

ORDINANCE NO. 1619

**AN ORDINANCE TO REZONE
PROPERTY WITHIN THE PEPIN CREEK SUBAREA AND
IN THE CITY LIMITS OF LYNDEN**

WHEREAS, on December 17, 2018 the City Council adopted Ordinance 1569 establishing the Pepin Creek Subarea, which comprises approximately 460 acres, 110 acres of which are within the Lynden city limits; and

WHEREAS, on March 2, 2020, after intensive planning, gathering public input, and work sessions with the Lynden Planning Commission and City Council, the City Council approved Ordinance 1600, which adopted the Pepin Creek Subarea Plan and is established to guide the logical development of land use within the Pepin Creek Subarea; and

WHEREAS, the adopted Pepin Creek Subarea Plan proposes future land use and zoning designations, intending to accommodate much of the City's forthcoming residential growth while fostering a diversity of housing types and recreational opportunities; and

WHEREAS, in December 2020, the City of Lynden Planning Department, submitted a complete application for an area-wide rezone of those parcels of the Pepin Creek Subarea that are already within the city limits, to align with the zoning designations that were determined by the adopted Pepin Creek Subarea Plan; and

WHEREAS, the Lynden Planning Commission held a public hearing on January 14, 2021 to accept public testimony on the proposed Pepin Creek Subarea rezone and recommended approval to align the zoning designations of those parcels as determined by the Pepin Creek Subarea Plan; and

WHEREAS, Lynden City Council held a public hearing on February 16, 2021 to further seek additional public input on the rezone proposal; and

NOW, THEREFORE, The City Council of the City of Lynden does ordain, as follows:

Section 1 The City's Zoning Map is hereby amended to change the zoning designations of those parcels in the Pepin Creek Subarea and already within the city limits to line up with the established zoning categories as determined by Exhibit 24 in the Pepin Creek Subarea Plan.

Section 2 This rezone proposal is granted on the following conditions:

- a. These conditions shall run with the land and be binding upon the property owner, their successors and/or assigns.

Section 3 Any ordinance or parts of ordinances in conflict herewith are hereby repealed.

Section 4 Should any section, subsection, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 5 Any ordinance or parts of ordinances in conflict herewith are hereby repealed.

Section 6 This ordinance shall be in force and effect, five (5) days after its passage, approval and publication as provided by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF LYNDEN BY AN
AFFIRMATIVE VOTE, _____ IN FAVOR _____ AGAINST AND SIGNED BY THE
MAYOR on the _____ day of _____, 2021.

M A Y O R

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY