

CITY OF LYNNWOOD  
ORDINANCE NO. 2388

City of Lynnwood  
OCT 15 2001  
SCANNED

AN ORDINANCE AMENDING TITLES 2 AND 21 OF THE LYNNWOOD MUNICIPAL CODE REGARDING DESIGN RELATED DEVELOPMENT STANDARDS, INCLUDING STANDARDS AND REVIEW PROCEDURES FOR BUILDING DESIGN, LANDSCAPING, SETBACKS, FENCES AND SIGNS AND PROVIDING FOR AN EFFECTIVE DATE AND SUMMARY PUBLICATION.

WHEREAS, the City Council determined that existing development in the city should be studied to evaluate how the design and appearance of multi-family and non-residential development in the city could be improved as seen from the street and adjoining properties; and

WHEREAS, the City Council approved funding of \$48,000 in the city's 2000 budget for the Community Development Department to contract with design professionals to study the design of exiting development and develop a citywide design program to improve the design of new multi-family and non-residential development and redevelopment within the city, except the Central Business District planning area that is the subject of another planning; and

WHEREAS, the Community Development Department, with input on design issues from the City Council, Planning Commission, Citywide Design Program Advisory Committee and public, developed design guidelines and amendments to the City's development regulations to implement the design guidelines for Planning Commission consideration; and

WHEREAS, after proper notice, a hearing was held by the Planning Commission to consider amendments to the official text of the Municipal Code of the City of Lynnwood to implement development design guidelines and design review process; and

WHEREAS, the City Council reviewed the development design guidelines, design review process and development regulation amendments recommended by the Planning Commission; and

WHEREAS, after proper notice, a hearing was held by the City Council to consider an ordinance amending the official text of the Municipal Code and Zoning Map of the City of Lynnwood to implement development design guidelines and design review process.

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

**Section 1: Amendment.** That the City of Lynnwood Zoning Map is revised to indicate lines extending within and outward from the centerline of the following public street right-of-way intersections indicating that property adjacent to these lines are subject to the Lynnwood Citywide Design Guidelines - Gateway and Prominent Intersection Guidelines, as adopted by reference in 21.25.145(B)(3) LMC as indicated on the attached maps:

- 196<sup>th</sup> Street SW and Highway 99;
- 44<sup>th</sup> Avenue W and the northbound off ramp to 44<sup>th</sup> Avenue W from Interstate Route 5;

- 212<sup>th</sup> Street SW and Highway 99;
- 164<sup>th</sup> Street SW and Highway 99;
- 188<sup>th</sup> Street SW and Highway 99;
- 176<sup>th</sup> Street SW and Highway 99;
- 168<sup>th</sup> Street SW and 52<sup>nd</sup> Avenue W;
- 196<sup>th</sup> Street SW and 76<sup>th</sup> Avenue W;
- 196<sup>th</sup> Street SW and Alderwood Mall Parkway;
- Poplar Way and Alderwood Mall Parkway;
- Alderwood Mall Parkway and Maple Road; and
- 196<sup>th</sup> Street SW and 24<sup>th</sup> Avenue W.

**Section 2: Amendment.** That Table 2.23.120.A in LMC Section 2.23.120 is revised read as follows:

**Table 2.23.120(A)**

<b>Application</b>	<b>Fee</b>
Accessory Dwelling Unit (see LMC 21.42.110(K))	\$110.00
Annexation (see RCW Title 35)	\$500.00 plus posting and mailing cost, plus any necessary consultant fees, including costs of design studies, creation of street standards and other similar expenses
Binding Site Plan (see Chapter 19.75 LMC)	Hourly charges plus posting and mailing costs
Boundary Line Adjustment	\$325.00
Comprehensive Plan Amendment Suggested Amendment Application for text or map change (See Chapter 18.04 LMC)	\$50.00 Hourly charges plus posting and mailing costs
Conditional Use Permit (see Chapter 21.24 LMC)	Hourly charges plus posting and mailing costs
Development Plan Approval (see LMC 21.50.200(B))	Hourly charges (regardless of zone) plus posting and mailing costs
Environmental Review Review of Checklist Environmental Impact Statement (EIS) (See Chapter 21.30 LMC)	\$325.00 Hourly charges plus any required consultant fees
Interim Downtown Use (see Chapter 21.72 LMC)	Hourly charges plus posting costs and mailing costs
Planned Unit Development By Public Agency All Others	\$100.00 Hourly charges plus posting costs and mailing costs

Project Design Review (see Chapter 21.25 LMC)	Hourly charges plus posting costs and mailing costs, plus costs for consulting architect review if necessary.
Rezone (Reclassifications) By Public Agency All Others (See Chapter 21.22 LMC)	\$100.00 Hourly charges plus posting costs and mailing costs
Short Subdivision (Short Plat) (see Chapter 19.50 LMC)	Hourly charges plus posting costs and mailing costs
Special Use Permit (see Chapter 21.28 LMC)	Hourly charges plus posting costs and mailing costs
Subdivision (Plat) (see LMC title 19)	Hourly charges plus posting costs and mailing costs
Variance Single-Family Use All Others (See Chapter 21.26 LMC)	\$400.00 Hourly charges plus posting costs and mailing costs

**Section 3: Amendment.** That Table 2.23.140.A in LMC Section 2.23.140 is revised to read as follows:

**Table 2.23.140(A)**

<b>Application</b>	<b>Required Deposit or Bond</b>
Annexation	Flat fee amount plus estimated posting and mailing costs plus any estimated expenses for consultants
Binding Site Plan	\$2,000
Comprehensive Plan Amendment Application for text or map change	\$3,000
Conditional Use Permit	\$2,000
Development Plan Approval	\$3,000
Environmental Review Environmental Impact Statement (EIS)	\$2,000 plus any estimated expenses for consultants
Interim Downtown Use (see Chapter 21.72 LMC)	\$1,500
Planned Unit Development If not by Public Agency	\$3,000
Project Design Review (see Chapter 21.25 LMC)	\$3,000

Rezone If not by Public Agency	\$3,000
Short Subdivision (Short Plat)	\$2,000
Special Use Permit	\$3,000
Subdivision (Plat)	\$3,000
Variance If not a single-family use	\$2,000

**Section 4: Amendment.** That Section 21.06.200 of the Lynnwood Municipal Code is hereby repealed, revised and amended to read as follows:

**21.06.200 Street frontage landscaping plans.**

The landscaping requirements of Section 21.06.200 shall supercede other landscaping requirements of Title 21 and the Lynnwood Citywide Design Guidelines, as adopted by reference in 21.25.145(B)(3) LMC that may conflict. However, if it is determined through project design review (Chapter 21.25 LMC) that it is desirable to locate street trees between the street curb and walking route of the sidewalk, then a species other than London Plane shall be used that is similar in growth habit and form to London Plane but does not cause damage to sidewalks and below ground utilities. The following street frontage landscaping plans specifying planting materials are in effect:

**Section 5: Amendment.** That subsections 21.06.200.C, D and E of the Lynnwood Municipal Code are hereby repealed, revised and amended to read as follows:

**C. East and West Sides of Alderwood Mall Blvd. from 184th Street SW North to the City Limits.**

**1. Planting Layout.**

Minimum 9-foot wide sod lawn area between curb and sidewalk with a maximum slope of 4:1; Red Maple trees 3 inches minimum caliper size, 12 to 15 foot minimum height, centered in lawn area and planted 30 feet on center with branches eliminated to a height of 6 feet where necessary to prevent sight obstruction; sidewalk subject to Public Works Department standards; and 5-foot wide shrub area planted with evergreen shrubs forming a solid screen and obtaining a 36-inch maximum height, and evergreen ground cover spaced to achieve 100% coverage within 2 years. Refer to Figures 21.06.1 and 21.06.2 for alternative landscape configurations when insufficient right-of-way width exists to meet the above standards.

**2. Shrub Planting.**

The shrub area shall contain shrubs 18 inches minimum height, planted 3 feet on center or greater if recommended by a landscape professional, and any of the following species:

- a. Otto Luyken Laurel
- b. Apple Blossom Escallonia
- c. Raphiolepis Ovata
- d. Ilex Crenata 'Convexa'
- e. Delavayi Osmanthus or Holly-Leaf Osmanthus

### **3. Irrigation.**

A below ground irrigation system shall be provided in addition to the required landscaping to insure that all plant materials receive adequate moisture on a regular basis.

## **D. North and South Sides of 194th Street SW between 40th Avenue W. and 44th Avenue W.**

### **1. Planting Layout.**

Five-foot wide sidewalk adjacent to curb; and a 10-foot wide landscape area consisting of a 6-foot wide sod lawn or ground cover area adjacent to the sidewalk, and a 4-foot wide area planted with evergreen or deciduous trees and evergreen shrubs. The tree and shrub area shall contain shrubs forming a screen obtaining a 3-foot maximum height, and evergreen groundcover spaced to achieve 100% coverage within 2 years. Up to 5 feet of the above landscaping may be within excess right-of-way with approval of the Public Works Department. Refer to Figures 21.06.3, 21.06.4 and 21.06.5 for landscape standards applying to different access driveway configurations.

### **2. Tree Planting.**

The above street trees shall be planted in groups of 2 or 3 at access driveways with each tree spaced 20 feet apart and at least 3 feet from the parking area curb. If the distance between access driveways on the same or adjoining property exceeds 150 feet, two trees 20 feet apart shall be planted at the mid point. In addition, one tree shall be planted 10 feet from each side property line, however, a tree will not be required if the distance from the access driveway to the side property line is 75 feet or less. Trees shall be a minimum of 2 1/2 inches in caliper, 10-foot minimum height at time of planting with branches eliminated to a height of 6 feet where necessary to prevent sight obstruction for motorists and pedestrians at access driveways and street intersections.

Any of the following trees may be used, however, within each site the same type of tree shall be used along the street frontage:

- a. Columnar European Hornbeam
- b. Red Spire Ornamental Pear
- c. Katsura Tree
- d. Carrierei Hawthorn
- e. Washington Thorn
- f. Holly Oak

### **3. Shrub Planting.**

The tree and shrub area shall contain shrubs 18 inches minimum height, planted 3 feet on center or greater separation if recommended by a landscape professional, and any of the following species:

- a. Glossy Abelia 'Edward Goucher'
- b. Otto Luyken Laurel
- c. Japanese Holly 'Convexa'
- d. Laurustinus 'Spring Bouquet'
- e. Evergreen Euonymus 'Sarcoxie'
- f. India Hawthorn (Raphiolepis)
- g. Delavay Osmanthus
- h. Darwin Barberry

### **4. Groundcover Planting.**

The tree and shrub area shall contain groundcover, spaced 18 to 24 inches on center or greater separation if recommended by a landscape professional, and any of the following species:

- a. Kinnikinnick

- b. Ivy
  - c. Common Wintercreeper
  - d. Cotoneaster 'Lowfast,' 'Dammeri'
  - e. Creeping Mahonia
  - f. Juniper 'Shore Juniper,' 'Blue Carpet Juniper,' 'Shimpaku,' 'Tam'
- Insert Figure 21.06.4  
Insert Figure 21.06.5

#### **5. Irrigation.**

A below ground irrigation system shall be provided in addition to required landscaping to insure that all plant materials receive adequate moisture on a regular basis.

#### **6. Existing Vegetation.**

Existing vegetation shall be retained to the greatest extent possible within the required minimum 20-foot wide buffer on properties on the north side of 194th Street SW along the property lines adjacent to residentially zoned property. This requirement shall work in conjunction with the site screening requirements in the applicable zone. Vegetation which is diseased, dead, dying, or judged to be hazardous may be removed with permission of the City.

### **E. North and South Sides of 196th Street SW from Interstate 5 East to the City Limits.**

#### **1. Planting Layout.**

A sidewalk subject to Public Works Department standards adjacent to curb; and a 10-foot wide landscape area with a maximum slope of 4:1 consisting of a 5-foot wide sod lawn area adjacent to the sidewalk, and a 5-foot wide tree and shrub area planted with Red Maple (*Acer Rubrum*) trees spaced 30 feet on center, evergreen shrubs forming a screen obtaining a 3-foot maximum height, and evergreen groundcover spaced to achieve 100% coverage within 2 years. Up to 5 feet of the above landscaping may be within excess street right-of-way with approval of the Public Works Department. Refer to Figures 21.06.6, 21.06.7, and 21.06.8 for landscape standards when the grade between sidewalk and parking creates a slope of more than 4:1.

#### **2. Tree Planting.**

Red Maple street trees shall be planted at least three feet from the parking area curb. The trees shall be a minimum of 3 inches in caliper, 15 foot minimum height at time of planting with branches eliminated to a height of 6 feet where necessary to prevent sight obstruction for motorists and pedestrians at access driveways and street intersections.

#### **3. Shrub Planting.**

The tree and shrub area shall contain shrubs 18 inches minimum height, planted 3 feet on center or greater separation if recommended by a landscape professional, and any of the following species:

- a. Glossy Abelia 'Edward Goucher'
- b. Otto Luyken Laurel
- c. Japanese Holly 'Convexa'
- d. Laurustinus 'Spring Bouquet'

Insert Figure 21.06.6

#### **4. Groundcover Planting.**

The tree and shrub area shall contain groundcover, spaced 18 to 24 inches on center or greater separation if recommended by a landscape professional, and any of the following species:

- a. Kinnikinnick

- b. Ivy
- c. Common Wintercreeper

**5. Irrigation.**

A below ground irrigation system shall be provided in addition to the required landscaping to insure that all plant materials receive adequate moisture on a regular basis.

**Section 6: Amendment.** That subsections 21.10.100.B and C of the Lynnwood Municipal Code is hereby repealed, revised and amended to read as follows:

**B. Location Of Fences And Hedges.**

**1. Residential Zones.**

Non-vision obscuring fences and hedges may be located on any portion of a residential-zoned lot. Vision obscuring fences and hedges may be located on portions of a residential-zoned lot other than the following:

- a. Within 15 feet of the front lot line.
- b. Within a triangular area at street intersections. Such "intersection sight distance triangle" is defined as having two sides of 30 feet, measured along the property lines from the property corner at the street intersection, and a third side connecting the ends of the two aforementioned sides.
- c. Within a triangular area adjacent on one side to a street, and on a second side to a property having frontage on and requiring access from that street. Such "driveway sight distance triangle" is defined as having two sides of 15 feet measured along the property lines from the property corner common to the subject and adjacent property, and a third side connecting the end points on the two aforementioned sides. If any adjacent lot is undeveloped, it shall be construed as having access from all adjacent streets until the direction of access has been established, either by development or by waiver of right of direct access as per RCW 58.17.165.

However, fences, walls and hedges between three and six feet high that comply with applicable design guidelines may be located in any portion of a Multiple Family Residential zoned lot as long as they are not located within intersection and driveway sight distance triangles, do not obstruct driver and pedestrian visibility, comply with applicable Lynnwood Citywide Design Guidelines, as adopted by reference in 21.25.145(B)(3) LMC and are approved through project design review (Chapter 21.25 LMC).

**2. Commercial Zones.**

In commercial zones, vision-obscuring or non-vision-obscuring fences or hedges up to eight feet in height may be located on side and rear property lines and within side and rear yards, but not nearer to any public street than a point equal to the closest part of any building thereon to that street.

However, fences, walls and hedges up to six feet high that comply with applicable design guidelines may be located in any portion of a commercial zoned lot as long as they are not located within intersection and driveway sight distance triangles, do not obstruct driver and pedestrian visibility, comply with applicable Lynnwood Citywide Design Guidelines, as adopted by reference in 21.25.145(B)(3) LMC and are approved through project design review (Chapter 21.25 LMC).

