

**Ordinance No. 1632**

AN ORDINANCE OF THE CITY OF LYNDEN AMENDING PORTIONS OF THE  
COMPREHENSIVE PLAN TO ACCOMMODATE THE PEPIN LITE  
TRANSPORTATION SYSTEM IMPROVEMENTS

**WHEREAS**, on August 19, 2013, the City of Lynden (“the City”) adopted the April 2009 Amendment to the January 1992 Stormwater Management Plan identifying the “Pepin Creek” project which recognized the unique challenges associated with development in this area of the City; and

**WHEREAS**, on January 1, 2019, the City’s Comprehensive Plan was amended to delineate the Pepin Creek Subarea; and

**WHEREAS** the City conducted numerous complex and detailed planning, funding, and design studies to understand and communicate the complex issues associated with the Pepin Creek Subarea and advancement of residential development within the Subarea; and

**WHEREAS**, on March 3, 2020, the City Council adopted the Pepin Creek Subarea Plan into the City’s Comprehensive Plan to establish goals and policies for the future development of this area regarding land use and zoning, environmental protection and restoration, infrastructure development, and finance to ensure the orderly development of this area; and

**WHEREAS** City staff began implementation of the land use and zoning structure presented in the Subarea plan but found that infrastructure associated with the adopted Pepin Creek Subarea Plan presented permitting challenges and placed an unrealistic financial burden on the City and the future development in the Sub-Area; and

**WHEREAS** City staff created a plan for The Project known as ‘Pepin Lite’ which focused on transportation system improvements including relocating portion of Pepin Creek in association with subarea development; and

**WHEREAS** the City wishes to document its plans in the Transportation Element of the Comprehensive Plan, Subarea Plans, and the Transportation Improvement Projects and Programs list; and

**WHEREAS** the City issued a Determination of Non-Significance for this non-project action on June 4, 2021, following a two-week comment period; and

**WHEREAS** a public hearing was duly noticed and held before the Planning Commission on June 10, 2021, to accept public testimony on the proposed amendments and consider the matters of record to that date. This hearing concluded in a recommendation for approval; and

**WHEREAS** the proposed amendment was subsequently sent to the Washington State Department of Commerce to allow for a 60-day comment period which has since been completed without comment; and

**WHEREAS** the proposed amendments were introduced to the Lynden City Council on August 2, 2021, and a date for a public hearing was set; and

**WHEREAS** on August 16, 2021, the Lynden City Council held a public hearing to accept public testimony on the proposed amendments and to consider the matters of record to that date; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LYNDEN, WASHINGTON, HEREBY ORDAINS AS FOLLOWS:

**Section 1:** Amendments to the Comprehensive Plan including the Pepin Creek Subarea Plan as tracked in Exhibit A. Amendments to the Transportation Element as tracked in Exhibit B. Adoption of the updated Transportation Improvement Projects and Programs List as shown in Exhibit C.

**Section 3:** Effective Date. This ordinance shall be in full force and effect from and after its passage by the City Council and approval by the Mayor, otherwise as provided by law, five days after the date of its publication.

PASSED by the City Council this \_\_\_\_\_ day of \_\_\_\_\_ 2021. Signed by the Mayor on this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
**SCOTT KORTHUIS, MAYOR**

ATTEST:

\_\_\_\_\_  
PAM BROWN, CITY CLERK

APPROVED TO AS FORM:

\_\_\_\_\_  
ROBERT CARMICHAEL, CITY ATTORNEY

**Exhibit A:** Amendments the Pepin Creek Subarea Plan

(see Council Pkg from August 2, 2012)

**Exhibit B:** Amendments to the Transportation Element

(see Council Pkg from August 2, 2012)

**Exhibit C:** Updated Transportation Projects and Programs List (attached)