

CITY OF LYNNWOOD  
ORDINANCE NO. 1630

AN ORDINANCE AMENDING TITLE 2, TITLE 17, TITLE 18, AND TITLE 20 OF THE LYNNWOOD MUNICIPAL CODE BY REVISING THE APPLICATION FEES FOR VARIOUS LAND USE APPLICATIONS.

WHEREAS, after proper notice, due hearing was held by the City Planning Commission to consider an amendment to the official text of the Municipal Code of the City of Lynnwood; and

WHEREAS, after due deliberation, the City Planning Commission recommended to the City Council that such amendment was desirable; and

WHEREAS, the City Council duly considered the Planning Commission recommendation of such amendment; and

WHEREAS, upon motion duly made the City Council of the City of Lynnwood has determined to amend the official text of the Municipal Code of the City of Lynnwood;

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

SECTION 1. That Section 2.22.095 of the Lynnwood Municipal Code which reads as follows, to wit:

2.22.095 APPLICATION FEES

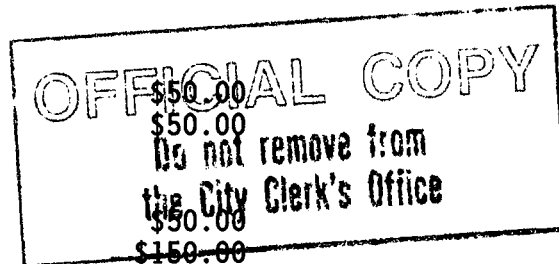
The application fee for all public hearings as required by Section 2.22.090 shall be twenty-five dollars.

IS HEREBY REPEALED, REVISED AND AMENDED TO READ AS FOLLOWS:

2.22.095 APPLICATION FEES

The application fee for all public hearings as required by Section 2.22.090 shall be as follows:

- A. Appeals
  - 1. Fences
  - 2. Administrative Determination
- B. Variances
  - 1. Single Family Residential
  - 2. Other



- C. Planned Unit Developments - See Lynnwood Municipal Code Chapter 20.12
- D. Conditional Use Permits - See Lynnwood Municipal Code Chapter 20.07
- E. Development Plan Approvals - See Lynnwood Municipal Code Chapter 20.36 and 20.38
- F. Preliminary Plat Approvals - See Lynnwood Municipal Code Chapter 19.20

SECTION 2. That Section 17.02.260 A. of the Lynnwood Municipal Code which reads as follows, to wit:

17.02.260 FEES (WAC 173-806-200)

The City shall require the following fees for its activities in accordance with the provisions of this chapter:

A. THRESHOLD DETERMINATION

For every environmental checklist the City will review when it is lead agency, the City shall collect a fee of thirty-five dollars from the proponent of the proposal prior to undertaking the threshold determination, except that there shall be no checklist fee for building permits. The time periods provided by this chapter for making a threshold determination shall not begin to run until payment of the fee.

IS HEREBY REPEALED, REVISED AND AMENDED TO READ AS FOLLOWS:

17.02.260 FEES (WAC 173-806-200)

The City shall require the following fees for its activities in accordance with the provisions of this chapter:

A. THRESHOLD DETERMINATION

For every environmental checklist the City will review when it is lead agency, the City shall collect a fee of fifty dollars from the proponent of the proposal prior to undertaking the threshold determination, except that there shall be no checklist fee for building permits. The time periods provided by this chapter for making a threshold determination shall not begin to run until payment of the fee.

SECTION 3. That Section 18.20 of the Lynnwood Municipal Code by adding the following:

18.20.030 FEES

A fee, in the amount provided by the following schedule of fees, shall be paid at the time of filing of a petition for an amendment to the comprehensive plan map. There shall be an additional fee for an appeal to the City Council following a denial by the Planning Commission, which shall be equal to the fee paid at the time the petition was submitted. The fee for any reclassification required by a public agency shall be fifty dollars. No part of the fee shall be returnable.