### **C. Referrals to Hearing Examiner.**

Any fence or wall approved through project design review (Chapter 21.25 LMC) does not have to be approved by the hearing examiner.

The hearing examiner may review applications for fence permits in the following situations:

#### **1. Appeal.**

As an appeal of an administrative determination when:

- a. An applicant proposes a fence which he/she believes meets the stated purpose of this section, but does not strictly conform to the regulations;
- b. City staff believes that a proposed fence, while meeting regulations, may still obstruct visibility to such an extent that hazardous conditions would exist; or
- c. There is a disagreement between staff and an applicant regarding interpretation of the fence and hedge regulations.

In such cases, the Hearing Examiner may stipulate standards for fence composition, height, and location.

#### **2. Variance.**

As a variance, when an applicant believes the regulations of this chapter cause hardship.

**Section 7: Amendment.** That subsection 21.12.400.C of the Lynnwood Municipal Code is hereby repealed, revised and amended to read as follows:

### **C. Level 3 Improvements.**

#### **1. Scope.**

This category includes improvements to existing buildings and construction of new buildings within any 36 consecutive months providing:

- a. Increase the number of dwelling units on a site; or
- b. Increase the total floor area of a building or buildings on a site by more than 50%; or
- c. Have a value according to the Lynnwood Building Official exceeding 50% of the assessed value or appraised value whichever is greater, of the pre-existing structure or structures on the site.

#### **2. Requirements.**

Level 3 Improvements shall be permitted subject to the following provisions:

- a. All improvements, existing structures, accessory buildings, signs, parking facilities, landscaping, site screening, and storage yards shall conform to required setback and all other development standards for the use within the respective zone and this title. Existing structures in residential zones may remain at present setbacks, but all additions or improvements thereto shall conform to the required setbacks and all other development standards.
- b. Compliance with applicable Lynnwood Citywide Design Guidelines, as adopted by reference in 21.25.145(B)(3) LMC for improvements to multiple family, commercial, industrial and other non-residential buildings and sites that require project design review (Chapter 21.25 LMC).



**Section 8: Amendment.** Table 21.14.01 in LMC Section 21.14.200 is revised to read as follows:

**21.14.200 Minimum street setbacks.**

**Table 21.14.01**

Street Type+	Standard Right-of-Way Width	Minimum Setback*
Freeway	Various	None
Principal Arterial	100 ft. or more	65 ft.
	80 ft. to 100 ft.	55 ft.
	60 ft. to 80 ft.	45 ft.
Minor Arterial	60 ft.	45 ft.
Collector	60 ft.	45 ft.
Access Street adjoining industrial, commercial, business and/or multiple family zones	60 ft.	45 ft.
Access Street adjoining single-family zones	60 ft.	55 ft.

Notes:

+ As designated by the city comprehensive plan.

\* From centerline.

**Section 9: Amendment.** That subsection 21.16.310.B.1.a of the Lynnwood Municipal Code is hereby repealed, revised and amended to read as follows:

**B. Building Signs.**

**1. Wall Signs.**

**a. Area.** The total allowable sign area for each business for signs attached to a building frontage including mural signs shall be 60 square feet, or one square foot for each lineal foot of building frontage, whichever is greater, up to a maximum of 200 square feet. However, wall signs that comply with the Sign Design - Creative/Artistic Elements Guidelines of the Lynnwood Citywide Design Guidelines, as adopted by reference in 21.25.145(B)(3) LMC may be allowed up to a 30 percent increase in wall sign area.

**Section 10: Amendment.** That subsection 21.16.310.B.2 of the Lynnwood Municipal Code is hereby repealed, revised and amended to read as follows:

**2. Projecting, Marquee, and Nonrigid Awning Signs.**

Projecting signs shall not extend above the wall to which they are attached. Marquee signs shall not extend higher than the wall to which they are attached. Nonrigid awning signs shall not extend higher than the wall to which they are attached.

Projecting and marquee signs and nonrigid awnings shall be at least eight feet above any walkway and 16 feet above any area used by vehicular traffic. However, nonrigid awnings with signs may be placed at the top of garage bay doors unless contact by vehicular traffic is possible. Projecting signs on business sites shall not extend into the public right-of-way or adjacent property. Marquee signs shall not block windows or doorways. The area for projecting, marquee and nonrigid awning signs shall come out of the sign area allocation for the building facade they are attached to. Nonrigid awning signs shall have a maximum dimension of four feet from top to bottom. The sign area for nonrigid awning signs shall be the entire area of any nonrigid awning

that projects less than three feet from a building. The sign area for all other nonrigid awning signs shall be the rectangular area around letters and/or graphics displayed on the nonrigid awning. (See Figure 1.) Projecting and marquee signs may be illuminated; however, they shall not be illuminated if oriented toward adjacent residential-zoned property.

**Section 11: Amendment.** That subsection 21.18.710.B of the Lynnwood Municipal Code is hereby repealed, revised and amended to read as follows:

**B. Development Standards.**

**1. Compliance With Other Standards – Exception.**

A parking structure shall comply with all development standards for the applicable zone, with the following exceptions:

- a. In the PRC, CG, BC/B-1, PCD and MU zones, 50 percent of the square footage of the ground-level floor of the parking structure shall be counted in the calculation of lot coverage. In all other zones, 100 percent of the square footage of the ground-level floor shall be counted in the calculation of lot coverage.
- b. See subsection (B)(5)(c) of this section for minimum setback requirement from streets.

**2. Stall Dimensions.**

All parking stalls and aisles shall be designed according to Figure 21.18.1 "Minimum Standards for Off-Street Parking," unless all parking is to be done by parking attendants on duty at all times that the parking structure is in use for the storage of vehicles.

**3. Exterior Elevations.**

The exterior colors and materials of a parking structure shall match or complement those of the project for which it provides parking to the maximum extent feasible. The architectural design of the structure's exterior (including the use of colors and materials) does not need to match the design of adjoining buildings, but it should visually complement other buildings in the project. When viewed together, the main building(s) and parking structure(s) should create an overall design character that integrates all project buildings into a well coordinated and visually pleasing streetscape.

Regardless of the structural design of the structure, horizontal elements on the structure exterior shall be level and not sloping. Masking or concealing sloping ramps may necessitate placing one or more facades on these walls.

Horizontal exterior facades of 30 feet or longer shall be treated or designed so that long and continuous horizontal surfaces do not dominate the structure's appearance.

The apparent bulk of the structure shall be reduced by setting back floors above the third floor above ground-level floors.

Low walls, facades or other improvements (at least 3.5 feet high) shall be installed around all sides of all levels of the structure so that parked vehicles are shielded from view from ground level and adjoining buildings. Landscaping may be installed (in planter boxes) at the tops of such walls to provide additional screening and to soften the exterior appearance of the parking structure.

**4. Roof-Top.**

The structure's roof shall be treated with landscaping, trellises, and/or other design features in order to break-up or soften the dominance of the combination of concrete and asphalt when the structure is viewed or could be viewed from above.

## **5. Ground Floor.**

### **a. Vehicle Access.**

The number of travel lanes at an entry/exit driveway shall be limited to a maximum of three lanes unless exceptional traffic conditions or congestion require an additional drive. In no cases shall the number of lanes exceed four.

### **b. Landscaping.**

Landscaping shall be installed and maintained at ground level on all sides of a parking structure (exceptions: designated "pedestrian-oriented street" frontages (see below) and locations where the distance between the structure and an adjoining building is less than 20 feet). On the side of a parking structure that faces a street, a planting area at least 25 feet wide shall be provided. Planting along streets for which a landscaping plan has been approved (Chapter 21.06 LMC) shall conform with the approved plan. Along other sides of the structure, planting shall include:

- i. A planting area at least 10 feet wide adjacent to the side of the structure and a planting area at least 15 wide adjacent to the street frontage;
- ii. Trees in an arrangement that is consistent with the architecture of the parking structure so that the average spacing between trees is no more than 30 feet;
- iii. Shrubs and groundcover in the remainder of the planting area so that all exposed ground shall be covered within five years;
- iv. Flowering plants (covering a minimum of eight square feet) where a vehicle driveway connects to private or public streets and along sidewalks leading to pedestrian entrances and exits.

### **c. Street Frontage.**

The design and use of portions of the ground-floor of a parking structure that have frontage on a public or private street (but not including an alley) shall comply with the following requirements:

#### **i. Designated Pedestrian-Oriented Streets.**

Where a parking structure fronts on a street designated as a "pedestrian-oriented street", the portion of the garage that fronts on the designated street shall be designed to provide occupiable space for commercial uses that generate substantial foot traffic, such as retail businesses, walk-in businesses (arcades, art galleries, museums, and the like) and personal service shops (such as banks, barber and beauty shops, travel agencies, printing/copying stores, and dry cleaners). Exceptions to this requirement shall be allowed for entry/exit driveways and pedestrian egress/ingress to/from the structure.

#### **ii Other Streets.**

Where a parking structure fronts on a street not designated as a "pedestrian-oriented street," parking may be located along the street frontage, provided that the parking structure is setback from the street a minimum of 25 feet. The setback shall be landscaped as required by subsection (B)(5)(b) of this section.

### **d. Pedestrian Connections.**

The design of pedestrian connections or pathways from a parking structures to the building(s) for which it provides parking shall clearly delineate and separate the pedestrian way from travel areas for vehicles.

## **6. Above-Ground Pedestrian Connections.**

Pedestrian connections from a parking structures to the building(s) for which it provides parking ("skybridges") are allowed. The exterior design of such connections shall be consistent with the design of the parking structure and the main building(s) and shall maintain architectural continuity with the design concept for the project.

**Section 12: Amendment.** That Table 21.18.08 in LMC Section 21.18.800 is revised to read as follows:

**Table 21.18.01**

<b>Residential Uses</b>	<b>Number of Parking Stalls Required</b>
Convalescent, Nursing, or Rest Homes or Sanitariums	One per four beds plus one per employee including doctors on staff
Fraternities	One per accommodation
Hotels, Motels or Other Overnight Accommodations	One per unit or room, plus additional parking in accordance with these tables for restaurants, convention facilities and any other businesses or facilities associated with the motel or hotel
Mobile and Manufactured Homes	One per dwelling and one guest stall per five dwellings
Multiple-Family Residential	Two per dwelling unit
Respite Care	One per staff member plus one per 10 persons receiving care
Retirement Housing	1.5 per housing unit++
Rooming Houses	One per accommodation

**Section 13: New Chapter.** A new chapter 21.25 is added to the Lynnwood Municipal Code to read as follows:

**Chapter 21.25 PROJECT DESIGN REVIEW**

**21.25.100 Administrative decision by community development department director.**

Sections 21.25.100 through 21.25.185 LMC shall apply to multi-family, commercial, industrial and other non-residential project design review decisions of the Community Development Department director whenever a provision of the Lynnwood Municipal Code requires project design review.

**21.25.105 Administration.**

Various places in Title 21 (Zoning) indicate that applications for certain multi-family, commercial, industrial and other non-residential development are permitted only if it complies with Lynnwood Citywide Design Guidelines and approved pursuant to the provision of this chapter. In addition, various parts of Title 21 also require design review for remodeling and expansion of existing multi-family, commercial, industrial and other non-residential development shall also comply with Lynnwood Citywide Design Guidelines and be approved pursuant to the provisions of this chapter. The Community Development Director will make the decision on compliance with the Lynnwood Citywide Design Guidelines based on written comments and information. Appeals of the decision will be decided by the Hearing Examiner. (See Section 21.25.185.)

**21.25.110 Purpose of review.**

Project design review has the following purposes:

- A. To review the proposal for compliance with the provisions of Title 21 (Zoning), Lynnwood Citywide Design Guidelines and all other applicable laws and regulations.
- B. To help insure that the proposal is coordinated, as is reasonable and appropriate, with other known or anticipated development on private properties in the area and with known or anticipated right-of-way and other public improvement projects within the area.
- C. To encourage proposals that embody good design principles that will result in high quality development on the subject property.

**21.25.115 Applications.**

- A. Who may apply? Any person may, personally or through an agent, apply for a decision regarding property he or she owns.
- B. How to apply. The applicant shall file a completed application on the form provided by the applicable department, and supply all the application materials specified in the form. The applicant shall also provide all information or material that is specified in applicable provisions of Title 21, and any additional information or material that the director determines is reasonably necessary for a decision on the matter.
- C. Fee. With the application, the applicant shall submit a fee. The fee for a project design review application is set forth in LMC 2.23.120 and 140\*. The application will not be accepted unless it is accompanied by the required fee.

\* The adopting Ord. 2388 should have referenced 2.23.140 LMC. The codification adds this reference.

**21.25.120 Compliance with state environmental policy act.**

The State Environmental Policy Act (SEPA) applies to some of the decisions that will be made using this process. The SEPA Responsible Official (Environmental Review Committee) shall evaluate each application and, where applicable, comply with SEPA and with state regulations and city ordinances issued under the authority of SEPA.

**21.25.125 Official file.**

- A. Contents. The director shall compile an official file on the application containing the following:
  - (1) All application material submitted by the applicant.
  - (2) All written comments received on the matter.
  - (3) The written decision of the director.
  - (4) If the decision of the director is appealed, the following will be included in the file:
    - a. The letter of appeal
    - b. All written comments received regarding the appeal.
    - c. The staff report on the appeal.
    - d. The decision of the Hearing Examiner on the appeal.
  - (5) Any other information relevant to the matter.
- B. Availability. The official file is a public record. It is available for inspection and copying in the Community Development Department during regular business hours.

**21.25.130 Public notice of impending decision.**

- A. **Content of Notice.** The director shall prepare a notice of an impending decision on an application for project design review containing the following information:
- (1) The name of the applicant and, if applicable, the project name. The date of application.
  - (2) The street address of the subject property or, if this is not available, a locational description in nonlegal language sufficient to identify its location;
  - (3) The citation of applicable provision of the Lynnwood Municipal Code;
  - (4) A brief description of the impending decision;
  - (5) A statement of the availability of the official file.
  - (6) The date on which the public comment period ends.
  - (7) A statement of the right of any person to submit written comments to the director regarding the application within 14 days of the date of the notice.
  - (8) A statement that only persons who submit written comments to the director or specifically requests a copy of the original decision may appeal the director's decision.
- B. **Time of Notice.** The director shall provide such notice at least 17 days prior to the decision.
- C. **The director shall provide such notice by:**
- (1) Publishing it in the official daily newspaper of the city. (see Chapter 1.08 LMC)
  - (2) Posting it at each official posting place of the city (see Chapter 1.12 LMC) and posting it on or near the subject property.
  - (3) Mailing the notice to each owner of real property within 300 feet of any boundary of the subject property and of any property contiguous thereto which is in the applicant's ownership. Notice mailed to the addressee found on the city of Lynnwood utility billing records, or if there is no such record for any given lot, then notice mailed to the last owner of record in the office of the county treasurer shall be deemed proper notice.
  - (4) Mailing the notice addressed to "occupant/tenant" of each address in a multiple-residential building or mobile home park within the applicant's property or contiguous to the subject property and to each address in a multiple-residential building or mobile home park within 300 feet of any boundary of the subject property and any property contiguous thereto which is in the applicant's ownership. "Occupant/tenant" must be addressed by unit in a multiple-unit building or mobile home park but need not be identified by name.
  - (5) Mailing the notice to each person who has requested such notice in writing for the calendar year and who has paid the \$250.00 fee.
- D. **Notice by mail requirements shall be satisfied by substantial compliance with this section.**

**21.25.135 Burden of proof.**

The applicant has the responsibility of convincing the director that, under the provisions of this process, the applicant is entitled to the requested decision.

