

Ordinance #190

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ZONING
ORDINANCE
FOR THE
CITY
OF
LYNNWOOD

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CITY OF LYNNWOOD

ORDINANCE NO. 190

A COMPREHENSIVE ORDINANCE REGULATING AND RESTRICTING THE USE OF LAND AND THE USE AND LOCATION OF BUILDINGS AND STRUCTURES; REGULATING AND RESTRICTING THE HEIGHT AND BULK OF BUILDINGS AND STRUCTURES AND DETERMINING THE AREA OF YARDS, COURTS AND OTHER PLACES SURROUNDING THEM; REGULATING AND RESTRICTING THE DENSITY OF POPULATION; DIVIDING THE CITY OF LYNNWOOD INTO DISTRICTS FOR SUCH PURPOSES; ADOPTING MAPS OF SAID CITY SHOWING BOUNDARIES AND THE CLASSIFICATION OF SUCH DISTRICTS; ESTABLISHING A BOARD OF ADJUSTMENT; PRESCRIBING PENALTIES FOR THE VIOLATION OF ITS PROVISIONS; AND REPEALING ORDINANCE NO. 61 AND ANY PORTION OF ANY OTHER ORDINANCES IN CONFLICT THEREWITH.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LYNNWOOD:

ARTICLE I. SHORT TITLE

Section 1.1. This ordinance shall be known and may be cited as the "Zoning Ordinance of the City of Lynnwood."

Section 1.2. This ordinance shall consist of the text hereof and in addition thereto that certain map entitled Zoning Map of the City of Lynnwood which map is kept on file at the office of the City Clerk of the City Hall of the City of Lynnwood, which said map is by this reference incorporated herein and hereby made an integral part of this ordinance; This ordinance and each and all of its terms are to be read and interpreted in the light of the commitments of said map or any duly adopted amendments thereto. If any conflict should arise as between the map or the text of this ordinance, the text of the ordinance shall prevail.

ARTICLE II. INTERPRETATION

In their interpretation and application the provisions of this Ordinance shall be held to be the minimum requirements adopted for the promotion of the public health, safety and welfare. To protect the public, among other purposes, such provisions are intended to provide for adequate light, pure air, safety from fire and other danger, undue concentration of population and ample parking facilities.

1. ARTICLE III. SCOPE.

2. It is not intended by this Ordinance to repeal, abrogate, annul
3. or in any way impair or interfere with existing provisions of
4. other laws or ordinances, except those specifically repealed
5. by this Ordinance, or with private restrictions placed upon
6. property by covenant, deed or other private agreement, or with
7. restrictive covenants running with the land to which the City
8. is a party. Where this Ordinance imposes a greater restriction
9. upon land, buildings or structures than is imposed or required
10. by such existing provisions of law, ordinance, contract or deed,
11. the provisions of the Ordinance shall control.

12. ARTICLE IV. DEFINITIONS

13. For the purposes of this Ordinance, the following terms, phrases,
14. words, and their derivations shall have the meaning given
15. herein. When not inconsistent with the context, words used in
16. the present tense include the future, words in the plural
17. number include the singular number, and words in the singular
18. number include the plural number. The word "shall" is always
19. mandatory and not merely directory.

20. SECTION 401: "A"

21. ACCESSORY.

22. "Accessory" means a use, a building or structure, part of a
23. building or other structure, which is subordinate to and the
24. use of which is incidental to that of the main building,
25. structure or use on the same lot, including a private garage.
26. If an accessory building is attached to the main building by
27. common wall or roof, such accessory building shall be considered
28. a part of the main building.

29. ALLEY

30. "Alley" means any public space or thoroughfare 20 feet or less
31. in width, but not less than 10 feet in width, which has been
32. dedicated or deeded to the public for public travel and which
33. affords secondary access to abutting property.

34. ALTERATION

35. "Alteration" as applied to a building or structure is a change
36. or rearrangement in the structural parts or in the exit facilities,

1. or an enlargement, whether by extending on a side or by
2. increasing in height, or the moving from one location or
3. position to another.
4. AMENDMENT
5. "Amendment" means a change in wording, context or substance
6. of this ordinance, adoption of the zoning map hereunder, a
7. change in the zone boundaries upon zoning maps adopted hereunder,
8. or the adoption of a plan unit development.
9. ANIMAL, SMALL
10. "Small animal" means any animal other than live stock or animals
11. considered to be predatory or wild.
12. ANTIQUES, AND ANTIQUE SHOP
13. "Antiques" means any article which, because of age, rarity or
14. historical significance, has a monetary value greater than the
15. original value, or which has age recognized by the United
16. States Government as entitling the article to an import duty
17. less than that prescribed for contemporary merchandise. A
18. store or shop selling only such articles or offering them for
19. sale shall be considered as an antique shop or store, and not
20. considered as a dealership handling used or secondhand merchandise.
21. APARTMENT HOTEL
22. "Apartment hotel" means a building providing accommodations for
23. transient guests in which at least 50% of the gross habitable
24. floor area is devoted to dwelling units.
25. APARTMENT HOUSE.
26. "Apartment house" means a building or a portion of a building,
27. designed for occupancy by three (3) or more families living
28. separately from each other and containing three (3) or more
29. dwelling units.
30. AUTOMOBILE LAUNDRY
31. "Automobile laundry" means a structure designed and primarily
32. used for washing cars by mechanical means and by movement
33. through washing and drying stages.
34. AUTOMOBILE, BOAT AND TRAILER SALES AREA
35. "Automobile, boat and trailer sales area" means an open area,
36. other than a street, used for the display, sale or rental of

1. new or used automobiles, boats or trailers, where no repair
2. work is done except minor incidental repair of automobiles,
3. boats or trailers to be displayed, sold or rented on the premises.
4. AUTOMOBILE REPAIR, MAJOR.
5. "Major automobile repair" means rebuilding or reconditioning of
6. motor vehicles or trailers including trucks over 1½ tons
7. capacity; collision service, including body, frame or fender
8. straightening or repair; overall painting or paint shop;
9. automobile wrecking when within an enclosed building.
10. AUTOMOBILE REPAIR, MINOR.
11. "Minor automobile repair" means general motor repair, replacement
12. of new or reconditioned parts to passenger automobiles and trucks
13. not exceeding 1½ tons capacity, but not including any operations
14. specified under Automobile Repair, Major
15. AUTOMOBILE WRECKING.
16. "Automobile wrecking" means any dismantling or wrecking of
17. motor vehicles or trailers, or the storage, sale or dumping
18. of dismantled or wrecked vehicles or their parts.
19. AUTOMOBILE WRECKING YARD.
20. "Automobile wrecking yard" means any premises devoted to auto-
21. mobile wrecking as the term is defined herein.
22. SECTION 402 "B"
23. BASEMENT.
24. "Basement" means that portion of a building between floor and
25. ceiling, which is partly below and partly above grade, but so
26. located that the vertical distance from grade to floor below
27. is less than the vertical distance from the grade to the ceiling.
28. BILLBOARD.
29. (See sign advertising)
30. BLOCK FRONT. *AMENDED ORD. 218 1-25-65*
31. "Block front" means the frontage of private property within
32. a single zone and along one side of a street between inter-
33. secting or intercepting platted streets or between a platted
34. street and a railroad right-of-way or a waterway provided
35. such distance does not extend more than 300 feet on either side
36. of a lot.

1. BOARD.
2. "Board" means the Board of Adjustment of the City of Lynnwood.
3. BOARDING, LODGING, OR ROOMING HOUSE.
4. "Boarding, lodging, or rooming house" means a building, other
5. than a hotel, where meals and/or room or lodging are provided
6. for compensation with seven or more non-transient persons.
7. BUILDING AREA.
8. "Building area" means the aggregate of the maximum horizontal
9. cross sectional area of the main building on a lot, excluding
10. cornices, eaves, gutters, or chimneys projecting not more than
11. two (2) feet, steps, one-story open porches, bay windows not
12. extending through more than one story and not projecting more
13. than two (2) feet, balconies and terraces.
14. BUILDING.
15. "Building" means any structure built for the support, shelter
16. or enclosure of persons, animals, mechanical devices or chattels,
17. or property of any kind. When a structure is separated by
18. party walls located on lot lines, each portion of such structure
19. shall be deemed a separate building.
20. BUILDING, COMPLETELY ENCLOSED.
21. "Completely enclosed building" means a roofed building or
22. portion thereof having no openings other than fixed windows and
23. such exits as are required by law, and equipped with self-closing
24. doors.
25. BUILDING, DETACHED.
26. A "Detached building" means a building having no wall in
27. common with another building.
28. BUILDING, ENCLOSED.
29. An "Enclosed building" means a building enclosed on all sides
30. with wall and roof and having no openings other than closeable,
31. glazed windows and doors and vents.
32. BUILDING CODE.
33. "Building code" means an ordinance regulating the excavation,
34. erection, construction, enlargement, alteration, repair, moving,
35. removal, conversion, demolition, occupancy, equipment, use,
36. height, area, and maintenance of buildings or structures in the
37. City of Lynnwood providing for the issuance of permits and
38. collection of fees therefore: declaring and establishing Fire

1. Districts are providing penalties for the violation thereof.
2. BUILDING, EXISTING.
3. An "existing building" is a building erected prior to the
4. adoption of this code, or one for which a legal building permit
5. has been issued.
6. BUILDING OFFICIAL.
7. "Building official" means the officer charged with the
8. administration and enforcement of this code, or his regularly
9. authorized deputy.
10. BUILDING HEIGHT.
11. "Building height" means the vertical distance from the grade to
12. the highest point of the coping of a flat roof, or to the deck
13. line of a mansard roof, or to the average height of the highest
14. gable of a pitch or hip roof.
15. BUILDING LINE.
16. The "Building line" is a line, established by law, beyond which
17. a building or structure shall not extend except as specifically
18. provided by law.
19. BUILDING, MAIN.
20. "Main building" means the principal building or other structure
21. on a lot or building site designed or used to accommodate the
22. primary use to which the premises are devoted; where a permissible
23. use involves more than one (1) building or structure designed or
24. used for the primary purpose, as in the case of group houses, each
25. such permissible building or other structure on a lot or building
26. site as defined by this ordinance shall be construed as comprising
27. a main building or structure.
28. BUILDING OR STRUCTURE, NON-CONFORMING.
29. A "non-conforming building or structure" means a building or
30. structure specifically designed or occupied for any use which is
31. a non-conforming use and lawfully existing prior to the effective
32. date of this ordinance or the effective date of any amendment
33. changing the zone classification of the land upon which the
34. building or structure is located.
35. BUILDING OR STRUCTURE, NON-CONFORMING AS TO BULK.
36. A building or structure which is "non-conforming as to bulk" is a
37. lawfully established building or structure which on the effective
38. date of this title was not in conformance with the bulk regulations
39. of this code for the zone in which located.

1. BUILDING OR PART, RESIDENTIAL
2. A "residential building" or a "residential part of a building"
3. is a building or building part containing solely one (1) or
4. more dwelling units or a building or building parts occupied
5. or intended to be occupied in whole for sleeping or living
6. purposes, including hospitals, sanitariums and similar uses
7. but not including motels or hotels.
8. BUILDING SITE.
9. "Building site" means a parcel of land assigned to a use, to
10. a main building, or to a main building and its accessory
11. buildings, together with all yards and open spaces required by
12. this ordinance, whether the area so devoted is comprised of
13. one lot, a combination of lots, or combination of lots and
14. fractions of lots.
15. BULK.
16. "Bulk" means the size and location of buildings and structures
17. in relation to the lot. Bulk regulations include maximum height
18. of building, minimum lot area, minimum front, side and rear
19. yard and maximum lot coverage.
20. BULK STATION.
21. A "bulk station" is any installation for the storage, handling
22. and selling of flammable liquids or oils, from which such
23. liquids or oils are sold at wholesale or distributed to retail
24. stations or private storage by tank trucks.
25. BUSINESS OR COMMERCE.
26. "Business" or "commerce" means the purchase, sale, offering for
27. sale, or other transaction involving the handling or disposition
28. of any article, service, substance or commodity for livelihood
29. or profit; or the management or occupancy of office buildings,
30. offices, recreational or amusement enterprises; or the main-
31. tenance and use of buildings, offices, structures or premises
32. by professions and trades or persons rendering services.
33. SECTION 403 "C"
34. CAMP, PUBLIC.
35. "Public camp" means any area or tract of land used or designed
36. to accommodate two (2) or more camping parties, including

1. cabins, tents, camping trailers or other camping outfits.
2. CARPORT.
3. "Carport" means a private garage which is open to the weather
4. on at least 40% of the total area of its sides.
5. CELLAR.
6. A "cellar" is that portion of a building between floor and
7. ceiling which is wholly or partly below grade and so located
8. that the vertical distance from the grade to the floor below
9. is equal to or greater than the vertical distance from grade
10. to the ceiling above.
11. CEMETERY.
12. "Cemetery" means land used or intended to be used for the
13. burial of the human dead and dedicated for cemetery purposes,
14. including columbariums, crematories, mausoleums, and mortuaries
15. when operated in conjunction with and within the boundary of
16. such cemetery.
17. CHILDREN-RESIDENT HOME.
18. "Children-resident home" means a dwelling unit occupied by a
19. family which provides full-time supervision for from seven (7)
20. to twelve (12) children unrelated to the resident family.
21. CHILDREN-INSTITUTIONS.
22. "Children-institutions" means an establishment consisting of
23. one or more buildings organized and maintained for the group
24. care and supervision of thirteen (13) or more children but not
25. including hospitals.
26. CHURCH.
27. "Church" means an establishment, the principal purpose of
28. which is religious worship and for which the principal building
29. or other structure contains the sanctuary or principal place of
30. worship, and including accessory uses in the main building or
31. in separate buildings or structures, including Sunday School
32. rooms and religious education classrooms, assembly rooms,
33. kitchen, library room or reading room, recreation hall, a one-
34. family dwelling unit and residences on site for nuns and clergy,
35. but excluding facilities for training of religious orders.

1. CLINIC.
2. "Clinic" means a building or portion of a building containing
3. offices for providing medical, dental, psychiatric or chiropractic
4. services for out-patients only, but not including the sale of
5. drugs or medical supplies.
6. CITY.
7. "City" means the City of Lynnwood.
8. CLUB.
9. "Club" means an association of persons^{organized} for some common purpose,
10. but not including groups organized primarily to render a service
11. which is customarily carried on as a business.
12. COMMISSION.
13. "Commission" means the City Planning Commission of the City of
14. Lynnwood.
15. CONDITIONAL USE.
16. "Conditional use" means a use subject to specified conditions
17. which is permitted in one or more classifications as defined
18. by this ordinance but which use because of characteristics
19. peculiar to it, or because of size, technological processes
20. or type of equipment, or because of the exact location with
21. reference to surroundings, streets and existing improvements
22. or demands upon public facilities, requires a special degree
23. of control to make such uses consistent with and compatible
24. to other existing or permissible uses in the same zone or
25. zones, and to assure that such use shall not be inimical to
26. the public interest.
27. CONDITIONAL USE PERMIT.
28. "Conditional use permit" means the documented evidence of authority
29. granted by the Board of Adjustment to locate a conditional
30. use at a particular location.
31. CONFORMING USE.
32. A "Conforming use" is a lawful use of land or structure which
33. conforms to the uses and regulations of the zone in which such
34. is located.
35. CONFORMING BUILDING.
36. "Conforming building" means a building designed to accommodate

1. uses permitted in the zone in which it is located and conforming
2. to the bulk requirements of the particular zone.
3. COURT.
4. "Court" means an open unoccupied space, extending not more than
5. 24 inches below finished grade and bounded on two (2) or more
6. sides by the walls of the building. An inter-court is a court
7. entirely within the exterior walls of the building. All other
8. courts are outer courts.
9. CURB ELEVATION.
10. "Curb elevation" means the elevation of the curb, as established
11. by the City Engineer, at the intersection of the projected
12. center line of the building and the front lot line. When no
13. curb elevation has been established, the City Engineer shall
14. indicate such for the purposes of this code.
15. SECTION 404 "D"
16. DAY NURSERY.
17. "Day nursery" means an establishment which provides supplemental
18. parental care and supervision to a group of children during the
19. whole or any portion of the day. (See also Foster Family Day
20. Care Home.)
21. DRIVE-IN BUSINESS.
22. "Drive-in business" means a business where a customer is
23. permitted or encouraged, either by the design of physical
24. facilities or by service and/or packaging procedures, to be
25. served in the off-street parking area accessory to the business,
26. while seated in his motor vehicle.
27. DWELLING.
28. "Dwelling" means any building or any portion thereof, which
29. is not an apartment house or hotel as defined in this ordinance
30. which contains one (1) or more apartments or guest rooms, used,
31. intended, or designed to be built, used, rented, leased, let,
32. or hired out to be occupied, or which are occupied for living
33. purposes.
34. DWELLING, TYPES OF.
35. (a) DWELLING, GROUP. "Group dwelling" means more than
36. two (2) separate buildings, each containing one (1) or

1. more dwelling units.
2. (b) DWELLING, ONE-FAMILY. "One-family dwelling" means
3. a detached building designed exclusively for occupancy by
4. one family and containing one (1) dwelling unit.
5. (c) DWELLING, TWO-FAMILY (DUPLEX). "Two-family dwelling
6. or duplex" means a building designed exclusively for
7. occupancy by two (2) families living independently of each
8. other, and containing two (2) dwelling units.
9. (d) DWELLING, MULTIPLE. "Multiple dwelling" means a
10. building designed exclusively for occupancy by three (3)
11. or more families living independently of each other, and
12. containing three (3) or more dwelling units.
13. DWELLING UNIT.
14. "Dwelling unit" means one or more rooms designed for or occupied
15. by one family for living or sleeping purposes and containing
16. kitchen facilities for use solely by one family. All rooms
17. comprising a dwelling unit shall have access through an interior
18. door to other parts of the dwelling unit. A bachelor apartment
19. constitutes a dwelling unit within the meaning of this ordinance.
20. SECTION 405 "E"
21. EDUCATIONAL INSTITUTION.
22. "Educational institution" means elementary, junior high, high
23. schools, junior colleges, colleges or universities or other
24. schools giving general academic instruction in the several
25. branches of learning and study required by the Education
26. Code of the State of Washington.
27. EQUIPMENT, HEAVY DUTY.
28. "Heavy duty equipment" means high-capacity mechanical devices
29. for moving earth or other materials, mobile power units, including,
30. but not limited to, carryalls, graders, loading and unloading
31. devices, cranes, drag lines, trench diggers, tractors, augers,
32. caterpillars, concrete mixers and conveyors, harvesters, combines
33. or other major agricultural equipment and similar devices
34. operated by mechanical power as distinguished from manpower.
35. ERECTED.
36. "Erected" means the construction of any building or structure,

1. or the structural alteration of a building or structure the
2. result of which would be to change the exterior walls or roof
3. or to increase the square foot floor area of the interior of
4. the building or structure.
5. EXISTING USE OF BUILDING.
6. "Existing use of building" means a use of building in existence
7. either as a non-conforming or conforming use as defined by this
8. ordinance at the time and adoption of this ordinance.
9. SECTION 406 "F"
10. FAMILY.
11. "Family" means an individual or two or more persons related by
12. blood or marriage, or a group of not more than five (5) persons,
13. excluding servants, who need not be related by blood or
14. marriage living together in a dwelling unit.
15. FENCE.
16. "Fence" means a masonry wall, or a barrier composed of posts
17. connected by boards, rails, panels or wire for the purpose of
18. enclosing space or separating parcels of land. The term
19. "fence" does not include retaining walls.
20. FIRST PERMITTED.
21. The term "first permitted" refers to the most restricted zone
22. in which a particular use is indicated as a permissible use.
23. FLOOR AREA.
24. "Floor area" means the area included within surrounding walls
25. of the building (or portion thereof), exclusive of vent shafts
26. and courts.
27. FOSTER HOME, TWENTY-FOUR HOUR CARE.
28. A "twenty-four hour foster care home" means a dwelling
29. occupied by a family who, for compensation or otherwise,
30. accepts and cares for not more than six (6) children as
31. full-time residents as a part of the family as defined herein
32. and to which children are assigned by authorized public authorities.
33. FOSTER FAMILY DAY CARE HOME.
34. "Foster family day care home" means a residence licensed by
35. authorized public authorities, to be used to care for not
36. more than six (6) children by the day, with or without compensation.

1. A foster family day care home may be considered to include a
2. day nursery conducted on a half-day basis, when such home is
3. licensed by authorized public authorities, provided the number
4. of children cared for at any one time shall not exceed six (6).
5. FRATERNITY, SORORITY OR GROUP STUDENT HOUSE.
6. A "fraternity" "sorority" or "group student house" means a
7. building occupied by and maintained exclusively for students
8. affiliated with an academic or professional college or
9. university or other recognized institution of higher learning,
10. and when regulated by such institution.
11. SECTION 407 "G"
12. GARAGE, PARKING.
13. A "parking garage" is a structure, or part thereof, used only
14. for the storage of automobiles by the public and including the
15. sale of automobile fuels, lubricants, radiator fluids, and
16. accessories; and the performance of incidental services including
17. tire changing, tube repairing, lubrication and washing.
18. GARAGE, PRIVATE.
19. "Private garage" means an accessory building or an accessory
20. portion of the principal building, designed or used for the
21. shelter or storage of vehicles owned or operated by the
22. occupants of the principal building.
23. GARAGE, REPAIR.
24. (See Automobile Repair.)
25. GAS STATION.
26. (See Service Station.)
27. GRADE, LOT.
28. "Lot grade" means the average of the finished ground level at
29. the center of all exposed walls of the building. In case
30. walls are parallel to and within five (5) feet of the sidewalk
31. the above ground level shall be measured at the sidewalk.
32. GREEN BELT.
33. A "green belt" is a planting of evergreen trees and/or shrubs
34. designed and maintained to prevent a through and unobscured
35. penetration of sight, light, and sound. (See also Screening)
36. and Section 10.6 on Page 66.

1. SECTION 408 "H"
2. HEDGE.
3. "Hedge" means a row of closely planted shrubs or bushes forming
4. a boundary or barrier.
5. HEIGHT OF BUILDING.
6. (See Building Height)
7. HELIPORT.
8. "Heliport" means an area used by helicopters or by other steep
9. gradient aircraft which area includes passenger and cargo
10. facilities, maintenance and overhaul, fueling service, storage
11. space, parking space, hangers and other accessory buildings
12. and open spaces.
13. HELISTOPS.
14. "Helistops" means an area on a roof or on the ground used by
15. helicopters or other steep gradient aircraft for the purpose
16. of picking up or disbursing passengers or cargo but not
17. including fueling service, maintenance or overhaul.
18. HOME FOR THE RETIRED.
19. a "home for the retired" means an establishment operated for
20. the purpose of providing domiciliary care for a group of
21. persons who by reason of age are unable to provide such care
22. for themselves and who are not in need of medical or nursing
23. treatment except in the case of temporary illness.
24. HOME OCCUPATION.
25. "Home occupation" means an activity customarily incidental to
26. the home including the offices of a resident physician, dentist,
27. architect, engineer, or lawyer when conducted within the
28. principal building and not in an accessory building, provided
29. that no stock in trade is kept or handled and provided that
30. such home occupation does not require internal or external
31. structural alteration or involve construction features or use of
32. mechanical equipment not customary to a dwelling, and provided
33. further that the entrance to the space devoted to such occupation
34. shall be only from within the dwelling. No one who is not a resi-
35. dent in said dwelling shall be employed in any such home occupation.
36. HOSPITAL
37. "Hospital" means an institution specializing in giving clinical,
38. temporary and emergency services of a medical or surgical

1. nature to human patients and licensed by State law to provide
2. facilities and services in surgery, obstetrics and general
3. medical practice, as distinguished from treatment of mental
4. and nervous disorders and alcoholics, but not excluding surgical
5. and post-surgical treatment of mental cases.
6. HOSPITAL, MENTAL (INCLUDING HOSPITAL FOR TREATMENT OF ALCOHOLICS).
7. "Mental hospital" means an institution licensed by State
8. agencies under provisions of law to offer facilities, care
9. and treatment for cases of mental and nervous disorders, and
10. alcoholics. Establishments limiting services to juveniles
11. below the age of five (5) years, and establishments housing
12. and caring for cases of cerebral palsy are not considered
13. mental hospitals.
14. HOSPITAL OR CLINIC, SMALL ANIMAL.
15. "Small animal hospital or clinic" means an establishment in
16. which veterinary medical services, clipping, bathing and similar
17. services are rendered to dogs, cats and other small animals
18. and domestic pets, but not including kennels.
19. HOTEL.
20. "Hotel" means a building in which there are six (6) or more
21. guest rooms where lodging with or without meals is provided
22. for compensation, and where no provision is made for cooking
23. in any individual room or suite, and in which building may
24. be included one (1) apartment for use of the resident manager,
25. but shall not include jails, hospitals, asylums, sanitariums,
26. orphanages, prisons, detention homes and similar buildings
27. where human beings are housed or detained under legal restraint.
28. HOUSE TRAILER.
29. "House trailer" means any unit used or designed to be used for
30. living or sleeping purposes and which is equipped with wheels
31. for the purpose of transporting such from place to place,
32. whether or not such unit is self-propelled. A house trailer
33. is not a dwelling unit.
34. SECTION 409 "I"
35. SECTION 410 "J"

1. JUNK YARD.
2. "Junk yard" means a place where junk, waste, discarded or
3. salvaged materials are bought, sold, exchanged, stored,
4. bailed, packed, disassembled, or handled, including automobile
5. wrecking yards, house wrecking yards and places or yards for
6. storage of salvaged house wrecking and structural steel
7. material and equipment. A junk yard shall not be construed
8. to include such uses when conducted entirely within an
9. enclosed building, nor pawn shop and establishments for the
10. sale, purchase or storage of used furniture and household
11. equipment, used cars in operable condition, used or salvaged
12. machinery in operable condition or the processing of used,
13. discarded or salvaged materials as a minor part of manufacturing
14. operations.

15. SECTION 411 "K"

16. KENNEL.

17. "Kennel" means a place where four (4) or more adult dogs or
18. cats or any combination thereof are kept, whether by owners of
19. the dogs and cats or by persons providing facilities and care,
20. whether or not for compensation, but not including a small
21. animal hospital or clinic. An adult dog or cat is one of
22. either sex, altered or unaltered, that has reached the age
23. of four (4) months.

24. KITCHEN.

25. "Kitchen" means any room or rooms, or portion of a room or rooms,
26. used or intended or designed to be used for cooking or the
27. preparation of food.

28. SECTION 421 "L"

29. LIVESTOCK.

30. "Livestock" means horses, bovine animals, sheep, goats, rabbits
31. swine, reindeer, donkeys, ~~mulcs~~, chickens, mink, and like animals.

32. LOADING SPACE.

33. "Loading space" means an on-site space or berth located on
34. the same lot or site with the buildings or use served, such
35. space to serve for the temporary parking of a vehicle while
36. loading or unloading merchandise, materials or passengers.

1. LODGING HOUSE.
2. "Lodging house" means a dwelling unit within which not more
3. than five (5) guest rooms are devoted to accommodating not
4. more than ten (10) persons other than members of the family,
5. but wherein meals for guests shall be neither provided nor
6. permitted. A lodging house containing guest rooms numbering
7. six (6) or more shall be considered a hotel.
8. LOT.
9. "Lot" means a platted or unplatted parcel of land unoccupied,
10. occupied or to be occupied by a principal use or building and
11. accessory buildings, together with such yards and open spaces
12. as required by this ordinance and abutting by not less
13. than 30 feet upon a street or recorded place sufficiently improved
14. for automobile travel, or having an exclusive unobstructed per-
15. manent access easement serving not more than two (2) principal
16. uses and jointly owned by not more than two (2) property
17. owners and at least 20 feet wide and not exceeding 150 feet
18. in length to such street or place.
19. LOT AREA AND DIMENSIONS.
20. (a) LOT AREA. "Lot area" means the total horizontal
21. area within the boundary lines of a lot.
22. (b) LOT DEPTH. "Lot depth" means the horizontal length
23. of a straight line drawn from the midpoint of the lot
24. front line and at right angles to such line to its
25. intersection with a line parallel to the lot front line
26. and passing through the midpoint of the lot rear line.
27. In the case of a lot having a curved front line, the lot
28. front line, for purposes of this section shall be deemed
29. to be a line tangent to the curve and parallel to a
30. straight line connecting the points of intersection of
31. the lot side lines of the lot with the lot front line.
32. (c) LOT WIDTH. "Lot width" means the horizontal distance
33. between the lot side lines measured at right angles to
34. the line comprising the depth of the lot at a point midway
35. between the lot front line and the lot rear line.

1. LOT COVERAGE.
2. "Lot coverage" means that portion of a lot occupied by the
3. principal building and its accessory buildings, expressed
4. as a percentage of the total lot area.
5. LOT LINES.
6. (a) LOT FRONT LINE. "Lot front line" means, in the case
7. of an interior lot, a line separating the lot from the
8. street. In the case of corner lots or reverse corner
9. lots that property line the prolongation of which creates
10. the front property line for the greatest number of interior
11. lots in the same block shall be considered as the lot front
12. line of such corner or reverse corner lot.
13. (b) LOT REAR LINE. "Lot rear line" means a lot line which
14. is opposite and most distant from the lot front line.
15. For the purpose of establishing the lot rear line of a
16. triangular or trapezoidal lot, or of a lot the rear line
17. of which is formed by two (2) or more lines, the following
18. shall apply:
 19. (1) For a triangular or goreshaped lot, a line ten
 20. (10) feet in length within the lot and farthest
 21. removed from the lot front line and at right angles
 22. to the line comprising the depth of such lot shall
 23. be used as the lot rear line;
 24. (2) in the case of a trapezoidal lot the rear line
 25. of which is not parallel to the lot line, the lot
 26. rear line shall be deemed to be a line at right angles
 27. to the line comprising the depth of such lot and
 28. drawn through a point bisecting the recorded lot rear
 29. line; or
 30. (3) in the case of a pentagonal lot the rear bound-
 31. ary of which includes an angle formed by two lines,
 32. such angles and lines shall be employed for deter-
 33. mining the lot rear line as prescribed for a triangular
 34. lot.
 35. (4) In no case shall the application of the above be
 36. interpreted as permitting a main building to locate

1. closer than five (5) feet to any property line.
2. (c) LOT SIDE LINE. "Lot side line" means any lot boundary
3. line not a lot front line or a lot rear line.
4. LOT TYPES.
5. (a) CORNER LOT. "Corner lot" means a lot situated at the
6. intersection of two (2) or more streets, the street front-
7. ages of which form an angle not greater than one hundred
8. twenty-eight (128) degrees, and not less than forty-five
9. (45) degrees.
10. (b) INTERIOR LOT. "Interior lot" means a lot other than
11. a corner lot or a reverse corner lot.
12. (c) KEY LOT. "Key lot" means the first lot to the rear of
13. a reverse corner lot and whether or not separated by an alley.
14. (d) REVERSE CORNER LOT. "Reverse corner lot" means a
15. corner lot of which the lot side line on the street side
16. is substantially a continuation of the lot front line of
17. the lot upon which the rear of said corner lot abuts.
18. (e) THROUGH LOT. "Through lot" means a lot having frontage
19. on two (2) streets, including a lot at the intersection of
20. two (2) streets when the street sides of such lot form an
21. internal angle of less than forty-five (45) degrees.
22. Corner lots and reverse corner lots as defined in this
23. ordinance are not through lots.
24. (f) TRANSITIONAL LOT. "Transitional lot" means a
25. residentially-classified lot a side line of which forms a
26. common boundary with contiguous property classified for
27. either a higher density residential use or commercial or
28. industrial uses.
29. SECTION 413 "M"
30. MEDICAL-DENTAL CLINIC.
31. "Medical-dental clinic" means an establishment for treatment
32. of out-patients, and providing no overnight care for patients.
33. MOTEL.
34. "Motel" means a building or group of buildings on the same lot,
35. containing motel units consisting of individual sleeping

1. quarters, detached or in connected rows with or without cooking
2. facilities, for rental to transients.
3. SECTION 414 "N"
4. NON-CONFORMING BUILDING.
5. "Non-conforming building" means a building, or portion thereof,
6. which was lawfully erected or altered and maintained but which,
7. because of the application of this ordinance to it no longer
8. conforms to the regulations of the zone in which it is located
9. as defined by this ordinance.
10. NON-CONFORMING USE.
11. "Non-conforming use" means a use which was lawfully established
12. and maintained but which, because of the application of this
13. ordinance to it, no longer conforms to the use regulations of
14. the zone in which it is located as defined by this ordinance.
15. NURSERY SCHOOL.
16. "Nursery school" means an establishment for preschool children
17. whose parents send them for educational experience but not for
18. supplemental parental care.
19. NURSING OR CONVALESCENT HOME.
20. "Nursing or convalescent home" means an establishment which pro-
21. vides full-time convalescent or chronic care or both for three
22. (3) or more individuals who are not related by blood or marriage
23. to the operator or who, by reason of chronic illness or infirmity,
24. are unable to care for themselves. No care for acutely ill, or
25. surgical or obstetrical services, shall be provided in such
26. homes; a hospital or sanitarium shall not be construed to be
27. included in this definition.
28. SECTION 415 "O"
29. OPEN SPACE, REQUIRED.
30. "Required open space" means a portion of the area of a lot or
31. building site, other than required yards, which area is required
32. by this ordinance, as set forth in the different classifications
33. contained herein, to be maintained between buildings, between
34. wings of a building, and between buildings and any portion of
35. a property boundary line not contiguous to a required front or
36. side yard. Such open spaces, as in the case of required yards,