SCHEDULE OF FEES

AREA INCLUDED IN PETITION APPLICATION

AMOUNT OF FEE

Less than 1 acre

\$ 125.00

1.1 - 5 acres

200.00

More than 5 acres

275.00 plus

\$25.00 per acre, or portions of an acre, in excess of 5 acres.

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SECTION 4. That Section 20.06.100 of the Lynnwood Municipal Code, which reads as follows, to wit:

20.06.100 FEES

A fee, in the amount provided by the following schedule of fees, shall be paid at the time of filing of a petition for an amendment to the zoning map, an application for a planned unit, or any other application involving a public hearing for which fees are not elsewhere specified. There shall be an additional fee for an appeal to the City Council following a denial by the Planning Commission, which shall be equal to the fee paid at the time the petition was submitted. The fee for any reclassification required by a public agency shall be fifty dollars. No part of the fee shall be returnable.

SCHEDULE OF FEES

AREA INCLUDED IN PETITION APPLICATION	AMOUNT OF FEE
Less than 2.50 acres	\$ 100.00
2.51 - 5.00 acres	150.00
5.01 - 7.50 acres	200.00
7.51 - 10.00 acres	250.00
More than 10 acres	250.00, plus \$20.00 per acre for each acre, or portions of an acre, in excess of 10 acres, not to exceed \$650.00

IS HEREBY REPEALED, REVISED AND AMENDED TO READ AS FOLLOWS:

20.06.100 FEES

A fee, in the amount provided by the following schedule of fees, shall be paid at the time of filing of a petition for an amendment to the zoning map, an application for a planned unit, or any other application involving a public hearing for which fees are not elsewhere specified. There shall be an additional fee for an appeal to the City Council following a denial by the Planning Commission, which shall be equal to the fee paid at the time the petition was submitted. The fee for any reclassification required by a public agency shall be fifty dollars. No part of the fee shall be returnable.

SCHEDULE OF FEES

AREA INCLUDED IN PETITION APPLICATION	AMOUNT OF FEE
Less than 1 acre	\$ 250.00
1.1 - 5 acres	400.00
More than 5 acres	550.00, plus \$50.00 per acre, or portions of an acre, in excess of 5 acres.

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SECTION 5. That Section 20.07.020 of the Lynnwood Municipal Code which reads as follows, to wit:

20.07.020 APPLICATION, HEARING & NOTICE

Application for a conditional use permit shall be made on forms prescribed by the City, and shall be accompanied by a legal description of the property, a statement to the effect that the applicant or applicants are the sole owners of the property, and payment of a fee of fifty dollars to cover the cost of advertising and mailing notices. The Planning Commission shall hold a public hearing on any conditional use permit application. Notice of hearing shall be in accordance with the procedures specified in Section 20.06.030.

IS HEREBY REPEALED, REVISED AND AMENDED TO READ AS FOLLOWS:

20.07.020 APPLICATION, HEARING & NOTICE

Application for a conditional use permit shall be made on forms prescribed by the City, and shall be accompanied by a legal description of the property, a statement to the effect that the applicant or applicants are the sole owners of the property, and payment of a fee of:

- A. Ground signs as per section 20.33.020(72) \$100
- B. All others \$200

The Planning Commission shall hold a public hearing on any conditional use permit application. Notice of hearing shall be in accordance with the procedures specified in Section 20.06.030.

SECTION 6. That Section 20.33.075 is hereby amended by adding the following:

- D. The application fee for Special Use Permits shall be \$350.00.

SECTION 7. That Section 20.36.080 of the Lynnwood Municipal Code which reads as follows, to wit:

20.36.080 DEVELOPMENT STANDARDS - TRANSITIONAL SITES

The following standards apply to those sites which are transitional as defined in subsection (A) of Section 20.36.070, unless other standards are approved in connection with a planned unit development as per Chapter 20.12 or preliminary plan development approval as required by this chapter, or a conditional use permit.