**21.25.140 Written comments.**

The director shall consider all written comments and information regarding the requested decision that is received by the Community Development Department prior to the date on which the decision is to be made.

#### **21.25.145 Director's decision.**

##### **A General.**

- (1) Coordination with decisions under SEPA. If a SEPA threshold determination is required to be issued, the threshold determination must precede the director's decision on the project. If the SEPA threshold determination is appealed, the director's decision shall be issued prior to the open record hearing on the threshold determination appeal.

##### **B Decisional criteria. The director shall use the criteria listed in this section.**

- (1) It is consistent with the comprehensive plan.
- (2) It is consistent with all applicable provisions of this chapter.
- (3) It is consistent with the applicable design guidelines found in the Lynnwood Citywide Design Guidelines, adopted by this reference and incorporated in the provisions of the LMC and Chapter 21.25 LMC as fully as if herein set forth.
- (4) For development applications for remodeling or expansion of an existing development, it is consistent with those provisions in the Lynnwood Citywide Design Guidelines, identified by the director as being applicable.
- (5) For such applications, the director may modify applicable design standards and guidelines to provide continuity between existing and new development and/or proposed phases of development.

##### **C. Conditions and restrictions. The director shall include in the written decision any conditions and restrictions that are necessary to ensure compliance with the decisional criteria listed in 21.25.145(B) LMC.**

##### **D Contents of Decision. The director shall include the following in the written decision:**

- (1) A statement granting, modifying and granting, or denying the application.
- (2) Any conditions and restrictions that are imposed.
- (3) A statement of facts presented to the director that support the decision, including any conditions and restrictions that are imposed.
- (4) A statement of the director's conclusions based on those facts.
- (5) A statement of the criteria used by the director in making the decision.
- (6) The date of the decision.
- (7) A summary of the rights, as established in this process, of the applicant and others to appeal the decision of the director.
- (8) A statement of any threshold determination made under the State Environmental Policy Act, (SEPA) Chapter 43.21C RCW.

##### **E Distribution of written decision. Within five (5) working days after the written decision of the director is issued, it shall be distributed as follows:**

- (1) A copy will be mailed to the applicant.
- (2) A copy will be mailed to each person who submitted written comments or information to the director.
- (3) A copy will be mailed to any person who has specifically requested it.
- (4) A copy will be given to every member of the City Council.

#### **21.25.150 Design departure.**

An applicant may propose, and the director may approve an alternative project design that does not strictly comply with applicable design guidelines, but is consistent with the intent of the design guidelines. In evaluating the project, the director shall determine if the alternative design provides equivalent or superior results when compared with strict compliance with applicable guidelines. The director may also approve an alternative project design on the basis of physical

constraints of the project site. The director may also approve an alternative design for special types of public facility projects such as park and ride lots and transit centers on the basis of the unique functions they are designed to serve. Zoning code requirements and standards are not subject to design departure.

**21.25.155 Limitation on modification.**

If the director modifies or imposes conditions upon the application which results in a proposal not reasonably foreseeable from the description of the proposal contained in the public notice provided pursuant to 21.25.130 LMC\*, the director shall provide a new notice of an impending decision and obtain public comment prior to making a decision.

\* The adopting Ord. 2388 incorrectly referenced 1.35.330 LMC. The codification corrects this reference.

**21.25.160 Effect of the decision.**

The applicant may not engage in any activity based on the decision until the third working day after the time to appeal has expired. If the decision is appealed, the applicant may not engage in any activity based on the decision until the third working day after the city issues a final decision on the matter. If the decision of the director is not appealed, that decision is the final decision of the city.

**21.25.165 Lapse of approval – general.**

The applicant under this process must begin construction or submit to the city a complete building permit application for the development activity, or remodel or expansion of existing development approved under this process within one year after the final decision on the matter, or the decision becomes void. The applicant must substantially complete construction for the development activity, remodel or expansion of existing development approved under this process and complete the applicable conditions listed in the decision within five years after the final decision of the city on the matter, or the decision becomes void. If litigation is initiated pursuant to LMC 1.35.260 (Appeal of hearing examiner's decision to superior court), the time limits of this section are automatically extended by the length of time between the commencement and final termination of that litigation. If the development activity, remodel or expansion of existing development approved under this process includes phased construction, the time limits of this section may be extended in the decision on the application, to allow the completion of subsequent phases.

**21.25.170 Lapse of approval – time extension.**

- A. Application. Prior to the lapse of approval under LMC 1.35.565 the applicant may submit a written application in the form of a letter with supporting documentation to the Community Development Department requesting a one-time extension of those time limits of up to one year.
- B. Criteria. The request must demonstrate that the applicant is making substantial progress on the development activity, remodel or expansion of existing development approved under this process and that circumstances beyond the applicant's control prevent compliance with the time limits of 21.25.165\* LMC.
- C. Review process. An application of a time extension will be reviewed and decided upon by the director.



D. Appeals. Any person who is aggrieved by the granting or denying of a request for a time extension under this section may appeal that decision. The appellant must file a letter of appeal indicating how the decision on the time extension affects the appellant's property and presenting any relevant material or information supporting the appellant's contention. The appeal will be heard and decided upon using Process II as identified in chapter 1.35.200 LMC.

\* The adopting Ord. incorrectly referenced 1.35.565 LMC. The codification corrects this reference.

**21.25.175 Bonds or other financial security.**

The city may require a bond or other financial security to insure compliance with any aspect of a permit or approval under this process.

**21.25.180 Complete compliance required.**

- A. Generally. Except as specified in subsection (B) of this section, the applicant must comply with all aspects, including conditions and restrictions, of an approval granted under this process in order to do everything authorized by that approval.
- B. Exception, subsequent modification. If a specific site configuration for the subject property was approved under this process or any quasi-judicial process, the applicant is not required to apply for and obtain approval through this process for a subsequent change in site configuration unless:
- 1) There is a change in use and LMC Title 21 (Zoning) establishes different or more rigorous standards for the new use than for the existing use; or
  - 2) The director determines that there will be substantial changes in the impacts on the neighborhood or the city as a result of the change.

**21.25.185 Process on appeal to hearing examiner.**

Any Party of Record may appeal the decision of the director by filing a written request for appeal with the Community Development Department within 14 calendar days of the date of issuance of the decision. An appeal filed within this time limit shall be processed pursuant to Process II, as identified in Chapter 1.35.200 LMC.

**Section 14: Amendment.** That Section 21.30.300 of the Lynnwood Municipal Code is hereby repealed, revised and amended to read as follows:

**21.30.300 Procedure for approval of planned unit development projects.**

The City will process an application for a preliminary planned unit development through Process IV (LMC 1.35.400 through 1.35.499). Before approval of any plan, the City Council shall determine that such plans comply with the development policies of the comprehensive plan, the purposed of this title, and provisions of this chapter. Such preliminary approval or subsequent revision shall be binding as to the general intent and apportionment of land for buildings, stipulated use and circulation pattern, but shall not be construed to render inflexible the ultimate design, specific uses of final plan of the project.

All commercial, industrial and multiple family Planned Unit Developments (PUD's) and PUD's with non-residential development shall comply with applicable Lynnwood Citywide Design

Guidelines and receive project design review approval pursuant to Chapter 21.25 LMC prior to Process IV approval.

**Section 15: Amendment.** That Section 21.42.100 of the Lynnwood Municipal Code is hereby repealed, revised and amended to read as follows:

**21.42.100 Uses allowed in residential zones.**

A. See table 21.42.01 for use restrictions in residential zones.

**Section 16: New Section.** A new Section 21.42.105 is added to the Lynnwood Municipal Code to read as follows:

**21.42.105 Project design review.**

**A. Design guidelines for multiple family uses.**

Construction of any multi-family structure or building including duplexes (two-family dwellings) permitted outright or by conditional use permit in any Residential Zone shall comply with Lynnwood Citywide Design Guidelines for All Districts and Multi-family Districts, as adopted by reference in 21.25.145(B)(3) LMC and receive approval pursuant to Chapter 21.25 LMC, unless otherwise specified in this chapter.

**B. Design guidelines for non-residential uses.**

Construction of any non-residential structure or building with a gross floor area of more than 1,000 square feet. permitted outright or by conditional use permit in any Residential Zone shall comply with Lynnwood Citywide Design Guidelines for All Districts and Multi-family Districts, as adopted by reference in 21.25.145(B)(3) LMC and receive approval pursuant to Chapter 21.25 LMC, unless otherwise specified in this chapter.

**C. Design guidelines for parking lots and parking structures.**

Construction of any parking lot and/or parking structure with 20 or more stalls or paved parking area of 5,400 square feet or more permitted outright or by conditional use permit in any Residential Zone shall comply with Lynnwood Citywide Design Guidelines for All Districts and Commercial Districts, as adopted by reference in 21.25.145(B)(3) LMC and receive approval pursuant to Chapter 21.25 LMC, unless otherwise specified in this chapter.

**D. Supersede.** Applicable Lynnwood Citywide Design Guidelines, as adopted by reference in 21.25.145(B)(3) LMC shall supersede any development standards and requirements of this chapter that may conflict, unless otherwise specified in this chapter.

**E. Gateways and Prominent Intersections.** See City of Lynnwood Zoning Map to identify development project sites within a Gateway or Prominent Intersection location. Such sites shall be subject to applicable Gateway and/or Prominent Intersection design guidelines identified in the All Districts section of the Lynnwood Citywide Design Guidelines, as adopted by reference in 21.25.145(B)(3) LMC. If any portion of a project site lies within a Gateway or Prominent Intersection Location, then the entire project shall comply with the applicable design guidelines.

**Section 17: Amendment.** That Table 21.42.02 in Section 21.42.200 of the Lynnwood Municipal Code is revised to read as follows:

**Table 21.42.02  
Development Standards**

Standard	RS-12	RS-9	RS-8	RS-7	RMD	RML	RMM	RMH	RMHR
Minimum Lot Area <sup>+++</sup>	12,500 sf	9,600 sf	8,400 sf	7,200 sf	8,400 sf	7,200 sf	none	none	none
Minimum Lot Area per Dwelling	NA	NA	NA	NA	4,200 sf	3,600 sf	2,400 sf <sup>+</sup>	1,200 sf <sup>++</sup>	1,000 sf <sup>++</sup>
Minimum Lot Width	80 ft.	75 ft.	70 ft. <sup>+++</sup>	60 ft.	none	None	70 ft.	100 ft. plus 1 ft. for every 10 ft. of lot depth after the first 100 ft.	100 ft. plus 1 ft. for every 10 ft. of lot depth after the first 100 ft.
Minimum Frontage at Street	40 ft.	40 ft.	30 ft. <sup>+++</sup>	30 ft.	75 ft.	70 ft.	none	none	none
Minimum Front Yard Setback									
Interior Lot	25 ft.	25 ft.	25 ft.	20 ft.	15 ft.	15 ft.	15 ft.	15 ft.	15 ft.
Corner Lot	25 ft.	25 ft.	25 ft.	20 ft.	15 ft.	15 ft.	15 ft.	15 ft.	15 ft.
Abutting a Principal Arterial Street	25 ft.	25 ft.	25 ft.	25 ft.	15 ft.	15 ft.	15 ft.	15 ft.	15 ft.
Minimum Side Yard Setbacks – Corner Lot									
Street Side	15 ft.	15 ft.	15 ft.	15 ft.	15 ft.	15 ft.	15 ft.	15 ft.	15 ft.
Interior Side	6 ft.	5 ft.	5 ft.	5 ft.	5 ft.	5 ft.	15 ft.	15 ft.	15 ft.
Both Sides Combined	16 ft.	15 ft.	15 ft.	10 ft.	20 ft.	15 ft. ***	none	none	none
Abutting a Principal Arterial Street	25 ft.	25 ft.	25 ft.	25 ft.	15 ft.	15 ft.	15 ft.	15 ft.	15 ft.
Minimum Side Yard Setbacks-Interior Lot									
Each Side	6 ft.	5 ft.	5 ft.	5 ft.	5 ft.	5 ft.	15 ft.	15 ft.	15 ft.
Both Sides Combined	16 ft.	15 ft.	15 ft.	10 ft.	15 ft.	15 ft.	none	none	none
Minimum Rear Yard Setback	25 ft.	25 ft.	25 ft.	25 ft.	25 ft.	25 ft.	25 ft.	25 ft.	25 ft.
Minimum Building Separation*	16 ft.	none	none	none	none	none	none	none	none
Maximum Lot Coverage by Buildings	35 percent	35 percent	35 percent	35 percent	35 percent	35 percent	35 percent	35 percent	45 percent
Maximum Building Height	35 ft.	35 ft.	35 ft.	35 ft.	35 ft., or 2 stories from average finished grade	35 ft., or 2 stories from average finished grade	35 ft.	none <sup>+++</sup>	none <sup>+++</sup>

Minimum Floor Area**	1,000 sf on 1 floor; 1,500 sf on 2 floors	1,000 sf on 1 floor; 1,500 sf on 2 floors	900 sf on 1 floor; 1,350 sf on 2 floors	none	none	none	none	none	none
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- \* Minimum distance of dwelling from any other main building in zone.
- \*\* Excluding garage or storage.
- \*\*\* Unless any structure extending into the side yard is open and allows emergency access to the rear yard, in which case a five-foot side yard may be the minimum of each side.
- + The total lot area may be "increased" at the rate of 250 square feet for every parking space provided within the apartment structure.
- ++ The total lot area may be "increased" at the rate of 200 square feet for every parking space provided within the multiple-family housing structure.
- +++ See LMC 21.42.210.

**Section 18: Amendment.** That subsection 21.42.210.A of the Lynnwood Municipal Code is hereby repealed, revised and amended to read as follows:

**A. Parking Requirements.**

Parking requirements for the Residential Zones are as provided in Chapter 21.18.

**1. Tandem Parking in Multiple Family Zones.**

In the RML, RMM, RMH, and RMHR Zones, ten percent of the required parking may be in tandem parking, provided that the area in which the tandem parking is located is designated on an approved site plan and that they are assigned by the management; or, ten percent of the parking stalls required may be located in a separate parking lot utilized only for recreation vehicles provided the area does not encroach on front, side, and rear yard setbacks.

**2. Driveways as Parking Space.**

In the RMD Zone, driveways may be counted as one parking space.

**3. Landscaping in Parking Areas in the Multiple Family Zones.**

**a. Purpose.**

The purpose of these landscaping provisions is:

- i. To break up the visual blight created by large expanses of barren asphalt which make up a typical parking lot;
- ii. To encourage the preservation of mature evergreens and other large trees which are presently located on most of the potential multiple family housing sites in this City;
- iii. To provide an opportunity for the development of a pleasing visual environment in the multiple family housing zones of this City from the viewpoint of the local resident and visitor passing through the zones (a purpose of this section) as well as from the viewpoint of the multiple family housing dweller (a purpose of the multiple family housing developer);
- iv. To insure the preservation of land values in multiple family housing zones by creating and insuring an environmental quality which is most compatible with the development of this land; and
- v. To provide adequate control over the application of landscaping standards so that these objectives are accomplished in the most effective manner and to avoid the abuse of these intentions by placing the described landscaping in remote parts of the site or in recreational areas where they bear no relationship to these objectives.

