



LYNNWOOD
WASHINGTON

ORDINANCE NO. 3107

**AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON,
AMENDING TABLE 21.50.01 IN THE LYNNWOOD MUNICIPAL
CODE, RELATING TO SELF-SERVICE STORAGE FACILITIES IN THE
INDUSTRIAL ZONES, 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, to preserve the integrity of the City's zoning code and the related Comprehensive Plan land use designations, the City should regulate the location, construction and operation of "mini-warehouses," "mini-storage," and "self-service storage" facilities; and

WHEREAS, to preserve the integrity of the City's zoning code and the related Comprehensive Plan land use designations, the City drafted an ordinance regarding the location and design of self-service storage facilities; and

WHEREAS, on February 26, 2011, the City of Lynnwood SEPA Responsible Official issued a Determination of Non-Significance (DNS) on the proposal; and

WHEREAS, on April 24, 2012, the City of Lynnwood SEPA Responsible Official issued a second Determination of Non-Significance (DNS) on the proposal as revised; and

WHEREAS, on April 19, 2012, the proposed code amendments were sent to the Washington State Department of Commerce in accordance with RCW 36.70A.106; and

WHEREAS, on May 24, 2012, the Lynnwood Planning Commission held a public hearing on proposed amendments to the Lynnwood Municipal Code relating to self-service storage facilities and all persons wishing to be heard were heard; and

WHEREAS, following the public testimony portion of the public hearing, the Planning Commission deliberated on the draft legislation and by regular motion voted to recommend that the Lynnwood City Council adopt the amendments to the Lynnwood Municipal Code; and

WHEREAS, on June 25, 2012, the Lynnwood City Council held a public hearing on proposed amendments to the Lynnwood Municipal Code relating to self-service storage facilities and all persons wishing to be heard were heard; and

WHEREAS, on June 25, 2012, the Lynnwood City Council adopted Ordinance No. 2947 which in part amended Chapter 21.50 of the Lynnwood Municipal Code, including Table 21.50.01 in LMC 21.50.100, to provide for the location of self-service storage facilities in Industrial zones and their development standards; and

WHEREAS, on March 24, 2014, the Lynnwood City Council approved Ordinance No 3047, relating to the allowance of electric vehicles and related facilities in the City, and which in part amended Table 21.50.01 to allow such facilities in the Industrial zones; and

WHEREAS, the electric vehicle ordinance presented to the Council inadvertently did not reference the most current version of Table 21.50.01 which had provided for self-service storage facilities as an allowed use in the Industrial Zones; and

WHEREAS, the language of Ordinance 3047 superseded the self-service storage language in the version of Table 21.50.01 Ordinance 2947; and

WHEREAS, in Ordinance 2947, the intent of the City Council was to establish self-service storage facilities as a permitted use in the Business/Technical Park and Light Industrial zones; and

WHEREAS, on October 21, 2014, a new DNS was issued for the self-service storage facilities in the Industrial zones; and

WHEREAS, on October 27, 2014, the proposed code amendments were sent to the Washington State Department of Commerce in accordance with RCW 36.70A.106 with expedited review granted on November 11, 2014; and

WHEREAS, on December 11, 2014, the Lynnwood Planning Commission held a public hearing on proposed amendments to the Lynnwood Municipal Code relating to self-service storage facilities in the Industrial zones, and all persons wishing to be heard were heard and recommended that the amendment be forwarded to the City Council for approval; and

WHEREAS, on February 23, 2015, the Lynnwood City Council held a public hearing on proposed amendments to the Lynnwood Municipal Code relating to self-service storage facilities in the Industrial zones ; and

WHEREAS, the City Council has determined that it is in the best interest of the City and necessary for the protection of public health, safety, property and peace including the land use policies embodied in the City of Lynnwood Comprehensive Plan and zoning code to amend the

Lynnwood Municipal Code in order to address these issues and to clarify the meaning and intent of the affected sections of the Lynnwood Municipal Code; now, therefore

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

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

Section 2. Amendment. Lynnwood Municipal Code Section 21.50.100 (Industrial Zones), Table 21.50.01, is hereby 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*	–
Electric Vehicle Charging Stations, Level 1, Level 2 or Level 3, if accessory to a permitted or conditionally permitted use.	A	A
Battery Exchange Station (Electric Vehicle), Principal or accessory use	P, A	P, A
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

Use	BTP	LI
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
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
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
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

Use	BTP	LI
Restaurants providing on-premises service	AC*	–
Retail Lumber Yards	–	P
Self-Service Storage Facilities (Including periodic auctions of materials from forfeited lockers by the owner/operator of the storage facility)	<u>P</u>	<u>P</u>
Universities, Colleges, Schools, including preschools, commercial schools, such as dancing, music, trade, etc.	P	–
Veterinary Clinics and Veterinary Hospitals ⁺	C	–
Warehouses (not including self-service storage facilities)	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
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
Wood, Coal and Oil Fuel Yards	–	P

+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 shall 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 3. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 4. Effective Date. This ordinance or a summary thereof consisting of the title shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after publication.

PASSED THIS 23rd day of February, 2015, and signed in authentication of its passage this 27th day of February, 2015.

APPROVED:



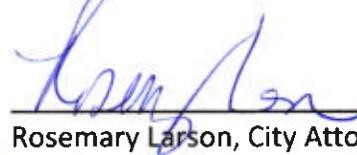
Nicola Smith, Mayor

ATTEST/AUTHENTICATED:



Chris Johnson, Interim Finance Director

APPROVED AS TO FORM:



Rosemary Larson, City Attorney

FILED WITH ADMINISTRATIVE SERVICES: 02/26/2015
PASSED BY THE CITY COUNCIL: 02/23/2015
PUBLISHED: 02/26/2015
EFFECTIVE DATE: 03/03/2015
ORDINANCE NUMBER: 3107



On the, 23rd day of February, 2015 the City Council of the City of Lynnwood, Washington, passed ordinance 3107. A summary of the content of these ordinances, consisting of the title, provides as follows:

ORDINANCE NO. 3107

AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, AMENDING TABLE 21.50.01 IN THE LYNNWOOD MUNICIPAL CODE, RELATING TO SELF-STORAGE FACILITIES IN THE INDUSTRIAL ZONES, AND PROVIDING FOR

The full text of this ordinance will be mailed upon request.

