in parking lots.

3. Where interior property lines of a site being developed are not affected by other landscaping standards and are not adjoined by buildings, trees shall be planted inside and along the property line with a spacing of 40 feet or less between the trees.

D. Parking Requirements.

1. **Required Number of Stalls.** Requirements for parking are provided in Chapter 21.18 LMC.

2. Landscaping in Parking Areas.

a. Planting at Street Frontages.

i. Development sites without parking areas along the street frontage shall provide a 10-foot-wide planting area along the entire street frontage, except for driveways, walkways and other pedestrian spaces.

ii. Development sites with single-aisle, double-loaded parking areas located between buildings and the street right-of-way shall provide a 15-foot-wide planting area along the entire street frontage with the same above exceptions.

iii. Development sites with multi-aisle parking areas located between buildings and the street right-of-way shall provide a 20-foot-wide planting area along the entire street frontage with the same above exceptions.

iv. Planting at street frontages shall consist of ornamental landscaping of low plantings and high plantings. The minimum height of trees shall be eight feet for evergreen trees and 10 feet for all other species. Trees shall be spaced a maximum of 25 feet on center with branches eliminated to a height of six feet where necessary to prevent sight obstruction. The required trees in this planting area may be located within the adjacent street right-of-way as long as the trees comply with Lynnwood Citywide Design Guidelines, as adopted by reference in LMC 21.25.145(B)(3), and are approved by the public works department. Low evergreen plantings, or a mixture of low evergreen and deciduous plantings with a maximum height of 30 inches, shall be provided so as to achieve 50 percent groundcover within two years.

b. At transitional sites in the BTP zone, the landscaping requirement along zoning boundaries which occur along streets may be counted to fulfill front yard parking lot landscaping; provided the building is located no closer to the street than the minimum allowable setback.

c. Landscaping in Right-of-Way. Additional plantings may be placed ~~on~~ within the street right-of-way as authorized by the public works department.

d. Coverage. Ten percent of the parking areas located between buildings or between buildings and interior property lines, and single-aisle, double-loading parking areas located between buildings and the street; and 15 percent of multi-aisle parking areas located between buildings and street shall be in landscaping (exclusive of landscaping on the street frontage and required landscape buffers); provided, that:

i. No landscaping area shall be less than 100 square feet in area or less than five feet in width;

ii. No parking stall shall be located more than 45 feet from a landscaped area; and

iii. All landscaping must be located between parking stalls or between parking stalls and the property lines.

e. Landscaping Adjacent to Parking Stalls. Where landscaping areas which fulfill city standards are adjoined by angular or perpendicular parking stalls, landscaping in the form of groundcover materials or plants may be installed in that portion of any parking stall which will be ahead of the wheels and adjacent to the landscaped area; provided, that curbing or wheel stops are installed in a position which will protect the plants from damage. Such landscaping shall not be construed to be part of the percentage of landscaped area required by this chapter nor a reduction of the parking stall.

f. Additional Landscaping Along Specified Streets. Along streets where it may be desirable and feasible to obtain a higher degree of continuity in landscaping from property to property than is provided for here, the city council, upon recommendation by the planning commission, may designate specific street frontage landscaping plans for those streets. See Chapter 21.06 LMC.

E. Surface Water Management. Each industrial area shall have adequate facilities for management of surface water.

F. Screening of Service Yards. Service yards shall be site-screened so that a visual barrier is established between the storage yard and local streets and arterials.

Screening shall be installed on side yard setbacks between street right-of-way and service buildings or storage yards (except for driveways). It shall consist of either:

1. One row of evergreen conifer trees, spaced a maximum of 10 feet on center. Minimum tree height shall be six feet. The remainder of the planting strip shall be planted with low evergreen plantings which will mature to a total groundcover within five years; or

2. A site-screening evergreen hedge that provides a sight, sound, and psychological barrier between zones with some degree of incompatibility. The spacing of plants shall be such that they will form a dense hedge within five years. Minimum plant height shall be four feet.

G. Development Standards – Cooperative Programs. In the BTP zone, cooperative development of adjacent properties is encouraged. LMC 21.46.900.(D) provides incentives which should be considered when contemplating development, particularly the development of relatively small properties.

Section 10. 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.

Section 11. Effective Date. This ordinance or a summary thereof consisting of the title shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after publication.

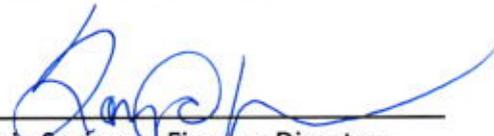
PASSED THIS 22nd day of June, 2015, and signed in authentication of its passage this 23rd day of June, 2015.

APPROVED:



Nicola Smith, Mayor

ATTEST/AUTHENTICATED:



Sonja Springer, Finance Director

APPROVED AS TO FORM:



 Rosemary Larson, City Attorney

FILED WITH ADMINISTRATIVE SERVICES: 06/23/2015
PASSED BY THE CITY COUNCIL: 06/22/2015
PUBLISHED: 06/25/2015
EFFECTIVE DATE: 06/30/2015
ORDINANCE NUMBER: 3140



On the, 22nd day of June, 2015 the City Council of the City of Lynnwood, Washington, passed ordinance 3140. A summary of the content of this ordinance, consisting of the title, provides as follows:

ORDINANCE NO. 3040

AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, CORRECTING NON-SUBSTANTIVE, MANIFEST ERRORS, AMENDING PROCEDURAL PROVISIONS, AND REMOVING EXPIRED PROVISIONS WITHIN TITLE 21 OF THE LYNNWOOD MUNICIPAL CODE (LMC), AMENDING LMC 21.12.400(D), LMC 21.16.310, LMC 21.25.145, LMC 21.46.100, LMC 21.46.116, LMC 21.48.116, LMC 21.50.100, AND LMC 21.50.210, AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND SUMMARY PUBLICATION.