**b. Planting at Street Frontages.**

Development sites with parking areas located only between the sides of buildings opposite the street and interior property lines shall provide a ten-foot wide planting area along the entire street frontage, except for driveways, walkways and other pedestrian spaces. Development sites with single aisle, double loaded parking areas located between buildings and the street right-of-way, parking areas between buildings or parking areas between buildings and the closest side property line shall provide a fifteen-foot wide planting area along the entire street frontage with the same above exceptions. Development sites with multi-aisle parking areas located between buildings and the street right-of-way shall provide a twenty-foot wide planting area along the entire street frontage with the same above exceptions. Planting shall consist of ornamental landscaping of low plantings and high plantings. The minimum height of trees shall be eight feet for evergreen trees and ten feet for all other species. Trees shall be spaced a maximum of twenty-five feet on center with branches eliminated to a height of six feet where necessary to prevent sight obstruction. The required trees in this planting area may be located within the adjacent street right-of-way as long as they comply with Lynnwood Citywide Design Guidelines, as adopted by reference in 21.25.145(B)(3) LMC and are approved by the Public Works Department.

Low evergreen plantings or a mixture of low evergreen and deciduous plantings with a maximum height of thirty inches, in bark or decorative rock, shall be provided so as to achieve fifty percent ground cover within two years.

The location and width of the planting area may be modified in accordance with the following provisions: that up to five feet of the ten foot total required may be installed in portions of City right-of-way which are not covered by impervious surfaces or, in the case of right-of-way which is not fully improved, are not projected to be covered by impervious surfaces upon full improvement.

**c. Landscaping in Right-of-Way.**

Property owners who install landscaping on portions of right-of-way not covered by impervious surfaces shall provide the City with a written release of liability for damages which may be incurred to the planting area from any public use of the right-of-way and an indemnity to the City against any injuries occurring within that portion of right-of-way so utilized.

**d. Planting Coverage.**

Ten (10) percent of parking areas located between buildings or between buildings and interior property lines, and single aisle, double loaded parking areas located between buildings and the street; and fifteen (15) percent of multi-aisle parking areas located between buildings and street shall be in landscaping (exclusive of landscaping on the street frontage and required landscape buffers); provided that:

- i. No landscaping area shall be less than one hundred square feet in area or less than five feet in width;
- ii. No parking stall shall be located more than forty-five feet from a landscaped area. The Planning Commission may approve landscaping plans involving alternatives to this specification for individual properties if it finds that the alternative plans would be more effective in meeting the above stated purposes of this section; and
- iii. All landscaping must be located between parking stalls or between parking stalls and the property lines. Landscaping which occurs between parking stalls and multiple family housing or between parking stalls and multiple family housing recreation areas shall not be considered in the satisfaction of these landscaping requirements.

**e. Style of Landscaping.**

The planting area shall include liberal landscaping using such material as trees, ornamental shrubs, lawn or combination of such materials.

**f. Landscaping Adjacent to Parking Stalls.**

Where landscaping areas which fulfill City standards are adjoined by angular or perpendicular parking stalls, landscaping in the form of ground cover materials or plants may be installed in that portion of any parking stall which will be ahead of the wheels and adjacent to the landscaped area, providing that curbing or wheel stops are installed in a position which will protect the plants from damage. Such landscaping shall not be construed to be part of the percentage of landscaped area required by this chapter nor a reduction of the parking stall.

**g. Additional Landscaping Along Specified Streets.**

Along streets where it may be desirable and feasible to obtain a higher degree of continuity in landscaping from property to property than is provided for here, the City Council, upon recommendation by the Planning Commission, may designate specific street frontage landscaping plans for those streets. See Chapter 21.06 LMC.

**Section 19: Amendment.** That subsection 21.42.220 B of the Lynnwood Municipal Code is hereby repealed, subsection C is amended, and subsections D and E are renumbered, as follows:

**B. Maintenance.**

Whenever greenbelts or landscaping are required to be installed according to City zoning requirements, the plant material shall be regularly maintained and kept in a healthy condition in accordance with zoning requirements, Lynnwood Citywide Design Guidelines, as adopted by reference in 21.25.145 (B)(3) LMC and approved development plans. Maintenance shall also include regular weeding, removal of litter from landscaped areas, and repair or replanting so that the greenbelts or landscaping continue to comply with zoning requirements and/or development plans.

**C. Minimum Standards.**

**1. Planting and Fencing.**

a. RMD, RML, RMM, RMH, and RMHR Zones Adjoining a Single Family Residential Zone  
The planting strip shall consist of one row of evergreen conifer trees, spaced a maximum of ten feet on center. Minimum tree height shall be six feet. The remainder of the planting strip shall be promptly planted with low evergreen plantings which will mature to a total ground cover within five years. A permanent six-foot site screening fence shall be placed at the property line.

b. RML, RMM, RMH, and RMHR Zones Adjoining the RMD Zone  
The planting strip shall consist of one row of evergreen conifer trees, spaced a maximum of ten feet on center. Minimum tree height shall be six feet. The remainder of the planting strip shall be promptly planted with low evergreen plantings which will mature to a total ground cover within five years. A permanent six-foot site screening fence shall be placed at the property line.

c. A Multiple Family Residential Zone Adjoining a Commercial or Industrial Zone  
The planting strip shall contain the planting in the preceding paragraph; or, an evergreen hedge, with plants spaced so that they will form a dense hedge within five years, and the minimum plant height shall be four feet. A permanent six-foot site screening fence shall be placed at the property line.

## **2. Signed Plans.**

All landscaping plans shall bear the seal of a registered landscape architect or signature of a professional nurseryman and be drawn to a scale no less than one inch to twenty feet. The landscape architect or professional nurseryman shall certify that the species of plants are fast-growing and that the design of the plan will fulfill City code requirements within five years.

## **3. Installation Prior to Occupancy.**

All landscaping that fulfills the City code requirements shall be installed prior to occupancy of any structure located on the same site.

If, due to extreme weather conditions or some unforeseen emergency, all required landscaping cannot be installed prior to occupancy, then a cash deposit or guarantee account with the City shall be provided as financial security to guarantee installation of the remaining landscaping. The security shall be equal to the cost of the remaining landscaping including labor and materials or a minimum of \$500. The security shall not extend for a period of more than 30 days. If, within 30 days, the remaining landscaping is installed according to code requirements and approved development plans, then all funds shall be refunded.

## **D. Fence Regulations.**

### **1. Definition.**

For the purposes of this section a "site screening fence" means a solid one-inch thick board (nominal dimensional standards) fence. One made of brick, rock or masonry materials may be substituted for a board fence;

### **2. Exceptions.**

Where a fence is required by the above standards, no fence will be required in those cases where a fence already exists which meets the intent of this section. However, if the existing fence is ever removed, demolished or partially destroyed, then the owner of the property first being required by the section to provide the necessary fence will be responsible for replacing the fence; In those cases where the slope of the land is such that the location of a fence required by the above standards is impractical or ineffective in satisfying the intent of this section, the planning director may, at his discretion, permit a location which more adequately satisfies the intent of this section.

**Section 20: Amendment.** That subsection 21.42.900.A of the Lynnwood Municipal Code is hereby repealed, revised and amended to read as follows:

### **A. Refuse and Recycling Collection Areas and Enclosures.**

On-site paved and enclosed refuse and recycling collection areas shall be provided on sites where new buildings are being constructed or existing buildings are being remodeled or expanded, and shall comply with the requirements of this section. One-family dwelling units, two-family dwelling units, and public parks are exempt from the requirements of this section.

### **1. Development Standards.**

Refuse and recycling collection areas in all multiple family zones shall comply with the development standard below. The following development standard shall supercede other applicable setback requirements of this chapter and applicable Lynnwood Citywide Design Guidelines, as adopted by reference in 21.25.145(B)(3) LMC than may conflict: setback a minimum of 25 ft. from a public street and 10 ft. from any interior property line.

## **2. Enclosure.**

All refuse and recycling collection areas shall be enclosed on three sides by a 6 ft. high site-obscuring fence which uses building materials, color, and design details similar to the primary buildings on the site and a 6 ft. high gate on one side. The height of the enclosure may include the height of a surrounding slope or berm (height measured from bottom inside edge of the collection area). The enclosure shall include a gate which can be secured in an open or closed position. If the enclosure includes a gate made of metal chain link fencing, the fencing shall contain slats which screen the view of containers and material inside the collection area. An alternative design may be approved if it is determined that such alternative would provide equal or better screening, architectural compatibility, and containment.

## **3. Parking.**

No refuse and recycling collection area shall be located in such a way that new or existing parking stalls will prevent or interfere with the use and servicing of the collection area.

## **4. Design.**

Refuse and recycling collection areas shall be sized, located, and constructed per standards established by the Public Works Department.

**Section 21: Amendment.** That subsection 21.42.900.B of the Lynnwood Municipal Code is hereby repealed, revised and amended to read as follows:

### **B. Recreational Requirements.**

In the RML, RMM, RMH, and RMHR Zones, on-site recreational facilities and outdoor amenities shall be provided, as follows:

#### **1. Objectives.**

- a. To require the multiple family housing developer to satisfy a portion of the demand for recreational facilities that are created in a proportional ratio to the increased population density; and
- b. To provide standards which can be principally satisfied through proper site design that gains a maximum use of the respective land parcel.

#### **2. Requirement.**

All new multiple family housing developments, and all expansions of existing multiple family housing developments by the addition of new dwelling units, shall provide sufficient active recreational areas to satisfy a minimum ratio of two hundred square feet per multiple family housing unit. The site plan shall designate the location of recreational facilities and outdoor amenities and the boundaries of recreational areas. Indoor recreational areas or rooftop recreational areas may be used to satisfy this ratio if they satisfy all requirements of this section.

#### **3. Development Standard.**

All recreation facilities shall be of a permanent nature.

#### **4. Use Restriction.**

The recreation facilities may be restricted to use by tenants only. This provision excludes use of private and semi-private patios, and balconies in meeting the recreational requirements.



**Section 22: New Section.** A new Section 21.44.105 is added to the Lynnwood Municipal Code to read as follows:

**21.44.105 Project design review.**

**A. Design Guidelines for non-residential uses.** The following structures and parking facilities permitted outright or by conditional use permit in the Public & Semi Public Zone shall comply with Lynnwood Citywide Design Guidelines for All Districts and Commercial Districts, as adopted by reference in 21.25.145(B)(3) LMC and receive approval pursuant to Chapter 21.25 LMC, unless otherwise specified in this chapter:

1. Construction of any non-residential structure or building with a gross floor area of more than 1,000 square feet.
2. Construction of any parking lot and/or parking structure with 20 or more stalls or paved parking area of 5,400 square feet or more.

**B. Design guidelines for multiple family uses.**

Construction of any multi-family structure or building including duplexes (two-family dwellings) permitted outright or by conditional use permit in the Public & Semi Public Zone shall comply with Lynnwood Citywide Design Guidelines for All Districts and Multi-family Districts, as adopted by reference in 21.25.145 (B)(3) LMC and receive approval pursuant to Chapter 21.25 LMC, unless otherwise specified in this chapter.

**C. Supersede.** Applicable Lynnwood Citywide Design Guidelines, as adopted by reference in 21.25.145 (B)(3) LMC shall supersede any development standards and requirements of this chapter that may conflict, unless otherwise specified in this chapter.

**D. Gateways and Prominent Intersections.** See City of Lynnwood Zoning Map to identify development project sites within a Gateway or Prominent Intersection location. Such sites shall be subject to applicable Gateway and/or Prominent Intersection design guidelines identified in the All Districts section of the Lynnwood Citywide Design Guidelines, as adopted by reference in 21.25.145(B)(3) LMC. If any portion of a project site lies within a Gateway or Prominent Intersection Location, then the entire project shall comply with the applicable design guidelines.

**Section 23: Repealer.** That Section 21.44.110 of the Lynnwood Municipal Code is hereby repealed.

**Section 24: Amendment.** That subsection 21.44.200.A of the Lynnwood Municipal Code is hereby repealed, revised and amended to read as follows:

**A. Minimum Setbacks.** There shall be a minimum setback for nonresidential buildings of 15 feet from any public street and 50 feet from any property line adjoining a single-family residential zone or use. The setback from any other property line shall be 25 feet. These setbacks shall be increased by one foot for each foot of height exceeding 45 feet, measured from the lowest ground elevation at the foundation to the ceiling of the highest story occupied.

**Section 25: Amendment.** That subsection 21.44.210.A.1 of the Lynnwood Municipal Code is hereby repealed, revised and amended to read as follows:

**1. Landscaping in Parking Areas.**

**a. Purpose.**

The purpose of these landscaping provisions is:

- i. To break up the visual blight created by large expanses of barren asphalt which make up a typical parking lot;
- ii. To encourage the preservation of mature evergreens and other large trees which are presently located on most of the potential multiple-family housing sites in this city;
- iii. To provide an opportunity for the development of a pleasing visual environment in the multiple-family housing zones of this city from the viewpoint of the local resident and visitor passing through the zones (a purpose of this section) as well as from the viewpoint of the multiple-family housing dweller (a purpose of the multiple-family housing developer);
- iv. To insure the preservation of land values in multiple-family housing zones by creating and insuring an environmental quality which is most compatible with the development of this land; and
- v. To provide adequate control over the application of landscaping standards so that these objectives are accomplished in the most effective manner and to avoid the abuse of these intentions by placing the described landscaping in remote parts of the site or in recreational areas where they bear no relationship to these objectives.

**b. Planting at Street Frontages.**

Development sites with parking areas located only between the sides of buildings opposite the street and interior property lines shall provide a ten-foot wide planting area along the entire street frontage, except for driveways, walkways and other pedestrian spaces. Development sites with single aisle, double loaded parking areas located between buildings and the street right-of-way, parking areas between buildings or parking areas between buildings and the closest side property line shall provide a fifteen-foot wide planting area along the entire street frontage with the same above exceptions. Development sites with multi-aisle parking areas located between buildings and the street right-of-way shall provide a twenty-foot wide planting area along the entire street frontage with the same above exceptions. Planting shall consist of ornamental landscaping of low plantings and high plantings. The minimum height of trees shall be eight feet for evergreen trees and ten feet for all other species. Trees shall be spaced a maximum of twenty-five feet on center with branches eliminated to a height of six feet where necessary to prevent sight obstruction. The required trees in this planting area may be located within the adjacent street right-of-way as long as they comply with Lynnwood Citywide Design Guidelines, as adopted by reference in 21.25.145(B)(3) LMC and are approved by the Public Works Department. Low evergreen plantings or a mixture of low evergreen and deciduous plantings with a maximum height of thirty inches, in bark or decorative rock, shall be provided so as to achieve fifty percent ground cover within two years.

The location and width of the planting area may be modified in accordance with the following provisions: that up to five feet of the ten foot total required may be installed in portions of City right-of-way which are not covered by impervious surfaces or, in the case of right-of-way which is not fully improved, are not projected to be covered by impervious surfaces upon full improvement.

**c. Landscaping in Right-of-Way.**

Property owners who install landscaping on portions of right-of-way not covered by impervious surfaces shall provide the City with a written release of liability for damages which may be

incurred to the planting area from any public use of the right-of-way and an indemnity to the City against any injuries occurring within that portion of right-of-way so utilized.

**d. Coverage.**

Ten (10) percent of parking areas located between buildings or between buildings and interior property lines, and single aisle, double loaded parking areas located between buildings and the street; and fifteen (15) percent of multi-aisle parking areas located between buildings and street shall be in landscaping (exclusive of landscaping on the street frontage and required landscape buffers); provided that:

- i. No landscaping area shall be less than 100 square feet in area or less than five feet in width;
- ii. No parking stall shall be located more than 45 feet from a landscaped area. The planning commission may approve landscaping plans involving alternatives to this specification for individual properties if it finds that the alternative plans would be more effective in meeting the above stated purposes of this section; and
- iii. All landscaping must be located between parking stalls or between parking stalls and the property lines. Landscaping which occurs between parking stalls and multiple-family housing or between parking stalls and multiple-family housing recreation areas shall not be considered in the satisfaction of these landscaping requirements.

