

CITY OF LYNNWOOD

ORDINANCE NO. 854

AN ORDINANCE AFFECTING ZONING REGULATIONS OF THE LYNNWOOD MUNICIPAL CODE BY REPEALING, REVISING, AMENDING AND CLARIFYING THE STANDARDS FOR DEVELOPMENT OF OUTDOOR DISPLAYS.

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

SECTION 1. Section 20.33.030(a)(1) of the Lynnwood Municipal Code, Zoning, which reads as follows, to wit:

"(1) Any outdoor uses and activities permitted by Section 20.33.020, or by other provisions of this chapter shall not encroach on the required front, side or rear yards which adjoin public streets, nor shall they encroach on sight screening or landscaping as currently required by this or other city ordinances. In addition, such activities shall not block pedestrian traffic or fire lanes;"

SHOULD BE AND HEREBY IS AMENDED TO READ AS FOLLOWS:

(1) Any uses and activities which are permitted to occur outdoors by Section 20.33.020, or by other provisions of this title shall not encroach on sight screening or landscaping as currently required by this or other city ordinances, shall not block pedestrian traffic or fire lanes, and shall observe the same minimum front, side and rear yards as apply to buildings, on sides adjoining public streets, except that such yards may be used for outdoor customer parking and for other uses and activities which are permitted outdoors, subject to the following:

The highest point of any item displayed within that area shall be not more than six feet in height from an even grade and at least ten feet from the right-of-way line.

Items which, in the opinion of the Fire Chief present a potential fire hazard shall be located 15 feet from any interior property line and shall be arranged to provide 20 foot fire lanes no more than 300 feet apart.

SECTION 2. Section 20.16.100 of the Lynnwood Municipal Code, Zoning, which reads as follows, to wit:

"20.16.100 Sight screening standards for outdoor displays and outdoor storage areas. Any outdoor displays or outdoor storage which are permitted in business, commercial or shopping center districts, and which are not affected by the standards of Section 20.16.090 shall be enclosed within a sight obscuring fence of sufficient height to effectively screen the outdoor

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display or storage from view, and not less than six feet high in any case, set back five feet from the property line. The outer five feet shall be landscaped in accordance with Section 20.16.080(a), Type III. Provided, however, that these requirements shall not apply within the front or side yard along public streets, where any areas used for outdoor displays (other than the display of trees, shrubs and plants for sale) shall be improved and maintained, including landscaping, as required by this title for off-street parking areas, but shall be segregated from the required customer parking so that there is always sufficient customer parking to meet the minimum parking requirements of this code."

SHOULD BE AND HEREBY IS AMENDED TO READ AS FOLLOWS:

20.16.100 Sight screening standards for outdoor displays and outdoor storage areas. Any outdoor displays or outdoor storage which are permitted in business, commercial or shopping center districts, and which are not affected by the standards of Section 20.16.090 shall be enclosed within a sight obscuring fence of sufficient height to effectively screen the outdoor display or storage from view, and not less than six feet high in any case, set back five feet from the property line. The outer five feet shall be landscaped in accordance with Section 20.16.080(a), Type III. Provided, however, that where these requirements do not apply because the principal use of a property involves the display of merchandise for view from the streets, the display area shall be improved as a parking lot (except for paving where the nature of the merchandise makes paving impractical) with a ten foot planting strip along the entire street frontage, as per Section 20.18.080(b). Display areas shall be segregated from the required customer parking so that there is always sufficient customer parking to meet the minimum parking requirements of this code.

SECTION 3. Section 20.18.080(b) of the Lynnwood Municipal Code, Zoning, which reads as follows, to wit:

"(b) Parking areas or outdoor display areas fronting on a street right-of-way shall provide a five foot planting area along the entire street frontage except for driveways in conformance with Type I of Section 20.16.080. Shrubs, if used, shall be so located that natural growth will not obstruct visibility at driveways or intersections. The species of plants shall be generally harmonious with other landscaping along the street frontage in that vicinity."

SHOULD BE AND HEREBY IS AMENDED TO READ AS FOLLOWS:

(b) Parking areas fronting on a street right-of-way shall provide a five foot planting area along the entire street frontage except for driveways in conformance with Type I of Section 20.16.080. Outdoor display areas fronting on a street right-of-way shall provide a ten foot planting area along the entire street frontage except for driveways in conformance with

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2

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Type I of Section 20.16.080. Shrubs, if used, shall be so located that natural growth will not obstruct visibility at driveways or intersections. The species of plants shall be generally harmonious with other landscaping along the street frontage in that vicinity.

SECTION 4. Severability: That if any section, sentence, clause or phrase should be held to be invalid or unconstitutional, the invalidity or unconstitutionality of any other section, sentence, clause or phrase of this ordinance, the same shall not affect the validity of the ordinance as a whole, or any part thereof, other than the part so declared to be invalid.

SECTION 5. This ordinance shall take effect and be in force five (5) days after its passage, approval and publication.


PASSED THIS 14th day of June, 1976, and signed in authentication of its passage this 14th day of June, 1976.


MAYOR M. J. HRDLICKA

ATTEST:


R. W. NOACK, CITY CLERK

APPROVED AS TO FORM:


J. GAYLORD RIACH, CITY ATTORNEY

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Code Amendment (Outdoor Displays)