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

DATED this 30th day of June, 2015.


Debbie Karber, Deputy City Clerk



LYNNWOOD
WASHINGTON

CERTIFICATE

I, the undersigned, Debra Karber, the duly appointed Deputy 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. 3140 of the City of Lynnwood, Washington, entitled as follows:

AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, CORRECTING NON-SUBSTANTIVE, MANIFEST ERRORS, AMENDING PROCEDURAL PROVISIONS, AND REMOVING EXPIRED PROVISIONS WITHIN TITLE 21 OF THE LYNNWOOD MUNICIPAL CODE (LMC), AMENDING LMC 21.12.400(D), LMC 21.16.310, LMC 21.25.145, LMC 21.46.100, LMC 21.46.116, LMC 21.48.116, LMC 21.50.100, AND LMC 21.50.210, AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND SUMMARY PUBLICATION.

That said ordinance was passed by the Council on June 22, 2015 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 June 25, 2015.

Debra Karber, Deputy City Clerk

Everett Daily Herald

Affidavit of Publication

State of Washington }

County of Snohomish } ss

Kathleen Landis being first duly sworn, upon oath deposes and says: that he/she is the legal representative of the Everett Daily Herald a daily newspaper. The said newspaper is a legal newspaper by order of the superior court in the county in which it is published and is now and has been for more than six months prior to the date of the first publication of the Notice hereinafter referred to, published in the English language continually as a daily newspaper in Snohomish County, Washington and is and always has been printed in whole or part in the Everett Daily Herald and is of general circulation in said County, and is a legal newspaper, in accordance with the Chapter 99 of the Laws of 1921, as amended by Chapter 213, Laws of 1941, and approved as a legal newspaper by order of the Superior Court of Snohomish County, State of Washington, by order dated June 16, 1941, and that the annexed is a true copy of EDH641366 ORDINANCE 3040, 3141 as it was published in the regular and entire issue of said paper and not as a supplement form thereof for a period of 1 issue(s), such publication commencing on 06/25/2015 and ending on 06/25/2015 and that said newspaper was regularly distributed to its subscribers during all of said period.

The amount of the fee for such publication is \$59.44.

Kathleen Landis

Subscribed and sworn before me on this

26 day of June,
2015.

Debra Ann Grigg

Notary Public in and for the State of
Washington.

City of Lynnwood - LEGAL ADS | 14127890
DEBBIE KARBBER

DEBRA ANN GRIGG
Notary Public
State of Washington
My Commission Expires
October 31, 2017



CITY OF LYNNWOOD

On the, 22nd day of June, 2015 the City Council of the City of Lynnwood, Washington, passed ordinances: 3140 and 3141. A summary of the content of these ordinances, consisting of the title, provides as follows:

ORDINANCE NO. 3140

AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, CORRECTING NON-SUBSTANTIVE, MANIFEST ERRORS, AMENDING PROCEDURAL PROVISIONS, AND REMOVING EXPIRED PROVISIONS WITHIN TITLE 21 OF THE LYNNWOOD MUNICIPAL CODE (LMC), AMENDING LMC 21.12.400(D), LMC 21.16.310, LMC 21.25.145, LMC 21.46.100, LMC 21.46.116, LMC 21.48.116, LMC 21.50.100, AND LMC 21.50.210, AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND SUMMARY PUBLICATION.

ORDINANCE NO. 3141

AN ORDINANCE RELATING TO THE UTILITY SYSTEM OF THE CITY, RELATING TO CONTRACTING INDEBTEDNESS; PROVIDING FOR THE ISSUANCE, SALE AND DELIVERY OF NOT TO EXCEED \$46,000,000 AGGREGATE PRINCIPAL AMOUNT OF UTILITY SYSTEM REVENUE BONDS, 2015, TO (I) REDEEM THE CITY'S UTILITY SYSTEM REVENUE BOND ANTICIPATION NOTE, 2015, FINANCE A PORTION OF THE CARRYING OUT OF A SYSTEM OR PLAN OF ADDITIONS TO AND BETTERMENTS AND EXTENSIONS OF THE SYSTEM, FUND A PORTION OF THE RESERVE, AND (IV) PAY THE COSTS OF ISSUANCE AND SALE OF THE BONDS; FIXING OR SETTING PARAMETERS WITH RESPECT TO CERTAIN TERMS AND COVENANTS OF THE BONDS; APPOINTING THE CITY'S DESIGNATED REPRESENTATIVE TO APPROVE THE FINAL TERMS OF THE SALE OF THE BONDS; AND PROVIDING FOR OTHER.

The full text of this ordinance will be mailed upon request.
DATED this 30th day of June, 2015.

Published: June 25, 2015.

Debbie Karber, Deputy City Clerk
EDH641366