



**ORDINANCE NO. 3257**

**AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON,  
RELATING TO THE COMMUNITY DEVELOPMENT DEPARTMENT;  
AMENDING CHAPTER 2.23 OF THE LYNNWOOD MUNICIPAL CODE;  
AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND  
SUMMARY PUBLICATION.**

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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 improve efficiency and draft effective application of legislation enacted by Ordinance by the City Council; and

WHEREAS, on the 14th day of February, 2017, the City of Lynnwood SEPA Responsible Official issued a Determination of Non-Significance (DNS) on the proposal; and

WHEREAS, on the 23rd day of March, 2017, the Lynnwood Planning Commission held a public hearing on proposed amendments to the Lynnwood Municipal Code (LMC) as provided in 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, on the 8th day of May, 2017, 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; 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; now, therefore

45 THE CITY COUNCIL OF THE CITY OF LYNNWOOD, WASHINGTON, DO ORDAIN AS FOLLOWS:  
46

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

51  
52 **Section 2. Amendment.** Chapter 2.23 of the Lynnwood Municipal Code is amended to read as  
53 follows:  
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55 **2.23.010 Purpose - Community Development Department**

56 The "community development department" is responsible for the City's current and long  
57 range planning, maintaining and enforcing the zoning, business licensing, subdivision,  
58 environmental review, building and related construction codes and code enforcement  
59 (nuisance) sections of Lynnwood Municipal Codes. The department manages the City's  
60 permit center function and supports the activities of the Hearing Examiner, Planning and  
61 Human Services Commissions.  
62

63 **2.23.020 Community Development Director – Defined**

64 The "community development director" is the head of the community development  
65 department, the director's authorized representative or any representative authorized by  
66 the mayor. The director also serves as the City's Designated SEPA Official.  
67

68 **2.23.030 Duties of the Community Development Department**

69 The community development department shall supervise and control the following:  
70

- 71 A. Preparation and implementation of the budget for the department;
- 72
- 73 B. Formulate and recommend comprehensive goals on planning;
- 74
- 75 C. Ensure compliance with statutory requirements relative to environmental issues;
- 76
- 77 D. Direct preparation and review of environmental impact statements and technical  
78 reports and determine final action on environmental issues;
- 79
- 80 E. Act as the City's responsible official for SEPA compliance;
- 81
- 82 F. Provide staff to support the planning commission, human services commission, and  
83 hearing examiner;
- 84
- 85 G. Coordinate with public works and parks departments to ensure departmental plans  
86 are consistent with the comprehensive plan;  
87

- 88 H. Coordinate with public works, fire, police and parks departments regarding developer  
 89 plans to ensure department ability to provide required services to developing areas;  
 90  
 91 I. Represent City on regional issues;  
 92  
 93 J. Coordinate with other jurisdictions and agencies to resolve issues with neighboring  
 94 jurisdictions;  
 95  
 96 K. Develop and maintain the comprehensive plan and sub-area plans;  
 97  
 98 L. Provide lead in annexation issues;  
 99  
 100 M. Develop and maintain the zoning ordinance;  
 101  
 102 N. Ensure compliance with the Growth Management Act; and  
 103  
 104 O. Oversee process for new developments and land use applications, and issue decisions  
 105 as specified in this code.

106 **2.23.100 Explanation of fees and charges.**

107 Costs associated with providing service to the public for application and permit processing  
 108 and other services will be partially recovered using a combination of fixed fees and hourly  
 109 charges and fully recovered as costs are related to consulting fees and public notification  
 110 requirements. To effect recovery, fees for land use applications and miscellaneous  
 111 services and fees associated with building, mechanical, electrical, fire and grading are  
 112 established by ordinance as adopted and from time to time amended by the city council.

