

AGENDA

Lynnwood Planning Commission

Thursday, August 11, 2011 — 7:00 pm

City Council Chambers, 19100 – 44th Ave. W., Lynnwood WA

A. CALL TO ORDER – ROLL CALL

B. APPROVAL OF MINUTES

July 28, 2011

C. PUBLIC COMMENTS – on matters **not** on tonight's agenda for a public hearing.

D. PUBLIC HEARINGS

None

E. WORK SESSIONS

1. Self-Storage Code Amendment (2011CAM0002). Amendments to LMC Title 21 regarding zones in which self-storage and similar land uses are permitted.

F. OTHER BUSINESS

G. COUNCIL LIAISON REPORT

H. DIRECTOR'S REPORT

Update on Outdoor Business Activities Code Amendment (2011CAM0009).

I. COMMISSIONERS' COMMENTS

J. ADJOURNMENT

The public is invited to attend and participate in this public meeting. Parking and meeting rooms are accessible to persons with disabilities. Upon reasonable notice to the City Clerk's office (425) 670-5161, the City will make reasonable effort to accommodate those who need special assistance to attend this meeting.

**Lynnwood Planning Commission
Meeting of August 11, 2011**

Staff Report

Agenda Item: E-1
Self Storage Code Amendment
(2011CAM0002)

- Public Hearing
- Informal Public Meeting
- Work Session
- Other Business
- Information
- Miscellaneous

Lynnwood Dept. of Community Development — John Bowler

Action

Discussion only, at this work session.

Background

Self-service storage facilities, also known as “mini-storage” or “mini-warehouses”, are currently permitted in the BTP zone and in the City Center zones, except that in the CC-C zone they may not be at street level (Proposed amendments may change these regulations.) However in 2009, in the case of *General Stor-Age vs. City of Lynnwood Community Development Dept.* the Snohomish Co. Superior Court ruled that a self-service storage facility was a “Business and Professional Services” (LMC 21.46.100: Table 21.46.02) and could be located in the Community Business (B-1) zone where such uses are allowed. The court’s ruling was specific to the B-1 zone, but “Business Services” are a permitted use in all commercial zones, so the court’s ruling could allow self-service storage in all commercial zone.

The Planning Commission had an introductory work session on this matter on June 9, 2011.

Relevant Legal Citations

General Stor-Age, LLC vs. City of Lynnwood Dept. of Community Development
Snohomish Co. Superior Court No. 09-2-04337-8

LMC 21.50.100 allows “mini-warehouses” in the BTP zone.

LMC 21.60.300 allows all uses “unless specifically prohibited” in the CC zones.

LMC 21.60.300(B)(5) specifically prohibits “mini-storage on the street level” in the CC-C zone. Proposed amendments may change these regulations.

2011CAM0004 proposes changes to the City Center regulations which may affect SSSFs.

Analysis and Comment:

Attached is a proposed zoning code amendment to update the City’s regulations for self-service storage facilities (SSSFs). In response to the ruling of the court, this ordinance provides a definition for SSSFs, clarifies what is meant by the term “business services” and eliminates discrepancies in how the zoning code refers to SSSFs. These amendments respond directly to the Superior Court decision. These proposed changes are set out in Sections 2, 3 and 4 of the proposed ordinance. The Commission reviewed these changes at their meeting on June 9, 2011 and they were relatively uncontroversial, and will not be discussed further in this report.

While the staff was considering these changes, the city received inquiries about the possibility of placing facilities of this type in non-industrial areas, including some adjacent to residential areas. We learned that the nature of SSSFs has changed a great deal over the last decade or so, raising the possibility of revising the zoning code with respect to where SSSFs may be allowed and restrictions (if any) placed on them. Therefore, staff is also including revisions to the City’s regulations for locating, operating and designing SSSFs.

New SSSFs built in communities near Lynnwood in the last few years are what the industry refers to as “fourth generation” facilities. They are typically multi-story, secure buildings, climate controlled and professionally managed.

There is a great deal of variation between different jurisdictions in the restrictions placed on SSSFs. Some cities (e.g. Edmonds) don’t allow them. Woodinville on the other hand allows them in industrial and commercial zones and even as part of mixed-use projects in some residential zones.

