

CITY OF LYNNWOOD

ORDINANCE NO. 2625

AN ORDINANCE AMENDING CHAPTER 21.04 OF THE LYNNWOOD MUNICIPAL CODE AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF LYNNWOOD AND ESTABLISHING USE DISTRICTS FOR THE CITY CENTER; AND AMENDING SECTION 21.60.600 REGARDING PROTECTION OF PLANNED SITES OF PUBLIC PARKS/PLAZAS IN THE CITY CENTER, PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR SUMMARY PUBLICATION.

WHEREAS, the Subarea Plan for the Lynnwood City Center provides for three districts (West End, Core and North End), with separate mixes of land uses, development densities and intensities for each district; and

WHEREAS, the existing zoning designations for properties in the City Center are not consistent with the Subarea Plan; and

WHEREAS, on March 14, 2005, the City Council passed Ordinance 2555, entitled "An Ordinance Amending Chapter 21.04 of the Lynnwood Municipal Code and Amending The Official Zoning Map of the City of Lynnwood and Establishing Use Districts For the City Center and Providing an Effective Date"; and

WHEREAS, Section 5 of Ordinance 2555 provided that the ordinance shall take effect and be in force 120 calendar days after its passage, approval and publication (July 19, 2005) to allow time for the development and approval of interim mitigation fees for park and transportation facilities; and

WHEREAS, on June 27, 2005, the City Council passed Ordinance 2573 which amended Section 5 of Ordinance 2555 to extend the effective date of Ordinance 2555 from July 19, 2005 to December 12, 2005; and

WHEREAS, on November 28, 2005, the City Council passed Ordinance 2597, which further amended Section 5 of Ordinance 2555 (Section 1 of Ordinance 2597) to extend the effective date of Ordinance 2555 to March 6, 2006; and

WHEREAS, on February 13, 2006, the City Council was not ready to approve an interim mitigation fee and program for park and transportation facilities; and

WHEREAS, on February 13, 2006, the City Council adopted Ordinance 2607, repealing Ordinance 2555 and referring consideration of zoning designations to the City's Planning Commission and Parks Board for recommendation; and

WHEREAS, on April 4, 2006, the Parks Board recommended adoption of the zoning as shown on Exhibit A to this ordinance, provided that location of the public parks/plazas, and particularly the location of the "North End" park, should be reviewed as part of the City Center Parks Master Plan study; and

WHEREAS, on April 27, 2006, the Planning Commission held a public hearing on the proposed zoning designations for the City Center and, following that hearing, recommended adoption of the zoning as shown on Exhibit A to this ordinance; and

WHEREAS, on May 8, 2006, the City Council held a public hearing on the proposed zoning designations for the City Center; and

WHEREAS, the City Council wishes to make the zoning designations in the City Center consistent with the Subarea Plan; and

WHEREAS, the City Council desires to require development in the City Center to be consistent with and allow for the construction and implementation of park/plazas, public streets and the Promenade, as envisioned and set forth in the Subarea Plan; and

WHEREAS, the City Council wishes to study further the appropriate development intensity and building height in a portion of the North End district;

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

Section 1. Chapter 21.04 of the Lynnwood Municipal Code and the official zoning map of the City of Lynnwood are amended as set forth in this ordinance.

Section 2. The zoning classifications of the properties in the City Center are hereby changed to the three City Center districts, as shown on Exhibit A to this Ordinance, except as provided in Section 4 of this Ordinance.

Section 3. A new Subsection D is added to LMC Section 21.60.600 ("Design Review"), to read as follows:

- D. Compliance with Subarea Plan and Related Documents. For determining compliance with the Comprehensive Plan (that includes the City Center Subarea Plan), as required by LMC 21.25.145.B.2, an application for approval of structures and facilities under this section shall:
 - 1. Demonstrate consistency and compatibility with the following locations and design of public streets and parks/plazas:

- a. Planned location and design of streets, as shown in the Street Protection Ordinance (Ord. No. 2627);
- b. Planned location of public parks/plazas, as follows:

Town Square (Core District)

The rectangular parcel formed by the existing right-of-way of 198th St. SW and the future rights-of-way of 42nd Ave. W, 199th St. SW, and 43rd Ave. W., as those streets are described in Ordinance No. 2627, also known as the Street Protection Ordinance.

West End Square

Starting at the intersection of the eastern ROW line of 44th Ave. W. and the southern ROW line of 198th St. SW, then west a distance of 480 feet to the eastern boundary of the Square (true starting point), then south a distance of 200 feet to the southeast corner of the Square, then west a distance of 210 feet (southwest corner), then north a distance of 460 feet (northwest corner), then east a distance of 210 feet (northeast corner), then south to the true starting point.

North End Park/Plaza

Starting at the southwest corner of Snohomish County Tax Lot Parcel #00-3726-002-008-05, then generally east along the south boundary of this parcel a distance of 320 feet, then generally north and perpendicular to the south property line a distance of 235 feet to the north boundary of this parcel, then west along the north boundary of this parcel to the northwest corner of this parcel (300 feet), then generally south along the west boundary of this parcel to the starting point.

West End – North Park/Plaza

The rectangular parcel formed by the existing right-of-way of 194th St. SW and 44th Ave. W. and the future rights-of-way of 195th St. SW, and 45th Ave. W., as those streets are described in Ordinance No. 2627, also known as the Street Protection Ordinance.