1. are required to be free and clear of buildings and structures
2. and to remain open and unobstructed from the ground to the sky.
3. OUTDOOR ADVERTISING DISPLAY.
4. "Outdoor advertising display" means any card, paper, cloth,
5. metal, glass, wooden or other display or device of any kind or
6. character whatsoever placed or painted for outdoor advertising
7. purposes on the ground or on any tree, wall, fence, rock.
8. structure or thing whatsoever.
9. OUTDOOR ADVERTISING STRUCTURE.
10. "Outdoor advertising structure" means a structure of any kind
11. or character erected or maintained for outdoor advertising
12. purposes, upon which any outdoor advertising display is, or
13. can be, placed.
14. SECTION 416 "P"
15. PARKING AREA, PRIVATE.
16. "Private parking area" means an open area other than a street,
17. alley or other public property, limited to the parking of
18. automobiles of occupants or employees of a dwelling, hotel,
19. motel, apartment hotel, apartment house, boarding house or
20. lodging house to which these facilities are appurtenant.
21. PARKING AREA, PUBLIC.
22. "Public parking area" means an open area other than a street,
23. alley or private parking area as defined herein, whether privately
24. or publicly owned, which area is used for the parking of more
25. than four (4) automobiles.
26. PARKING SPACE.
27. "Parking space" means an area accessible to vehicles, which area
28. is provided, improved, maintained and used for the sole purpose
29. of accommodating a motor vehicle.
30. PERSON.
31. "Person" means and includes an individual, firm, co-partnership,
32. association or corporation, governmental agency or political
33. subdivision.
34. PET SHOP.
35. "Pet shop" means an establishment dealing in buying and selling

1. small animals and birds such as are customarily or occasionally
2. harbored in domestic establishments as pets, such as fish, dogs,
3. cats, parrots, canaries, and other song and decorative birds,
4. monkeys, hamsters, and similar animals, but specifically
5. excluding dangerous animals or dangerous or poisonous or con-
6. stricting reptiles, unless properly contained, provided no
7. boarding or veterinarian services are rendered excepting bath-
8. ing and clipping of dogs and cats.
9. PLACE.
10. "Place" means an open unoccupied named space, other than a
11. street or alley, at least 20 feet in width, permanently
12. reserved and so recorded in the county records as the principal
13. means of access to abutting or adjacent property.
14. PRINCIPAL USE.
15. "Principal use" means the primary or predominant use to which
16. the property is or may be devoted, and to which all other uses
17. on the premises are accessory.
18. PROFESSIONAL OFFICES.
19. "Professional offices" means offices maintained and used as a
20. place of business conducted by persons engaged in the healing
21. arts of human beings, such as doctors and dentists (but wherein
22. no overnight care for patients is given), and by engineers,
23. attorneys, architects, accountants and other persons providing
24. services utilizing training in and a knowledge of mental
25. disciplines as distinguished from training in occupations
26. requiring skill or manual dexterity or the handling of com-
27. modities.
28. PUBLIC UTILITY.
29. "Public utility" means a private business organization such as
30. a public service corporation performing some public service and
31. subject to special governmental regulations, or a governmental
32. agency performing similar public services, the services by
33. either of which are paid for directly by the recipients thereof.
34. Such services shall include, but are not limited to, water supply,
35. electric power, gas and transportation for persons and freight.

1. SECTION 417 "Q"
2. SECTION 418 "R"
3. RECLASSIFICATION OF PROPERTY.
4. "Reclassification of property" means a change in zone boundaries
5. upon the zoning map, which map is part of this ordinance when
6. adopted in the manner prescribed by law.
7. RECLASSIFICATION OF USE.
8. "Reclassification of use" means the assignment, by amendment
9. of this ordinance, of a particular use to a different use
10. classification than that in which the use was originally permitted.
11. RECORDED.
12. "Recorded" means, unless otherwise stated, filed of record
13. with the Auditor of Snohomish County.
14. RECREATIONAL AREA OR COMMUNITY CLUB HOUSE, NON-COMMERCIAL.
15. "Recreational area or community club house, non-commercial"
16. means an area devoted to facilities and equipment for recrea-
17. tional purposes, swimming pools, tennis courts, playgrounds,
18. community club houses and other similar uses maintained and
19. operated by a non-profit club or organization whose membership
20. is limited to the residents within the area.
21. RECREATIONAL AREA, COMMERCIAL.
22. "Commercial recreational area" means an area operated for profit
23. and devoted to facilities and equipment for recreational
24. purposes, including swimming pools, tennis courts, playgrounds
25. and other similar uses whether the use of such area is limited
26. to private membership or whether open to the public upon the
27. payment of a fee.
28. REPAIR.
29. "Repair" means the reconstruction or renewal of any part of
30. any existing building for the purpose of its maintenance. The
31. word repair or repairs shall not apply to any change of
32. construction.
33. RESIDENCE.
34. "Residence" means a building or structure, or portion thereof,
35. which is designed for and used to provide a place of abode for
36. human beings, but not including hotels or motel units having

1. no kitchens. The term "residence" includes the term
2. "residential" as referring to the type of or intended use
3. of a building or structure.
4. RETAINING WALL.
5. "Retaining wall" means any wall used to resist the lateral
6. displacement of any material.
7. ROOF.
8. "Roof" means a structural covering over any portion of a building
9. or structure, including the projections beyond the walls or
10. supports of the building or structure. An open work covering
11. shall not be considered a roof if the upper horizontal surface
12. area of the component solid portions thereof measured on the
13. horizontal plane do not exceed twenty per cent (20%) of the
14. area of the covering.
15. SECTION 419 "S"
16. SANITARIUM.
17. "Sanitarium" means a health station or retreat or other place
18. where resident patients are kept, and which specializes in
19. giving clinical, temporary and emergency services of a medical
20. or surgical nature to human patients and licensed by State
21. agencies under provisions of law to provide facilities and
22. services in surgery, obstetrics and general medical practice
23. as distinguished from treatment of mental and nervous disorders
24. and alcoholics, but not excluding surgical and post-surgical
25. treatment of mental cases.
26. SCHOOLS, ELEMENTARY, JUNIOR HIGH AND HIGH.
27. "Elementary schools", "junior high schools" and "high schools"
28. mean institutions of learning offering instruction in the
29. several branches of learning and study required by the Education
30. Code of the State of Washington to be taught in the public and
31. parochial schools.
32. SCREENING.
33. "Screening" means a continuous fence supplemented with land-
34. scape planting or a continuous wall, evergreen hedge or
35. combination thereof, that would effectively screen a property
36. which it encloses and is broken only for access drives and

1. walks.
2. See Section 10.6 on Page 66
3. SECOND HAND STORES.
4. "Second hand stores" means retail establishments in which the
5. principal portion of the articles, commodities or merchandise
6. handled, offered for sale, or sold on the premises are not new.
7. Second hand stores shall not be considered as including antique
8. stores or pawn shops.
9. SERVICE STATION, AUTOMOBILE.
10. "Automobile service station" means an occupancy which provides
11. for:
 12. (a) the servicing of motor vehicles and operations inci-
 13. dental thereto limited to the retail sale of petroleum
 14. products and automotive accessories; automobile washing
 15. by hand; waxing and polishing of automobiles; tire
 16. changing and repairing (excluding recapping); battery
 17. service, charging and replacement, excluding repair and
 18. rebuilding; radiator cleaning and flushing, excluding
 19. steam cleaning and repair; and installation of accessories.
 20. (b) the following operations if conducted within a
 21. building: lubrication of motor vehicles; brake servicing
 22. limited to servicing and replacement of brake cylinders,
 23. lines and brake shoes; wheel balancing; the testing,
 24. adjustment, and replacement or servicing of carburetors,
 25. coils, condensers, distributor caps, fan belts, filters,
 26. generators, points, rotors, spark plugs, voltage regulators,
 27. water and fuel pumps, water hoses and wiring, mufflers,
 28. and tailpipes.
29. SIGN, ADVERTISING.
30. "Advertising sign" means a structure or portion thereof that is
31. intended for advertising purposes or on which letters, figures,
32. or pictorial matter are, or are intended to be, displayed for
33. advertising purposes other than the name, occupation and/or
34. nature of the enterprise conducted on the premises. This
35. definition shall not be held to include a real estate sign
36. advertising the sale or rent of the property upon which it
37. stands.

1. SIGN, BUSINESS.
2. "Business sign" means any sign, structure, or device identifying
3. the premises on which located, or the occupant of said premises,
4. or signs relating to goods or services manufactured, produced,
5. or available on such premises.
6. SIGN, ILLUMINATED.
7. "Illuminated sign" means any sign, name plate or bulletin
8. board which is illuminated exclusively by non-flashing
9. reflected light.
10. SIGN, SELF-ILLUMINATED.
11. A "self-illuminated sign" means any sign, name plate or
12. bulletin board in which the letters, figures, or pictorial
13. matter are outlined by neon, fluorescent, incandescent or
14. other lighting device in which the artificial light is main-
15. tained stationary and constant in intensity and color at all
16. times when lighted.
17. STABLE, PRIVATE.
18. A "private stable" means an accessory building for the keeping
19. of horses, cows, or other similar domestic animals owned by
20. the occupants of the premises and not kept for remuneration,
21. hire, or sale.
22. STABLE, PUBLIC.
23. "Public stable" means a stable other than a private stable.
24. STAND.
25. "Stand" means a structure for the display and sale of products
26. with no space for customers within the structure itself.
27. STORY.
28. "Story" means that portion of a building, except the mezzanine,
29. included between the surface of any floor and the surface of
30. the floor next above, except that the highest story is that
31. portion of a building included between the highest floor surface
32. and the ceiling or roof above. A basement shall be counted as
33. a story.
34. STREET.
35. "Street" means a public or recorded private thoroughfare which
36. affords primary means of access to abutting property.

1. STREET LINE.
2. "Street line" means the boundary line between a street and the
3. abutting property.
4. STREET, PRINCIPAL.
5. "Principal street" means that street for which the house num-
6. bering is issued and which becomes the main access to the property.
7. STREET, SIDE.
8. "Side street" means a street which is adjacent to a corner lot or
9. reverse corner lot and which extends in the general direction of
10. the lot line determining the depth of the corner or reverse cor-
11. ner lot.
12. STRUCTURAL ALTERATIONS.
13. "Structural alterations" means any change in the supporting
14. members of a building or structure, such as foundations,
15. bearing walls, columns, beams, floor or roof joists, girders
16. or rafters, or changes in the exterior dimensions of the building
17. or structure, or increase in floor space.
18. STRUCTURE.
19. "Structure" means that which is built or constructed, an edifice
20. or building of any kind, or any piece of work artificially built
21. up or composed of parts joined together in some definite manner.
22. SWIMMING POOL.
23. "Swimming pool" means any building or structure installed as a
24. permanent building or structure in or above ground used for
25. swimming.
26. SECTION 420 "T"
27. TRADE OR BUSINESS SCHOOL.
28. "Trade or business school" means an establishment conducted as
29. a commercial enterprise for teaching trade, business or
30. secretarial courses, instrumental or vocal music, art, dancing,
31. barbering or hairdressing or for teaching similar skills.
32. THEATRE.
33. "Theatre" means a building expressly designed for presentation
34. of plays, operas and motion pictures.
35. THEATRE, DRIVE-IN.
36. "Drive-in theatre" means an establishment to provide entertain-
37. ment through projection of motion pictures on an outdoor screen
38. for audiences whose seating accommodations are provided by their

1. own motor vehicles parked in car spaces provided on the
2. same site with the outdoor screen.
3. TO PLACE.
4. The verb "to place" and any of its variants as applied to
5. advertising displays and outdoor advertising structures includes
6. maintaining, erecting, constructing, posting, painting, printing,
7. nailing, glueing or otherwise fastening, affixing or making
8. visible in any manner whatsoever.
9. TRAILER, HOUSE.
10. (See house trailer.)
11. TRAILER PARK, TRAILER COURT, MOBILE HOME PARK AND PUBLIC
12. TRAILER CAMP.
13. "Trailer park", "trailer court", "mobile home park", "public
14. trailer camp" means any area or tract of land used or designed
15. to accommodate two (2) or more automobile house trailers.
16. TRUCK AND TRAILER SALES LOT.
17. "Truck and trailer sales lot" means an outdoor area used for
18. the display, sale or rental of new or used trucks or truck
19. trailers, where no repair work is done except minor incidental
20. repair to vehicles to be displayed, sold or rented on the
21. premises.
22. SECTION 421 "U"
23. USE.
24. "Use" means the purpose for which land or a building is designed,
25. arranged or intended, or for which it is occupied or maintained,
26. let or leased.
27. USE OR STRUCTURE, ACCESSORY.
28. "Accessory use" or "accessory structure" means uses customarily
29. incidental to a permitted principal use when located in the
30. same building or in a separate building located on the same lot.
31. USE OR STRUCTURE, CONDITIONAL.
32. "Conditional use" or "conditional structure" means uses per-
33. mitted in this ordinance as principal or accessory uses when
34. duly authorized and subject to specified conditions.
35. USE, NON-CONFORMING.
36. "Non-conforming use" means a lawful use of land or structure
37. in existence on the effective date of this ordinance or at
38. the time of any amendments thereto and which does not conform

1. to the use regulations of the zone in which the use is located.
2. USE OR BUILDING, PRINCIPAL.
3. "Principal use" or "principal building" means the principal use
4. conducted on the lot or the building housing the principal use,
5. as distinguished from an accessory building housing accessory
6. uses.
7. SECTION 422 "V"
8. VARIANCE.
9. "Variance" means an adjustment in the application of the specific
10. regulations of this ordinance to a particular piece of property,
11. **which** property, because of special circumstances applicable to
12. it, is deprived of privileges commonly enjoyed by other properties
13. in the same vicinity and zone and which adjustment remedies the
14. disparity in privileges.
15. SECTION 423 "W"
16. WHOLESALE OFFICE.
17. "Wholesale office" means an establishment for the sale of goods
18. and merchandise in wholesale lots but not including any
19. wholesale storage.
20. WHOLESALE STORE.
21. "Wholesale store" means an establishment for the sale of goods
22. and merchandise in wholesale lots, including wholesale storage.
23. SECTION 424 "X"
24. SECTION 425 "Y"
25. YARD.
26. "Yard" means an open space other than a court on a lot, unoccupied
27. and unobstructed from the ground upward unless specifically
28. otherwise permitted in this ordinance.
29. YARDS, TYPES AND MEASUREMENTS.
30. (a) FRONT YARD. "Front yard" means an area extending
31. across the full width of the lot and lying between the lot
32. front line and a line drawn parallel thereto, and at a
33. distance therefrom equal to the required front yard depth
34. as prescribed in each classification. Front yards shall
35. be measured by a line at right angles to the lot front line,
36. or by the radial line or radial line extended in the case

1. of a curved lot front line.
2. (b) SIDE YARD. "Side yard" means an open area measured
3. from the lot side line toward the center of the lot and
4. extending from the rear line of the required front yard,
5. toward the lot rear line to a point measuring two-thirds
6. (2/3) of the depth of the lot, except that on the side
7. street side of corner lots and reverse corner lots the
8. required side yard shall extend to the rear line of the
9. lot. The width of the side yard shall be measured
10. horizontally from, and be parallel to the lot side line
11. from which it is measured.
12. (c) REAR YARD. "Rear yard" means an open space extending
13. across the full width of the lot between the principal
14. buildings and the rear lot lines; the required depth of
15. the rear yard shall be measured horizontally at right
16. angles from the nearest point of the rear lot line toward
17. the nearest point of the principal building, not including
18. permitted architectural features.

19. YARD, REAR LINE OF REQUIRED FRONT.

20. "Rear line of the required front yard" means a line parallel
21. to the lot front line and at a distance therefrom equal to the
22. depth of the required front yard, and extending across the
23. full width of the lot.

24. SECTION 426 "Z"

25. ZONE.

26. "Zone" means an area accurately defined as to boundaries and
27. location on an official map and within which area only certain
28. types of land uses are permitted, and within which other types
29. of land uses are excluded, as set forth in this ordinance.

30. SECTION 427

31. ZONE, R.

32. "R. zone" or "residential zone" includes the following zone
33. classification:

- | | | |
|-----|----------|----------------|
| 34. | RS 12000 | RS 9600 |
| 35. | RS 8400 | RS 7200 |
| 36. | RD 8400 | RM 8400 zones. |

1. SECTION 428
2. ZONE, RS.
3. An "RS zone" or "single family residential zone" includes the
4. following designations:
5. RS 12000 RS 9600
6. RS 8400 RS 7200 zones.
7. SECTION 429
8. ZONE, RD.
9. An "RD zone" or "residential duplex zone" includes the following
10. classifications:
11. RD 8400 zone.
12. SECTION 430
13. ZONE, RM.
14. An "RM zone" or "multiple residence zone" includes the following
15. classifications:
16. RM 8400 zone
17. SECTION 431
18. ZONE, B.
19. A "B zone" or "business zone" includes the following classifications.
20. BN, and BC zones.
21. SECTION 432
22. ZONE, C.
23. A "C zone" or "commercial zone" includes the following zones:
24. C zone.
25. SECTION 433
26. ZONE, M.
27. An "M zone" or "manufacturing zone" includes the following
28. classifications:
29. MG, and ML zones.
30. SECTION 434
31. ZONE, P.
32. A "P zone" or "Public Use zone" includes the following
33. classification:
34. P-1 zone.
- 35.
- 36.

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ARTICLE V

ESTABLISHMENT OF USE DISTRICT

Section 5.1: USE DISTRICTS ESTABLISHED - For the purpose

of this Ordinance, the City of Lynnwood is hereby divided into Use Districts as provided hereafter: (Amending or repealing any and all parts of Ordinance No. 61 in conflict herewith.) And changing Use District Symbols.