Snohomish Co.	Planned Commercial, General Commercial, Industrial Park, Business Park, Light Industry, Heavy Industry
Edmonds	Prohibited
Mountlake Terrace	Not specifically listed or mentioned
Mukilteo	Industrial zones only
Shoreline	Permitted in Industrial zones; may be permitted as part of a mixed use project
Bothell	Community Business, General Commercial, Light Industrial
Bellevue	Light Industrial, General Commercial
Federal Way	Allowed in Industrial Zones & in BN zones with specific limitations
Seattle	Allowed with CUP in mixed use zones.
Portland, OR	Permitted in industrial zones and in some commercial zones with special regulations
Woodinville, WA	Allowed in medium & high density multi-family residential zones up to 1/3 of GFA.
Sommerville, MA	SSSFs must be made so they can be converted to other uses e.g. offices or apartments.

Commercial Zones in Which SSSFs May Be Allowed:

Section 4 of the proposed Ordinance proposes changing the Commercial Zones use table (LMC 21.46.100) to allow SSSFs in some commercial zone. Currently (the Superior Court ruling notwithstanding) SSSFs are not a permitted in any commercial zone:

The proposed code amendment would allow SSSFs in commercial zones as follows

Zone	Proposed Use Regulation
CG General Commercial	Permitted (P) use subject to all CG zone regulations and proposed supplemental regulations proposed for SSSFs
B1 Community Business	Permitted in multi-story buildings. Storage units must be on upper floors. Business office may be on ground floor. Loading facilities may not be on street side of a building. Limited to 30% of GFA of building or site.
B3 Neighborhood Business	Conditional Use Permit (CUP) required
B2 Limited Business B4 Restricted Business PCD Planned Commercial Development	No change proposed (not permitted).

Additionally:

- (1) The proposed changes to the City Center (CC) Zone regulations may change the extent to which SSSFs are allowed in the city center area.
- (2) Proposed changes to the Commercial Residential zone regulations may change the extent to which SSSFs are allowed in the Lynnwood HS redevelopment.
- (3) The changes proposed in Section 3 will allow SSSFs in the Light Industrial (LI) zone.

Regulations for Operation of Self-Service Storage Facilities:

Also discussed at the June 9, 2011 Commission meeting was use regulations for SSSFs. The Commission requested the staff consider a number of items including:

- a) Accessory uses (e.g. truck and trailer rental, sale of boxes, packing supplies etc.);
 - The proposed changes allow an accessory use if it is allowed in the zone in which the facility is located. For example, vehicle rental is an allowed use in the CG zone, so would be allowed at an SSSF in the CG zone. Vehicle rental is not an allowed use in the B1 zone, so would not be allowed at an SSSF in the BI zone.
- b) Uses allowed in the facility other than rental and storage (none)
 - It is common in ordinances regulating SSSFs to restrict their use for e.g. retail, manufacturing, residences etc. Well run SSSFs do not allow this anyway, but the Commission recommended leaving this section in the ordinance. Note also that

some of the design restrictions (e.g. no electrical outlets in the units) reinforce this regulation.

- c) Outdoor storage. It was the consensus of the Commission that outdoor storage should not be allowed at SSSFs in the commercial zones. It is allowed in industrial zones.
- d) Hours of operation. The Commission asked staff to consider regulations restricting hours of operation for SSSFs.
 - The proposed regulations limit hours in the B3 zone, which is adjacent to residential zones in almost all cases, and would limit hours on a site in any other zone that abuts noise sensitive zones (EDNA A as defined in LMC 10.12). There are proposed provisions for extended hours if the facility owner can show there would be no adverse effects.

Design Standards for SSSFs:

The staff generally desires to develop regulations to encourage and ensure that SSSFs developed in commercial zones will as much as possible resemble, say, high quality commercial office buildings or at properties adjoining residences, a high quality multi-family residential building. Staff is researching possible design regulations for SSSFs, and requests Planning Commission input and ideas on the subject. To stimulate discussion, staff has requested Stephen Bourne, an architect with experience designing SSSFs make a short presentation to the Commission outlining how SSSF architecture has, and continues to change, and how other jurisdictions have regulated the appearance of SSSFs.

The staff has proposed certain design standards and regulations for SSSFs that go beyond the otherwise applicable Design Guidelines. For example:

- Fences: Commercial developments (e.g. shopping centers, office buildings) are not often fenced but SSSFs often are because the facility wants to give an impression of security - so use specific fence standards may be necessary.
- Street Entrances: Most visitors to an SSSF use the loading dock to unload/load goods to/from storage, but Lynnwood's design guidelines encourage prominent pedestrian entrances facing the street. The proposed design guidelines require SSSFs to feature a prominent street entrance even if most visitors use a side or rear entrance, to ensure these structures contribute to the appearance Lynnwood desires for its commercial areas.