- 1. Transitional sites shall be subject to development plan approval prior to any building permits being issued, according to planned unit development procedures as provided in Chapter 20.12 except as follows:

- a. If the property is already zoned BTP, and the request for development plan approval is merely to fulfill the requirement of this section, the usual fee according to Chapter 20.06 is not required;

- Preliminary and final development plan approval as stated in Chapter 20.12 may be consolidated into one application, providing sufficient details are provided for final approval;

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- c. The preliminary and final development plans shall have been designed by one or more professionals competent in land use planning, landscape architecture, architecture, engineering and/or other professional services necessary to accomplish the development in accordance with the intent of this chapter;
- d. On transitional sites, plantings are required to help improve compatibility at zoning boundaries which occur along streets. The planting area shall be at least equal in width to what is normally required where a zoning boundary between incompatible uses occurs at an interior property line, according to Section 20.16.090. Type I landscaping may be substituted for dense plantings where there is potential impairment of drivers' visibility by dense plantings near streets, thereby softening the visual impact of the industrial buildings on the residential area where it is not practical for the foregoing reasons to attempt to screen the building from view entirely; and
- e. The maximum height of all structures shall be thirty-five feet or three stories in height, whichever is less, unless specifically allowed a greater height as part of the development plan approval. For those buildings of three stories or more, the floor area to lot area ratio (FAR) shall not exceed .4 unless specifically allowed in the development plan approval. In connection with any such development plan approval, the applicant shall demonstrate that the additional floor area will not adversely impact traffic flow and volumes on the public street, as compared to other existing or anticipated developments on other properties in the same zone and vicinity.

IS HEREBY REPEALED, REVISED AND AMENDED TO READ AS FOLLOWS:

20.36.080 DEVELOPMENT STANDARDS - TRANSITIONAL SITES

The following standards apply to those sites which are transitional as defined in subsection (A) of Section 20.36.070, unless other standards are approved in connection with a planned unit development as per Chapter 20.12 or preliminary plan development approval as required by this chapter, or a conditional use permit.

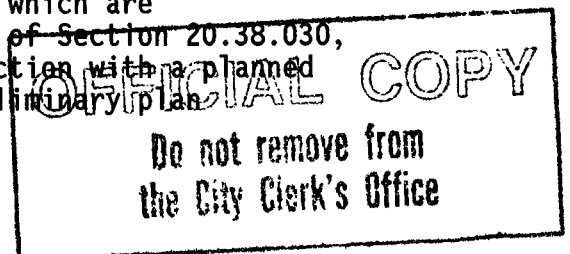
- 1. The fee for development plan approval is \$350 each for preliminary and final approval. Transitional sites shall be subject to development plan approval prior to any building permits being issued, according to planned unit development procedures as provided in Chapter 20.12 except as follows:

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- a. The fee is not required if the property is already zoned BTP, and the request for development plan approval is merely to fulfill the requirement of this section;
- b. Preliminary and final development plan approval as stated in Chapter 20.12 may be consolidated into one application, providing sufficient details are provided for final approval;
- c. The preliminary and final development plans shall have been designed by one or more professionals competent in land use planning, landscape architecture, architecture, engineering and/or other professional services necessary to accomplish the development in accordance with the intent of this chapter;
- d. On transitional sites, plantings are required to help improve compatibility at zoning boundaries which occur along streets. The planting area shall be at least equal in width to what is normally required where a zoning boundary between incompatible uses occurs at an interior property line, according to Section 20.16.090. Type I landscaping may be substituted for dense plantings where there is potential impairment of drivers' visibility by dense plantings near streets, thereby softening the visual impact of the industrial buildings on the residential area where it is not practical for the foregoing reasons to attempt to screen the building from view entirely; and
- e. The maximum height of all structures shall be thirty-five feet or three stories in height, whichever is less, unless specifically allowed a greater height as part of the development plan approval. For those buildings of three stories or more, the floor area to lot area ratio (FAR) shall not exceed .4 unless specifically allowed in the development plan approval. In connection with any such development plan approval, the applicant shall demonstrate that the additional floor area will not adversely impact traffic flow and volumes on the public street, as compared to other existing or anticipated developments on other properties in the same zone and vicinity.