<u>Essential Uses</u>	<u>Symbol</u>	<u>Description</u>	<u>Min. Lot Size</u>	<u>Old Symbol</u>
Single Family Residential Districts	RS-12	Suburban Residential	12,500 sq. ft.	* R-12
Residential Districts	RS-9	Residential District	9,600 sq. ft.	* R-9
	RS-8	Residential District	8,400 sq. ft.	* R-8
	RS-7	Residential District	7,200 sq. ft.	R-7
*Note: Plats presented to the Planning Commission and City Council for approval may be allowed up to a Maximum of 20% of the platted lots as substandard lots but in no instance shall any lot be approved that does not meet the Minimum as set forth herein, I.E. R.S. 12, 12000 sq. ft., R.S. 9- 9200 sq. ft., R.S. 8- 8000 sq. ft., RS 7, 7000 sq. ft.				
Multifamily Residential Districts	RD-8400	Duplex Residential-Medium Density	8,400 sq.ft	MR-1
	RM-8400	Multiple Residential-Medium Density	8,400 sq.ft.	MR-2
Business Districts	{	BN	Neighborhood Business District	BN
		BC	Community Business District	C-1
General Commercial Districts	CG	General Commercial District		C-2
Manufacturing Districts	{	ML	Light Manufacturing District	I-1
		MG	General Manufacturing District	I-2
Public Use	P-1	Public Use Districts		P-1

Section 5.2: MAPS AND BOUNDARIES. The boundaries of such Use

Districts as shall be established shall be shown on a map entitled "Map B, The Official Zoning Map of the City of Lynnwood," on file in the office of the City Clerk, which map, with all explanatory matter thereon, shall be deemed to accompany, be, and is hereby by this reference incorporated herein as though fully set forth and herein made a part of this Ordinance.

AMENDED ORD. 226 1-25-65.
AMENDED _____
AMENDED _____

ARTICLE VI

USE DISTRICT BOUNDARY DETERMINATION

Where uncertainty exists with respect to the boundaries of any of the aforesaid districts as shown on the zoning map, the following shall apply:

Section 6.1: Where district boundaries are indicated as approximately following the center line of streets, alleys or highways, the actual center line shall be construed to be the boundary.

Section 6.2: Where district boundaries are indicated as running approximately parallel to the center line of a street, the boundary line shall be construed to be parallel to the center line of the street.

Section 6.3: Where district boundaries are indicated on such maps as approximately following the lot or tract lines, the actual lot or tract lines shall be construed to be the boundary of such Use District.

Section 6.4: Where a district boundary on such sectional maps divides a tract in unsubdivided property, the location of such Use District boundary, unless the same as indicated by dimensions thereon, shall be determined by use of the scale appearing on such sectional area district map.

Section 6.5: Where a public street or alley is officially vacated or abandoned, the regulations applicable to the abutting property to which the vacated portion shall revert shall apply to such vacated or abandoned street or alley.

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ARTICLE VII

APPLICATION OF REGULATIONS

Except as provided in this Ordinance:

Section 7.1: CONFORMITY OF BUILDINGS AND LAND. No building, structure, or premises shall be used or occupied, and no building or part thereof or other structure shall be erected, raised, moved, placed, reconstructed, extended, enlarged, or altered except in conformity with the regulations herein specified for the district, as shown on the official map, in which it is located.

Section 7.2: CONFORMITY OF BUILDINGS. No building, structure or premises shall be erected, altered, or used so as to produce greater heights, smaller yards or less unoccupied area, and no building shall be occupied by more families than prescribed for such building, structure or premises for the district in which it is located.

Section 7.3: CONFORMITY OF OPEN SPACES. No yard, court or open space, or part thereof, shall be included as a part of the yard, court or open space similarly required for any other building, structure or dwelling under this Ordinance.

1. ARTICLE VIII

2. NON-CONFORMING USES

3. The lawful use of any building, structure, or land existing
4. at the time of the enactment of this Ordinance may be continued,
5. although such use does not conform with the provisions of this
6. Ordinance, provided the following conditions are met:

7. Section 8.1: UNSAFE STRUCTURES. Nothing in this Ordinance
8. shall prevent the strengthening or restoring to a safe condition
9. of any portion of a building or structure declared unsafe by a
10. proper authority.

11. Section 8.2: ALTERATIONS. No existing building designed,
12. arranged or intended for or devoted to a use not permitted under
13. the regulations of this Ordinance for the district in which such
14. building or premises is located shall be enlarged, extended, re-
15. constructed or structurally altered unless such use is changed to
16. a use permitted under the regulations specified by this Ordinance
17. for such district in which said building is located; provided,
18. however, that work done in any period of 12 months or ordinary
19. structural alterations, replacements of walls, fixtures or plumbing
20. not exceeding 25% of the assessed value of the building according
21. to the assessment thereof by the Assessor of the County for the
22. fiscal year in which such work is done shall be permitted, provided
23. that the cubical contents of the building as it existed on the
24. effective date of this ordinance, be not increased.

25. Section 8.3: EXTENSION. Non-conforming use shall not be
26. extended, but the extension of a lawful use to any portion on a
27. non-conforming building or structure which existed prior to the
28. enactment of this ordinance shall not be deemed the extension of
29. such non-conforming use.

30. Section 8.4: CHANGES. No non-conforming building, struc-
31. ture or use shall be changed to another non-conforming use.

32. Section 8.5: CONSTRUCTION APPROVED PRIOR TO ORDINANCE.
33. Nothing herein contained shall require any change in plans, con-
34. struction or designated use of a building or structure for which
35. a building permit has been issued and the construction of which
36. shall have been diligently prosecuted within two (2) months of

1. the date of such permit, and the ground story framework of
2. which, including the second tier of beams, shall have been
3. completed within six (6) months of the date of the permit, and
4. which entire building shall be completed according to such
5. plans as filed within one (1) year from date of this Ordinance.

6. Section 8.6: HOUSING, PARKING, REPAIRING, ALTERING, AND
7. PAINTING OF TRUCKS, CARS, OR OTHER VEHICLES WITHIN ANY R ZONE.

8. No trucks, cars, or other vehicles may be housed, parked, re-
9. paired, altered, painted, or otherwise worked upon within any
10. R zone under this Ordinance, other than those vehicles speci-
11. fically owned and/or registered in the name of the property owner,
12. lessee, or occupant of such property. Any such work done by a
13. property owner, lessee, or occupant of such property as to ce-
14. come an obnoxious, obscene, dirty, or an unsightly condition,
15. or to cause inconvenience, hurt, or become a nuisance to residents
16. of a neighborhood, shall be given notice to discontinue such work
17. or operation, and shall immediately so do or become subject to
18. the penalties as prescribed by this Ordinance. At no time
19. shall such property owner, lessee, or occupant do any type of
20. welding (Acetylene or Electric) on or about such R zoned area.
21. No home repair work as indicated above will be permitted or
22. allowed after the hour of 9:00 P.M. or before the hour of 9:00
23. A.M. within such residential area.

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ARTICLE IX

USE DISTRICTS

Section 9.1: The City of Lynnwood is hereby divided into

12 Use Districts which shall be known, in the order of restrictiveness, beginning with the most restrictive, as:

6.	Sec. 9.1.1	RS-12	Suburban Residential
7.	Sec. 9.1.2	RS-9	Residential District
8.	Sec. 9.1.3	RS-8	Residential District
9.	Sec. 9.1.4	RS-7	Residential District
10.	Sec. 9.1.5	RD-8400	2 Family Residential District Medium Density
11.	Sec. 9.1.6	RM-8400	Multiple Residential District Medium Density
12.	Sec. 9.1.7	BN	Neighborhood Business District
13.	Sec. 9.1.8	BC	Community Business District
14.	Sec. 9.1.9	CG	General Commercial District
15.	Sec. 9.1.10	ML	Light Manufacturing District
16.	Sec. 9.1.11	MG	General Manufacturing District
17.	Sec. 9.1.12	P-1	Public Use Districts

SECTION 9.2

RS-12 SUBURBAN RESIDENTIAL (12,500 sq. ft.)

A district to provide for low density development, designed to meet contemporary building and living standards.

Section 9.2.1: PERMITTED BUILDINGS AND USES. In an RS-12

District the following buildings and uses are permitted:

Section 9.2.1a: One-Family Dwelling houses and their accessory buildings and uses. Except as otherwise provided in this Ordinance, no main building or premises in an RS-12 Suburban Residential District shall hereafter be erected, altered, used, arranged, or designed to be used, in whole or in part for other than a dwelling house occupied by not more than one family.

Section 9.2.1b: Schools, libraries or museums, provided they are not conducted as a gainful business, and places of worship. Provided further that if said places are permitted by the Board of Adjustment after public notice and public hearing under appropriate safeguards and such special conditions as said Board deems necessary, such uses and buildings must be appropriately located and designed and meet the community need without adversely affecting the neighborhood.

1. Section 9.2.1c: Proximity to other buildings. Every
2. dwelling house hereafter erected in an RS-12 Suburban
3. Residential District shall be not less than 16 feet from
4. any other main building in the District.
5. Section 9.2.2: DIMENSIONAL STANDARDS.
6. Section 9.2.2a: Minimum Lot Area - 12,500 sq. ft.
7. Section 9.2.2b: Minimum Lot Width - 80 feet at building
8. line with minimum of 40 feet frontage at street.
9. Section 9.2.2c: Minimum Set-back:
10. Front Yard - 25 feet. Buildings on corner lots shall observe
11. the minimum set-back on principal street of 25 feet and on
12. side street of 15 feet.
13. Side Yard - 6 feet. The combined total of the two side
14. yards shall be a minimum of 16 feet.
15. Rear Yard - 25 feet.
16. Section 9.2.2.d: Maximum lot coverage by buildings -
17. 35% maximum.
18. Section 9.2.2e: Maximum building height - 35'.
19. Section 9.2.2f: Minimum floor area - 1,000 sq. ft. on
20. one floor or 1,500 sq. ft. on two floors exclusive of garage
21. or storage.
22. Section 9.2.3: PARKING REQUIREMENTS. See Article XI.
23. Section 9.2.4: FENCE AND HEDGE REGULATIONS. See Article X.
24. Section 9.2.5: PLACEMENT OF BLDGS & STRUCTURES. See Section 9.4.2g.
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- SECTION 9.3
- RS-9 SINGLE-FAMILY RESIDENTIAL (9,600 sq. ft.)
- Section 9.3.1: PERMITTED BUILDINGS AND USES.
- Section 9.3.1a: All uses permitted in RS-12 district.
- Section 9.3.1b: Home Occupations, as defined.
- Section 9.3.2: DIMENSIONAL STANDARDS.
- Section 9.3.2a: Minimum lot area - 9,600 sq. ft.
- Section 9.3.2b: Minimum lot width - 75 ft. at building line and 40 ft. at street line.
- Section 9.3.2c: Minimum set-back:
- Front Yard - 25 feet. Buildings on corner lots shall observe the minimum set-back on principal street of 25 feet and on side street of 15 feet.
- Side Yard - 5 feet. The combined total of the two side yards shall be a minimum of 15 feet.
- Rear Yard - 25 feet.
- Section 9.3.2d: Maximum lot coverage by buildings - 35% maximum.
- Section 9.3.2e: Maximum building height - 35'.
- Section 9.3.2f: Minimum floor area - 1,000 sq. ft. on one floor or 1,500 sq. ft. on two floors, exclusive of garage or storage.
- Section 9.3.3: PARKING REQUIREMENTS - See Article XI.
- Section 9.3.4: FENCE AND HEDGE REGULATIONS - See Article X.
- Section 9.3.5: PLACEMENT OF BLDGS & STRUCTURES - See Section 9.4.2g.

1. be free and clear of buildings, and provided further
2. that if the lot rears upon an alley, a garage with a
3. vehicular entrance from the alley shall maintain the
4. distance of not less than fifteen (15) feet from the
5. center line of the alley.

6. 2. CORNER AND REVERSE CORNER LOTS:

7. (a) Any building containing a dwelling unit or accessory
8. living quarters shall observe a distance from any lot
9. side line and lot rear line of five (5) feet.

10. (b) The distance between a building containing a dwelling
11. unit or accessory living quarters and any other building
12. on the same lot shall be not less than ten (10) feet.

13. (c) On the rear third (1/3) of a reverse corner lot,
14. accessory buildings not containing accessory living
15. quarters may be built to the lot interior side line
16. but no building shall be erected closer to the lot rear
17. line than five (5) feet unless an alley intervenes, in
18. which case accessory buildings may be built to the lot
19. rear lines unless the accessory building be a garage
20. with a vehicular entrance directly from the alley, in
21. which case such building shall maintain a distance of not
22. less than fifteen (15) feet from the center line of the
23. alley.

24. (d) In all cases the width of the required side yard on
25. the street side shall be observed.

26. Section 9.4.3: PARKING REQUIREMENTS - See Article XI

27. Section 9.4.4: FENCE AND HEDGE REGULATIONS - See Article X.

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1. SECTION 9.5
2. RS-7 SINGLE-FAMILY RESIDENTIAL (7,200 sq. ft.)
3. Section 9.5.1: PERMITTED BUILDINGS AND USES.
4. Section 9.5.1a: All uses permitted in RS-12, RS-9
5. and the RS-8 Districts.
6. Section 9.5.2: DIMENSIONAL STANDARDS.
7. Section 9.5.2a: Minimum lot area - 7,200 sq. ft.
8. Section 9.5.2b: Minimum lot width - 60 feet at building
9. line with minimum of 30 feet at street line.
10. Section 9.5.2c: Minimum set-back:
11. Front Yard - 20 feet. Buildings on corner lots shall observe
12. the minimum set-back on principal street of 20 feet and on
13. side street of 15 feet.
14. Side Yard - 5 feet. The combined total of the two side
15. yards shall be a minimum of 10 feet.
16. Rear Yard - 25 feet.
17. Section 9.5.2d: Maximum lot coverage by buildings -
18. 35% maximum.
19. Section 9.5.2e: Maximum building height - 35'.
20. Section 9.5.3: PARKING REQUIREMENTS - See Article XI.
31. Section 9.5.4: FENCE AND HEDGE REGULATIONS - See Article X.
22. Section 9.5.5: PLACEMENT OF BUILDINGS & STRCTRS. See Section 9.4.2g.
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SECTION 9.6

RD-8400 DUPLEX RESIDENTIAL

Medium Density (8,400 sq. ft.)

Section 9.6.0: PURPOSE: The principle objective and purpose to be served by this classification and this application is to establish areas permitting a greater population density and variety of housing types than is allowed in more restrictive classifications and at the same time maintaining a residential environment consistent with such greater population density. A further purpose of this classification is to permit transition from non-residential and less restrictive classification to the more restrictive residential classification. A related consideration is to make it possible for more efficiently and economically designed and installed physical public facilities in terms of size and capacity to adequately and permanently meet needs resulting from a defined intensity of land use.

Section 9.6.1: PERMITTED USES: In the RD-8400 zone only the following uses are permitted and hereinafter specifically provided and allowed by this section subject to the general provisions and exceptions of this Ordinance.

(a) Any use permitted in the RS-9 and RS-8 classifications provided all such uses shall conform to the conditions set forth in the classification in which they are first permitted except that for dwellings, the yards, open spaces and lot coverage established by this classification shall apply.

(b) Multiple dwelling units, provided if there be more than one dwelling unit on the premises, there shall be not less than two units in a building. Units shall be separated by a one-hour fire wall.

(c) Boarding Houses not to exceed two lodgers.

(d) Day Nurseries, provided: 1- Such uses shall be conducted in a dwelling. 2- Any play yard or equipment shall not be located in any side or front yard. 3- That there shall be no more than six (6) children cared for at any one time.

(e) A duplex, or a two-family dwelling. If only a single-family dwelling exists on the effective date of this Ordinance, any additional dwelling unit shall be attached to and made a part

1. of the building containing the existing dwelling unit.
2. (f) Accessory buildings, structures and uses, including but not
3. limited to the following:
4. 1- Accessory buildings, structures and uses as set forth in
5. the RS classification, and under the same conditions set
6. forth for each therein, except that where more than one
7. (1) dwelling unit is involved private garages shall be
8. limited to accommodating not more than two (2) cars for
9. each dwelling unit.
10. Section 9.6.2: LOT AREA: The minimum required area for a lot
11. in the RD-8400 zone shall be 8400 square feet.
12. Section 9.6.3: LOT AREA PER DWELLING UNIT: In an RD-8400 zone
13. the lot area per dwelling unit shall not be less than 4000 square
14. feet. When computing the number of dwelling units permissible
15. on a lot of a given square footage, if the computation shows "X"
16. number units plus a fraction, if the fraction is greater than 60%
17. it may be construed to be an additional unit permitted on the lot.
18. Section 9.6.4: LOT WIDTH: Every lot in an RD-8400 zone shall have
19. a width of not less than (70) seventy feet, provided that in a
20. multiple lot subdivision approved subsequent to the effective date
21. of this Ordinance the minimum lot width shall be deemed to have been
22. met if the average lot width is not less than (70) seventy feet.
23. Section 9.6.5: FRONT YARD: Every lot in an RD-8400 zone shall
24. have a front yard with a depth of not less than (25) twenty-five
25. feet from any street. Except that on corner lots the set-back
26. shall be (25) twenty-five feet from both streets for a distance
27. of (50) fifty feet from the intersection, and for the remaining
28. distance the set-back requirements may be reduced to (20) twenty
29. feet along the principal frontage streets and (15) fifteen feet
30. along the side frontage streets.
31. Section 9.6.6: SIDE YARD: In an RD-8400 zone every lot shall
32. have a side yard on each side of the lot, which side yard
33. shall have a width of not less than (5) five feet and the total
34. of the two side yards shall be not less than (15) fifteen feet mini-
35. mum, unless structure extending into the sideyard is open and allows
36. emergency access to the rear yard, in which case a (5) five foot
37. sideyard set-back may be the minimum on each side.