Factors to Discuss/Consider

- Impact on neighboring uses:
 - low vehicle traffic generation and not in peak hours
 - low foot traffic/activity generation – so SSSFs may not be appropriate in areas where this kind of activity is desired.
- Economic development:
 - SSSFs generate neither sales tax nor significant employment

- Building Recycling: Because of their flexibility SSSFs are often built in existing vacant commercial or industrial buildings. Reuse of existing buildings may not be subject to Design Review.

Policy Questions:

- An SSSF built anywhere in the City would have to comply with the Lynnwood City Wide Design Guidelines. However, to an extent the Design Guidelines were written with office and retail type development in mind and there are certain aspects of SSSF design they do not consider.
 - Upper floor transparency
 - Blank & opaque walls especially on upper stories
 - Entrances
 - Colors/MaterialsThe staff has proposed some standards in the draft ordinance for discussion.
- Should some of the design standards (mentioned in prior bullet) more properly be part of the City Wide Design Guidelines? Note that the design review process includes authority to vary/relax individual design guidelines through approval of “design departures”, while relaxation of a code provision requires approval of a variance (more stringent decision criteria and a public hearing before the Hearing Examiner).
- Although the proposed ordinance applies to commercial zones, in many cases SSSF sites may be adjacent to residential zones, and should be made, to the extent possible compatible with such uses. One possibility the Commission might consider is whether in some circumstances the Multi-family District Design Guidelines may be more appropriate than the Commercial District Design Guidelines.
 - In what areas (zones? given proximity) might this be appropriate?
 - Should all MF Design Guidelines apply or only selected guidelines?

Recommendation:

Discuss proposals regarding SSSFs and give direction to staff.

Attachment:

Draft Ordinance

August 5, 2011

CITY OF LYNNWOOD

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, AMENDING LYNNWOOD MUNICIPAL CODE CHAPTERS 21.02, 21.18, 21.46, AND 21.50 RELATING TO SELF-SERVICE STORAGE FACILITIES, AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND SUMMARY PUBLICATION.

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, pursuant to Lynnwood Municipal Code Title 21 Zoning, “business services” and “professional services” are permitted uses in a number of zoning districts, including (but not limited to) the Restricted Business (B-4), Neighborhood Business (B-3); Limited Business (B-2), Community Business (B-1), Planned Commercial Development (PCD), Planned Regional Shopping Center (PRC), City Center (CC), General Commercial (CG), Commercial-Residential (CR) and College District Mixed Use (CDM) zones; and

WHEREAS, since at least 1994 when the City updated the zoning code to comply with the Growth Management Act, the City has considered that the terms “mini-warehouse,” “mini-storage,” and “self-service storage” did not fall within the meaning of the terms “business services” or “business and professional services,” and therefore these uses were not permitted uses in the above listed zones simply because “business services” or “business and professional services” are a permitted use in those zones; and

WHEREAS, in March 2010 the Snohomish County Superior Court in the case of *General Stor-Age, LLC vs. City of Lynnwood Department of Community Development* (No. 09-2-04337-8) held that the City erred in interpreting the law, and that as a matter of law under the Lynnwood Municipal Code, self-storage and mini-storage are outright permitted uses as “Business and Professional Services not otherwise mentioned”; and

WHEREAS, to preserve the integrity of the City’s zoning code and the related Comprehensive Plan land use designations, the City should regulate the construction and operation of “mini-warehouses,” “mini-storage,” and “self-service storage” facilities in the Restricted Business (B-4), Neighborhood Business (B-3), Limited Business (B-2), Community Business (B-1), Planned Commercial Development (PCD), Planned Regional Shopping Center (PRC), City Center (CC), General Commercial (CG), Commercial Residential (CR), and College District Mixed Use (CDM) zones; and

WHEREAS, while historically self-service storage facilities have been characterized by a utilitarian industrial appearance, modern self-service storage facilities in urban areas have been designed to resemble office and even apartment buildings with utilitarian features such as loading