**e. Amount of Landscaping.**

The planting area shall include liberal landscaping using such material as trees, ornamental shrubs lawn or combination of such materials.

**f. Landscaping Adjacent to Parking Stalls.**

Where landscaping areas which fulfill City standards are adjoined by angular or perpendicular parking stalls, landscaping in the form of ground cover materials or plants may be installed in that portion of any parking stall which will be ahead of the wheels and adjacent to the landscaped area, providing that curbing or wheel stops are installed in a position which will protect the plants from damage. Such landscaping shall not be construed to be part of the percentage of landscaped area required by this chapter nor a reduction of the parking stall.

**g. Additional Landscaping Along Specified Streets.**

Along streets where it may be desirable and feasible to obtain a higher degree of continuity in landscaping from property to property than is provided for here, the City Council, upon recommendation by the Planning Commission, may designate specific street frontage landscaping plans for those streets. See Chapter 21.06 LMC.

**Section 26: Amendment.** That subsection 21.44.220.A of the Lynnwood Municipal Code is hereby repealed, subsection B is amended, and subsections C and D are renumbered, as follows:

**A. Maintenance.**

Whenever greenbelts or landscaping are required to be installed according to City zoning requirements, the plant material shall be regularly maintained and kept in a healthy condition in accordance with zoning requirements, Lynnwood Citywide Design Guidelines, as adopted by reference in 21.25.145(B)(3) LMC and approved development plans. Maintenance shall also include regular weeding, removal of litter from landscaped areas, and repair or replanting so that the greenbelts or landscaping continue to comply with zoning requirements and/or development plans.

## **B. Minimum Standards.**

### **1. Planting and Fencing.**

The planting strip shall consist of one row of evergreen conifer trees, spaced a maximum of ten feet on center. Minimum tree height shall be six feet. The remainder of the planting strip shall be promptly planted with low evergreen plantings which will mature to a total ground cover within five years. A permanent six-foot site screening fence shall be placed at the property line.

### **2. Signed Plans.**

All landscaping plans shall bear the seal of a registered landscape architect or signature of a professional nurseryman and be drawn to a scale no less than one inch to twenty feet. The landscape architect or professional nurseryman shall certify that the species of plants are fast-growing and that the design of the plan will fulfill City code requirements within five years.

### **3. Installation Prior to Occupancy.**

All landscaping that fulfills the City code requirements shall be installed prior to occupancy of any structure located on the same site.

If, due to extreme weather conditions or some unforeseen emergency, all required landscaping cannot be installed prior to occupancy, then a cash deposit or guarantee account with the City shall be provided as financial security to guarantee installation of the remaining landscaping. The security shall be equal to the cost of the remaining landscaping including labor and materials or a minimum of \$500. The security shall not extend for a period of more than 30 days. If, within 30 days, the remaining landscaping is installed according to code requirements and approved development plans, then all funds shall be refunded.

## **C. Fence Regulations.**

### **1. Definition.**

For the purposes of this Section a "site screening fence" means a solid one-inch thick board (nominal dimensional standards) fence. One made of brick, rock or masonry materials may be substituted for a board fence;

### **2. Exceptions.**

Where a fence is required by the above standards, no fence will be required in those cases where a fence already exists which meets the intent of this section. However, if the existing fence is ever removed, demolished or partially destroyed, then the owner of the property first being required by the section to provide the necessary fence will be responsible for replacing the fence; In those cases where the slope of the land is such that the location of a fence required by the above standards is impractical or ineffective in satisfying the intent of this section, the planning director may, at his discretion, permit a location which more adequately satisfies the intent of this section.

**Section 27: Amendment.** That subsection 21.44.250.A of the Lynnwood Municipal Code is hereby repealed, revised and amended to read as follows:

A. Buildings and structures at properties designated "Recreation/Open Space" on the future land use plan map of the comprehensive plan shall be subject to the development standards in LMC 21.44.200; provided, that the community development director may authorize a reduction in the minimum setback from a public street to the following:

1. Structures and buildings no more than one story in height and with a gross floor area of 1,000 square feet or less: 10 feet.
2. Structures and buildings either more than one story in height or with a gross floor area greater than 1,000 square feet (or both): 15 feet.

3. Provided, that the director finds:

- a. The standards in LMC 21.44.200 would not allow use of a building or structure in the park as that building or structure is intended to be used; and
- b. Use of the building or structure would not adversely affect adjoining properties.

**Section 28: Amendment.** That subsection 21.44.900.A of the Lynnwood Municipal Code is hereby repealed, revised and amended to read as follows:

**A. Refuse and Recycling Collection Areas and Enclosures.**

On-site paved and enclosed refuse and recycling collection areas shall be provided on sites where new buildings are being constructed or existing buildings are being remodeled or expanded, and shall comply with the requirements of this section. One-family dwelling units, two-family dwelling units, and public parks are exempt from the requirements of this section.

**1. Development Standards.**

Refuse and recycling collection areas in the Public & Semi Public zone shall comply with the development standards below. The following development standards shall supercede other applicable setback requirements of this chapter and any applicable Lynnwood Citywide Design Guidelines, as adopted by reference in 21.25.145(B)(3) LMC than may conflict:

- a. Setback a minimum of 25 ft. from a public street;
- b. Setback a minimum of 25 ft. from any interior property line adjoining an RS or RM zone or a P1 Zone with one-family dwelling units if a business site is one acre or larger in area; or
- c. Setback a minimum of 15 ft. from any interior property line adjoining an RS or RM zone or P1 Zone with one-family dwelling units if a business site is less than one acre in area.

**2. Enclosure.**

All refuse and recycling collection areas shall be enclosed on three sides by a 6 ft. high site-obscuring fence which uses building materials, color, and design details similar to the primary buildings on the site and a 6 ft. high gate on one side. The height of the enclosure may include the height of a surrounding slope or berm (height measured from bottom inside edge of the collection area). The enclosure shall include a gate which can be secured in an open or closed position. If the enclosure includes a gate made of metal chain link fencing, the fencing shall contain slats which screen the view of containers and material inside the collection area. An alternative design may be approved if it is determined that such alternative would provide equal or better screening, architectural compatibility, and containment.

**3. Parking.**

No refuse and recycling collection area shall be located in such a way that new or existing parking stalls will prevent or interfere with the use and servicing of the collection area.

**4. Design.**

Refuse and recycling collection areas shall be sized, located, and constructed per standards established by the Public Works Department.

**Section 29: Amendment.** That Section 21.46.100 of the Lynnwood Municipal Code is hereby repealed, revised and amended to read as follows:

**21.46.100 Permitted structures and uses.**

**A.** No building, structure or land shall be used and no building or structure shall be erected, enlarged or structurally altered, except for one or more of the uses permitted by Table 21.46.01.

**Section 30: New Section.** A new Section 21.46.105 is added to the Lynnwood Municipal Code to read as follows:

**21.46.105 Project design review.**

**A. Design guidelines for non-residential uses.** The following structures and parking facilities permitted outright, by conditional use permit or special use permit in any Commercial Zone shall comply with Lynnwood Citywide Design Guidelines for All Districts and Commercial Districts, as adopted by reference in 21.25.145(B)(3) LMC and receive approval pursuant to Chapter 21.25 LMC, unless otherwise specified in this chapter:

1. Construction of any non-residential structure or building with a gross floor area of more than 1,000 square feet.
2. Construction of any parking lot and/or parking structure with 20 or more stalls or paved parking area of 5,400 square feet or more.

**B. Design guidelines for multiple family uses.**

Construction of any multi-family structure or building including duplexes (two-family dwellings) permitted outright, by conditional use permit or special use permit in any Commercial Zone shall comply with Lynnwood Citywide Design Guidelines for All Districts and Multi-family Districts, as adopted by reference in 21.25.145(B)(3) LMC and receive approval pursuant to Chapter 21.25 LMC, unless otherwise specified in this chapter.

**C. Supersede.** Applicable Lynnwood Citywide Design Guidelines, as adopted by reference in 21.25.145(B)(3) LMC shall supersede any development standards and requirements of this chapter that may conflict, unless otherwise specified in this chapter.

**D. Gateways and Prominent Intersections.** See City of Lynnwood Zoning Map to identify development project sites within a Gateway or Prominent Intersection location. Such sites shall be subject to applicable Gateway and/or Prominent Intersection design guidelines identified in the All Districts section of the Lynnwood Citywide Design Guidelines, as adopted by reference in 21.25.145(B)(3) LMC. If any portion of a project site lies within a Gateway or Prominent Intersection Location, then the entire project shall comply with the applicable design guidelines.

**Section 31: Amendment.** That subsection 21.46.111.B of the Lynnwood Municipal Code is hereby repealed, revised and amended to read as follows:

**B. Full Service Stations, Self Service Stations, and Gas Stations.**

These uses are permitted only by means of a conditional use permit. All full service, self service, and gas station sites shall be developed in accordance with the following regulations.

**1. Purpose.**

The purpose of this Subsection is to promote the public health, safety, and general welfare in the City by establishing standards for the site design and operation of full service stations, self service stations, and gas stations; and convenience stores when combined with the aforementioned uses. The need for such standards is created by the typical close spacing of curb cuts and the frequency with which vehicles enter and leave the sites. This is an inherent trait of these uses. Conflicts with normal traffic patterns on arterial streets increases the potential for automobile accidents and injury to passengers and pedestrians, and contributes to traffic congestion. By establishing

standards for such uses and their ingress and egress, it is intended that the smooth flow of traffic will be facilitated and greater safety will be provided for automobile passengers and pedestrians. It is also the purpose of this chapter to establish bulk regulations including standards for landscaping and signs, consistent with the aesthetic objectives of the City as indicated in the texts of the official plans of the City and as are appropriate to the characteristics of this industry.

## **2. Development Standards.**

In addition to any applicable Development Standards and Lynnwood Citywide Design Guidelines, as adopted by reference in 21.25.145(B)(3) LMC, development of Full Service Stations, Self Service Stations, and Gas Stations, and Convenience Stores when combined with any of these stations shall comply with the following standards:

### **a. Minimum Street Frontage:**

150 feet of frontage is necessary for street frontages which have two accesses. This figure can be reduced appropriately if the number of curb cuts are also reduced.

### **b. Minimum Lot Area:**

As provided for the applicable zone

### **c. Minimum Setbacks for Buildings and Canopies:**

Minimum setbacks for buildings as provided for the applicable zone. However, canopies shall be setback a minimum of 20 feet from public street right-of-way.

### **d. Site Screening Standards for Side Yard and Rear Yard:**

As provided for the applicable zone

### **e. Off Street Parking and Landscaping:**

Same as Chapter 21.18 LMC except that a 20-foot wide landscaping strip shall be required along the street frontage. This 20-foot landscaping strip is in lieu of the five percent (5%) landscaping required in the interior of the parking area. This requirement shall supercede applicable design guidelines. However, when the service stations described in 21.46.111.B.2 above are contained within buildings located closer to the street than fuel pump islands, canopies and parking areas, then a 15-foot wide street frontage landscape strip shall be required.

### **f. Street Standards:**

All public rights of way shall be fully improved to the center of the street with paving, curb, gutter, and sidewalk to city standards.

### **g. Driveways:**

Driveways shall be designed and located according to public works department standards.

### **h. Separation Between Parking and Pump Islands:**

Where there are parking stalls backing up to pump islands, the minimum distance between pump islands and off-street parking shall be 40 feet from the end of stall to the pump island.

### **i. Signs:**

see LMC 21.16.310 for sign regulations.

### **j. Lighting Standards:**

All lighting shall be so arranged and shielded as to confine all direct light rays entirely within the boundary lines of the site, and as to prevent, to the extent practicable, reflected light rays from shining upon other properties, and as to avoid glare onto any portion of any adjacent right-of-way or into the path of oncoming vehicles.

### **k. Dumpster Enclosures:**

All dumpster enclosures shall meet the setback requirements for the applicable zone. The enclosure shall not exceed six feet in height and shall consist of a solid fence made of wood or masonry material.

### **l. Building Height Limit And Maximum Lot Coverage And Interior Yard Setbacks:**

As provided for the applicable zone.

### **3. Operation, Supervision, and Maintenance Restrictions.**

- a. Unattended coin-operated and unattended self-service dispensing of fuel shall not be permitted.
- b. Services rendered, and products stored on the premises and sold there shall be limited in accordance with the activities included in the definitions 21.02.661, 21.02.660, 21.02.375 and 21.02.267, as approved by conditional use permit.
- c. Wrecked or dismantled vehicles shall not be stored out-of-doors for more than twenty-four hours. Operation of a rental agency or sales lot for automobiles, trucks, trailers or other equipment or other business accessory to the operation of an full service station, self serve service station, and gas station, shall require a separate occupancy permit and business license. These uses would only be allowed as an accessory use if they are permitted in that zone as a separate use. The application for the occupancy permit and business license shall be accompanied by a site plan, and any vehicles or equipment involved shall be stored or parked in areas defined on the site plan and shall be kept in a neat and orderly manner. The development for the accessory use shall meet all applicable City regulations.
- d. All buildings, grounds, and landscaping shall be kept in a constant state of repair and maintenance. Upon failure to do so, the City shall require repair or replanting as per LMC 21.04.310. Landscape maintenance shall also comply with applicable Lynnwood Citywide Design Guidelines, as adopted by reference in 21.25.145 (B)(3) LMC.
- e. The work station shall be designed so that at least one qualified attendant shall have maximum view of the fueling areas. For the purpose of this Title, a qualified attendant is one who is trained in the operation of the fuel pump emergency shut-off system..
- f. When a convenience store is combined with a full service station, self service station or gas station, dispensing of fuel shall be subject to electronic control (within arms reach) of a qualified attendant.
- g. Amusement devises as defined by 5.60.030A of the LMC are not permitted in conjunction with the uses allowed by this subsection.
- h. All alcoholic beverages shall be stored within cabinets or coolers which can be locked during the time period when alcoholic beverage sales are prohibited by law. A buzzer on the doors of coolers which store alcoholic beverages shall be provided for monitoring. Observation mirrors shall also be provided.
- i. Window visibility shall be maintained. Advertising and/or merchandise displays or other objects shall not block attendant visibility from view of the gas pumps. The attendant's cashier station shall be visible from a street and the parking areas.

### **4. Motor Vehicle and Pedestrian Separation Between the Public Sidewalk and the Convenience Store.**

When a convenience store is combined with an automobile service station, self service station and/or gas station, design considerations shall be implemented to minimize pedestrian conflicts with vehicular traffic such as but not limited to brick pavers, signs, raised sidewalks, striping, or a combination of the above.

### **5. Effects of Change of Use.**

The addition of a convenience store to an automobile service station, self serve service station or gas station would constitute a change in use and would require complete compliance with Chapter 21.12.

### **6. General Criteria for Approval.**

In addition to the criteria found in Chapter 21.24 no conditional use permit for the uses mentioned in this Subsection shall be approved unless:

- a. The proposal meets the uniform Fire and Uniform Building Code;
- b. The proposal meets the standards of this Chapter and Title 21 of the LMC; and



c. The proposal meets all other applicable City and governmental regulations.

**7. Exceptions.**

There shall not be any relaxation of development standards as provided for in Section 21.24.100 of the LMC. Any exceptions to these standards shall be subject to the variance criteria as found in Title 2.22. However, the Hearing Examiner and City Council may consider these criteria as part of the conditional use permit process, instead of a separate variance application.

