

**Lynnwood Planning Commission
Meeting of June 26, 2003**

Staff Report

**Agenda Item: E-1
Vehicle Sales in PCD Zone Code
Amendment (03-CAM-0002)**

- Public Hearing
- Informal Public Meeting
- Work Session
- New Business
- Old Business
- Information
- Miscellaneous

Lynnwood Dept. of Community Development — Staff Contact: Kevin Garrett — (425) 670-6292 

Recommendation:

Following a public hearing, recommend that the City Council approve the proposed code amendment.

Background/Discussion:

The current land use regulations for the Planned Commercial Development (PCD) zone do not permit sales of vehicles at an open lot. (Vehicles sales as an indoor use are allowed.) The owner of a property in this zone (in the newly annexed area along at 204th St. SW and 44th Ave. W.) has indicated an interest in establishing such a use. On May 12, 2003, the City Council initiated this code amendment for the purpose of determining whether vehicle sales at an open lot should be allowed in the PCD zone.

The Comprehensive Plan and the purpose of the PCD zone provide the context for evaluating this proposal. The PCD zone is one on the zones that implements the "Regional Commercial" (RC) land use designation in the Comprehensive Plan. The Comprehensive Plan describes the RC designation as:

"Purpose: This Plan category is intended to provide the opportunity for the development of a wide range of commercial services.

"Principal Uses: Personal, professional and public services and offices, retail sales of goods for the region, including the local community and surrounding communities, hotels, motels and entertainment businesses.

"Locational Criteria: Commercial areas of this type must be located in areas having arterial street access and transit service.

"Site Design: Buildings will typically cover up to 50 percent of the site. Most of the rest of the site will be developed for parking, although substantial landscaping shall be planted along street frontages and within parking areas. Landscaping shall also be planted at other property lines and near buildings (as part of an integrated design plan). Parking for customers and employees may be located in either in open parking lots or well-designed parking garages. Shared parking between adjacent uses and sites will be encouraged.

Building Design: Buildings in this category will generally be low-rise structures, with large expanses of glass facing public streets and parking areas.

Performance Standards: On-site activities shall not significantly affect adjoining properties.”

The Zoning Code (LMC 21.46.050.B.6) states the purpose of the PCD zone as:

“Planned Commercial Development (PCD). The Planned Commercial Development zone is intended to allow and encourage the controlled development of commercial uses and services, including municipal services in areas where, because of traffic flows, adjacent uses or other land use factors, conventional commercial development and other alternative land uses are not desirable. It is intended that PCD zones may be located adjacent to existing planned regional shopping centers, major highways or industrial and business park developments where appropriate, but not adjacent to single-family residential neighborhoods as designated by the comprehensive plan. The purpose of the zone is to allow the planned commercial development of contiguous parcels under multiple ownerships with a degree of coordination and control not possible under other zoning classifications.

“Property may only be reclassified to PCD after the comprehensive plan has been amended to designate the area as appropriate for the PCD zone. A design concept for the area included in each PCD zone shall be developed simultaneously with a proposal for amending the comprehensive plan to allow PCD in that zone. The design concept shall indicate major circulation and utility proposals for the zone. Consideration shall be given to internal and external vehicular and pedestrian circulation. The primary purpose of the design concept is to allow advance consideration of coordinated development of parcels in the zone. The design concept shall consist of a site plan and textual guidelines for development of the specific zone. The textual guidelines shall be developed to address specific concerns or attributes of the individual zone which may not be adequately dealt with in the zoning code.”

Staff believes that this code amendment is generally consistent with the Comprehensive Plan and the purposes of the PCD zone. This zone is intended to allow for a variety of commercial uses, and vehicle sales at an open lot is customarily found in major commercial areas with good access to (and visibility from) a major freeway or arterial.

Staff has one concern with this amendment: many of the properties around the Mall are in this this zone, and we believe that the expansive nature of an open lot for vehicle sales would not be compatible with the more intense retail character of that area. We are therefore recommending that this amendment limit vehicle sales at open lots to:

“Only at properties either with frontage on the freeway right-of-way or within 1,500 feet of a freeway on or off-ramp (measured in a straight line from the nearest point of the freeway ramp to the nearest point of the property).”

Purpose of this Code Amendment:

Allow vehicle sales at open lots in the PCD zone.

Next Steps:

Public hearing and action by the City Council.

Attachments:

Draft Ordinance

CITY OF LYNNWOOD

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, REVISING ZONING REGULATIONS REGARDING SALES OF VEHICLES IN THE PCD ZONE, REVISING TABLE 21.46.01 OF THE LYNNWOOD MUNICIPAL CODE; PROVIDING FOR SEVERABILITY; ESTABLISHING AN EFFECTIVE DATE; AND PROVIDING FOR SUMMARY PUBLICATION.

WHEREAS, the zoning regulations for allowable uses in the PCD zone allow sales of vehicles as an indoor activity but do not allow sales of vehicles at open lots; and

WHEREAS, a recently annexed property is located in close proximity to the 44th Avenue West interchange with I-5, and this property has frontage on the I-5 right-of-way; and

WHEREAS, the property owner has stated an interest in developing this property with an auto dealership and to display vehicles on an open lot; and

WHEREAS, due to the proximity of this property to the I-5 freeway, the City Council has determined that it is appropriate to allow sales and display of vehicles on an open lot where properties in the PCD zone have frontage on the I-5 right-of-way or are within a reasonable distance of a freeway interchange; and

WHEREAS, following a duly notice public hearing on June 26, 2003, the Planning Commission recommended approval of this code amendment.