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1 docks and unit entrance doors not visible from outside the facility, which has made them much more
2 visually compatible with high quality commercial developments; and
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4 WHEREAS, on the ____ day of _____, 2011, the Lynnwood Planning Commission
5 held a public hearing on proposed amendments to the Lynnwood Municipal Code relating to self-
6 service storage facilities and the definition of business and professional services; following which the
7 Planning Commission voted to forward a recommendation that the Lynnwood City Council adopt the
8 amendments to the Lynnwood Municipal Code as proposed by the staff; and
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10 WHEREAS, the City Council has determined that it is in the best interest of the City and
11 necessary for the protection of public health, safety, property and peace including the land use
12 policies embodied in the City of Lynnwood Comprehensive Plan and zoning code to amend the
13 Lynnwood Municipal Code in order to address these issues and to clarify the meaning and intent of
14 the affected sections of the Lynnwood Municipal Code; now, therefore
15

16 THE CITY COUNCIL OF THE CITY OF LYNNWOOD, WASHINGTON, DO ORDAIN
17 AS FOLLOWS:
18

19 Section 1. Findings. The recitals above are adopted as findings that support passage of this ordinance.
20

21 Section 2. Amendment. Chapter 21.02 (Definitions) of the Lynnwood Municipal Code is amended as
22 follows:

23 **21.02.192 191 Business and Technical Park.**

24 "Business and technical park" means a planned development of one or more buildings
25 which displays unity and high aesthetic standards in architecture and in the choice of
26 building materials, landscaping and other external features, and typically is occupied by
27 several tenants, with emphasis on office uses, distribution, low intensity warehousing,
28 and light fabrication and/or assembly. (Ord. 2020 § 2, 1994; Ord. 1465 § 1, 1985; Ord.
29 1036 § 1, 1979)
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31
32 **21.02.192 Business Services.**

33 "Business services" are businesses primarily engaged in providing administrative
34 support services to other business on a fee or contract basis, such as (but not limited to)
35 advertising, mailing, copying, printing and binding; personnel and employment services;
36 accounting, bookkeeping, tax preparation; management and professional consulting;
37 office equipment rental, maintenance and repairs; travel agencies and similar services.
38 Business services under this definition are characterized by their ability to locate in (and
39 typically being found in), ordinary office or retail space, and by not requiring physical
40 facilities or configurations not ordinarily found in office or retail buildings such as
41 extensive storage or warehouse space, classrooms, laboratories, manufacturing space,
42 special material handling facilities, etc.
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21.02.584 Professional Offices

~~“Professional offices” means offices buildings or office space within mixed-use buildings designed and intended maintained and used as a places of business and professional practice for conducted by persons and businesses engaged in professional services as defined by this Title. the healing arts of human being such as doctors and dentists (but wherein no overnight care for patients is given) and by engineers, attorneys, architects, accountants and other persons providing services utilizing training in and a knowledge of mental disciplines as distinguished from training in occupations requiring skill or manual dexterity or the handling of commodities.~~

(Ord. 2020 § 2, 1994; Ord. 190 Art. IV § 416, 1964)

21.02.586 Professional Services.

“Professional services” are services provided by persons engaged in the healing arts of human beings, such as doctors and dentists, and by engineers, attorneys, architects, accountants and other persons providing services utilizing training in and knowledge of mental disciplines as distinguished from training in occupations requiring manual skills, dexterity, or the handling of commodities.

21.02.658 Self-Service Storage Facility.

“Self service storage facility” means a building, group of buildings or other facility having compartments, rooms, spaces, containers or other type of units which are individually leased, rented, sold or otherwise contracted for by customers for the storage of personal or business goods or property, and where the facility owner/operator has limited access to the units or liability for goods stored. For purposes of this title, the term self-service storage facility shall be considered synonymous with self-storage warehouse, self-storage facility, mini-warehouse or mini-storage.

21.02.803 Warehouse.

“Warehouse” means a structure, room, or rooms for the storage of merchandise or commodities. The term “warehouse” does not refer to “self-service storage facilities.”