DATED this 26th day of February, 2015.



Chris Johnson, Interim Finance Director

Everett Daily Herald

Affidavit of Publication

State of Washington }
County of Snohomish } ss

Kathleen Landis being first duly sworn, upon oath deposes and says: that he/she is the legal representative of the Everett Daily Herald a daily newspaper. The said newspaper is a legal newspaper by order of the superior court in the county in which it is published and is now and has been for more than six months prior to the date of the first publication of the Notice hereinafter referred to, published in the English language continually as a daily newspaper in Snohomish County, Washington and is and always has been printed in whole or part in the Everett Daily Herald and is of general circulation in said County, and is a legal newspaper, in accordance with the Chapter 99 of the Laws of 1921, as amended by Chapter 213, Laws of 1941, and approved as a legal newspaper by order of the Superior Court of Snohomish County, State of Washington, by order dated June 16, 1941, and that the annexed is a true copy of EDH617474 ORD. 3107-3111 as it was published in the regular and entire issue of said paper and not as a supplement form thereof for a period of 1 issue(s), such publication commencing on 02/26/2015 and ending on 02/26/2015 and that said newspaper was regularly distributed to its subscribers during all of said period.

The amount of the fee for such publication is \$82.90.

Kathleen Landis

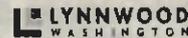
Subscribed and sworn before me on this

26 day of February
2015

Debra Ann Grigg

Notary Public in and for the State of Washington.

City of Lynnwood - LEGAL ADS | 14127890
DEBRA KARBER



CITY OF LYNNWOOD

On the 23rd day of February, 2015 the City Council of the City of Lynnwood, Washington, passed ordinances: 3107 through 3111. A summary of the content of these ordinances, consisting of the title, provides as follows:

ORDINANCE NO. 3107

AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, AMENDING TABLE 21.50.01 IN THE LYNNWOOD MUNICIPAL CODE, RELATING TO SELF-STORAGE FACILITIES IN THE INDUSTRIAL ZONES, AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND SUMMARY PUBLICATION.

ORDINANCE NO. 3108

AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, RELATING TO MANDATORY GARBAGE COLLECTION SERVICE IN THE CITY; AMENDING SECTION 7.04.040 AND 7.04.050 OF THE LYNNWOOD MUNICIPAL CODE, REPEALING CHAPTER 7.06 OF THE LYNNWOOD MUNICIPAL CODE; AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND SUMMARY PUBLICATION.

ORDINANCE NO. 3109

AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, SUPERSEDING ORDINANCE 2843, ESTABLISHING PROJECT FUNDING FOR 36TH/35TH AVENUE WEST ROAD IMPROVEMENT PROJECT; AN ORDINANCE AUTHORIZING EXPENDITURES IN PROJECT FUND 317; AND AUTHORIZING FUNDING TRANSFERS, ALLOCATIONS, AND REIMBURSEMENTS FROM FUND 331, FUND 440, FUND 110, FUND 411, GRANT FUNDS, MITIGATION FUNDS, AND SNOHOMISH COUNTY FUNDS; AND CONSISTENT WITH THE PROJECT FINANCIAL PLAN; AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND SUMMARY PUBLICATION.

ORDINANCE NO. 3110

AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, RELATING TO THE CREATION OF AN ECONOMIC DEVELOPMENT INFRASTRUCTURE FUND AS AUTHORIZED BY RESOLUTION NO. 2012-06; CREATING CHAPTER 3.106 OF THE LYNNWOOD MUNICIPAL CODE; AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND SUMMARY PUBLICATION.

ORDINANCE NO. 3111

AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, MODIFYING ORDINANCE NO. 3091, A TWO YEAR BIENNIAL BUDGET FOR THE CITY OF LYNNWOOD, WASHINGTON, FOR THE YEARS ENDING DECEMBER 31, 2015 AND 2016; BY MAKING ADJUSTMENTS TO THE CITY'S BUDGET IN EXHIBIT A; AND PROVIDING FOR AN EFFECTIVE DATE, SEVERABILITY AND SUMMARY PUBLICATION.

The full text of this ordinance will be mailed upon request. DATED this 26th day of February, 2015.

Chris Johnson, Interim Finance Director
Published: February 26, 2015. EDH617474

DEBRA ANN GRIGG
Notary Public
State of Washington
My Commission Expires
October 31, 2017



LYNNWOOD
WASHINGTON

CERTIFICATE

I, the undersigned, Chris S. Johnson, the duly appointed Interim City Clerk of the City of Lynnwood, Washington, hereby certify that the Ordinance hereto attached is a full, true and correct copy of Ordinance No. 3107 of the City of Lynnwood, Washington, entitled as follows:

AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, AMENDING TABLE 21.50.01 IN THE LYNNWOOD MUNICIPAL CODE, RELATING TO SELF-STORAGE FACILITIES IN THE INDUSTRIAL ZONES, AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND SUMMARY PUBLICATION.

That said ordinance was passed by the Council on February 23, 2015 of said City and was published and posted according to law; that said ordinance was duly published in the official newspaper of said City on February 26, 2015.

Chris S. Johnson,
Interim City Clerk of the City of Lynnwood WA