**Section 32: Amendment.** That subsection 21.46.120.F.2 of the Lynnwood Municipal Code is hereby repealed, revised and amended to read as follows:

**2. Other Standards.**

The following standards apply to adult establishments in the Controlled Use Area:  
The following standards shall supercede the Lynnwood Citywide Design Guidelines, as adopted by reference in 21.25.145(B)(3) LMC that may conflict.

- a. The starting of an adult establishment constitutes a change in use and is subject to the non conforming chapter in addition to these development standards;
- b. Landscaping shall be a wall of trees created by two rows of evergreen conifer trees. The trees shall be staggered and spaced a maximum of ten feet on center, so as to form an effective visual barrier within five years. The minimum tree height shall be six feet. A permanent six-foot site screening fence shall be placed on the side and rear property lines;
- c. All parking areas shall be visible from the street fronting the establishment and shall not allow access to the rear of any structures;
- d. The parking areas shall be fully illuminated with street light standards.

**Section 33: Amendment.** That subsection 21.46.200.A of the Lynnwood Municipal Code is hereby repealed, revised and amended to read as follows:

**A. General Area & Dimensional Standards.**

No building, structure or land shall be established, erected, enlarged or structurally altered, except in conformance with the following standards and in conformance with the adopted building code and applicable Lynnwood Citywide Design Guidelines, as adopted by reference in 21.25.145(B)(3) LMC (for purposes of determining the required yards along public street, the classification of streets indicated on the comprehensive plan shall apply):

**Section 34: Amendment.** That Table 21.46.14 in Section 21.46.200 of the Lynnwood Municipal Code is revised to read as follows:

**Table 21.46.14  
Minimum Standards**

	B-4	B-3 or BN	B-2	PCD	B-1 or BC	C-2	C-1 or CG
Area (unless adjacent to similar zoned land)	none	3 ac.	1 ac.	none	none	1 ac.	none
Maximum Area	none	6 ac	none	none	none	none	none
Front Yard							
Located on a principal arterial	15 ft.	15 ft.	15 ft.	15 ft.	15 ft.	15 ft.	15 ft.

Located on all other streets	15 ft.	15 ft.	15 ft.	15 ft.	15 ft.	15 ft.	15 ft.
Side Yard-Street							
Located on a principal arterial	15 ft.	15 ft.	15 ft.	15 ft.	15 ft.	15 ft.	15 ft.
Located on all other streets	15 ft.	15 ft.	15 ft.	15 ft.	15 ft.	15 ft.	15 ft.
Rear Yard	25 ft.	none*	25 ft.	none*	none*	none*	none*
Maximum Building Height	25 ft.+	35 ft.+	none	none	none	none	none
Maximum Lot Coverage	35%	35%	35%	35%	35%	35%	35%

Key:

- \* Except where adjoining a residential zone; see LMC 21.46.220 and 21.46.230.
- + Except that the maximum height within 25 feet of a residential zone is 25 feet.

**Section 35: Amendment.** That subsection 21.46.210.B.2 of the Lynnwood Municipal Code is hereby repealed, revised and amended to read as follows:

## **2. Landscaping in Parking Areas.**

### **a. Purpose.**

The purpose of these landscaping provision is:

- i. To break up the visual blight created by large expanses of barren asphalt which make up a typical parking lot;
- ii. To encourage the preservation of mature evergreens and other large trees which are presently located on most undeveloped sites in this City;
- iii. To insure the preservation of land values in commercial zones by creating and insuring an environmental quality which complements the commercial objectives of the respective land.

### **b. Planting at Street Frontages.**

Development sites with parking areas located only between the sides of buildings opposite the street and interior property lines shall provide a ten-foot wide planting area along the entire street frontage, except for driveways, walkways and other pedestrian spaces. Development sites with single aisle, double loaded parking areas located between buildings and the street right-of-way, parking areas between buildings or parking areas between buildings and the closest side property line shall provide a fifteen-foot wide planting area along the entire street frontage with the same above exceptions. Development sites with multi-aisle parking areas located between buildings and the street right-of-way shall provide a twenty-foot wide planting area along the entire street frontage with the same above exceptions. Planting shall consist of ornamental landscaping of low plantings and high plantings. The minimum height of trees shall be eight feet for evergreen trees and ten feet for all other species. Trees shall be spaced a maximum of twenty-five feet on center with branches eliminated to a height of six feet where necessary to prevent sight obstruction. The required trees in this planting area may be located within the adjacent street right-of-way as long as they comply with Lynnwood Citywide Design Guidelines, as adopted by reference in 21.25.145(B)(3) LMC and are approved by the Public Works Department. Low evergreen plantings or a mixture of low evergreen and deciduous plantings with a maximum height of thirty inches shall be provided so as to achieve fifty percent ground cover within two years.

The location and width of the planting area may be modified in accordance with the following provisions: that up to five feet of the ten foot total required may be installed in portions of City right-of-way which are not covered by impervious surfaces or, in the case of right-of-way which is not fully improved, are not projected to be covered by impervious surfaces upon full improvement.

**c. Landscaping in Right-of-Way.**

Property owners who install landscaping on portions of right-of-way not covered by impervious surfaces shall provide the City with a written release of liability for damages which may be incurred to the planting area from any public use of the right-of-way and an indemnity to the City against any injuries occurring within that portion of right-of-way so utilized.

**d. Coverage.**

Five (5) percent of parking areas located only between the sides of buildings opposite the street and interior property lines; ten (10) percent of parking areas between buildings, between buildings and the closest side property line, or single aisle, double loaded parking areas located between buildings and the street; and fifteen (15) percent of multi-aisle parking areas located between buildings and street shall be in landscaping (exclusive of landscaping on the street frontage and required landscape buffers); provided that:

- i. No landscaping area shall be less than twenty-five square feet in area or less than three feet in width;
- ii. No parking stall shall be located more than forty-five feet from a landscaped area; and
- iii. All landscaping must be located between parking stalls, at the end of parking columns, or between parking stalls and the property lines.

**e. Landscaping Adjacent to Parking Stalls.**

Where landscaping areas which fulfill City standards are adjoined by angular or perpendicular parking stalls, landscaping in the form of ground cover materials or plants may be installed in that portion of any parking stall which will be ahead of the wheels and adjacent to the landscaped area, providing that curbing or wheel stops are installed in a position which will protect the plants from damage. Such landscaping shall not be construed to be part of the percentage of landscaped area required by this chapter nor a reduction of the parking stall.

**f. Additional Landscaping Along Specified Streets.**

Along streets where it may be desirable and feasible to obtain a higher degree of continuity in landscaping from property to property than is provided for here, the City Council, upon recommendation by the Planning Commission, may designate specific street frontage landscaping plans for those streets. See LMC Chapter 21.06.

**Section 36: Amendment.** That subsection 21.46.220.B of the Lynnwood Municipal Code is hereby repealed, subsection C is amended, and subsections D and E are renumbered as follows:

**B. Maintenance.**

Whenever greenbelts or landscaping are required to be installed according to City zoning requirements, the plant material shall be regularly maintained and kept in a healthy condition in accordance with zoning requirements, Lynnwood Citywide Design Guidelines, as adopted by reference in 21.25.145(B)(3) LMC and approved development plans. Maintenance shall also include regular weeding, removal of litter from landscaped areas, and repair or replanting so that the greenbelts or landscaping continue to comply with zoning requirements and/or development plans.

**C. Minimum Standards.**

**1. Planting and Fencing.**

- a. Where a property zoned to any Commercial Zone is adjacent to a property zoned Single Family Residential.

The purpose of this landscaping is to provide a sight, sound, and psychological barrier between zones with a high degree of incompatibility. This planting strip shall be at least 20 feet in width

and shall consist of two rows of evergreen conifer trees. The trees shall be staggered and spaced a maximum of ten feet on center, so as to form an effective visual barrier within five years. The minimum tree height shall be six feet. A permanent six-foot site screening fence shall be placed at the property line.

**b.** Where a property zoned to any Commercial Zone is adjacent to a property zoned Multiple Family Residential of Public & Semi-Public.

The planting strip shall be at least ten feet in width and shall consist of either of the following two options:

- i.** One row of evergreen conifer trees, spaced a maximum of ten feet on center. Minimum tree height shall be six feet, the remainder of the planting strip shall be promptly planted with low evergreen plantings which will mature to a total ground cover within five years; or
- ii.** A site screening evergreen hedge that provides a sight, sound, and psychological barrier between zones with some degree of incompatibility. The spacing of plants shall be such that they will form a dense hedge within five years. Minimum plant height shall be four feet.

A permanent six-foot site screening fence shall be placed at the property line.

## **2. Signed Plans.**

All landscaping plans shall bear the seal of a registered landscape architect or signature of a professional nurseryman and be drawn to a scale no less than one inch to twenty feet. The landscape architect or professional nurseryman shall certify that the species of plants are fast-growing and that the design of the plan will fulfill city code requirements within five years.

## **3. Installation Prior to Occupancy.**

All landscaping that fulfills the city code requirements shall be installed prior to occupancy of any structure located on the same site.

If, due to extreme weather conditions or some unforeseen emergency, all required landscaping cannot be installed prior to occupancy, then a cash deposit or guarantee account with the city shall be provided as financial security to guarantee installation of the remaining landscaping. The security shall be equal to the cost of the remaining landscaping including labor and materials or a minimum of \$500. The security shall not extend for a period of more than 30 days. If, within 30 days, the remaining landscaping is installed according to code requirements and approved development plans, then all funds shall be refunded.

## **D. Fence Regulations.**

### **1. Definition.**

For the purposes of this section a "site screening fence" means a solid one-inch thick board (nominal dimensional standards) fence. One made of brick, rock or masonry materials may be substituted for a board fence;

### **2. Exceptions.**

Where a fence is required by the above standards, no fence will be required in those cases where a fence already exists which meets the intent of this section. However, if the existing fence is ever removed, demolished or partially destroyed, then the owner of the property first being required by the section to provide the necessary fence will be responsible for replacing the fence; In those cases where the slope of the land is such that the location of a fence required by the above standards is impractical or ineffective in satisfying the intent of this section, the planning director may, at his discretion, permit a location which more adequately satisfies the intent of this section.

**Section 37: Amendment.** That subsection 21.46.900.A of the Lynnwood Municipal Code is hereby repealed, revised and amended to read as follows:

### **A. Refuse and Recycling Collection Areas and Enclosures.**

On-site paved and enclosed refuse and recycling collection areas shall be provided on sites where new buildings are being constructed or existing buildings are being remodeled or expanded, and

shall comply with the requirements of this section. One-family dwelling units, two-family dwelling units, and public parks are exempt from the requirements of this section.

### **1. Development Standards.**

Refuse and recycling collection areas in all commercial zones shall comply with the following development standards below. The following development standards shall supercede other applicable setback requirements of this chapter and any Lynnwood Citywide Design Guidelines, as adopted by reference in 21.25.145(B)(3) LMC than may conflict:

- a. Setback a minimum of 25 ft. from a public street;
- b. Setback a minimum of 25 ft. from any interior property line adjoining an RS or RM zone or a P1 Zone with one-family dwelling units if a business site is one acre or larger in area; or
- c. Setback a minimum of 15 ft. from any interior property line adjoining an RS or RM zone or P1 Zone with one-family dwelling units if a business site is less than one acre in area.

### **2. Enclosure.**

All refuse and recycling collection areas shall be enclosed on three sides by a 6 ft. high site-obscuring fence which uses building materials, color, and design details similar to the primary buildings on the site and a 6 ft. high gate on one side. The height of the enclosure may include the height of a surrounding slope or berm (height measured from bottom inside edge of the collection area). The enclosure shall include a gate which can be secured in an open or closed position. If the enclosure includes a gate made of metal chain link fencing, the fencing shall contain slats which screen the view of containers and material inside the collection area. An alternative design may be approved if it is determined that such alternative would provide equal or better screening, architectural compatibility, and containment.

### **3. Parking.**

No refuse and recycling collection area shall be located in such a way that new or existing parking stalls will prevent or interfere with the use and servicing of the collection area.

### **4. Design.**

Refuse and recycling collection areas shall be sized, located, and constructed per standards established by the Public Works Department.

**Section 38: Amendment.** That subsection 21.46.910.B of the Lynnwood Municipal Code is hereby repealed, revised and amended to read as follows:

### **B. Gateway Frontage Landscaping.**

The following standards apply to project frontages in the area defined in LMC 21.06.200 along 196th SW, 198th SW and 28th Ave W, as such streets are intended to be developed as gateways to the city of Lynnwood. The width of the landscape area along a particular frontage may vary to account for parcel shapes and to encourage creativity in site design. Along these specified street frontages, a landscape area of at least 15 feet in depth is required, but the landscape area must average at least 20 feet in depth over the entire length of the particular frontage. Such landscape areas may be interrupted by curb cuts and pedestrian access connections and the areas of such interruptions shall not be included as part of the frontage length in the averaging calculations. Where appropriate, sidewalks may be included within the required depths if they are incorporated within the interior of the landscape area. The above standards shall supercede any applicable Lynnwood Citywide Design Guideline, as adopted by reference in 21.25.145(B)(3) LMC that may conflict.

**Section 39: Amendment.** That Section 21.48.100 of the Lynnwood Municipal Code is hereby repealed, revised and amended to read as follows:

A. All uses permitted in the BN and BC zones are permitted in this classification, except for the following:

1. Outdoor used automobile sales; and
2. Funeral parlors and mortuaries.

**Section 40: New Section.** A new Section 21.48.105 is added to the Lynnwood Municipal Code to read as follows:

**21.48.105 Project design review.**

**A. Design guidelines for non-residential uses.** The following structures and parking facilities permitted outright, by conditional use permit or special use permit in the Planned Regional Shopping Center Zone shall comply with Lynnwood Citywide Design Guidelines for All Districts and Commercial Districts, as adopted by reference in 21.25.145(B)(3) LMC and receive approval pursuant to Chapter 21.25 LMC, unless otherwise specified in this chapter:

1. Construction of any non-residential structure or building with a gross floor area of more than 1,000 square feet.
2. Construction of any parking lot and/or parking structure with 20 or more stalls or paved parking area of 5,400 square feet or more.

**B. Design guidelines for multiple family uses.**

Construction of any multi-family structure or building including duplexes (two-family dwellings) permitted outright or by conditional use permit in the Planned Regional Shopping Center Zone shall comply with Lynnwood Citywide Design Guidelines for All Districts and Multi-family Districts, as adopted by reference in 21.25.145(B)(3) LMC and receive approval pursuant to Chapter 21.25 LMC, unless otherwise specified in this chapter:

**C. Supersede.** Applicable Lynnwood Citywide Design Guidelines, as adopted by reference in 21.25.145(B)(3) LMC shall supersede any development standards and requirements of this chapter that may conflict, unless otherwise specified in this chapter.

**D. Gateways and Prominent Intersections.**

See City of Lynnwood Zoning Map to identify development project sites within a Gateway or Prominent Intersection location. Such sites shall be subject to applicable Gateway and/or Prominent Intersection design guidelines identified in the All Districts section of the Lynnwood Citywide Design Guidelines, as adopted by reference in 21.25.145(B)(3) LMC. If any portion of a project site lies within a Gateway or Prominent Intersection Location, then the entire project shall comply with the applicable design guidelines.

**Section 41: Amendment.** That subsection 21.48.111.B of the Lynnwood Municipal Code is hereby repealed, revised and amended to read as follows:

**B. Full Service Stations, Self Service Stations and Gas Stations.**

These uses are permitted only by means of a conditional use permit. All full service, self service, and gas station sites shall be developed in accordance with the following regulations.