1. Section 9.6.7: REAR YARD: In an RD-8400 zone, every lot shall
2. have a rear yard set-back which shall be a minimum of (25)
3. twenty-five feet.
4. Section 9.6.8: BUILDING HEIGHT: In an RD-8400 zone no building
5. or structure shall exceed the height of (35) thirty-five feet
6. from the average finished grade of the building.
7. Section 9.6.9: PERMISSIBLE LOT COVERAGE: All buildings,
8. including accessory buildings and structures extending above
9. grade, shall not cover more than (35) thirty-five percent of the
10. area of the lot.
11. Section 9.6.10: TRANSITION OR BUFFER STRIPS: There shall be
12. provided, on every lot abutting either side lines or rear
13. property lines of RS zones, a screening as defined in this
14. Ordinance, and which will effectively screen the property which
15. it encloses, except that in no instance shall the screening exceed
16. (4) four feet in height from the front building line to and
17. along the front property line.
18. Section 9.6.11: PARKING REQUIREMENTS: See Article XI.
19. Section 9.6.12: FENCE AND HEDGE REGULATIONS: See Article X.
20. Section 9.6.13: PLACEMENT OF BUILDINGS & STRCTRS: See Section 9.4.2g.
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1. SECTION 9.7

2. RM-8400 MULTIPLE FAMILY RESIDENTIAL DISTRICT

3. (8,400 Sq. Ft.)

4. Section 9.7.0: PURPOSE: The principle objectives and pur-
5. pose to be served by this classification and its application is
6. to establish areas permitting a greater population density and
7. variety of dwelling types than is allowed in more restrictive
8. classifications and to permit the providing of accommodations
9. for those who desire to live in a residential atmosphere without
10. the necessity to individually maintain a dwelling unit. A related
11. consideration is to make it possible to more efficiently and
12. economically design and install all physical public facilities
13. in terms of size and capacity to adequately and permanently meet
14. needs resulting from a defined intensity of land use.

15. Section 9.7.1: PERMITTED USES: In an RM-8400 zone only the
16. following uses are permitted and as hereinafter specifically
17. provided and allowed by this section, subject to the general
18. provisions and exceptions of this Ordinance.

19. (a) Any use permitted in an RD-8400 zone provided all such uses
20. shall conform to the conditions set forth in the zone in which
21. they are first permitted except that for residential develop-
22. ment, the yards, open spaces and lot coverage permitted by
23. this classification shall apply.

24. (b) Day nurseries as permitted in the RD-8400 zone except that
25. they shall maintain a minimum distance of (20) twenty feet
26. from any single family residential zone and shall not be
27. limited to (6) six children.

28. (c) Hospitals, nursing homes, rest homes provided:

29. (1) all buildings maintain a distance of not less than (20)
30. twenty feet from any single family residential zone.

31. (2) the accommodations and number of persons cared for con-
32. form to State and Local regulations pertaining thereto.

33. (3) that the Health Department shall have approved all pro-
34. visions for drainage and sanitation.

35. (d) Accessory Uses: Private garages and/or carports as long
36. as they adhere to the side yard and back yard and front yard
37. set-backs as required herein for an RM-8400 zone.

1. Section 9.7.2: LOT AREA: The minimum required area of a lot
2. in an RM-8400 zone shall be (8,400) eight thousand four hundred
3. square feet.
4. Section 9.7.3: LOT AREA PER DWELLING UNIT: The minimum re-
5. quired area of a lot in the RM-8400 zone shall be 8,400 square
6. feet provided, however, that lots approved in multiple lot sub-
7. divisions subsequent to the effective date of this Ordinance,
8. where lots contain an area less than 8,400 square feet but not
9. less than 8,000 square feet, the lot area per dwelling unit shall
10. be not less than scheduled below. In addition, for multiple
11. dwellings the minimum lot area per dwelling unit shall be as
12. follows:

<u>WHEN THE NUMBER OF BEDROOMS PER DWELLING UNIT IS:</u>	<u>MINIMUM LOT AREA PER DWELLING UNIT</u>
Bachelor - 0 bedrooms	1,000 sq. ft.
1 bedrooms	1,500 sq. ft.
2 bedrooms	2,000 sq. ft.
3 bedrooms or more	2,500 sq. ft.

17. MAXIMUM NO. UNITS PERMITTED
18. When computing the number of dwelling units permissible on
19. a lot of a given square footage, if the computation shows "X"
20. number units plus a fraction, if the fraction is greater than
21. 60% it may be construed to be an additional unit permitted on
22. the lot.

23. Section 9.7.4: LOT WIDTH: In an RM-8400 zone every lot shall
24. have a width of not less than (70) seventy feet.

25. Section 9.7.5: FRONT YARD: In an RM-8400 zone every lot shall
26. have a front yard with a depth of not less than (25) twenty-five
27. feet from any street.

28. Section 9.7.6: SIDE YARDS: In an RM-8400 zone every interior
29. lot shall have a side yard on each side of the lot which side yard
30. shall have a width of not less than (15) fifteen feet, except that
31. when such lot is within a Fire Zone 1 and compliance with regulations
32. requiring fire resistive materials are met, buildings built upon
33. lots in an RM-8400 zone may be built up to the property line, pro-
34. vided such lot in an RM-8400 zone abutts a BN, BC, or a CG zone.
35. Where such lot abutts an RD-8400 or RS zone side yard minimums
36. shall apply as will transition and/or buffer screening as contained
37. in Section 9.7.11 of this Ordinance.

1. Section 9.7.7: REAR YARDS: In an RM-8400 zone every interior
2. lot shall have a rear yard of a depth of not less than (25) twenty-
3. five feet. Corner lots shall have a minimum of (15) fifteen feet
4. setback from all interior property lines, except as in Section
5. 9.7.6.
6. Section 9.7.8: BUILDING OR STRUCTURAL HEIGHT: In an RM-8400
7. zone no building or structure shall exceed the height of (35)
8. thirty-five feet from the average finished grade of the building.
9. Section 9.7.9: PERMISSIBLE LOT COVERAGE: All buildings
10. including accessory buildings and structures above grade shall
11. not cover more than (45) forty-five percent of the lot area.
12. Section 9.7.10: OFF STREET PARKING FACILITIES: In an RM-8400
13. zone there shall be provided on the lot a minimum of one and one
14. half (1½) parking places (sized in conformity with standard City
15. of Lynnwood Engineering practices) per dwelling unit, either en-
16. closed or open. All service drives and parking areas shall be hard
17. surfaced.
18. Section 9.7.11: TRANSITION OR BUFFER STRIPS: There shall be
19. provided, on every lot in an RM-8400 zone abutting either side
20. lines or rear property lines of an RS or RD-8400 zone, a screening
21. as defined in this Ordinance (definitions), and which will effectively
22. screen the property which it encloses, except that in no instance
23. shall the screening exceed (4) four feet in height from the front
24. building line to and along the front property line.
25. Section 9.7.12: PARKING REQUIREMENTS: See Article XI.
26. Section 9.7.13: FENCE AND HEDGE REGULATIONS: See Article X.
27. Section 9.7.14: PLACEMENT OF BUILDINGS & STRCTRS: See Section 9.4.2g.
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1. SECTION 9.8

2. BN - NEIGHBORHOOD BUSINESS DISTRICT

3. Section 9.8.0: PURPOSE: The purpose of this classification
4. and its application is to provide for the location of and grouping
5. of uses which are considered compatible uses having common per-
6. formance standards in that they represent on-premise retail
7. enterprises and involve only incidental and limited fabrication
8. or assembly of commodities, or comprise a type of enterprise
9. dispensing commodities, or providing professional services, or
10. providing personal services to the individual. These services
11. are intended to provide local facilities to serve the every day
12. needs of the neighborhood area. To meet this need will require
13. that the facilities permitted in this classification shall locate
14. adjacent to residential areas on access streets directly serving
15. such residential areas. By establishing limitations upon
16. building height and floor space as set forth in this classification,
17. it is the further objective to maintain a limited intensity of
18. land-use compatible with serving the neighborhood residential
19. areas, rather than on a community-wide basis. A further purpose
20. of this classification and its application is to permit the more
21. efficient and economical design and installation of all physical
22. public service facilities in terms of size and capacity to ade-
23. quately and permanently meet needs resulting from a defined inten-
24. sity of land-use. Public utility installations, being governed by
25. circumstances related to geographical areas to be served, are also
26. permitted in this classification.

27. Section 9.8.1: PERMITTED USES: Any of the ^{AMENDED ORD. 218} following types of 11-25-65
28. uses which can meet the following standards are permitted and
29. allowed by this classification, subject to the limitations set forth
30. herein:

31. (a) Any on-premise retail enterprise dispensing food or commo-
32. dities (but not including automobiles, boats, trailers and
33. heavy-duty equipment) and which may involve only incidental
34. and limited fabrication or assembly of commodities:

35. (b) Business offices and any type of use rendering professional
36. services or personal services to the individual, provided:

1. (1) the service does not involve keeping the person
2. receiving the service overnight on the premises;
3. (2) the service does not include selling alcoholic
4. beverages for on-premise consumption unless
5. accessory to restaurant;
6. (3) the service does not involve in whole or in part
7. the providing of recreation, recreational facilities
8. or entertainment other than moorage for private
9. pleasure craft;
10. (4) the professional service does not include kennels
11. or small animal hospitals or clinics.
12. (c) Any public utility installation relating directly to local
13. distribution of services including switching and trans-
14. mission stations but not including warehouses, service
15. yards or the like unless otherwise permitted by this
16. Ordinance.
17. (d) Public off-street parking facilities, whether publicly
18. or privately owned and operated, provided any area so
19. used shall not be used for a vehicle, trailer or boat
20. sales area or for the accessory storage of such vehicles.
21. (e) Churches
22. (f) Planned Unit Development as provided in Article XII of
23. this Ordinance.
24. (g) Public office buildings, art galleries, museums, libraries,
25. police and fire stations.
26. Section 9.8.2: LIMITATIONS ON USES: ^{AMENDED ORD. 218 1-25-65} Every use locating in a
27. BN zone shall be subject to the following further conditions
28. and limitations:
29. (a) All uses shall conform to the general provisions and ex-
30. ceptions, off-street parking requirements and loading area
31. requirements set forth beginning with Article XI and all
32. parking lots, parking areas and loading areas shall be
33. surfaced, screened, developed and maintained as required
34. by this Ordinance.
35. (b) All uses shall be conducted wholly within an entirely
36. enclosed building except
37. (1) automobile service stations;

1. (2) public utility installations;
2. (3) growing stock in connection with horticultural
3. nurseries, whether the stock is in open ground, pots
4. or containers;
5. (4) moorages for private pleasure craft;
6. (5) parking and loading areas;
7. (6) public off-street parking lots.
8. (c) Any areas used as set forth in paragraph (b) of this
9. Section shall be improved and maintained as required for
10. off-street parking areas in this Ordinance.
11. (d) In the case of automobile service stations, the leading edge
12. of the pump islands shall not be closer than fifteen (15)
13. feet to any street property line.
14. (e) All products made incident to a permitted use which are manu-
15. factured, processed or treated on the premises shall be sold
16. on the premises only and at retail only, and not more than
17. four (4) persons ^{shall} ~~may~~ be employed in the manufacturing, pro-
18. cessing or treatment of products, except that this limitation
19. shall not apply to restaurants.
20. (f) Any repairing done on the premises shall be incidental only
21. and limited to custom repairing of the types of merchandise
22. sold on the premises at retail; the floor area devoted to
23. such repairing shall not exceed twenty percent (20%) of the
24. total floor area occupied by the particular enterprise of
25. which it is a part, except that the limitations of this para-
26. graph shall not apply to shoe, radio, television or other
27. small household appliance repair service.
28. (g) No used or second hand articles, materials or equipment unless
29. incidental to new sales may be sold, offered for sale, or
30. stored on the premises except paintings, objects of art or
31. antiques as defined in this Ordinance.
32. (h) Storage shall be limited to accessory storage of commodities
33. sold at retail on the premises or materials used in the limited
34. fabrication of commodities sold at retail on the premises.
35. (i) All operations conducted on the premises shall not be object-
36. ionable beyond the property boundary lines by reason of noise,
37. steam, odor, fumes, gases, smoke, vibration, hazard or other

1. causes, and any use the operation of which produces odor,
2. fumes (toxic or non-toxic), gases, airborne solids or other
3. atmospheric contaminants shall be allowed to locate only if
4. conforming in every respect to the rules and regulations
5. established by an applicable and qualified public agency.
6. (j) If a building site has a boundary line which is a common line
7. with RS classified property, a wall or view-obscuring fence
8. or hedge not less than five (5) feet nor more than six (6)
9. feet in height shall be installed and maintained for screening
10. purposes and controlling access. Where the wall of a building
11. is on such common property line, no separate wall or fence
12. need be installed along that portion of the common property
13. line occupied by the wall of the building.
14. (l) Public utility facilities, such as telephone exchanges,
15. sewage or water pumping stations, electrical distribution
16. substations, water storage reservoirs or tanks necessary
17. for the distribution of services including accessory
18. microwave transmission facilities and towers are permitted
19. above ground, but not including business offices, ware-
20. housing, storage buildings or yards, service yards, sewage
21. treatment plants or bulk gas storage or the like, subject
22. to the following minimum standards:
23. (a) any equipment or structure except architectural
24. screens and fences shall observe a distance of one
25. (1) foot for each one (1) foot the equipment or struc-
26. ture rises above the grade but in no case less than
27. twenty (20) feet from any property line that is a
28. common property line with a street, alley, or with
29. "R" classified property;
30. (b) when security fences are used, they shall be sup-
31. plemented with base plantings of evergreen shrubs,
32. or trees, climbing evergreen material on the fence
33. or wooden slats woven into the fence so as to minimize
34. the industrial character of such fences;
35. (c) an appropriate area surrounding the installation
36. shall be landscaped and maintained with paving, shrubs,
37. and ground cover consistent with surrounding resi-
38. dential standards;

1. (d) when the facility includes bulky structures such as
2. water towers or standpipes, the landscaping shall
3. include trees either natural or planted of such size
4. as will partially screen and effectively break up
5. the massive appearance of such structures;
6. (e) landscaping shall be planted according to accepted
7. practice in good soil and maintained in good con-
8. dition at all times. Landscaping shall be planted
9. as a yard improvement at or before the time of com-
10. pletion of the first structure or within a reasonable
11. time thereafter considering weather and planting con-
12. ditions;
13. (f) the permissible sound level measured at any common
14. property line with "R" classified property shall
15. normally not exceed sixty (60) decibels when meas-
16. ured with the A or 40db scale by a sound level meter
17. meeting American Standard Association Standards;
18. (g) site plans, elevation and landscape plans shall
19. be submitted and approved by the Building
20. Department prior to issuance of a building
21. permit. The Building Department may require
22. the posting of a surety bond guaranteeing to
23. the City the installation and improvement of
24. the site in accordance with the improved screening
25. and landscape plans in an amount estimated to
26. be equal to the cost of such screening and
27. landscaping.
28. (k) No dwelling units, whether single-family, two-family or
29. multiples are permitted in the B-N zone, except as allowed
30. in connection with a church or a dwelling unit for a care-
31. taker or resident owner.
32. (1) Only the following signs are permitted, subject to the
33. following limitations:
34. (1) no blinking or flashing signs are permitted;
35. (2) one (1) single-faced identification sign not exceeding
36. twelve (12) square feet in area for the identification
37. of the premises;

1. (3) one (1) sign not exceeding fifty (50) square feet
2. of area which sign shall be used exclusively to
3. advertise a business conducted, services rendered
4. or goods sold upon the premises, or any other lawful
5. activity conducted upon such premises, provided signs
6. flush mounted or painted on the face of a building
7. that do not extend above or beyond said face shall
8. not be limited as to area;

9. (4) one (1) unlighted double-faced sign not exceeding
10. twelve (12) square feet of area per face pertaining
11. only to the rental, lease or sale of the premises
12. upon which it is displayed;

13. (5) all signs shall have a setback of a minimum of two
14. (2) feet from any property line to closest part of
15. sign.

16. Section 9.8.3: PERMITTED FLOOR AREA. The maximum permitted
17. floor area to be contained in all buildings on a lot or
18. site in a B-N zone shall not exceed the square foot area of
19. the lot or site upon which the building or buildings are
20. located.

21. Section 9.8.4: PERMITTED HEIGHT. In a B-N zone no building
22. or structure shall exceed a height of thirty-five (35) feet.

