

City of Lynnwood  
DEC 15 2000  
SCANNED

CITY OF LYNNWOOD  
ORDINANCE NO. 1758

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AN ORDINANCE AMENDING TITLE 20 OF THE LYNNWOOD MUNICIPAL CODE BY AMENDING THE REGULATION OF DANCE HALLS

WHEREAS, after proper notice, due hearing was held by the City Planning Commission to consider an amendment to the official text of the Municipal Code of the City of Lynnwood; and

WHEREAS, after due deliberation, the City Planning Commission recommended to the City Council that such amendment was desirable; and

WHEREAS, the City Council duly considered the Planning Commission recommendation of such amendment; and

WHEREAS, upon motion duly made the City Council of the City of Lynnwood has determined to amend the official text of the Municipal Code of the City of Lynnwood;

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

SECTION 1. That Chapter 20.02 of the Lynnwood Municipal Code is hereby amended by adding the following terms and definitions:

PUBLIC DANCE

"Public Dance" means any dance that is open to the public and which (1) is conducted for a profit, direct or indirect; or (2) requires a monetary payment or contribution from the persons admitted. The term Public Dance does not include a banquet, party or celebration conducted for invited guests which is not open to the public.

LICENSED DANCE HALL

"Licensed Dance Hall" means any place or premises where a public dance is conducted, including but not limited to all parking areas, hallways, bathrooms, and adjoining areas accessible to the public during the dance and which is required to be licensed pursuant to Chapter 5.25 of the Lynnwood Municipal Code. For the purposes of this title, the term "Licensed Dance Hall" shall not include:

- A. Businesses which provide areas for dancing accessory to a restaurant or tavern use. A dance area is accessory to a restaurant or tavern if it is less than 25 percent of the total floor area of the restaurant or tavern; or
- B. Commercial recreation businesses (e.g., skate rinks) which occasionally conduct public dances on the premises.

SECTION 2.

That the portion of Section 20.18.060 of the Lynnwood Municipal Code establishing a schedule of off-street parking capacity for use classifications beginning with the letter "D", which reads as follows, to wit:

<u>USE CLASSIFICATION</u>	<u>NUMBER OF PARKING SPACES REQUIRED</u>
<u>D.</u>	
Dance Halls	one per fifty square feet of gross floor area
Dental Clinics	one per two hundred square feet of gross floor area
Drive-In Restaurants	one per fifteen square feet of gross floor area
Drug Store	one per two hundred square feet of gross floor area
Dry Cleaning	one per four hundred square feet of gross floor area
Dry Cleaning, Self Service	one per two washing or dry cleaning machines

IS HEREBY REPEALED, REVISED AND AMENDED TO READ AS FOLLOWS:

<u>USE CLASSIFICATION</u>	<u>NUMBER OF PARKING SPACES REQUIRED</u>
<u>D.</u>	
Dance Halls	one per two persons based on Uniform Building Code occupant load standards
Dental Clinics	one per two hundred square feet of gross floor area
Drive-In Restaurants	one per fifteen square feet of gross floor area
Drug Store	one per two hundred square feet of gross floor area
Dry Cleaning	one per four hundred square feet of gross floor area
Dry Cleaning, Self Service	one per two washing or dry cleaning machines

SECTION 3.

That the portion of Section 20.33.020 of the Lynnwood Municipal Code establishing a schedule of permitted structures and uses in several commercial zones, beginning with the letter "D", which reads as follows, to wit:

<u>USES &amp; STRUCTURES</u>	<u>SCHEDULE OF PERMITTED USES</u>						
	<u>B-4</u>	<u>BN or B-3</u>	<u>B-2</u>	<u>PCD</u>	<u>BC or B-1</u>	<u>C-2</u>	<u>CG or C-1</u>
Dairy product stores	CU	X	--	SP	X	--	X
Dancehalls	--	--	--	SP	X	A	X
Dental clinic	X	X	X	SP	X	--	X
Department stores	--	--	--	SP	X	--	X
Devices to attract attention to the premises, including but not limited to balloons with or without letters or pictorial figures on them; spotlights; searchlights	--	--	--	--	--	--	--
Dressmaker & tailoring shops	CU	X	--	SP	X	--	X
Drug stores	--	X	--	SP	X	--	X
Dry cleaning & laundry pick-up station for work to be done elsewhere	X	X	AI	SP	X	AI	X
Dry cleaning & laundry plants	--	--	--	SP	X	--	X
Dry cleaning & laundry self service	--	X	--	SP	X	AI	X
Dry goods store	--	X	--	SP	X	--	X

