

CITY OF LYNNWOOD

ORDINANCE NO. 3450

AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, ADOPTING AMENDMENTS TO THE CITY’S ZONING CODE INCLUDING CHAPTERS 21.02, 21.46, 21.48, CONCERNING OFF-CAMPUS EMERGENCY DEPARTMENT; AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND SUMMARY PUBLICATION.

WHEREAS, the City of Lynnwood is a municipal corporation organized under the laws of the State of Washington; and

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, on September 21, 2023, 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 October 20, 2023, the City of Lynnwood SEPA Responsible Official issued a Determination of Nonsignificance (DNS) on the proposal; and

WHEREAS, on October 26, 2023 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 approve that the Lynnwood City Council adopt the amendments to the Lynnwood Municipal Code as provided herein; and

WHEREAS, on November 13, 2023, 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: The City adopts the above recitals, labelled “Whereas” clauses, as findings of fact and incorporates them by reference as if fully set forth herein. In addition, and upon consideration of the provisions of this Ordinance, the City Council finds that the new code and 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. Amendments:

A. LMC 21.02.531.5 is amended to read as follows:

40 LMC 21.02.531.5 “Off-Campus Emergency Department” means a building or portion of a
 41 building providing outpatient emergency services, including but not limited to outpatient
 42 observation beds, a diagnostic lab, radiology services, and point-of-care pharmacy, but not
 43 including any ongoing drug addiction treatment, substance abuse facility, supervised drug
 44 consumption facility, residential treatment center or sanitarium, mental or behavioral
 45 health facility, trauma facility or operating room, group home or inpatient beds of any kind.

46 **Section 3. Amendments:**

47 A. LMC Table 21.46.05 is amended to read as follows:

Medical Uses	NC	PCD	CG
Medical, Dental, Optical and Chiropractic Clinics	P	P	P
Off-Campus Emergency Department	-	P	P
Veterinary Clinics+	P*	P	P-X

48 *Excluding outdoor kennels and runs.

49 **Section 4. Amendments:**

50 A. LMC 21.48.100 is amended to read as follows:

51 A. All uses permitted in the General Commercial (CG) zone are permitted in this
 52 classification, except for the following:

- 53 1. Outdoor used automobile sales;
- 54 2. Funeral parlors and mortuaries;
- 55 3. Self-service storage facilities;
- 56 4. Marijuana and marijuana-infused products retail sales, processing and production;
- 57 5. Medical marijuana collective gardens; and
- 58 6. Supervised drug consumption facilities.

59 **Section 5. Effective Date:** This ordinance or an approved summary thereof consisting of its
 60 title shall be published in the City’s official newspaper of record and shall take effect and be
 61 in full force five days following its publication.

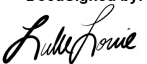
62 **Section 6. Severability:** If any section, sentence, clause or phrase of this ordinance should be
 63 held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or
 64 unconstitutionality shall not affect the validity or constitutionality of any other section, sentence,
 65 clause or phrase or word of this ordinance.

66 PASSED BY THE CITY COUNCIL this 4th day of December 2023.

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ATTEST/AUTHENTICATED:

DocuSigned by:

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Luke Lonie, City Clerk

APPROVED:

DocuSigned by:
 12/6/2023
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Christine Frizzell, Mayor

APPROVED AS TO FORM:

DocuSigned by:

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Lisa M. Marshall, City Attorney