23. Section 9.8.5: REQUIRED OPEN SPACES. Additional open
24. spaces, both as to amount and location on the premises, may be
25. required in connection with a variance or planned unit develop-
26. ment to apply the established requirements of this and related
27. codes pertaining to such subjects as off-street parking,
28. loading areas, convenient and safe circulation of vehicles
29. and pedestrians, ingress and egress as related to marginal
30. traffic pattern, vision clearance (traffic), drainage and
31. lighting.

32. Section 9.8.6: DIMENSIONAL STANDARDS.

33. Section 9.8.6a: Minimum set-back

34. Front yard - fifty (50) feet on a primary street, forty
35. (40) feet if on a secondary street.

36. Side yard - ten (10) feet if abutting on an "R" District,
37. fifty (50) feet if abutting on a primary street

1. and forty (40) feet if abutting on a secondary street.
2. Rear yard - twenty-five (25) feet if abutting on an
3. "R" District. An easement for ten (10) feet from
4. each abutting property rear yard shall be granted
5. to the City of Lynnwood for a 20-foot public alley
6. wherever practicable. No building shall be closer
7. than five (5) feet from such easement.
8. Section 9.8.6b: Maximum lot coverage by buildings - 35%.
9. Section 9.8.6c: A complete plot plan and elevation
10. showing the entire development and photographs showing the
11. location and character of all adjoining land improvements
12. and data showing the means employed to comply with para-
13. graph Section 9.8.2~~g~~-1-f must be submitted to the City
14. Engineer with application for a building permit.
15. Section 9.8.7: The ingress and egress to a neighborhood
16. business district whenever possible, shall be so designed that
17. automobile cross traffic on the arterial street occurs at only
18. one point. Direct cross traffic through a secondary ingress
19. or egress shall not be permitted on the arterial street.
20. Traffic circulation from the arterial or adjoining streets
21. must be approved by the City Engineer.
22. Section 9.8.8: Each neighborhood business area shall provide
23. adequate facilities for disposal of surface water.
24. Section 9.8.9: For Parking Requirements, See Article XI.
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1. SECTION 9.9

2. BC - COMMUNITY BUSINESS ZONE

3. Section 9.9.0: PURPOSE OF CLASSIFICATION. The purpose
4. of this classification and its application is to provide for
5. the location of and grouping of uses which are considered
6. compatible uses having common or similar performance standards
7. in that they represent types of enterprises involving the
8. rendering of services, both professional or to the person, or
9. on-premise retail businesses involving only incidental and
10. limited fabrication or assembly of commodities, or establish-
11. ments providing recreation, entertainment and business acti-
12. vities in general. It is the further objective, by establishing
13. a maximum permissible floor space and not limiting the height
14. of buildings, and by excluding uses relying on outdoor sales,
15. displays or storage to intentionally concentrate a maximum
16. variety of facilities within the areas to which this classi-
17. fication is applied as a contribution to the convenience of
18. shoppers and patrons on a community-wide basis as distinguished
19. from neighborhood areas. It is recognized that the charac-
20. teristics of the uses permitted in this classification pro-
21. duce an environment undesirable for residential purposes while,
22. in the opposite direction, residential uses in a business area
23. tend to decrease the capacity of business enterprises to render
24. maximum services and decreases public convenience for utilizing
25. the services rendered. For this reason, residential uses are
26. excluded from this classification. Public utility installations,
27. being governed by circumstances related to geographical areas to
28. be served, are permitted in areas to which this classification
29. applies.

30. Section 9.9.1: PERMITTED BUILDINGS AND USES: In a BC District
31. the following buildings and uses are permitted: All uses
32. permitted in BN District and:

33. Section 9.9.1a: Retail stores and personal service shops.
34. Studios. Shops for custom work or the making of custom
35. articles not involving noise, odor or chemical waste.

36. Section 9.9.1b: Office and hotel buildings. Newspaper
37. offices and printing works. Retail builders hardware

1. when housed in a building. Retail upholstery shops.
2. Laundry, cleaning and pressing agencies, or a self-service
3. laundry. Banks, banking institutions, savings and loans,
4. loan companies and financial institutions.
5. Section 9.9.1c: Restaurants, taverns, cocktail bars,
6. cabarets.
7. Section 9.9.1d: Automobile service stations, including
8. minor maintenance and repair service. New car automobile
9. sales and display room buildings and the repair and ser-
10. vicing necessary to the business. Used car sales accessory
11. to the primary new car agency when housed in a building
12. or on an open lot not to exceed in area two times the
13. area of the agency building and contiguous to the new
14. car agency. The used car area shall be other than the
15. required off-street parking area.
16. Section 9.9.1e: Enclosed food stores. Buildings for
17. the rental of frozen food lockers.
18. Section 9.9.1f: Enclosed theaters, bowling alleys, ice
19. or roller skating rinks, and archery lanes.
20. Section 9.9.1g: Clinics; hospitals of not more than 10
21. bed capacity.
22. Section 9.9.1h: Funeral parlors, mortuaries.
23. Section 9.9.1i: Open air sales areas for trees, shrubs,
24. plants and home gardening equipment. The use area of the
25. site shall conform to setbacks required for buildings on
26. street frontage.
27. Section 9.9.1j: Art galleries, museums, clubs or
28. fraternal society buildings.
29. Section 9.9.1k: Buildings or developments necessary for
30. the operation of a public utility provided the installation
31. complies with the requirements of Paragraph 9.8.2f.
32. Section 9.9.1L: Automobile parking lots or buildings.

33. Section 9.9.2: DIMENSIONAL STANDARDS:

34. Section 9.9.2a: Minimum set-backs. **AMENDED ORD. 218** 1-25-65
35. Front Yard - forty (40) feet in depth, when on secondary streets
36. or including sight-screening. Fifty (50) feet when located on
37. 196th S.W., Highway 99, or 44th Avenue West which are
38. considered the primary streets as used herein. Secondary
39. streets are all other streets within the City of Lynnwood.

1. Service Stations - Pump Islands - fifteen (15) feet
2. minimum from front or side property line.
3. Buildings and other structures;
4. Side yard - no required side yard for commercial purposes,
5. provided that the buildings are of fire proof con-
6. struction, and provided that no building shall be
7. erected closer than ten (10) feet to any side lot
8. line when abutting or adjoining an "R" district.
9. Buildings built on corner or reverse corner lots shall
10. have a minimum set-back of fifty (50) feet when abutting
11. a primary street (see Front Yard Requirements for streets
12. considered to be primary and secondary streets) and
13. forty (40) feet when abutting a secondary street which
14. may be a principal or side street as defined in
15. "Definitions" of this Ordinance.
16. Rear Yard - no required rear yard for commercial purposes
17. provided that the buildings are of fire proof con-
18. struction, and provided that no building shall be
19. erected closer than twenty-five (25) feet to any rear
20. lot line when abutting or adjoining an "R"
21. district.
22. Section 9.9.2b: MAXIMUM BUILDING HEIGHT: Not specified.
23. Section 9.9.2c: MAXIMUM LOT COVERAGE BY BUILDINGS: 35%.
24. Section 9.9.3: PARKING REQUIREMENTS: See Article XI.
25. Section 9.9.4: FENCE AND HEDGE REGULATIONS: See Article X.
26. Section 9.9.5: Each commercial area shall have adequate
27. facilities for disposal of run-off surface water.
28. Section 9.9.6: A sight screening in keeping with the City
29. of Lynnwood Ordinances shall be installed and maintained in
30. a safe and well-kept condition between any BC use and any
31. "R" District in addition to the required side yard.
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1. SECTION 9.10

2. CG - GENERAL COMMERCIAL DISTRICT

3. A district to provide for commercial establishments which
4. require a retail contact with the public together with inci-
5. dental shop work or storage.

6. Section 9.10.1: PERMITTED BUILDINGS AND USES: All uses in
7. BC District and in addition the following buildings and uses
8. are permitted:

9. Section 9.10.1a: Automobile repair garages, automobile
10. laundries, open used car or equipment sales lots for
11. vehicles or equipment in operating condition, and body
12. and fender shops.

13. Section 9.10.1b: Open retail markets.

14. Section 9.10.1c: Furniture repair shops.

15. Section 9.10.1d: Retail hay, grain and feed or garden
16. supplies and equipment.

17. Section 9.10.1e: Contractors' offices and shops.

18. Section 9.10.1f: Warehouses.

18. Section 9.10.1g: A veterinary clinic designed for

19. the treatment and care of pet animals, such as cats and
20. dogs, shall be owned and operated by a registered veteri-
21. narian. The animals must be confined within the exterior
22. walls of the buildings at all times. Walls of interior
23. court animal runs shall be a minimum of eight (8) feet
24. high. Interior court animal runs shall be roofed and if
25. there are open air spaces between the top of the wall and
26. the roof they shall be enclosed with wire mesh. All rooms
27. housing animals shall have ample natural or mechanical
28. ventilation. There shall be no cremation or other dis-
29. posal of dead animals on the premises. A veterinary
30. clinic or hospital building shall not be located closer
31. than one hundred (100) feet to an existing residence
32. building in an "R" District, an existing restaurant
33. building, an existing apartment or hotel, an existing
34. library, art gallery or museum, an existing clinic or
35. hospital for humans, an existing church or theater.

36. Parking areas and service yards must be sight screened
37. from adjoining existing residences.

1. Section 9.10.1h: Mobile home parks by special permit
2. only.
3. Section 9.10.2: DIMENSIONAL STANDARDS: Same as in BC District.
4. Section 9.10.3: All non-residential uses, when located within
5. fifty (50) feet of an existing residence, shall install and
6. maintain in good condition of repair, a sight-screening, as
7. defined in this ordinance.
8. Section 9.10.4: For Parking Requirements, See Article XI.
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1. SECTION 9.11

2. ML - LIGHT MANUFACTURING DISTRICT

3. A district established to provide an area where light
4. manufacturing and wholesaling operations involving little
5. retail contact may be carried on providing the uses are not of
6. such character as to become offensive to surrounding areas
7. due to the creation of noise, smoke, odor, dust, fumes, or
8. unsightly conditions.

9. The character of development of this area will be such
10. that it will be in keeping with the highest standards of
11. industrial parks, promoting beauty, comfort and generally
12. improving the area.

13. Section 9.11.1: PERMITTED USES:

14. Section 9.11.1a: All uses permitted in CG District
15. except those which do not conform with the intent of this
16. classification.

17. The following uses which do not create noise, odor,
18. dust, vibrations, smoke, fumes, or unsightly conditions
19. discernable from adjacent properties:

20. Section 9.11.1b: Retail and wholesale markets.

21. Section 9.11.1c: Cabinet, millwork or wood pre-
22. fabrications operations.

23. Section 9.11.1d: Dry goods processing, packaging
24. or distribution operations.

25. Section 9.11.1e: Furniture manufacture and repair shops.

26. Section 9.11.1f: Wood, coal and oil fuel yards, retail
27. lumber yards or building material yards.

28. Section 9.11.1g: Contractors' offices, shops and
29. storage yards.

30. Section 9.11.1h: Blacksmithing, welding and metal
31. fabricating shops.

32. Section 9.11.1i: Freight warehouse terminals.

33. Section 9.11.1j: Residences for watchmen or custodians.

34. Section 9.11.1k: Employees cafeterias and auditoriums.

35. Section 9.11.1L: Parking lots for employees' cars or
36. equipment used in the business.

1. Section 9.11.1m: Such other uses which, after the
2. holding of a public hearing by the Board of Adjustment,
3. the Board determines to be in keeping with the intent
4. of this classification; or, such other uses that the
5. Board of Adjustment may find through **the proper controls**
6. and standards of operation can conform to the intent of
7. this classification, provided that said controls and
8. standards be conditional to the granting of a permit for
9. the use.

10. Section 9.11.2: DIMENSIONAL STANDARDS.

11. Section 9.11.2a: Minimum set-back.

12. Front Yard: fifty (50) feet in depth including sight-
13. screening.

14. Side Yard: No required side yard provided that build-
15. ings are of fireproof construction; provided that
16. there is access by an alley or street to the rear
17. of the property; provided that the property does
18. not abut upon property zoned for a use other than
19. ML or MG. Should the property abut upon property
20. in other than a ML or MG zone, a fifty (50) foot
21. set-back will be required; or provided that the
22. side yard does abut upon street, in which case a
23. fifty (50) foot set-back will be required if the
24. street is a primary street. In case the street is
25. a secondary street a forty (40) foot set-back will
26. be required.

27. Section 9.11.2b: Minimum lot area. One (1) acre.

28. Section 9.11.3: PARKING REQUIREMENTS: See Article XI.

29. Section 9.11.4: Each industrial area shall have adequate
30. facilities for disposal of run-off surface water.

31. Section 9.11.5: All non-residential uses, when located with-
32. in fifty (50) feet of an existing "R" District, shall install
33. and maintain in good condition of repair, a sight-screening,
34. as defined in this Ordinance.

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1. SECTION 9.12

2. MG - INDUSTRIAL DISTRICT

3. A district for manufacturing, warehousing and distributing
4. operations which require little or no retail contact with the
5. general public.

6. Section 9.12.1: PERMITTED USES.

7. Section 9.12.1a: Any use permitted in ML District.

8. Section 9.12.1b: Any use in keeping with the purpose

9. of the MG District except that any uses which may

10. present problems because of the creation of noise, odor,

11. dust, vibration, smoke, fumes or unsightly conditions

12. which are readily discernable from adjacent properties

13. may be permitted by the Board of Adjustment after a public

14. hearing on a conditional basis subject to special require-

15. ments for control of these objectionable features.

16. Section 9.12.1c: Any use not prohibited by law except

17. the following which may be permitted by the Board of Ad-

18. justment only by special permit after a public hearing:

19. Cement, lime, gypsum or plaster of paris manufacturing.

20. Distillation of bones or fat rendering.

21. Fertilizer manufacturing.

22. Refining of oils, re-refining of volatiles, asphalt mixing

23. plants.

24. Section 9.12.1d: After such public hearing the Board of

25. Adjustment may make special requirements relative to uses

26. which may tend to create obnoxious odors, noises, dust,

27. smoke and unsightliness.

28. Section 9.12.2: DIMENSIONAL STANDARDS.

29. Section 9.12.2a: No zoning of MG shall be permitted of less

30. than five (5) acres unless contiguous to an area already

31. zoned as such.

32. Section 9.12.2b: A minimum set-back of eighty (80) feet from

33. the projected center line of any street shown on the Compre-

34. hensive Street Plan with the exception of a primary street in

35. which case the provisions of the ML District with reference to

36. set-backs shall pertain.

37. Section 9.12.2c: Minimum lot area - one (1) acre.

38. Section 9.12.3: PARKING REQUIREMENTS: See Article XI.

- 1. Section 9.12. Each Industrial area shall have adequate
- 2. facilities for disposal of run-off surface water.
- 3. Section 9.12.5: All MG Use Districts shall establish a
- 4. protective screening in accordance with CG requirements
- 5. set forth in Section 9.10.3.
- 6. Section 9.12.6: Outside storage facilities and waste
- 7. products shall be enclosed with a sight-obscuring fence or
- 8. five (5) foot wide greenbelt.

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SECTION 9.13

P-1 - PUBLIC USE DISTRICTS

16. A District for public use such as for public parks, play-
17. grounds, City Buildings, Community Centers, Schools, etc.

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3. ARTICLE X

4. FENCE, HEDGE AND SIGHT OBSTRUCTION REGULATIONS

5. Section 10.1: FENCES AND HEDGES: Fences providing a maximum
6. of six (6) foot sight obstruction from adjacent properties can be
7. built on the side and rear property lines, but not closer to the
8. front property line or street right-of-way than a point equal to
9. the closest point of the dwelling to the front property line; and,
10. provided further, that from that point to the front property line
11. and along the front of the property, no fence shall be permitted
12. greater in height than three (3) feet, except for an open rail
13. fence to a maximum of four and one-half (4½) feet high measured
14. from the ground on which the fence stands, provided the rails and
15. posts constitute not more than one-third (1/3) of the fence area.
16. Hedges may be grown to a height not to exceed the above regulations
17. for fences, except rear yard hedges which shall have no limitations.
18. Fences built or hedges grown along a side property line abutting
19. a principal street or side street shall not exceed three
20. (3) feet in height and shall not create a hazard to traffic or a
21. block to vision of motorists approaching an intersection. All
22. fences shall be maintained in a condition of repair so as not to
23. be dangerous to human life or a danger to property.

24. Section 10.2: FENCES, ELECTRIC: Electric fences are per-
25. mitted provided they comply with the following requirements:
26. (1) an electric fence using an interrupted flow of current at
27. intervals of about one (1) second on and two (2) seconds off shall
28. be limited to two thousand (2,000) volts at seventeen (17) milliamp
29. current. All electric fences shall be posted with permanent signs
30. a minimum of thirty-six (36) square inches in area at intervals
31. of one hundred (100) feet stating that the fence is electrified.
32. Electric fences manufactured by an established and reputable
33. company and sold as a complete assembled unit carrying a written
34. guarantee that complies with the requirements of this paragraph
35. can be installed by an owner if the controlling elements of the
36. installation carry an "U.L. Approved" seal.

