

ORDINANCE NO. 285

A PROPOSED ORDINANCE AMENDING CERTAIN SECTIONS OF CHAPTER 20.06 OF THE LYNNWOOD MUNICIPAL CODE BY CHANGING THE USES PERMITTED WITHIN CERTAIN ZONES UNDER CERTAIN CONDITIONS, AND BY REVISING THE AMENDMENT PROCEDURE FOR RECLASSIFYING ZONED LAND.

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

SECTION 1: Chapter 20.02 of the Lynnwood Municipal Code is hereby amended by adding thereto the following:

DEFINITION: MOTOR HOTEL: A specialized hotel designed and operated to provide hotel services and accommodations to the motoring public.

SECTION 2: Chapter 20.04, Section 20.04.050 of the Lynnwood Municipal Code is hereby amended by adding thereto the following:

No land shall be used in conjunction with other land for ingress, egress or parking unless the land so used for such auxiliary use is zoned the same as the property to which it is subordinate or lies in a less restrictive zone than the property to which it is subordinate, provided, however, that the more restricted zoned property may be used for ingress and egress from the public right of way to less restrictive zones upon special use permit from the City Council.

SECTION 3: That Chapter 20.06 of the Lynnwood Municipal Code is hereby amended by deleting the Chapter heading "Amendments" and inserting in its place the word "Reclassifications."

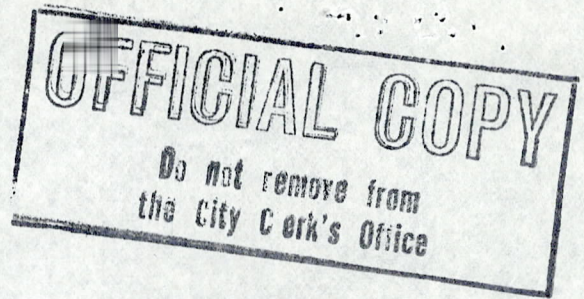
That Section 20.06.010 shall be amended by deleting "No reapplication shall be made after rejection for a period of six months."

That Section 20.060.040 be and is hereby amended by repealing:

"Planning Commission's recommendation. In recommending the adoption of any proposed amendment or in concurring with the City Council on any proposed amendment, the planning commission shall state fully its reasons to the City Council describing any change in conditions that it believes makes the amendment advisable and specifically setting forth the manner in which the planning commission is of the opinion that the amendment is in harmony with the purposes set forth in this title."

That Section 20.06.040 is hereby revised to read as follows:

Planning Commission's recommendation. Following the hearing and after the consideration of the facts of the proposal, the facts brought out in the hearing or any other competent facts pertaining to the property or to properties adjacent or in the vicinity thereof, the Commission shall within 30 days make a recommendation to the City Council. If the Commission after thorough study of the proposal in the petition determine that the reclassification of the property or the change in use district boundaries is necessary for preservation and enjoyment of any substantial property right of the petitioner and not materially detrimental to the public welfare or the property of other persons located in the vicinity, the Commission shall recommend that the Council approve the reclassification of the property. In recommending the adoption of any proposed amendment, the Planning Commission shall state fully its reasons to the City Council describing any change in conditions that it believes makes the amendment advisable and specifically setting forth the manner in which the Planning Commission is of the opinion that the amendment is in harmony with the purposes set forth in this title.



- That Sections: 20.06.050
- 20.06.060
- 20.06.070
- 20.06.080
- 20.06.090
- 20.06.100

be and are hereby added to the listing of Sections at the beginning of chapter 20.06

That the above sections as added hereto shall read as follows:

SECTION 20.06.050 Planning Commission's disapproval of petition. If the Commission, following a public hearing, makes no decision on the petition or sends no recommendation to the Council for 30 days this shall be taken as a disapproval of the petition and the owner may follow the steps of appeal as set forth in 20.06.070.

20.06.060 Mailing of written report of Commission's decision or recommendation. A written report of the Commission's decision shall be mailed to the petitioner to the address shown on his petition, within seven (7) days following the Commission's decision, and such report shall include the paragraphs of this ordinance that set forth methods of appeal. If the Planning Commission has concluded that the petition as submitted should be denied but that a modification or another classification would be proper, the Commission shall so notify the petitioner. If the petitioner files a petition revised in accordance with the recommendation within 30 days the subject shall be reposted for a new hearing without requiring an additional filing fee.

20.06.070 Procedures for Appeal. If the Commission recommends disapproval of the petition that decision shall be final unless the owner files notice of appeal to the City Council with the City Clerk within 30 days of the Commission's action. Upon receiving notice of appeal the Council shall set a date for hearing of the subject and shall notify the parties it deems most concerned. Following this hearing the Council may follow or reject the recommendation of the Commission, or refer the subject to the Commission for their reconsideration and a subsequent report to the Council.

20.06.080 Time restriction for resubmission of petition. A petition which has been disapproved by the City Council cannot be resubmitted to the Planning Commission within 6 months of the date of disapproval.

20.06.090 Right of appeal to the courts. A petitioner whose petition has been disapproved by the Council may appeal to the Superior Court.

20.06.100 Fees. The fee for reclassification of property shall be \$25.00 for each petition, payable upon filing with the City Clerk.

SECTION 4: Chapter 20.20, Section 20.20.020 (a) of the Lynnwood Municipal Code is hereby amended by adding thereto the following:

Accessory uses shall include the right to keep small animals as pets. The keeping of livestock shall not be permitted except that an occupant shall be able to keep one animal; i.e., horse, cow or sheep on a lot having a minimum of 20,000 square feet and an additional animal for each 20,000 square feet additional lot area. The entire square footage of roaming area shall be fenced. Fences must be of such a type and size as to prevent encroachment on adjacent property. Encroachment shall be defined as, reaching over, under or through, as well as trespassing or intruding upon the property of another. Accessory buildings used for housing animals shall be provided, and shall not exceed 100 square feet in

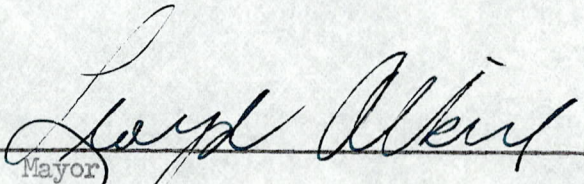
area per animal and shall not be closer than 25 feet to a property line. An accessory building for the housing of small animals or fowl shall not exceed 36 square feet in floor area when located on a residential lot and neither the building nor the fenced area for their roaming shall be closer than 25 feet to a property line. The keeping of mink, goats, foxes, or hogs is prohibited.

SECTION 5: Chapter 20.34 Section 20.34.020 of the Lynnwood Municipal Code is hereby amended by adding thereto the following:

m. Motor hotels provided that the initial development contains at least 20 units composed of multiple-unit type buildings and provides Hotel services. When accessory uses providing services for the motor hotel patrons; such as barber, bar, beauty parlor, cleaners, clothing, drugs, pottery, souvenir, tobacco, and travel are included, they shall be primarily oriented internally. Provisions for public functions such as banquets or meetings need not be oriented internally.

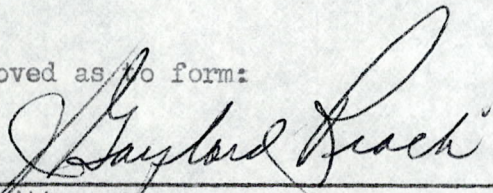
SECTION 6: This ordinance shall be in full force and effect five (5) days from and after its passage, approval and legal publication.

PASSED by the City Council of the City of Lynnwood and approved by its Mayor this 26th day of September, 1966.



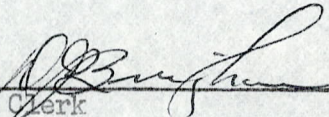
Mayor

Approved as to form:



City Attorney

ATTEST:



City Clerk

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the City Clerk's Office

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