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

Section 1. Table 21.46.01 of the Lynnwood Municipal Code is hereby revised to read as follows

Table 21.46.01

Automotive Uses	B-4	B-3	B-2	PCD	B-1	CG
Auto Parts, Accessory, and Supplies Stores		P		P*	P	P
Auto Glass Stores				P	P	P
Auto Lubrication Stores				P	P	P
Auto Wrecking Yards+						C

Automobile Mechanical Repair					C	P
Automobile Repair, including body and fender and mechanical repair, excluding outdoor storage, display or sales					C	P
Automobile Sales and Display+				P	P	P
Automobiles, rental or sale on open lot				<u>P**</u>		P
Battery Service and Sales				P*	P	P
Car Wash					C	P
Mobile or Manufactured Homes, open lots for sale or rental of						P
Park and Pool Lots+	C	C	C		C	C
Parking Garages and accessory refueling and servicing			P	P	P	P
Public and Private Parking Lots for Passenger Cars			C	P	P	P
Service Stations, full, self, or gas+		C			C	C
Tire Store, not including recapping				P	P	P
Tire Store; provided, that such activities be conducted indoors without outdoor storage, overnight parking, excessive noise or other adverse environmental impacts				P		
Tire, Brake, Muffler Tune-up				P	P	P

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2 * Provided, that such activities be conducted indoors without outdoor storage, overnight parking,
 3 excessive noise or other adverse environmental impacts.

4 ** Only at properties either with frontage on the freeway right-of-way or within 1,500 feet of a
 5 freeway on or off-ramp (measured in a straight line from the nearest point of the freeway ramp to the
 6 nearest point of the property).

7 Section 2. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be
 8 invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall
 9 not affect the validity or constitutionality of any other section, sentence, clause or phrase or word of this
 10 ordinance.

1 Section 3. Effective Date. This ordinance, being an exercise of a power specifically delegated to the City
2 legislative body, is not subject to referendum, and shall take effect five (5) days after passage and
3 publication of an approved summary thereof consisting of the title.

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5 PASSED this ____ day of _____, 2003 and signed in authentication of its passage
6 this ____ day of _____, 2003.
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MIKE McKINNON, MAYOR

13 ATTEST:

APPROVED AS TO FORM:

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16 _____
17 MICHAEL BAILEY
18 Finance Director

GREG A. RUBSTELLO
Lynnwood City Attorney

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23 FILED WITH THE CITY CLERK:
24 PASSED BY THE CITY COUNCIL:
25 PUBLISHED:
26 EFFECTIVE DATE:
27 ORDINANCE NO. _____

**Lynnwood Planning Commission
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Staff Report

Agenda Item: H - 1

Development Regulations Update– Phase 2
Chapter 21.42 – Residential Zones

- Public Hearing
- Informal Public Meeting
- Work Session
- New Business
- Old Business
- Information
- Miscellaneous

Lynnwood Dept. of Community Development — Staff Contact: Dennis Lewis, Senior Planner

BACKGROUND:

At the June 12th Planning Commission meeting, the Commission decided to recommend a new SF-3 High Density Single-family Comprehensive Plan designation to the City Council. Staff has advised the Planning Commission that it would be good to have a draft of the development regulations implementing the new RSH zone prepared for Council review at the time the SF-3 Comprehensive Plan amendment goes before the Council. The Council has scheduled July 21st as the date for review of the Plan amendments including the SF-3 designation. Staff is targeting July 24th as a public hearing date on the draft development regulations on RSH and other residential code amendments. An informational memorandum will be prepared on these proposed code amendments to make sure the Council is well briefed on this matter before the July 21st work session on Plan amendments.

The draft of Chapter 21.42 that was given to the Planning Commission and discussed at the last Commission meeting is undergoing further staff review and comment within the Community Development Department. Current Planning Division staff has suggested numerous changes and additions. The Comprehensive Planning Division staff is working on responding to these requested changes but does not yet have a completed draft to send with this agenda packet. We will continue working on a redraft of Chapter 21.42 and expect to bring a new draft to the Commission meeting. Staff will give an overview presentation on the latest draft and respond to what questions Commission members may have upon initial review. There will be the opportunity for more deliberate review and preparation in the time between the June 26th and July 10th Planning Commission meetings. At the July 10th Commission meeting, staff would be looking for agreement on what amendments to Chapter 21.42 should go forward to the July 24th public hearing.

The design review elements included in the earlier draft are undergoing significant change to make them more objective and enforceable. And, we are still working to establish the appropriate density range and method of implementation.

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Staff Report

Agenda Item: **I**

Upcoming Commission Meetings

- Public Hearing
- Informal Public Meeting
- Work Session
- New Business
- Old Business
- Information
- Miscellaneous

Lynnwood Dept. of Community Development — Staff Contact: Ron W. Hough, Planning Manager

- The following schedule is for planning purposes – subject to adjustments.

July 10	Public Hearing:	None
	Business:	<u>PCD Zone Amendment Recommendation</u> (if needed)
	Work Session:	<u>Development Regulations – Phase 2</u> <u>Wastewater Treatment Plan Zoning</u> (if ready)
July 24	Public Hearing:	<u>Development Regulations – Residential Zones</u>
	Work Session:	<u>TBA</u>
August 14	Public Hearing:	<u>TBA</u>
	Work Session:	<u>Development Regulations – Phase 2</u> (continued)
August 28	Public Hearing:	<u>TBA</u>
	Work Session:	<u>TBA</u>