37. Section 10.3: FENCES, BARBED WIRE: No fences incorporating
barbed wire are permitted except that barbed wire may be used on
top of a six (6) foot high solid or chain link fence surrounding

1. a public utility, an industrial plant site or a whole property, or
2. barbed wire may be used when the fence is not a property line fence.

3. Section 10.4: Fences which deprive adjacent properties of a
4. natural view of the landscape which is a contributing factor in the
5. value of the land are prohibited.

6. Section 10.4: PRIVACY SCREENING: Defined as a partially con-
7. cealing, partially open type screen of wood, metal, or concrete pro-
8. ducts which may be installed into front yard set-back up to a maximum
9. of thirty-two percent (32%) of the required front yard set-back as
10. required in any zoning, but must not become an objectionable sight,
11. or a hazard to life, limb, or public health.

12. Section 10.6: Whenever sight-screening or a greenbelt are
13. required by this Ordinance the building official may, prior to issuance
14. of a building permit or occupancy permit, cause the matter to be pre-
15. sented to the Planning Commission for the purpose of determining
16. standards for such sight-screening or greenbelt.

17. The Planning Commission shall consider all relevant factors,
18. including but not limited to: The existing and future planned use of
19. the land in question, the topography, the height and appearance of
20. the buildings existing or to be placed upon the land in question,
21. the character and appearance of existing buildings on adjoining
22. lands and existing and proposed traffic patterns and conditions.

23. The Planning Commission may request a precise and detailed
24. landscape blueprint to be supplied by the applicant to assist the
25. Planning Commission in determining the type of planting or screening,
26. the height thereof at maturity and at various stages of maturity,
27. and the density of any planting at various seasons of the year.

28. Upon receipt of such information, the Planning Commission shall
29. and after proper consideration make recommendations to the City
30. Council as to the screening and/or greenbelt recommended by it. Upon
31. receipt of the recommendation of the Planning Commission, the City
32. Council shall establish standards as to the screening and greenbelt
33. on the land in question, defining the type of material to be used
34. in the screening and/or the type and size of plants to be used in
35. the greenbelt; the City Council may also establish a time schedule
36. (days, weeks or years) for the installation of the screening and/or
37. greenbelt required by it. If a greenbelt is required, the City
38. Council may require installation of fast maturing plants to be
39. eventually replaced (according to a time schedule also established
40. by the City Council) by a slower growing and more permanent and
41. ornamental type of greenbelt. The City Council shall also establish
42. the amount of bond which shall be required prior to issuance of a
43. building or occupancy permit.

44. Upon receipt of the standards established by the City Council
45. any permit issued by the Building Official shall be conditioned upon
46. compliance with the screening or greenbelt standards established by
47. the City Council.

48. Section 10.7: Whenever a greenbelt is installed within the City
49. of Lynnwood according to zoning requirements, the same shall be re-
50. gularly maintained and the plants therein kept in a clean and healthy
51. condition, so far as is practicable.

ARTICLE XI

OFF-STREET PARKING REQUIREMENTS

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Section 11.1: BUILDING PERMITS & PARKING PLANS: No building permit shall be issued until plans showing provision for the required off-street parking have been submitted and approved, and, if parking is to be provided on property other than that owned by the applicant, then evidence in the form of a written contract with the party owning the property upon which parking is to be provided must be furnished.

Section 11.2: SIZE AND ACCESS: Each off-street parking space shall have an area of not less than 170 sq. ft. exclusive of drives and aisles, and a width of not less than 8-1/2 feet. Each parking space shall be so designed that automobiles need not back out into traffic on existing roads and highways.

Section 11.3: LOCATION: Off-street parking shall be located on the same lot or on an adjoining lot or lots to the building to be served, and shall be within 100 feet of the lot to be served, and not separated from the building by a street.

Section 11.4: INGRESS AND EGRESS PROVISIONS: The City Council shall have authority to fix the location, width and manner of approach of a vehicular ingress or egress from a building or parking area to a public street and to alter existing ingress and egress as may be required to control street traffic in the interest of public safety and general welfare.

Section 11.5: PARKING AREA REQUIREMENTS: All off-street parking areas shall be graded and surfaced to standards for asphaltic concrete or concrete as set forth by the City Engineer before an occupancy permit for the building use is issued. All traffic control devices such as parking strips designating car stalls, directional arrows or signs, curbs, bullrails, and other developments shall be installed and completed as shown on the approved plans. Hard surfaced parking areas shall use paint or similar devices to delineate parking stalls and directional arrows. Pedestrian walks shall be curbed, or raised 6 inches above the lot surface.

Section 11.6: CAPACITY REQUIREMENTS: The capacity of the parking areas shall be as follows for the listed uses: Apartments, courts and motels - Article 9.7.10 shall apply. Churches, mortuaries, funeral homes - 1 for each 4 seats in the chapel or nave.

1. Banks, business and professional offices - 1 for each two hundred
2. (200) sq.ft.of gross floor area of building.
3. Bowling alleys - five (5) for each alley.
4. Dance halls, places of assembly, exhibition halls without fixed
5. seats - one (1) for each seventy-five (75) sq. ft. of gross
6. floor area.
7. Drive-in restaurants, ice cream or soft drink refreshment estab-
8. lishments or similar drive-in uses which service auto-borne
9. customers outside of the building - one (1) for each fifteen
10. (15) sq. ft. of gross floor area.
11. Food stores, markets and shopping centers - one (1) for each two
12. hundred (200) sq.ft.of gross floor area of the building.
13. Hospitals, sanitariums, convalescent homes, nursing homes and
14. rest homes - one (1) for each five (5) regular beds, plus
15. one (1) for each regular employee.
16. Manufacturing uses, including research and testing laboratories,
17. creameries, soft drink bottling establishments, bakeries,
18. canneries, printing and engraving shops - one (1) for each
19. two (2) employees, with a minimum of four (4) spaces.
20. Medical and Dental Clinics - one (1) for each two hundred (200)
21. sq. ft. of gross floor area of the building.
22. Restaurants, taverns, and any establishment for the sale and
23. consumption on the premises of food, alcoholic beverages
24. or refreshments shall provide one (1) parking space for
25. each one hundred (100) sq. ft. of the gross floor area of
26. the building.
27. Ice cream or soft drink refreshment establishments - one (1) for
28. each sixty (60) sq. ft. of gross floor area.
29. Skating rinks and other commercial recreation places - one (1)
30. for each one hundred (100) sq. ft. of gross floor area.
31. Wholesale stores, warehouses and storage buildings, motor vehicle
32. or machinery sales - one (1) for each two (2) employees,
33. with a minimum of four (4) spaces.
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1. ARTICLE XII

2. PLANNED UNIT DEVELOPMENT

3. Section 12.1: PURPOSE OF PLANNED UNIT DEVELOPMENT:

4. Wherein the zoning map establishes only zone boundaries and the
5. text of this Ordinance establishes the permitted use of land in
6. the various zones and the conditions applicable to such use, and
7. wherein all of the provisions, conditions and requirements set
8. forth in this Ordinance are in general, designed to apply to
9. individual lots and minimum area parcels, a planned unit develop-
10. ment, as the term is employed in this Ordinance has the following
11. purposes:

12. (1) To produce a development which would be as good or
13. better than that resulting from the traditional lot by lot develop-
14. ment, by applying to large areas, whether consisting of consolidated
15. lots or unsubdivided property, the same principles and purposes
16. inherent in the required provisions applying to individual lots
17. or minimum area parcels;

18. (2) To correlate comprehensively the provisions of this
19. and other Ordinances and codes of the City of Lynnwood to permit
20. developments which will provide a desirable and stable environment
21. in harmony with that of the surrounding area;

22. (3) To permit flexibility that will encourage a more creative
23. approach in the development of land, and will result in a more
24. efficient, aesthetic and desirable use of open area, while at the
25. same time, maintaining substantially the same population density
26. and area coverage permitted in the zone in which the project is
27. located;

28. (4) To permit flexibility in design, placement of buildings,
29. use of open spaces, circulation facilities, off-street parking
30. areas, and to best utilize the potentials of sites characterized
31. by special features of geography, topography, size or shape;

32. (5) To change areas indicated on the zoning map as
33. potentially classified into actual classifications as set forth
34. in Article V.

35. Section 12.1.a: INITIATION OF PLANNED UNIT DEVELOPMENT PRO-

36. JECTS: Planned unit development projects may be initiated by:

37. (1) The owner of all the property involved, if under

1. one ownership, or;
2. (2) An application filed jointly by all owners having title
3. to all of the property in the area proposed for the planned
4. unit development project, if there be more than one owner, or;
5. (3) A governmental agency.

6. Section 12.2: PROCEDURE FOR APPROVAL OF PLANNED UNIT
7. DEVELOPMENT PROJECTS. The approval of a planned unit development
8. shall be by the Board upon recommendation of the Planning Commis-
9. sion subject to the provisions of Articles XIV and XV. A pre-
10. liminary development plan shall be submitted to the Planning
11. Commission for approval; before such approval, the Commission
12. shall determine that such plans comply with the development
13. policies of the comprehensive plan, the purpose of this Ordinance,
14. and provisions of this Article. Such preliminary approval or
15. subsequent revision shall be binding as to the general intent and
16. apportionment of land for buildings, stipulated use and circula-
17. tion pattern, but shall not be construed to render inflexible the
18. ultimate design, specific uses or final plan of the project.

19. The petitioner shall within one (1) year of the date of
20. the preliminary approval submit a final development plan of the
21. proposed development for approval by the Planning Commission.
22. The plan will, if approved, constitute a limitation on the use
23. and design of the site.

24. The planned unit development resulting from the applica-
25. tion of the provisions of this section shall be made a part of
26. the zoning map and identified thereon by appropriate reference
27. to the detailed planned unit development map and explanatory
28. text (if any) either by number or by symbol.

29. Section 12.3: EXPIRATION. Upon the abandonment of a
30. particular project authorized under this article or upon the
31. expiration of three (3) years from the final approval of a
32. Planned Unit Development which has not by then been completed
33. (or commenced with an extension of time for completion granted),
34. the authorization shall expire and the land and the structures
35. thereon may be used only for a lawful purpose permissible within
36. the zone in which the planned unit development is located.

1. Section 12.4: FORM OF AND CONTENTS OF APPLICATIONS AND
2. TYPES OF INFORMATION REQUIRED. The Planning Agency shall pre-
3. scribe the form on which applications are made for planned unit
4. development projects. It may prepare and provide blanks for
5. such purpose and prescribe the type of information to be pro-
6. vided in the application by the applicant. No application shall
7. be accepted unless it complies with such requirements and is
8. verified as to the correctness of information given by the
9. signature of the applicant attesting thereto.

10. There shall be included as a part of the application an
11. accurate map drawn to a scale of not less than one hundred (100)
12. feet to the inch showing the boundaries of the site, names and
13. dimensions of all streets bounding or touching the site; the
14. proposed location and horizontal and vertical dimensions of all
15. buildings and structures proposed to be located on the site;
16. proposed location and dimensions of "open space", if any, within
17. the site; proposed public dedications, if any, within the site;
18. location, dimensions and design of off-street parking facilities
19. showing points of ingress to and egress from the site; the loca-
20. tion, direction and bearing of any major physiographic features
21. such as railroads, drainage canals and shore lines and existing
22. topographic contours at intervals of not more than five (5) feet
23. together with proposed grading, drainage and landscaping.

24. The explanatory text shall contain a written statement of
25. the general purposes of the project and an explanation of all
26. features pertaining to uses and other pertinent matters not
27. readily identifiable in map form. The adoption of the text
28. specifying the particular non-residential uses permitted to lo-
29. cate on the site, if any, shall constitute a limitation to those
30. specific uses.

31. If the planned unit development contains any area that may
32. require acquisition for public purposes such as opening and
33. widening of streets or alleys, such features in addition to being
34. indicated on the planned unit development map, shall also be shown
35. in exact detail on a separate map to be processed and adopted in
36. the manner prescribed for adoption of official controls. Such
37. official control shall be identified in the official controls

1. related to such elements of the comprehensive plan as involve
2. the identification and preservation of future rights-of-way
3. for public thoroughfares or areas for other public uses. Pro-
4. vided, however, in lieu thereof or in combination with such
5. official controls a plat may be filed and processed as required
6. by the subdivision regulations. Hearings on the planned unit
7. development, the official control, plat and reclassification,
8. if involved, shall be separately noted in the public notice
9. of hearing, but may be held concurrently, and action on each
10. shall be taken separately.

11. Section 12.5: PERMITTED LOCATION OF PLANNED UNIT DEVELOP-
12. MENT PROJECTS.

13. (1) Residential planned unit development projects may
14. locate only in "RS", "RD", or "RM" zones when processed and
15. authorized as provided herein;

16. (2) Planned unit developments for other than residential
17. uses may locate only in zones first permitting the heaviest
18. use locating on the premises;

19. (3) The site shall abut, and the major internal street
20. serving the planned unit development project shall be func-
21. tionally connected to, at least one (1) major or secondary
22. trafficway as defined by the comprehensive plan.

23. Section 12.6: REQUIRED MINIMUM SITE AREA. A planned
24. unit development project in "R" zones shall contain an area of
25. not less than twenty (20) acres, in other zones not less than
26. five (5) acres.

27. Section 12.7: USES PERMITTED. In a planned unit develop-
28. ment only the following uses are permitted:

29. (1) In a residential planned unit development;

30. (a) residential units, either detached or in
31. multiple dwellings;

32. (b) accessory incidental retail and other non-resi-
33. dential uses may be specifically and selectively
34. authorized as to exact type and size to be
35. integrated into the project by design, accessory
36. retail uses to serve only as a convenience to
37. the inhabitants of the project;

1. (c) recreational facilities including but not
2. limited to, tennis courts, swimming pools and
3. playgrounds; and

4. (d) schools, libraries and community halls.

5. (2) In planned unit developments for other than
6. residential uses, uses shall be limited to those
7. permitted by the zone in which the use is located.

8. Section 12.8: USE CONTROL IN PLANNED UNIT DEVELOPMENTS.

9. (1) In residential planned unit developments accessory
10. incidental limited retail uses will only be permitted in those
11. developments which are planned for four hundred (400) families
12. or more. Building permits or occupancy permits for such uses
13. shall not be issued until one-half (1/2) of the total project
14. is completed.

15. (2) In residential planned unit developments there shall
16. be a minimum of ten percent (10%) of the total area of the
17. planned unit development dedicated or reserved as usable common
18. "open space" land.

19. (3) Adequate guarantee must be provided to insure perma-
20. nent retention of "open space" land area resulting from the
21. application of these regulations, either by private reservation
22. for the use of the residents within the development or by
23. dedication to the public or a combination thereof.

24. Section 12.9: PERMISSIVE VARIATIONS IN REQUIREMENTS.

25. In considering a proposed planned unit development project
26. the approval thereof may involve modifications in the regula-
27. tions, requirements and standards of the zone in which the
28. project is located so as to appropriately apply such regu-
29. lations, requirements and standards to the larger site. In
30. modifying such regulations, requirements and standards as they
31. may apply to a planned unit development project, the following
32. limitations shall apply:

33. (1) Placement of Buildings: The yards and open spaces
34. required and the height of the buildings involved shall dic-
35. tate the location of buildings and structures on the site;

36. (2) Yards: The requirements for front yards for the zone
37. in which the planned unit development is located shall

1. apply to all exterior boundary lines of the site;
2. (3) Open Spaces: The distance between buildings con-
3. taining dwelling units, which buildings do not exceed
4. a height greater than thirty-five (35) feet, shall be
5. not less than that required for the zone in which the
6. property is located. Where buildings containing dwelling
7. units exceed a height greater than thirty-five (35) feet,
8. each such building shall maintain a distance the equiva-
9. lent of the required side yard plus one (1) foot for each
10. one (1) foot such building exceeds thirty-five (35) feet
11. in height from any other building on the site containing
12. a dwelling unit. Any accessory building not more than
13. thirty-five (35) feet in height shall observe a distance
14. from a building containing a dwelling unit as set forth
15. in the zone in which the project is located. Any acces-
16. sory building exceeding a height of thirty-five (35)
17. feet shall observe a distance from a building containing
18. a dwelling unit or units as set forth herein for resi-
19. dential buildings;
20. (4) Height of Buildings: For buildings and structures
21. exceeding thirty-five (35) feet in height there shall
22. be maintained a distance from side and rear boundaries
23. equal to the required yard plus one (1) foot for each
24. one (1) foot such building exceeds a height of thirty-
25. five (35) feet;
26. (5) Number of Dwelling Units: The number of dwelling
27. units permitted in any "R" zone shall be determined by
28. dividing the net development area by the minimum lot
29. area per dwelling unit required by the zone in which
30. the area is located. Net development area shall be
31. determined by subtracting the area set aside for churches,
32. schools or commercial use from the total development
33. area and deducting twenty percent (20%) of the remainder
34. for streets, regardless of the amount of land actually
35. required for streets;
36. (6) Permitted Site Coverage: The permitted percentage
37. of coverage by buildings and structures for the net

1. development area as determined in (5) above shall not
2. exceed the percentage of coverage permitted in the zone
3. in which the project is located.
4. (7) Permitted Floor Area: The maximum permitted floor
5. area for all buildings shall not exceed the floor area
6. permitted in the zone first permitting the use authorized;
7. (8) Off-Street Parking: The total required off-street
8. parking facilities shall be not less than the sum of the
9. required parking facilities for the various uses computed
10. separately. All provisions of Article XI of this Ordinance
11. shall be adhered to.