## **1. Purpose.**

The purpose of this Subsection is to promote the public health, safety, and general welfare in the City by establishing standards for the site design and operation of full service stations, self service stations, and gas stations; and convenience stores when combined with the aforementioned uses. The need for such standards is created by the typical close spacing of curb cuts and the frequency with which vehicles enter and leave the sites. This is an inherent trait of these uses. Conflicts with normal traffic patterns on arterial streets increases the potential for automobile accidents and injury to passengers and pedestrians, and contributes to traffic congestion. By establishing standards for such uses and their ingress and egress, it is intended that the smooth flow of traffic will be facilitated and greater safety will be provided for automobile passengers and pedestrians. It is also the purpose of this chapter to establish bulk regulations including standards for landscaping and signs, consistent with the aesthetic objectives of the City as indicated in the texts of the official plans of the City and as are appropriate to the characteristics of this industry.

## **2. Development Standards.**

In addition to any applicable Development Standards and Lynnwood Citywide Design Guidelines, as adopted by reference in 21.25.145(B)(3) LMC, development of Full Service Stations, Self Service Stations, Gas Stations and Convenience Stores when combined with any of these stations shall comply with the following standards:

### **a. Minimum Street Frontage:**

150 feet of frontage is necessary for street frontages which have two accesses. This figure can be reduced appropriately if the number of curb cuts are also reduced.

### **b. Minimum Lot Area:**

As provided for the applicable zone.

### **c. Minimum Setbacks for Buildings and Canopies:**

Minimum setbacks for buildings as provided for the applicable zone. However, canopies shall be setback a minimum of 20 feet from public street right-of-way.

### **d. Site Screening Standards for Side Yard and Rear Yard:**

As provided for the applicable zone.

### **e. Off Street Parking and Landscaping:**

Same as Chapter 21.18 LMC except that a 20-foot wide landscaping strip shall be required along the street frontage. This 20-foot landscaping strip is in lieu of the five percent (5%) landscaping required in the interior of the parking area. This requirement shall supercede applicable design guidelines. However, when the service stations described in 21.48.111.B.2 above are contained within buildings located closer to the street than fuel pump islands, canopies and parking areas, then a 15-foot wide street frontage landscape strip shall be required.

### **f. Street Standards:**

All public rights of way shall be fully improved to the center of the street with paving, curb, gutter, and sidewalk to city standards.

### **g. Driveways:**

Driveways shall be designed and located according to Public Works Department standards.

### **h. Separation Between Parking and Pump Islands:**

Where there are parking stalls backing up to pump islands, the minimum distance between pump islands and off-street parking shall be 40 feet from the end of stall to the pump island.

### **i. Signs:**

see LMC 21.16.320 for sign regulations.

### **j. Lighting Standards:**

All lighting shall be so arranged and shielded as to confine all direct light rays entirely within the boundary lines of the site, and as to prevent, to the extent practicable, reflected light rays from shining upon other properties, and as to avoid glare onto any portion of any adjacent right-of-way or into the path of oncoming vehicles.

**k. Dumpster Enclosures:**

All dumpster enclosures shall meet the setback requirements for the applicable zone. The enclosure shall not exceed 6 feet in height and shall consist of a solid fence made of wood or masonry material.

**l. Building Height Limit And Maximum Lot Coverage And Interior Yard Setbacks:**

As provided for the applicable zone.

**3. Operation, Supervision, and Maintenance Restrictions.**

a. Unattended coin-operated and unattended self-service dispensing of fuel shall not be permitted.

b. Services rendered, and products stored on the premises and sold there shall be limited in accordance with the activities included in the definitions 21.02.661, 21.02.660, 21.02.375 and 21.02.267, as approved by conditional use permit.

c. Wrecked or dismantled vehicles shall not be stored out-of-doors for more than twenty-four hours. Operation of a rental agency or sales lot for automobiles, trucks, trailers or other equipment or other business accessory to the operation of an full service station, self serve service station, and gas station, shall require a separate occupancy permit and business license. These uses would only be allowed as an accessory use if they are permitted in that zone as a separate use. The application for the occupancy permit and business license shall be accompanied by a site plan, and any vehicles or equipment involved shall be stored or parked in areas defined on the site plan and shall be kept in a neat and orderly manner. The development for the accessory use shall meet all applicable City regulations.

d. All buildings, grounds, and landscaping shall be kept in a constant state of repair and maintenance. Upon failure to do so, the city shall require repair or replanting as per LMC 21.04.310. Landscape maintenance shall also comply applicable Lynnwood Citywide Design Guidelines, as adopted by reference in 21.25.145(B)(3) LMC.

e. The work station shall be designed so that at least one qualified attendant shall have maximum view of the fueling areas. For the purpose of this Title, a qualified attendant is one who is trained in the operation of the fuel pump emergency shut-off system.

f. When a convenience store is combined with a full service station, self service station or gas station, dispensing of fuel shall be subject to electronic control (within arms reach) of a qualified attendant.

g. Amusement devises as defined by 5.60.030A of the LMC are not permitted in conjunction with the uses allowed by this subsection.

h. All alcoholic beverages shall be stored within cabinets or coolers which can be locked during the time period when alcoholic beverage sales are prohibited by law. A buzzer on the doors of coolers which store alcoholic beverages shall be provided for monitoring. Observation mirrors shall also be provided.

i. Window visibility shall be maintained. Advertising and/or merchandise displays or other objects shall not block attendant visibility from view of the gas pumps. The attendant's cashier station shall be visible from a street and the parking areas.

**4. Motor Vehicle and Pedestrian Separation Between the Public Sidewalk and the Convenience Store.**

When a convenience store is combined with an automobile service station, self service station and/or gas station, design considerations shall be implemented to minimize pedestrian conflicts with vehicular traffic such as but not limited to brick pavers, signs, raised sidewalks, striping, or a combination of the above.



## **5. Effects of Change of Use.**

The addition of a convenience store to an automobile service station, self serve service station or gas station would constitute a change in use and would require complete compliance with Chapter 21.12.

## **6. General Criteria for Approval.**

In addition to the criteria found in Chapter 21.24 no conditional use permit for the uses mentioned in this Subsection shall be approved unless:

- a. The proposal meets the uniform Fire and uniform Building Code;
- b. The proposal meets the standards of this Chapter and Title 21 of the LMC; and
- c. The proposal meets all other applicable City and governmental regulations.

## **7. Exceptions.**

There shall not be any relaxation of development standards as provided for in Section 21.24.100 of the LMC. Any exceptions to these standards shall be subject to the variance criteria as found in Title 2.22. However, the Hearing Examiner and City Council may consider these criteria as part of the conditional use permit process, instead of a separate variance application.

**Section 42: Amendment.** That subsection 21.48.200.A of the Lynnwood Municipal Code is hereby repealed, revised and amended to read as follows:

### **A. Minimum Setbacks.**

There shall be a minimum setback for buildings of fifteen (15) feet from any public street right-of-way and fifty feet from any property line adjoining an RS or RM zone, with the following exceptions:

1. Buildings which are to be used for professional offices, and which do not exceed a height of twenty-five feet above the average finished grade around the foundation of the building, shall be set back fifty feet from any property line adjoining an RS Zone and twenty-five feet from any property line adjoining an RM Zone; and
2. See LMC 21.16.320 for sign regulations.

**Section 43: Amendment.** That subsection 21.48.210.B of the Lynnwood Municipal Code is hereby repealed, revised and amended to read as follows:

### **B. Parking.**

#### **1. Required Number of Stalls.**

See Chapter 21.18.

#### **2. Landscaping in Parking Areas.**

##### **a. Purpose.**

The purpose of these landscaping provision is:

- i. To break up the visual blight created by large expanses of barren asphalt which make up a typical parking lot;
- ii. To encourage the preservation of mature evergreens and other large trees which are presently located on most undeveloped sites in this City;
- iii. To insure the preservation of land values in commercial zones by creating and insuring an environmental quality which complements the commercial objectives of the respective land.

##### **b. Planting at Street Frontages.**

Development sites with parking areas located only between the sides of buildings opposite the street and interior property lines shall provide a ten-foot wide planting area along the entire street

frontage, except for driveways, walkways and other pedestrian spaces. Development sites with single aisle, double loaded parking areas located between buildings and the street right-of-way, parking areas between buildings or parking areas between buildings and the closest side property line shall provide a fifteen-foot wide planting area along the entire street frontage with the same above exceptions. Development sites with multi-aisle parking areas located between buildings and the street right-of-way shall provide a twenty-foot wide planting area along the entire street frontage with the same above exceptions.. Planting shall consist of ornamental landscaping of low plantings and high plantings. The minimum height of trees shall be eight feet for evergreen trees and ten feet for all other species. Trees shall be spaced a maximum of twenty-five feet on center with branches eliminated to a height of six feet where necessary to prevent sight obstruction. The required trees in this planting area may be located within the adjacent street right-of-way as long as they comply with Lynnwood Citywide Design Guidelines, as adopted by reference in 21.25.145(B)(3) LMC and are approved by the Public Works Department. Low evergreen plantings or a mixture of low evergreen and deciduous plantings with a maximum height of thirty inches shall be provided so as to achieve fifty percent ground cover within two years. This landscaping plan (providing for coordination of the landscaping throughout the PRC Zone) shall be submitted and approved prior to the issuing of the first building permit. The location and width of the planting area may be modified in accordance with the following provisions: that up to five feet of the ten foot total required may be installed in portions of City right-of-way which are not covered by impervious surfaces or, in the case of right-of-way which is not fully improved, are not projected to be covered by impervious surfaces upon full improvement.

**c. Landscaping in Right-of-Way.**

Property owners who install landscaping on portions of right-of-way not covered by impervious surfaces shall provide the City with a written release of liability for damages which may be incurred to the planting area from any public use of the right-of-way and an indemnity to the City against any injuries occurring within that portion of right-of-way so utilized.

**d. Coverage.**

Five (5) percent of parking areas located only between the sides of buildings opposite the street and interior property lines; ten (10) percent of parking areas between buildings, between buildings and the closest side property line, or single aisle, double loaded parking areas located between buildings and the street; and fifteen (15) percent of multi-aisle parking areas located between buildings and street shall be in landscaping (exclusive of landscaping on the street frontage and required landscape buffers); provided that:

- i. No landscaping area shall be less than twenty-five square feet in area or less than three feet in width;
- ii. No parking stall shall be located more than forty-five feet from a landscaped area; and
- iii. All landscaping must be located between parking stalls, at the end of parking columns, or between parking stalls and the property lines.

**e. Landscaping Adjacent to Parking Stalls.**

Where landscaping areas which fulfill City standards are adjoined by angular or perpendicular parking stalls, landscaping in the form of ground cover materials or plants may be installed in that portion of any parking stall which will be ahead of the wheels and adjacent to the landscaped area, providing that curbing or wheel stops are installed in a position which will protect the plants from damage. Such landscaping shall not be construed to be part of the percentage of landscaped area required by this chapter nor a reduction of the parking stall.

**f. Additional Landscaping Along Specified Streets.**

Along streets where it may be desirable and feasible to obtain a higher degree of continuity in landscaping from property to property than is provided for here, the City Council, upon recommendation by the Planning Commission, may designate specific street frontage landscaping plans for those streets. See Chapter 21.06 LMC.

**Section 44: Amendment.** That Section 21.48.220 of the Lynnwood Municipal Code is hereby repealed, revised and amended to read as follows:

**A. Transitional or buffer landscaped strips (also referred to as greenbelts) shall be installed in the following situations:**

1. Where the side yard or rear yard of a property zoned to this Zone is adjacent to a property zoned Single Family Residential.
2. Where the side yard or rear yard of a property zoned to this Zone is adjacent to a property zoned Multiple Family Residential or Public & Semi-Public.

**B. Maintenance.**

Whenever greenbelts or landscaping are required to be installed according to City zoning requirements, the plant material shall be regularly maintained and kept in a healthy condition in accordance with zoning requirements, Lynnwood Citywide Design Guidelines, as adopted by reference in 21.25.145(B)(3) LMC and approved development plans. Maintenance shall also include regular weeding, removal of litter from landscaped areas, and repair or replanting so that the greenbelts or landscaping continue to comply with zoning requirements and/or development plans.

**C. Minimum Standards.**

**1. Planting and Fencing.**

**a.** Where a property zoned to the PRC Zone is adjacent to a property zoned Single Family Residential.

The purpose of this landscaping is to provide a sight, sound, and psychological barrier between zones with a high degree of incompatibility. This planting strip shall consist of two rows of evergreen conifer trees. The trees shall be staggered and spaced a maximum of ten feet on center, so as to form an effective visual barrier within five years. The minimum tree height shall be six feet. A permanent six-foot site screening fence shall be placed at the property line.

**b.** Where a property zoned to the PRC Zone is adjacent to a property zoned Multiple Family Residential of Public & Semi-Public.

The planting strip shall consist of either of the following two options:

**i.** One row of evergreen conifer trees, spaced a maximum of ten feet on center. Minimum tree height shall be six feet, the remainder of the planting strip shall be promptly planted with low evergreen plantings which will mature to a total ground cover within five years; or

**ii.** A sitescreening evergreen hedge that provides a sight, sound, and psychological barrier between zones with some degree of barrier between zones with some degree of incompatibility.

The spacing of plants shall be such that they will form a dense hedge within five years.

Minimum plant height shall be four feet.

A permanent six-foot site screening fence shall be placed at the property line.

**2. Signed Plans.**

All landscaping plans shall bear the seal of a registered landscape architect or signature of a professional nurseryman and be drawn to a scale no less than one inch to twenty feet. The landscape architect or professional nurseryman shall certify that the species of plants are fast-growing and that the design of the plan will fulfill City code requirements within five years.

**3. Installation Prior to Occupancy.**

All landscaping that fulfills the City code requirements shall be installed prior to occupancy of any structure located on the same site.

If, due to extreme weather conditions or some unforeseen emergency, all required landscaping cannot be installed prior to occupancy, then a cash deposit or guarantee account with the City shall be provided as financial security to guarantee installation of the remaining landscaping. The security shall be equal to the cost of the remaining landscaping including labor and materials or a minimum of \$500. The security shall not extend for a period of more than 30 days. If, within 30 days, the remaining landscaping is installed according to code requirements and approved development plans, then all funds shall be refunded.

#### **D. Fence Regulations.**

##### **1. Definition.**

For the purposes of this section a "site screening fence" means a solid one-inch thick board (nominal dimensional standards) fence. One made of brick, rock or masonry materials may be substituted for a board fence;

##### **2. Exceptions.**

Where a fence is required by the above standards, no fence will be required in those cases where a fence already exists which meets the intent of this section. However, if the existing fence is ever removed, demolished or partially destroyed, then the owner of the property first being required by the section to provide the necessary fence will be responsible for replacing the fence; In those cases where the slope of the land is such that the location of a fence required by the above standards is impractical or ineffective in satisfying the intent of this section, the planning director may, at his discretion, permit a location which more adequately satisfies the intent of this section.

**Section 45: Amendment.** That subsection 21.48.900.B of the Lynnwood Municipal Code is hereby repealed, revised and amended to read as follows:

#### **B. Refuse and Recycling Collection Areas and Enclosures.**

On-site paved and enclosed refuse and recycling collection areas shall be provided on sites where new buildings are being constructed or existing buildings are being remodeled or expanded, and shall comply with the requirements of this section. One-family dwelling units, two-family dwelling units, and public parks are exempt from the requirements of this section.