Section 3: Amendment. Chapter 21.18 (Parking) of the Lynnwood Municipal Code is amended as follows:

21.18.800 Capacity Requirements.

Off-street parking shall be provided in accord with the following tables:

Table 21.18.10

Industrial Uses	Number of Parking Stalls Required
Apparel Manufacturing	One per 350 SF GFA
Baking, Bottling and Canning Establishments	One per 600 SF GFA
Engraving	One per 350 SF GFA
Machinery Repair without Sales	One per 200 SF GFA, whichever is greater
Manufacturing and Assembly	One per 600 SF GFA

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Businesses, and Other Light Industrial including research and testing but not apparel, printing and related business	
Printing or Publishing Business	One per 350 SF GFA
Self-Service Storage <u>Facilities</u> (Mini Warehouses)	One per 60 storage units, or one per 3,000 SF GFA, whichever is greater
Warehouses (not including self-service storage facilities)	One per employee or two per 3,000 SF GFA, whichever is greater

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Section 4: Amendment, Chapter 21.50 (Industrial) of the Lynnwood Municipal Code is amended as follows:

21.50.100 Uses allowed in the industrial zones.

Table 21.50.01

Use	BTP	LI
Accessory Greenhouses	AC*	-
Assembly of Wood, Light Metal, Glass, Electronic, Electrical or Plastic Parts or Components which are extruded, stamped, manufactured, shaped, or prepared elsewhere, not precluding minor processes such as cutting, drilling, soldering, or minor welding	P	P
Athletic Clubs containing such facilities as handball, racquetball, tennis, and basketball courts, swimming pools, and exercise rooms	P	P
Auditoriums	-	P
Auto Wrecking Yards	-	C
Automotive and Machinery Repairing and Storage	-	P
Banks and Other Financial Institutions	C	-
Barber Shops and Beauty Parlors	AC*	-
Biotechnology (except manufacturing pharmaceuticals)	P	P
Blacksmithing, Welding, and Metal Fabricating Shops	-	P
Bookstores, News Stands, and Stationery Stores	AC*	-
Bottling and Packaging Plants	C	-
Building Material Yards	-	P
Business and Professional Offices including offices of a clerical or administrative nature	P	P
Business Services and Office Supplies	P	-
Cabinet, Millwork, or Wood Prefabrication Operations	C	P

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Child Day Care (e.g., day care for children of employees or of patrons)	–	AC
Contractor's Offices, Shops, and Indoor Storage	P	P
Contractor's Offices, Shops, and Storage Yards	–	P
Employees' Cafeterias	AC	P
Florist Shops	AC*	–
Food and Dry Goods Distribution Operations	P	P
Food and Dry Goods Processing and Packaging	C	P
Freight Warehouse Terminals	C	P
Furniture Manufacture and Repair Shops	C	P
Wireless Communications Facility less than 300 feet from residential zones (as measured from the wireless communications support structure to the property line of the nearest residentially zoned parcel)*	C	C
Wireless Communications Facility 300 feet or more from residential zones (as measured from the wireless communications support structure to the property line of the nearest residentially zoned parcel)	P	P
Wireless Communications Facility, Attached	P	P
Gift Shops	AC*	–
Indoor and/or Outdoor Tennis Courts, Racquet Clubs, and Handball Courts	C	–
Research and Development	P	P
Laundry and Dry Cleaning Plants	–	P
Manufacturing, Rebuilding or Repairing Nonmetal Products	–	P
Manufacturing Pharmaceuticals	–	C
Mass Transit Storage and Maintenance Facilities	–	C
Mini-warehouses	P	–
Municipal Services	P	P
Park and Pool Lots	C	P
Pharmacies in conjunction with medical, dental, optical, and chiropractic clinics	AC	–
Plant Nurseries	AC*	–
Printing, Publishing and Binding	P	–
Printing Plants	–	P
Public Utility Facilities	C	–
Recycling Collection Centers	–	C
Repair Shops for Household Appliances	AC*	–
Residences for Watchmen or Custodians	–	P

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Restaurants providing on-premises service	AC*	–
Retail Lumber Yards	–	P
Self-Service Storage Facilities	P	P
Universities, Colleges, Schools, including preschools, commercial schools, such as dancing, music, trade, etc.	P	–
Veterinary Clinics and Veterinary Hospitals ⁺	C	–
Warehouses (except mini-warehouses <u>not including self-service storage facilities</u>)	P	P
Wholesale trade (i.e., wholesale stores)	P	P
Wholesale trade (i.e., wholesale stores) with retailing confined exclusively to products which are manufactured, packaged, repacked, reloaded or otherwise processed on the same premises	C	P
Wood, Coal and Oil Fuel Yards	–	P

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+See LMC 21.50.110.

Key:

P = Use is permitted as a primary use.

C = The use may be permitted through issuance of a conditional use permit.

AC = Use is permitted as an accessory conditional use and must be related to the principal use of the tenant space or property.

AC* = These accessory conditional uses may occupy no more than 25 percent of the floor area.

