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ORDINANCE NO. 3419

AN ORDINANCE ADOPTING THE CAPITAL FACILITIES PLAN FOR THE CITY OF LYNNWOOD FOR THE PERIOD 2023 THROUGH 2028; AND PROVIDING FOR AN EFFECTIVE DATE, SEVERABILITY, AND SUMMARY PUBLICATION.

WHEREAS, the City of Lynnwood has adopted a Comprehensive Plan and has amended it in accordance with the requirements of Chapter 36.70A RCW (The Growth Management Act); and

WHEREAS, the Growth Management Act requires a Capital Facilities plan as mandatory element of the City’s Comprehensive Plan; and

WHEREAS, the Growth Management Act (RCW 36.70A.130) allows the City to amend the Capital Facilities Element of the Comprehensive Plan concurrently with the adoption of the budget; and

WHEREAS, the Capital Facility Plan provides the six-year capital facility program for the Capital Facilities and Utilities Element of the City’s Comprehensive plan;

WHEREAS, the City Council held a public hearing on May 23, 2022 on the Capital Facilities Plan provided for in this ordinance and determined that the Capital Facilities Plan in conjunction with the Capital Facilities and Utilities Elements are consistent with RCW 36.70A.070(3) and the Comprehensive Plan and are desirable and are in the public interest and welfare; and

WHEREAS, the City Council adopted Resolution 2003-16 establishing a Capital Project Authorization Process that identifies the approving ordinance (of the Capital Facilities Plan) as a plan of action wherein no final approval to proceed with specific projects is made; Projects defined in the 2023–2028 Capital Facilities Plan requires specific authorization and appropriation by the Council in a subsequent Budget approval, and

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

SECTION 1: Capital Facilities Plan. That portion of the Comprehensive Plan entitled The Six-Year Capital Facilities Plan (2022-2027): is hereby amended and replaced by “The Six-Year

40 Capital Facilities Plan (2023-2028)", which document is incorporated and adopted herein by
41 reference. All projects in the Plan are approved for general "internal" planning purposes only,
42 and specific authorization and appropriation by the Council of a capital project shall be by
43 ordinance and shall be required for each capital project of the city.

44
45 **SECTION 2: Severability.** If any section, subsection, sentence, clause, phrase or word of this
46 Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction,
47 such invalidity or unconstitutionality thereof, shall not affect the validity or constitutionality
48 of any other section, subsection, sentence, clause, phrase or word of this Ordinance.

49
50 **SECTION 3: Effective Date and Summary Publication.** This Ordinance shall take effect and be
51 in full force five (5) days after its passage, approval, and publication of an approved summary
52 thereof consisting of the title.

53
54 PASSED BY THE CITY COUNCIL, the 27th day of June 2022.

55
56
57 APPROVED:

58
59 DocuSigned by:
60 *Christine Frizzell* 6/28/2022
61 _____
62 77ADF363AF504F4...
63 Christine Frizzell, Mayor

64 ATTEST/AUTHENTICATED:

65
66 DocuSigned by:
67 *Luke Lonie* Luke Lonie,
68 _____ on behalf of
9859FC9ACFCA4CF...
69 Karen Fitzthum, City Clerk

64 APPROVED AS TO FORM:

65
66 DocuSigned by:
67 *Lisa Marshall*
68 _____
0C9DE54C77524E7...
69 Lisa Marshall, City Attorney