113 **2.23.140 Applications — Deposits/bonds.**

114 The following applications require deposits or bonds in the amounts set forth:

Application	Required Deposit or Bond
Annexation	Flat fee amount, plus estimated posting and mailing costs, plus any estimated expenses for consultants
Binding site plan	\$2,000

Application	Required Deposit or Bond
Comprehensive plan amendment Application for text or map change	\$3,000
Conditional use permit	\$2,000
Development plan approval	\$3,000
Environmental impact statement (EIS)	\$2,000, plus any estimated expenses for consultants
Planned unit development If not by public agency	\$3,000
Rezone If not by public agency	\$3,000
Short subdivision (short plat)	\$2,000
Special use permit	\$3,000
Subdivision (plat)	\$3,000
Variance If not a single-family use	\$2,000

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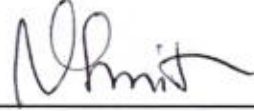
116 **Section 3. Severability.** If any section, sentence, clause or phrase of this Ordinance should be  
 117 held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or  
 118 unconstitutionality shall not affect the validity or constitutionality of any other section, sentence,  
 119 clause or phrase of this Ordinance.

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121 **Section 4. Effective Date.** This Ordinance or a summary thereof consisting of the title shall be  
122 published in the official newspaper of the City, and shall take effect and be in full force five (5)  
123 days after publication.

124  
125 PASSED BY THE CITY COUNCIL, the 8<sup>th</sup> day of May, 2017.  
126

127  
128 APPROVED:

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132 \_\_\_\_\_  
133 Nicola Smith, Mayor  
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135 ATTEST/AUTHENTICATED:

136 APPROVED AS TO FORM:

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138 \_\_\_\_\_  
139 Sonja Springer, Finance Director/City Clerk

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142 Rosemary Larson, City Attorney  
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161 FILED WITH ADMINISTRATIVE SERVICES: 05/10/2017  
162 PASSED BY THE CITY COUNCIL: 05/08/2017  
163 PUBLISHED: 05/11/2017  
164 EFFECTIVE DATE: 05/16/2017  
165 ORDINANCE NUMBER: 3257



On the, 8th day of May, 2017 the City Council of the City of Lynnwood, Washington, passed ordinance 3257. A summary of the content of this ordinance, consisting of the title, provides as follows:

**ORDINANCE NO. 3257**

**AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, RELATING TO THE COMMUNITY DEVELOPMENT DEPARTMENT; AMENDING CHAPTER 2.23 OF THE LYNNWOOD MUNICIPAL CODE; AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND SUMMARY PUBLICATION.**

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

DATED this 11th day of May, 2017.

  
\_\_\_\_\_  
Debbie 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 EDH757213 ORDINANCE 3256, 3257 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 05/11/2017 and ending on 05/11/2017 and that said newspaper was regularly distributed to its subscribers during all of said period.

The amount of the fee for such publication is \$41.50.

Kathleen Landis

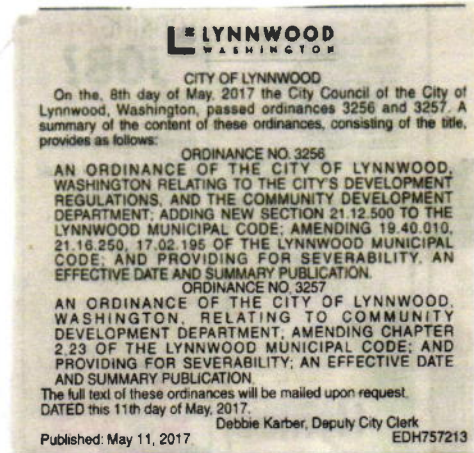
Subscribed and sworn before me on this

11 day of May,  
2017

Debra Ann Grigg

Notary Public in and for the State of Washington.

City of Lynnwood - LEGAL ADS | 14127890  
DEBBIE KARBER



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



**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. 3257 of the City of Lynnwood, Washington, entitled as follows:

### **ORDINANCE NO. 3257**

**AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, RELATING TO THE COMMUNITY DEVELOPMENT DEPARTMENT; AMENDING CHAPTER 2.23 OF THE LYNNWOOD MUNICIPAL CODE; AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND SUMMARY PUBLICATION.**

That said ordinance was passed by the Council on May 8, 2017 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 May 11, 2017.

\_\_\_\_\_  
Debbie Karber, Deputy City Clerk