– = Use is prohibited.

Section 5 Amendment Ch. 21.46 (Commercial Zones) shall be amended as follows

21.46.100 Permitted structures and uses.

A. No building, structure or land shall be used and no building or structure shall be erected, enlarged or structurally altered, except for one or more of the uses permitted by Table 21.46.01.

1. Table 21.46.13

Other Uses	B-4	B-3	B-2	PCD	B-1	CG
Adult Establishments	–	–	–	–	–	CA
Adult Retail Uses	–	–	–	–	–	CA
Charitable or Relief Supplies Collection or Storage	–	–	–	–	C	C
Customer Parking, outdoor	A	A	A	–	A	A

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Radio or Television Stations, not including Wireless Communications Facility	-	-	P	P	P	P
Recycling Collection Centers ⁺	-	-	-	-	-	C
Self-Service Storage Facilities⁺	I	C	I	???	P	P
Temporary Special Events, per Chapter 5.30 LMC	-	-	P	P	P	P
Wireless Communications Facility less than 300 feet from residential zones (as measured from the wireless communications support structure to the property line of the nearest residentially zoned parcel) ⁺	C	C	C	P	C	C
Wireless Communications Facility 300 feet or more from residential zones (as measured from the wireless communications support structure to the property line of the nearest residentially zoned parcel) ⁺	P	P	P	P	P	P
Wireless Communications Facility, Attached	P	P	P	P	P	P

⁺See LMC [21.46.110](#) through [21.46.119](#).

Key:

P = Permitted as principal use

A = Permitted as accessory use with a principal use

C = May be permitted as a principal use upon approval of a conditional use permit

AI = Permitted as accessory use if located in the building of a permitted principal use, and internally oriented with principal public access through the main access of the building

- = Not permitted

-X = Not permitted in controlled area

CA = Permitted only in controlled area. See LMC [21.46.120](#).

Section 6 Addition: A new subsection is added to LMC Ch. 21.46.119 as follows:

21.46.119 Limitations on Uses – Other Uses

D. Self-Service Storage Facilities

Self-service storage facilities have characteristics in common with both commercial uses and industrial uses. This subsection provides regulations so that self-service storage facilities can be appropriately sited in certain commercial zones while maintaining the desired character and function of those zones. In general, self-service storage facilities are similar to commercial uses in that they provide a service to residential and business uses. The low activity level they generate does not contribute to the vitality of a commercial area compared to other commercial uses. **Historically self-service storage**

1 facilities have visually resembled industrial facilities, but some recently constructed
2 facilities have featured designs compatible with higher quality commercial development.
3

4 **1. Use Regulations:**

5 a. Permitted Activities: The only activities permitted in a storage unit shall be the
6 rental of the unit and the pickup and deposit of goods and/or property in dead
7 storage. Storage units shall not be used for activities such as:

- 8 a) Residences, offices, workshops, studios, hobby or rehearsal areas;
- 9 b) Manufacturing, fabrication, or processing of goods, service or repair of
10 vehicles, engines, appliances or other electrical equipment, or any other
11 industrial activity;
- 12 c) Conducting retail sales of any kind including garage or estate sales or auctions
13 or to conduct any other commercial activity;
- 14 d) Storage of flammable, perishable or hazardous materials or the keeping of
15 animals.

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17 b. Accessory Uses: Accessory uses such as the rental of trucks, trailers or moving
18 equipment (hand carts, jacks & lifts, etc.), the installation of trailer hitches, or the sale
19 of boxes or packing materials are permitted only if they are otherwise permitted in
20 the zone in which the facility is located, and must meet all use and development
21 standards of the zone.

22
23 c. Hours of Operation.

- 24 i. Self service storage facilities located in the B-3 zone, or in other commercial
25 zones if the site abuts a Class A EDNA, as defined in LMC 10.12 (Noise) shall
26 not operate or allow tenant access between the hours of 10:00 PM and 7:00 AM.
- 27 ii. The Director may permit extended hours of operation if the facility operator
28 demonstrates that due to facility design or other factors the facility will not have
29 significant noise impacts on the adjacent Class A EDNA property. The burden of
30 proof is on the facility operator.
- 31 iii. Nothing in this section overrides or supersedes any requirement of LMC
32 10.12 and all restrictions of LMC 10.12 apply even during allowed hours of
33 operation.

