

ORDINANCE NO. 1483
AN ORDINANCE OF THE CITY OF LYNDEN
AUTHORIZING AMENDMENTS TO THE NORTH PRAIRIE PLANNED RESIDENTIAL
DEVELOPMENT AGREEMENT

WHEREAS, The City of Lynden Council ("City Council") entered into a Development Agreement "Agreement" (AFN 2140302560) with North Prairie, LLC effective on March 28, 2014, to develop the property commonly known as "North Prairie PRD" and which is more particularly described in Exhibit A of the Agreement; and

WHEREAS, On January 22, 2015, North Prairie, LLC, hereinafter called the "Proponent," submitted a complete application to the City of Lynden, hereinafter called "the City," for the amendment to the North Prairie PRD (Planned Residential Development) #13-01.

WHEREAS, the proponent is requesting an amendment to the North Prairie Planned Residential Development Contract (#13-01) to allow the expansion of the PRD boundary approximately 4.35 acres east and adjacent to the existing Tract 9 and to allow an increase to the maximum number of units allowed in Tract 4 from five (5) to eight (8) and to change the minimum lot size from 6,000 square feet to 4,000 square feet, and

WHEREAS, the Lynden Planning Commission held a public hearing on March 12, 2015, to accept public testimony on the proposed PRD Amendment, and

WHEREAS, On April 20, 2015, the Lynden City Council finds it necessary to amend the Agreement per the Findings of Fact, Conclusions of Law, Conditions for, Amendments #15-02, Tract 4 and #15-01, Tract 9 of the North Prairie PRD #13-01, and

WHEREAS, per the Agreement, amendments must be processed in accordance with LMC 19.29.120; and

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

Section 1: Approval of amendments to the Development Agreement "Agreement" (AFN 2140302560) with North Prairie, LLC effective on March 28, 2014, attached hereto as Exhibit A.

Section 2: If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Council hereby declares that it would have passed this code and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases has been declared invalid or unconstitutional, then the original ordinance or ordinances shall be in full force and effect.

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

Section 4: This ordinance shall be in full effect five (5) days after its passage, approval and publication as provided by law.

PASSED BY THE LYNDEN CITY COUNCIL THIS 1ST DAY OF JUNE, 2015 BY A VOTE OF 7
IN FAVOR AND 0 AGAINST, AND SIGNED BY THE MAYOR ON THE 1 DAY OF JUNE
2015.


MAYOR

ATTEST:


CITY CLERK

APPROVED TO AS FORM:


CITY ATTORNEY