Where any locations and designs in paragraph (a) and (b), above, conflict with the City Center Subarea Plan, such locations and designs shall supersede the conflicting provisions of the City Center Subarea Plan.

2. Locate “retail frontage land uses” along the portion of The Promenade, as depicted and described in the City Center Subarea Plan, that is south of 196th St. SW and also around public parks/plazas that abut The Promenade. “Retail frontage land uses” in this case includes any pedestrian-oriented use, such as retail stores, groceries, drug stores, shoe repair shops, cleaning establishments, floral shops, beauty and barber shops, department stores, apparel shops, art galleries, travel agencies, restaurants, theaters, public offices, libraries and other businesses that are intended to be pedestrian-attracting or pedestrian-generating in nature (as determined by the Community Development Director).

Section 4. The portion of the North End district that is north of the proposed extension of 194th St. SW is designated as "Study Area" until such time as the City Council adopts development regulations for this portion of the North End. The current zoning of this area (Business and Technical Park) remains in effect.

Section 5. This ordinance shall take effect and be in force five calendar days after its passage, approval and publication.

PASSED BY THE CITY COUNCIL this 10th day of July, 2006, and signed in authentication of its passage this day of July, 2006.

"Effective Friday, July 21, 2006

Pursuant to RCW 35A.12.130"

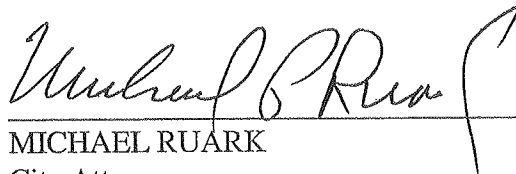
DON GOUGH, Mayor

ATTEST/AUTHENTICATED:

APPROVED AS TO FORM:



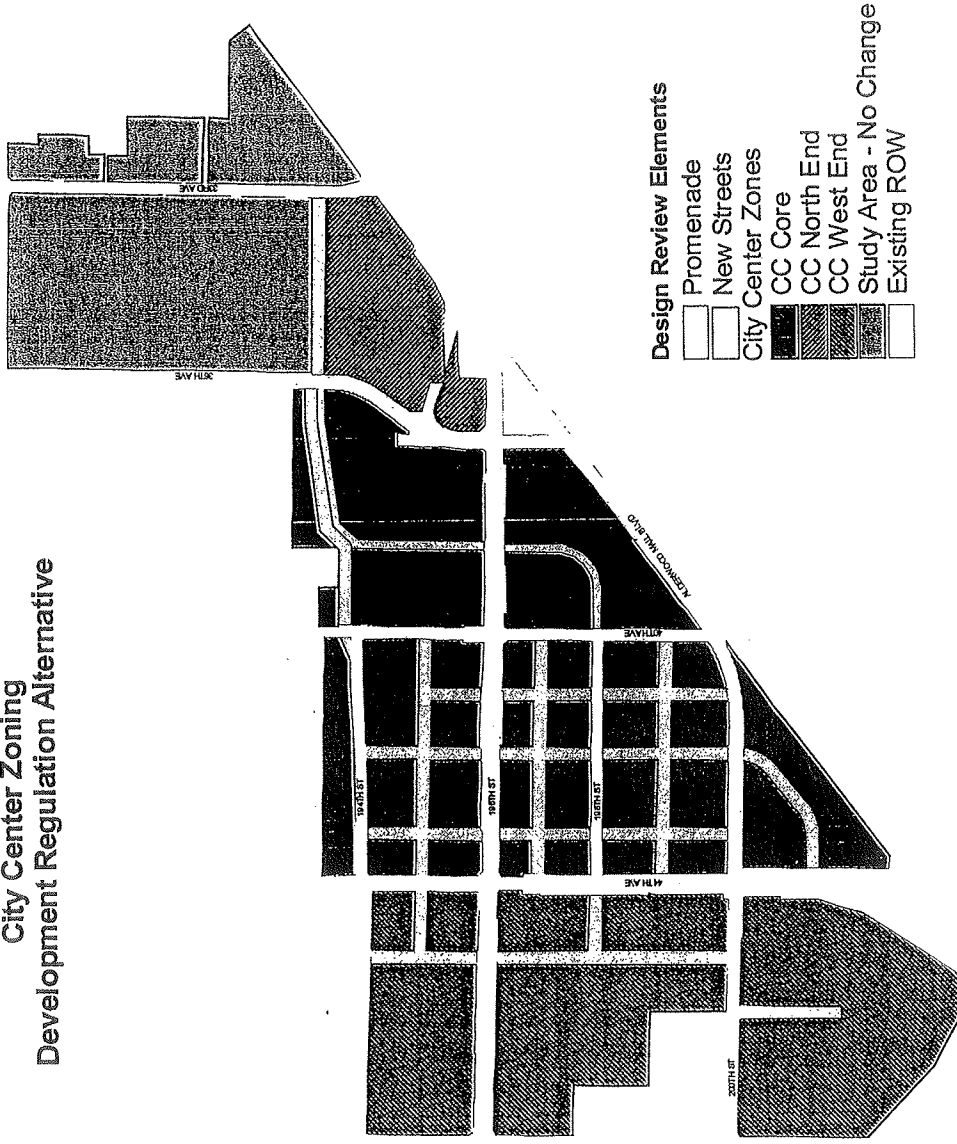
PATRICK DUGAN
Interim Finance Director



MICHAEL RUARK
City Attorney

Exhibit A

**City Center Zoning
Development Regulation Alternative**



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