34
35 d. Outdoor Storage Prohibited: All property stored at self-service storage facilities in
36 commercial zones shall be stored entirely within enclosed buildings. No outdoor
37 storage is permitted including storage of boats, RVs, vehicles, etc. or storage in
38 storage pods or shipping containers is permitted.

39
40 **2. Development Standards**

41 All development standards of the zone in which the facility is located apply unless the
42 standard is superseded by regulations in this subsection.
43

44 a. Storage Units:

- 45 i. All storage units must gain access from the interior of the building(s) or site –
46 no unit doors may face the street or be visible from off the property.
- 47 ii. If the facility abuts residentially zoned property, the facility loading bays, docks
48 or doors must not be visible from the residential property.

- 1 iii. The maximum size of individual storage units is 500 square feet.
- 2 iv. Electrical service to storage units shall be for lighting and climate control only.
- 3 No electrical outlets are permitted inside individual storage units. Lighting fixtures
- 4 and switches must be of a secure design that will not allow tapping the fixtures
- 5 for other purposes.

6 b. Additional standards for self-service storage facilities in the B-1 _____ zones.
7 Self-service Storage Facilities are permitted in the B-1 zone subject to the following
8 limitations:

- 9 i. The facility must be located in a multi-story building.
- 10 ii. The storage units may only be located on the upper floors of the building or in
- 11 buildings not fronting on a street. A facility business office and/or associated
- 12 retail use (e.g. sale of boxes, packing supplies, etc.) may be on the ground
- 13 floor of a street facing building.
- 14 iii. The facility may occupy no more than 30% of the total floor area of the
- 15 building or of the development if it has more than one building.
- 16 iv. Loading docks, entrances or bays may not be located on a street facing side
- 17 a building.

18
19 **3. Design Standards:**

20 Design review shall be required for all new construction and expansions of self-service
21 storage buildings to ensure the development has a high quality design and is
22 appropriate to the desired character of the zone it is located in and the adjacent
23 neighborhood. All self-service storage facilities shall meet all the requirements of Title
24 21.25 (Design Review) of this code and in addition shall meet all the following
25 requirements:

26 a. Fences and Walls. Fences and walls including entry gates shall be constructed of
27 high quality materials and shall be compatible with the design and materials of the
28 building(s) and site. The Design Guidelines for walls and fences shall apply to all
29 self-service storage facilities and the following requirements shall also apply:

- 30 i. Decorative metal or wrought iron fences are preferred.
- 31 ii. Chain-link (or similar) fences, barbed or razor wire fences, and walls made of
- 32 precast concrete blocks are prohibited.
- 33 iii. Fences or walls are not allowed between the main or front building on the site,
- 34 and the street.
- 35 iv. Street-front landscape areas required by the Design Guidelines or elsewhere
- 36 in this code shall not be fenced.

37
38 b. Ground and Upper Floor Facades. Ground and upper floor facades for self-service
39 storage facility buildings in commercial zones shall meet the following requirements:

- 40 i. The ground floor transparency requirements of the Commercial Districts
- 41 Design Guidelines shall also apply to each floor above the ground floor of a self-
- 42 service storage facility building that is visible from a street or from a residentially
- 43 zoned area.
- 44 ii. The ground floor on rear or side facades facing residential areas do not have
- 45 to meet (a) if they are effectively visually screened from view from the street or
- 46 nearby residential uses by a transition or landscape strip.

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Rosemary Larson
City Attorney

FILED WITH ADMINISTRATIVE SERVICES: _____
PASSED BY THE CITY COUNCIL: _____
PUBLISHED: _____
EFFECTIVE DATE: _____
ORDINANCE NUMBER: _____

August 5, 2011

1
2 On the _____ day of _____, 2011, the City Council of the City of Lynnwood,
3 Washington, passed Ordinance No. _____. A summary of the content of said ordinance, consisting
4 of the title, provides as follows:

5
6 AN ORDINANCE OF THE CITY OF LYNNWOOD,
7 WASHINGTON, AMENDING LYNNWOOD MUNICIPAL CODE
8 CHAPTERS 21.02, 21.18, 21.46, AND 21.50 RELATING TO
9 SELF-SERVICE STORAGE FACILITIES, AND PROVIDING
10 FOR SEVERABILITY, AN EFFECTIVE DATE AND SUMMARY
11 PUBLICATION.

12
13 The full text of this Ordinance will be mailed upon request.

14
15 DATED this _____ day of _____, 2011.
16
17
18