IS HEREBY REPEALED, REVISED AND AMENDED TO READ AS FOLLOWS:

SCHEDULE OF PERMITTED USES

<u>USES &amp; STRUCTURES</u>	<u>B-4</u>	<u>BN or B-3</u>	<u>B-2</u>	<u>PCD</u>	<u>BC or B-1</u>	<u>C-2</u>	<u>CG or C-1</u>
Dairy product stores	CU	X	--	SP	X	--	X
Dance halls, Licensed (See 20.33.040)	--	--	--	SP	CU	--	CU
Dental clinic	X	X	X	SP	X	--	X
Department stores	--	--	--	SP	X	--	X
Devices to attract attention to the premises, including but not limited to balloons with or without letters or pictorial figures on them; spotlights; searchlights	--	--	--	--	--	--	--
Dressmaker & tailoring shops	CU	X	--	SP	X	--	X
Drug stores	--	X	--	SP	X	--	X
Dry cleaning & laundry pick- up station for work to be done elsewhere	X	X	AI	SP	X	AI	X
Dry cleaning & laundry plants	--	--	--	SP	X	--	X
Dry cleaning & laundry self service	--	X	--	SP	X	AI	X
Dry goods store	--	X	--	SP	X	--	X

SECTION 4.

That the portion of Section 20.33.020 of the Lynnwood Municipal Code establishing a schedule of permitted structures and uses in several commercial zones, beginning with the letter "I" which reads as follows, to wit:

SCHEDULE OF PERMITTED USES

<u>USES &amp; STRUCTURES</u>	<u>B-4</u>	<u>BN or B-3</u>	<u>B-2</u>	<u>PCD</u>	<u>BC or B-1</u>	<u>C-2</u>	<u>CG or C-1</u>
Ice cream stands	--	X	--	SP	X	--	X
Ice storage & dispensing	A	A	A	--	A	A	A
Indoor amusement enterprises including dance halls, skating rinks, bowling alleys, pool halls	--	--	--	SP	X	A	X

IS HEREBY REPEALED, REVISED AND AMENDED TO READ AS FOLLOWS:

SCHEDULE OF PERMITTED USES

<u>USES &amp; STRUCTURES</u>	<u>B-4</u>	<u>BN or B-3</u>	<u>B-2</u>	<u>PCD</u>	<u>BC or B-1</u>	<u>C-2</u>	<u>CG or C-1</u>
Ice cream stands	--	X	--	SP	X	--	X
Ice storage & dispensing	A	A	A	--	A	A	A
Indoor amusement enterprises including skating rinks, bowling alleys, pool halls	--	--	--	SP	X	A	X

SECTION 5.

That Section 20.33.040 of the Lynnwood Municipal Code is amended by adding the following:

Licensed Dance Halls. All conditional and special use permit applications for Licensed Dance Halls shall be evaluated for potential adverse impacts related, but not limited to: noise, traffic, and the adequacy of on-site parking. Applications shall also be evaluated for locational and design considerations which might foster potential nuisances or criminal activities. The minimum standards which shall be required of any such proposed use are as follows:

1. A separation of at least three hundred feet between the building which the dance hall occupies and the nearest residentially zoned property, as measured in a straight line without regard to any intervening building, shall be required.
2. The parking standards for dance halls stated in LMC Chapter 20.18 shall apply.

3. All abutting streets shall be improved to the standards of the Lynnwood Public Works Department.

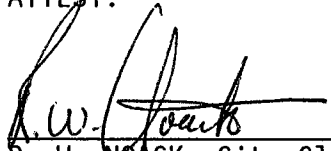
SECTION 6. Severability. If any section, subsection, sentence, clause, phrase or word of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase or word of this ordinance.

SECTION 7. The City Council finds that protection of the public health, public safety, public property and public peace necessitates the designation of a public emergency pursuant to RCW 35A.13.190 and the immediate effectiveness of this ordinance.


PASSED THIS 26th day of March, 1990, and signed in authentication of its passage this 27th day of March, 1990.

  
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M. J. HRDLICKA, Mayor

ATTEST:

  
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R. W. NOACK, City Clerk

APPROVED AS TO FORM:

  
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JOHN P. WATTS, ASST. CITY ATTORNEY

File Name: Teen Dance Code Amendment  
File Number: 90-CAM-0002

PUBLISHED: APRIL 2, 1990