12. Section 12.10: MINOR ADJUSTMENTS IN PLANNED UNIT DEVELOP-
13. MENT. In issuing building permits in connection with the
14. construction of a planned unit development, the Building
15. Department may make minor adjustments involving the location
16. or dimensions of buildings, provided such adjustments shall
17. not increase the total amount of floor space authorized in
18. the planned unit development, or the number of dwelling units,
19. nor decrease the amount of parking or loading facilities,
20. nor permit buildings to locate closer to any boundary line,
21. nor change any points of ingress and egress to the site.

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1. of his duties, shall not thereby render himself liable person-
2. ally and he is hereby relieved from all personal liability for
3. any damage that may accrue to persons or property as a result
4. of any act required or by reason of any act or omission in the
5. discharge of his duties. Any suit brought against the Build-
6. ing Official or employee, because of such act or omission
7. performed by him in the enforcement of any provisions of this
8. Ordinance, shall be defended by the legal department of the
9. City until final termination of the proceedings.

10. Section 13.1f: COOPERATION OF OTHER OFFICIALS: The
11. Building Official may request, and shall receive so far as may
12. be necessary in the discharge of his duties, the assistance and
13. cooperation of other officials of the City.

14. Section 13.2: BUILDING PERMIT REQUIRED: No building or
15. structure shall be erected, added to, or structurally altered
16. until a permit therefor has been issued by the Building Official.
17. All applications for such permits shall be in accordance with
18. the requirements of this Ordinance and, unless upon written
19. order of the Board of Appeals, no such building permit or certi-
20. ficate of occupancy, shall be issued for any building where
21. said construction, addition, or alteration or use thereof
22. would be in violation of any of the provisions of this Ordi-
23. nance.

24. Section 13.2.1: MATTER ACCOMPANYING APPLICATION: There
25. shall be submitted with all applications for building permits
26. two copies of a layout or plot plan drawn to scale showing the
27. actual dimensions of the lot to be built upon, the exact size
28. and location on the lot of the building and accessory buildings
29. to be erected and such other information as may be necessary
30. to determine and provide for the enforcement of this Ordinance.

31. Section 13.2.2: PAYMENT OF FEE: One copy of such layout
32. or plot plan shall be returned when approved by the Building
33. Official together with such permit to the applicant upon pay-
34. ment of the prescribed fee as set forth in the Building Ordi-
35. nance.

36. Section 13.2.3: CERTIFICATES OF OCCUPANCY:
37. Section 13.2.3a: No land shall be occupied or used

1. and no building hereafter erected, altered or extended
2. shall be used or changed in use until a certificate of
3. occupancy shall have been issued by the Building Official,
4. stating that the building or proposed use thereof complies
5. with the provisions of this Ordinance.

6. Section 13.2.3b: No non-conforming use shall be
7. maintained, renewed, changed or extended without a certi-
8. ficate of occupancy having first been issued by the
9. Building Official therefor.

10. Section 13.2.3c: All certificates of occupancy shall
11. be applied for coincident with the application for a
12. building permit. Said certificate shall be issued within
13. ten (10) days after the erection or alteration shall have
14. been completed and approved.

15. Section 13.2.3d: The City Clerk shall maintain a
16. record of all certificates and copies shall be furnished,
17. upon request, to any person having a proprietary or tenancy
18. interest in the building affected.

19. Section 13.2.3e: Under such rules and regulations
20. as may be established by the Board of Adjustment and filed
21. with the Building Official, a temporary certificate of
22. occupancy for not more than thirty days for a part of a
23. building may be issued by him.

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ARTICLE XIV

BOARD OF ADJUSTMENT

Section 14.1: A BOARD OF ADJUSTMENT IS HEREBY CREATED.

Said Board shall consist of five (5) members to serve for a term of three years. Members of the Board shall be appointed by the Mayor. The initial Board shall be chosen with two members to serve a one-year term, two members to serve a two-year term, and one member to serve a three-year term. Subsequent appointments shall be for three-year terms. The Board shall elect a Chairman from its membership, shall appoint a Secretary, and shall prescribe rules for the conduct of its affairs. The Board shall serve without compensation.

Section 14.2: POWERS AND DUTIES. The Board of Adjustment shall have all the powers and duties prescribed by law and by this Ordinance, which are more particularly specified as follows:

Section 14.2.1: INTERPRETATION: Upon appeal from a decision by an administrative official, to decide any question involving the interpretation of any provision of this Ordinance, including determination of the exact location of any district boundary if there is uncertainty with respect thereto.

Section 14.2.2: SPECIAL PERMITS: To issue special permits for any of the uses for which this Ordinance requires the obtaining of such permits from the Board of Adjustment, but not for any other use or purpose. In granting any special permit, the Board shall prescribe any conditions that it deems to be necessary to or desirable for the public interest. However, no such special permit shall be granted by the Board of Adjustment unless it finds: (a) That the use for which such permit is sought will not be injurious to the neighborhood or otherwise detrimental to the public welfare and (b) will be in harmony with the general purpose of this Ordinance. In determining its findings, the Board shall take into account the character and use of adjoining buildings

1. and those in the vicinity, the number of persons residing
2. or working in such buildings or upon such land and traffic
3. conditions in the vicinity.

4. Section 14.2.3: VARIANCES: To vary or adapt the
5. strict application of any of the requirements of this
6. Ordinance in the case of exceptionally irregular, narrow,
7. shallow or steep lots, or other exceptional physical
8. conditions, whereby such strict application would result
9. in practical difficulty or unnecessary hardship that
10. would deprive the owner of the reasonable use of the land
11. or building involved but in no other case. In granting
12. any variance, the Board of Adjustment shall prescribe
13. any conditions that it deems to be necessary or desirable.
14. However, no variance in the strict application of any
15. provision of this Ordinance shall be granted by the
16. Board of Adjustment unless it finds:

17. Section 14.2.3a: That there are special circum-
18. stances or conditions, fully described in the findings,
19. applying to the land or building for which the var-
20. iance is sought, which circumstances or conditions
21. are peculiar to such land or buildings and do not
22. apply generally to land or buildings in the neighbor-
23. hood, and that said circumstances or conditions are
24. such that the strict application of the provisions
25. of this Ordinance would deprive the applicant of
26. the reasonable use of such land or building.

27. Section 14.2.3b: That, for reasons fully set
28. forth in the findings, the granting of the variance
29. is necessary for the reasonable use of the land or
30. building and that the variance as granted by the
31. Board is the minimum variance that will accomplish
32. this purpose.

33. Section 14.2.3c: That the granting of the
34. variance will be in harmony with the general purpose
35. and intent of this Ordinance, and will not be injurious
36. to the neighborhood or otherwise detrimental to the

1. public welfare. In addition to considering the
2. character and use of adjoining buildings and those
3. in the vicinity, the Board, in determining its
4. finding, shall take into account the number of per-
5. sons residing or working in such buildings or upon
6. such land and traffic conditions in the vicinity.

7. Section 14.3: PROCEDURE: The Board of Adjustment shall
8. act in strict accordance with the procedure specified by law
9. and by this Ordinance. All appeals and applications made to
10. the Board shall be in writing, on forms prescribed by the
11. Board and shall be accompanied by Twenty-five Dollars (\$25.00)
12. to cover the costs of processing, which fee shall be deposited
13. to the general funds of the City of Lynnwood. Every appeal
14. or application shall refer to the specific provision of the
15. Ordinance involved, and shall exactly set forth the interpre-
16. tation that is claimed, the use for which the special permit
17. is sought, or the details of the variance that is applied for
18. and the grounds on which it is claimed that the variance should
19. be granted, as the case may be. At least fifteen (15) days
20. before the date of the hearing required by law on an appli-
21. cation or appeal to the Board of Adjustment, the Secretary of
22. said Board shall transmit to the Planning Commission a copy of
23. said application or appeal, together with a copy of the notice
24. of the aforesaid hearing and shall request that the Planning
25. Commission shall submit to the Board of Adjustment its advisory
26. opinion on said application or appeal, and the Planning Commission
27. shall submit a report or such advisory opinion prior to the date
28. of said hearing. Every decision of the Board of Adjustment
29. shall be by resolution, each of which shall contain a full
30. record of the findings of the Board in the particular case.
31. Each such resolution shall be filed in the office of the City
32. Clerk, by case number under one or another of the following
33. headings: Interpretations; Special Permits; Variances; to-
34. gether with all documents pertaining thereto. The Board of
35. Adjustment shall notify the City Council and the Planning
36. Commission of the City of Lynnwood of each special permit and

1. each variance granted under the provisions of this Ordinance.
2. In case of rejection by the Board of Adjustment on any applica-
3. tion processed, a six month waiting period will be necessary
4. before re-application.
5. Section 14.4: NOTICE AND HEARING: No action of the Board
6. shall be taken on any case until after proper notice has been
7. given and public hearing has been held. Proper notice of a
8. hearing before the Board shall be, Public Notice by one publi-
9. cation in the official newspaper of the City at least seven
10. days prior to the date of hearing; posting of copies of the
11. Notice of Hearing in three (3) public places; written notice
12. mailed to the owner or reputed owner of property within 300
13. feet of the property for which a special permit or variance is
14. being requested, with ownership to be that of the last owner
15. of record in the Office of the County Treasurer with notice to
16. be mailed at least seven (7) days prior to the date of such
17. proposed hearing in such manner as the Board may prescribe.
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ARTICLE XV

AMENDMENTS

Section 15.1: The City Council may after due notice and public hearing amend, supplement or modify the text or map of this Ordinance. An amendment may be adopted, amended or supplemented by the City Council upon the recommendation of or with the concurrence of the Planning Commission following a public hearing by the Planning Commission. Amendments may be initiated in the following manner:

Section 15.1.1: By motion of the City Council or the Planning Commission.

Section 15.1.2: By filing with the Planning Commission of a petition by the owner of property within the City, which petition shall be on standard form prescribed by the Planning Commission and available from the City Clerk. A fee of Twenty-five (\$25.00) Dollars payable to the City of Lynnwood at the time of filing of petition shall be charged for advertising and mailing expenses. No part of the fee shall be returnable. No re-application may be made after rejection for a period of six (6) months.

Section 15.2: Persons desiring a change in the District classification or in the boundaries of the District shall submit the above-mentioned petition carrying the signatures of not less than fifty-one percent (51%) of the owners of property within three hundred (300) feet of the property lines of the petitioner. Either spouse may sign as owner, provided that if two persons sign for one ownership it shall count as one ownership. The signature shall indicate knowledge of, and not endorsement of the proposed change.

Section 15.3: The Planning Commission shall hold a public hearing on any such amendment, supplement or modification of the Ordinance, whether initiated by petition or motion. Notice of hearing and the nature of the proposed change shall be given by publication in the official newspaper of the City at least seven (7) days prior to the date of hearing. In addition, in all cases of change of boundaries or of district classification,

1. all owners of property within three hundred (300) feet of the
2. boundary lines of the property proposed to be changed shall
3. be notified of the proposed change and the date of hearing
4. by United States mail. Notice mailed to the last owner of
5. record in the Office of the County Treasurer shall be deemed
6. proper notice.

7. Section. 15.4: In recommending the adoption of any pro-
8. posed amendment or in concurring with the City Council on any
9. proposed amendment, the Planning Commission shall state fully
10. its reasons to the City Council describing any change in
11. conditions that it believes makes the amendment advisable
12. and specifically setting forth the manner in which the Planning
13. Commission is of the opinion that the amendment is in harmony
14. with the purposes set forth in this Ordinance.

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ARTICLE XVI

ENFORCEMENT AND PENALTIES

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3. Section 16.1: All department officials and public employees
4. of the City of Lynnwood which are vested with the duty or authority
5. to issue permits or licenses shall conform to the provisions of
6. this Ordinance and shall issue no such permit or license for any
7. use, building or purpose if the same would be in conflict with
8. the provisions of this Ordinance. Any such permit or license,
9. if issued in conflict with the provisions of this Ordinance,
10. shall be null and void.

11. Section 16.2: Any person, firm or corporation whether as
12. principal, agent, employee or otherwise, who violates any of
13. the provisions of this Ordinance shall be guilty of a misdemeanor,
14. and upon conviction thereof shall be punishable by a fine of not
15. more than three hundred (\$300.00) dollars or by imprisonment
16. in the city jail for a term not exceeding ninety (90) days
17. or by both such fine and imprisonment. Such person, firm or
18. corporation shall be deemed to be guilty of a separate offense
19. for each and every day during any portion of which any violation
20. of this Ordinance is committed, continued or permitted by such
21. person, firm or corporation, and shall be punishable therefor
22. as provided herein.

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1. ARTICLE XVII

2. SEVERABILITY OF PROVISIONS

3. Section 17.1: If any section, subsection, sentence, clause
4. or phrase of this Ordinance is, for any reason, held to be
5. invalid or unconstitutional such invalidity or unconstitutionality
6. shall not affect the validity or constitutionality of the
7. remaining portions of this Ordinance, it being hereby expressly
8. declared that this Ordinance, and each section, subsection,
9. sentence, clause and phrase hereof would have been prepared,
10. proposed, adopted, approved, and ratified irrespective of the
11. fact that any one or more other sections, subsections, sentences,
12. clauses or phrases be declared invalid or unconstitutional.

13. ARTICLE XVIII

14. Section 18.1: Ordinance No. 61 of the City of Lynnwood and
15. all ordinances amending or modifying the same should be and the
16. same are hereby repealed.

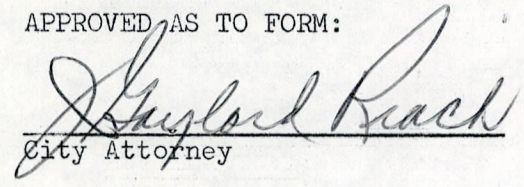
17. ARTICLE XIX

18. Section 19.1: This Ordinance shall be in full force and
19. effect five (5) days from and after its passage, approval and
20. legal publication.

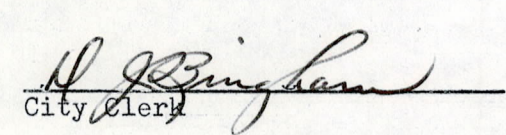
21. Passed by the City Council of the City of Lynnwood and
22. approved by its Mayor this Twelfth day of March, 1964.

23. 
24. _____
25. Mayor

26. APPROVED AS TO FORM:

27. 
28. _____
29. City Attorney

30. ATTEST:

31. 
32. _____
33. City Clerk
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LYNNWOOD CODE

THE ESTABLISHMENT OF DISTRICTS

- 1.
- 2.
3. S12 changed to RS-12 12,000 Suburban residential.
4. R9 changed to RS-9 9,600 Low-density residential or Single family
5. low-density district.
6. R8 changed to RS-8 8,400 Single family residence
7. medium-density district.
8. R7 changed to RS-7 7,200 Single family residence
9. high-density district.
10. MR1 changed to RD 8,400 Duplex residence
11. medium-density district.
12. MR2 changed to RM 8,400 Multiple residence
13. medium-density district.
14. BN remains BN Neighborhood business district.
15. C1 changed to BC Community business district.
16. C2 changed to CG General commercial district.
17. I1 changed to ML Light manufacturing district.
18. I2 changed to MG General manufacturing district.
19. P-1 remains P-1 Public Use Districts
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C E R T I F I C A T E

I, the undersigned, D. J. BINGHAM, the duly appointed, qualified and acting Clerk of the City of Lynnwood, Washington, hereby certify that the Ordinance hereto attached is a full, true and correct copy of Ordinance No. 190 of the City of Lynnwood, Washington, entitled as follows:

A COMPREHENSIVE ORDINANCE REGULATING AND RESTRICTING THE USE OF LAND AND THE USE AND LOCATION OF BUILDINGS AND STRUCTURES: REGULATING AND RESTRICTING THE HEIGHT AND BULK OF BUILDINGS AND STRUCTURES AND DETERMINING THE AREA OF YARDS, COURTS AND OTHER PLACES SURROUNDING THEM: REGULATING AND RESTRICTING THE DENSITY OF POPULATION: DIVIDING THE CITY OF LYNNWOOD INTO DISTRICTS FOR SUCH PURPOSES; ADOPTING MAPS OF SAID CITY SHOWING BOUNDARIES AND THE CLASSIFICATION OF SUCH DISTRICTS: ESTABLISHING A BOARD OF ADJUSTMENT: PRESCRIBING PENALTIES FOR THE VIOLATION OF ITS PROVISIONS: AND REPEALING ORDINANCE NO. 61 AND ANY PORTION OF ANY OTHER ORDINANCE IN CONFLICT THEREWITH.

That said Ordinance was passed by the Council of said City and was published and posted according to the law; that said Ordinance was duly published in the official newspaper of said City on the 13th day of April, 19 64.

DATED this 16th day of April, 19 64.

D. J. Bingham
Clerk of the City of Lynnwood, Washington

(SEAL)