SECTION 8. That Section 20.38.030(B) of the Lynnwood Municipal Code which reads as follows, to wit:

- B. Development Plan Approval - Transitional Sites  
The following standards apply to those sites which are transitional as defined in subsection (A)(1) of Section 20.38.030, unless other standards are approved in connection with a planned unit development as per Chapter 20.12 or preliminary plan



development approval as required by this chapter. Transitional sites shall be subject to development plan approval prior to issuance of building permits, except that improvements which are classified as Level 1 alterations under Section 20.14.040(A) shall be subject to the provisions of that section and shall not require development plan approval. The procedures for development plan approval shall be in accordance with planned unit development procedures as provided in Chapter 20.12, except as follows:

1. If the property is already zoned LI, and the request for development plan approval is merely to fulfill the requirements of this section, the usual fee according to Chapter 20.06 is not required;
2. Preliminary and final development plan approval as stated in Chapter 20.12 may be consolidated into one application, providing sufficient details are provided for final approval; and
3. The preliminary and final development plans shall have been designed by one or more professionals competent in land use planning, landscape architecture, architecture, engineering and/or other professional services necessary to accomplish the development in accordance with the intent of this chapter.

IS HEREBY REPEALED, REVISED AND AMENDED TO READ AS FOLLOWS:

B. Development Plan Approval - Transitional Sites  
The following standards apply to those sites which are transitional as defined in subsection (A)(1) of Section 20.38.030, unless other standards are approved in connection with a planned unit development as per Chapter 20.12 or preliminary plan development approval as required by this chapter. Transitional sites shall be subject to development plan approval prior to issuance of building permits, except that improvements which are classified as Level 1 alterations under Section 20.14.040(A) shall be subject to the provisions of that section and shall not require development plan approval. The procedures for development plan approval shall be in accordance with planned unit development procedures as provided in Chapter 20.12, except as follows:

1. The fee for development plan approval is \$350 each for preliminary and final approval. The fee is not required if the property is already zoned LI, and the request for development plan approval is merely to fulfill the requirements of this section;
2. Preliminary and final development plan approval as stated in Chapter 20.12 may be consolidated into one application, providing sufficient details are provided for final approval; and

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3. The preliminary and final development plans shall have been designed by one or more professionals competent in land use planning, landscape architecture, architecture, engineering and/or other professional services necessary to accomplish the development in accordance with the intent of this chapter.

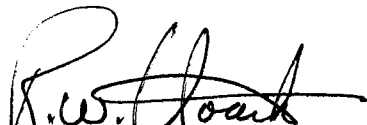
SECTION 9. Severability. If any section, subsection, sentence, clause, phrase or word of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase or word of this ordinance.

SECTION 10. This ordinance shall take effect and be in force five (5) days after its passage, approval and publication.

PASSED THIS 13th day of June, 1988, and signed in authentication of its passage this 13th day of June, 1988.

  
M. J. HRDLICKA, Mayor

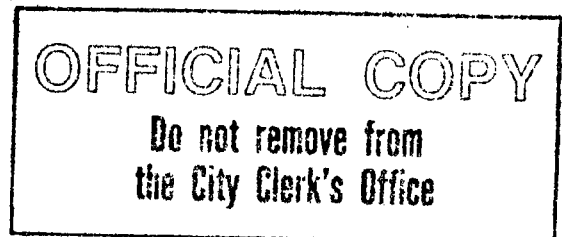
ATTEST:

  
R. W. NOACK, City Clerk

APPROVED AS TO FORM:

  
PATRICK M. CURRAN, CITY ATTORNEY

File Name: Development Fees Code Amendment  
File Number: 87-CAM-0007



PUBLISHED: June 17, 1988