##### **1. Development Standards.**

Refuse and recycling collection areas in all commercial zones shall comply with the development standards below. The following development standards shall supercede other applicable setback requirements of this chapter and any Lynnwood Citywide Design Guidelines, as adopted by reference in 21.25.145(B)(3) LMC than may conflict:

- a. Setback a minimum of 25 ft. from a public street;
- b. Setback a minimum of 25 ft. from any interior property line adjoining an RS or RM zone or a P1 Zone with one-family dwelling units if a business site is one acre or larger in area; or
- c. Setback a minimum of 15 ft. from any interior property line adjoining an RS or RM zone or P1 Zone with one-family dwelling units if a business site is less than one acre in area.

##### **2. Enclosure.**

All refuse and recycling collection areas shall be enclosed on three sides by a 6 ft. high site-obscuring fence which uses building materials, color, and design details similar to the primary buildings on the site and a 6 ft. high gate on one side. The height of the enclosure may include the height of a surrounding slope or berm (height measured from bottom inside edge of the collection area). The enclosure shall include a gate which can be secured in an open or closed position. If the enclosure includes a gate made of metal chain link fencing, the fencing shall contain slats which screen the view of containers and material inside the collection area. An

alternative design may be approved if it is determined that such alternative would provide equal or better screening, architectural compatibility, and containment.

### **3. Parking.**

No refuse and recycling collection area shall be located in such a way that new or existing parking stalls will prevent or interfere with the use and servicing of the collection area.

### **4. Design.**

Refuse and recycling collection areas shall be sized, located, and constructed per standards established by the Public Works Department.

**Section 46: New Section.** A new Section 21.50.105 is added to the Lynnwood Municipal Code to read as follows:

#### **21.50.105 Project design review.**

##### **A. Design guidelines for non-residential uses.**

Construction of any non-residential structure or building with a gross floor area of more than 1,000 square feet permitted outright or by conditional use permit in any Industrial Zone shall comply with Lynnwood Citywide Design Guidelines for All Districts, as adopted by reference in 21.25.145(B)(3) LMC and receive approval pursuant to Chapter 21.25 LMC, unless otherwise specified in this chapter.

##### **B. Design guidelines for parking lots and parking structures.**

Construction of any parking lot and/or parking structure with 20 or more stalls or paved parking area of 5,400 square feet or more permitted outright or by conditional use permit in any Industrial Zone shall comply with Lynnwood Citywide Design Guidelines for All Districts and Commercial Districts, as adopted by reference in 21.25.145(B)(3) LMC and receive approval pursuant to Chapter 21.25 LMC, unless otherwise specified in this chapter.

##### **C. Supercede.**

Applicable Lynnwood Citywide Design Guidelines, as adopted by reference in 21.25.145(B)(3) LMC shall supercede any development standards and requirements of this chapter that may conflict, unless otherwise specified in this chapter.

##### **D. Gateways and Prominent Intersections.**

See City of Lynnwood Zoning Map to identify development project sites within a Gateway or Prominent Intersection location. Such sites shall be subject to applicable Gateway and/or Prominent Intersection design guidelines identified in the All Districts section of the Lynnwood Citywide Design Guidelines, as adopted by reference in 21.25.145(B)(3) LMC. If any portion of a project site lies within a Gateway or Prominent Intersection Location, then the entire project shall comply with the applicable design guidelines.

**Section 47: Amendment.** That Section 21.50.210 of the Lynnwood Municipal Code is hereby repealed, revised and amended to read as follows:

#### **21.50.210 Additional development standards.**

##### **A. Building Height.**

###### **1. BTP Zone.**

For those buildings taller than three stories, the floor area to lot area ratio (FAR) shall not exceed 0.4, unless specifically allowed in the development plan approval. In connection with any such development plan approval, the applicant shall demonstrate that the additional floor area will not adversely impact traffic flow and volumes on the public streets, as compared to other existing or anticipated developments on other properties in the same zone and vicinity.

## **2. LI Zone.**

A height variance may be obtained when a proof of conformance with the general intent of this chapter has been established.

### **B. Setbacks for Fences.**

All setbacks in Subsection A, above, shall also apply to fences.

However, fences, walls and hedges up to 6 feet high may be located in any portion of an industrial zoned lot as long as they not located within intersection and driveway sight distance triangles, do not obstruct driver and pedestrian visibility, comply with applicable Lynnwood Citywide Design Guidelines, as adopted by reference in 21.25.145(B)(3) LMC and are approved through project design review (Chapter 21.25 LMC).

### **C. Landscaping Requirements for Sites in the Light Industrial Zone.**

1. On a transitional site, at least fifty percent of the front yard area shall be landscaped which may include landscaping requirements in parking lots.
2. On a general site, at least twenty-five percent of the front yard area shall be landscaped which may include landscaping requirements in parking lots.
3. Where interior property lines of a site being developed are not affected by other landscaping standards and are not adjoined by buildings, trees shall be planted inside and along the property line with a spacing of forty feet or less between the trees.

### **D. Parking Requirements.**

#### **1. Required Number of Stalls.**

Requirements for parking are provided in Chapter 21.18 of this code. At transitional sites in the BTP Zone, the landscaping requirement along zoning boundaries which occur along streets may be counted to fulfill front yard parking lot landscaping, providing the building is located no closer to the street than the minimum allowable setback.

#### **2. Landscaping in Parking Areas.**

##### **a. Purpose.**

The purpose of these landscaping provision is:

- i. To break up the visual blight created by large expanses of barren asphalt which make up a typical parking lot;
- ii. To encourage the preservation of mature evergreens and other large trees which are presently located on most of the potential industrial sites in this City;
- iii. To implement the objective of the industrial section of the zoning title by creating and insuring an environmental quality which is in keeping with the highest quality of industrial parks.

##### **b. Planting at Street Frontages.**

Development sites with parking areas located only between the sides of buildings opposite the street and interior property lines shall provide a ten-foot wide planting area along the entire street frontage, except for driveways, walkways and other pedestrian spaces. Development sites with single aisle, double loaded parking areas located between buildings and the street right-of-way,

parking areas between buildings or parking areas between buildings and the closest side property line shall provide a fifteen-foot wide planting area along the entire street frontage with the same above exceptions. Development sites with multi-aisle parking areas located between buildings and the street right-of-way shall provide a twenty-foot wide planting area along the entire street frontage with the same above exceptions. Planting shall consist of ornamental landscaping of low plantings and high plantings. The minimum height of trees shall be eight feet for evergreen trees and ten feet for all other species. Trees shall be spaced a maximum of twenty-five feet on center with branches eliminated to a height of six feet where necessary to prevent sight obstruction. The required trees in this planting area may be located within the adjacent street right-of-way as long as they comply with Lynnwood Citywide Design Guidelines, as adopted by reference in 21.25.145(B)(3) LMC and are approved by the Public Works Department. Low evergreen plantings or a mixture of low evergreen and deciduous plantings with a maximum height of thirty inches shall be provided so as to achieve fifty percent ground cover within two years.

**c. Landscaping in Right-of-way.**

Additional plantings may be placed on street right-of-way behind the sidewalk line if the property owner provides the City with a written release of liability for damages which may be incurred to the planting area from future street expansion or utility installation and/or agrees to relocate plantings at owner's expense.

**d. Coverage.**

Ten (10) percent of parking areas located between buildings or between buildings and interior property lines, and single aisle, double loaded parking areas located between buildings and the street); and fifteen (15) percent of multi-aisle parking areas located between buildings and street shall be in landscaping (exclusive of landscaping on the street frontage and required landscape buffers); provided that:

- i. No landscaping area shall be less than one hundred square feet in area or less than five feet in width;
- ii. No parking stall shall be located more than forty-five feet from a landscaped area. and
- iii. All landscaping must be located between parking stalls or between parking stalls and the property lines.

**e. Landscaping Adjacent to Parking Stalls.**

Where landscaping areas which fulfill City standards are adjoined by angular or perpendicular parking stalls, landscaping in the form of ground cover materials or plants may be installed in that portion of any parking stall which will be ahead of the wheels and adjacent to the landscaped area, providing that curbing or wheel stops are installed in a position which will protect the plants from damage. Such landscaping shall not be construed to be part of the percentage of landscaped area required by this chapter nor a reduction of the parking stall.

**f. Additional Landscaping Along Specified Streets.**

Along streets where it may be desirable and feasible to obtain a higher degree of continuity in landscaping from property to property than is provided for here, the City Council, upon recommendation by the Planning Commission, may designate specific street frontage landscaping plans for those streets. See Chapter 21.06 LMC .

**E. Surface Water Disposal.**

Each industrial area shall have adequate facilities for disposal of runoff surface water.

**F. Screening of Service Yards.**

Service yards shall be site-screened so that a visual barrier is established between the storage yard and local streets and arterials.

Screening shall be installed on side yard setbacks between street right-of-way and service buildings or storage yards (except for driveways). It shall consist of either:

1. one row of evergreen conifer trees, spaced a maximum of ten feet on center. Minimum tree height shall be six feet. The remainder of the planting strip shall be promptly planted with low evergreen plantings which will mature to a total ground cover within five years; or,
2. a sitescreeing evergreen hedge that provides a sight, sound, and psychological barrier between zones with some degree of incompatibility. The spacing of plants shall be such that they will form a dense hedge within five years. Minimum plant height shall be four feet.

**G. Development Standards - Cooperative Programs.**

In the BTP Zone, cooperative development of adjacent properties is encouraged. Section 21.46.900.E provides incentives which should be considered when contemplating development, particularly the development of relatively small properties.

**Section 48: Amendment.** That Section 21.50.220 of the Lynnwood Municipal Code is hereby repealed, revised and amended to read as follows:

**21.50.220 Transition or buffer strip.**

**A. Transitional or buffer landscaped strips** (also referred to as greenbelts) shall be installed in the following situations:

1. Where the side yard or rear yard of a property zoned to any industrial zone is adjacent to a property zoned Single Family Residential or Multiple Family Residential; or
2. Where the side yard or rear yard of a property zoned to any Industrial Zone is adjacent to a property zoned Public & Semi-Public.
3. Where the side yard or rear yard of a property zoned to any Industrial Zone is adjacent to a property zoned to any Commercial Zone, except the General Commercial and PRC zones.

**B. Maintenance.**

Whenever greenbelts or landscaping are required to be installed according to City zoning requirements, the plant material shall be regularly maintained and kept in a healthy condition in accordance with zoning requirements, Lynnwood Citywide Design Guidelines, as adopted by reference in 21.25.145(B)(3) LMC and approved development plans. Maintenance shall also include regular weeding, removal of litter from landscaped areas, and repair or replanting so that the greenbelts or landscaping continue to comply with zoning requirements and/or development plans.

**C. Minimum Standards.**

**1. Planting and Fencing.**

Planting and fencing shall be installed and maintained as specified below, except that in the BTP Zone ornamental landscaping of low plantings and high plantings may be substituted for dense plantings where there is potential impairment of drivers' visibility by dense plantings near streets, thereby softening the visual impact of the industrial buildings on the residential area where it is not practical for the foregoing reasons to attempt to screen the building from view entirely. This ornamental landscaping shall consist of trees (with a minimum of height of eight feet for evergreen trees and ten feet for all other species) spaced a maximum of 25 feet on center with branches eliminated to a height of six feet where necessary to prevent sight obstruction; and low evergreen plantings, or a mixture of low evergreen and deciduous plantings, with a maximum height of thirty inches provided so as to achieve 50 percent ground cover within two years.

- a.** Where a property zoned to any Industrial Zone is adjacent to a property zoned Single Family Residential or Multiple Family Residential.



The purpose of this landscaping is to provide a sight, sound, and psychological barrier between zones with a high degree of incompatibility. This planting strip shall be at least 20 feet in width and shall consist of two rows of evergreen conifer trees. The trees shall be staggered and spaced a maximum of ten feet on center, so as to form an effective visual barrier within five years. The minimum tree height shall be six feet. A permanent six-foot site screening fence shall be placed at the property line.

b. Where a property zoned to any Industrial Zone is adjacent to a property zoned Public & Semi-Public.

The planting strip shall be at least ten feet in width and shall consist of a sitescreening evergreen hedge that provides a sight, sound, and psychological barrier between zones with some degree of incompatibility. The spacing of plants shall be such that they will form a dense hedge within five years. Minimum plant height shall be four feet.

A permanent six-foot site screening fence shall be placed at the property line.

c. Where a property zoned to any Industrial Zone is adjacent to a property zoned to any Commercial Zone, except the General Commercial and PRC Zones.

The planting strip shall be at least five feet in width and shall consist of a sitescreening evergreen hedge that provides a sight, sound, and psychological barrier between zones with some degree of incompatibility. The spacing of plants shall be such that they will form a dense hedge within five years. Minimum plant height shall be four feet.

A permanent six-foot site screening fence shall be placed at the property line.

## **2. Signed Plans.**

All landscaping plans shall bear the seal of a registered landscape architect or signature of a professional nurseryman and be drawn to a scale no less than one inch to twenty feet. The landscape architect or professional nurseryman shall certify that the species of plants are fast-growing and that the design of the plan will fulfill City code requirements within five years.

## **3. Installation Prior to Occupancy.**

All landscaping that fulfills the City code requirements shall be installed prior to occupancy of any structure located on the same site.

If, due to extreme weather conditions or some unforeseen emergency, all required landscaping cannot be installed prior to occupancy, then a cash deposit or guarantee account with the City shall be provided as financial security to guarantee installation of the remaining landscaping. The security shall be equal to the cost of the remaining landscaping including labor and materials or a minimum of \$500. The security shall not extend for a period of more than 30 days. If, within 30 days, the remaining landscaping is installed according to code requirements and approved development plans, then all funds shall be refunded.

## **D. Fence Regulations.**

### **1. Definition.**

For the purposes of this section a "site screening fence" means a solid one-inch thick board (nominal dimensional standards) fence. One made of brick, rock or masonry materials may be substituted for a board fence;

### **2. Exceptions.**

Where a fence is required by the above standards, no fence will be required in those cases where a fence already exists which meets the intent of this section. However, if the existing fence is ever removed, demolished or partially destroyed, then the owner of the property first being required by the section to provide the necessary fence will be responsible for replacing the fence; In those cases where the slope of the land is such that the location of a fence required by the above standards is impractical or ineffective in satisfying the intent of this section, the planning

director may, at his discretion, permit a location which more adequately satisfies the intent of this section.

**Section 49: Amendment.** That subsection 21.50.900.A of the Lynnwood Municipal Code is hereby repealed, revised and amended to read as follows:

**A. Refuse and Recycling Collection Areas and Enclosures.**

On-site paved and enclosed refuse and recycling collection areas shall be provided on sites where new buildings are being constructed or existing buildings are being remodeled or expanded, and shall comply with the requirements of this section. One-family dwelling units, two-family dwelling units, and public parks are exempt from the requirements of this section.

**1. Development Standards.**

Refuse and recycling collection areas shall comply with the development standards below. The following development standards shall supercede other applicable setback requirements of this chapter and any Lynnwood Citywide Design Guidelines, as adopted by reference in 21.25.145(B)(3) LMC than may conflict:

- a) Setback a minimum of 25 ft. from a public street;
- b) Setback a minimum of 25 ft. from any interior property line adjoining an RS or RM zone or a P1 Zone with one-family dwelling units if a business site is one acre or larger in area; or
- c) Setback a minimum of 15 ft. from any interior property line adjoining an RS or RM zone or P1 Zone with one-family dwelling units if a business site is less than one acre in area.

**2. Enclosure.**

All refuse and recycling collection areas shall be enclosed on three sides by a 6 ft. high site-obscuring fence which uses building materials, color, and design details similar to the primary buildings on the site and a 6 ft. high gate on one side. The height of the enclosure may include the height of a surrounding slope or berm (height measured from bottom inside edge of the collection area). The enclosure shall include a gate which can be secured in an open or closed position. If the enclosure includes a gate made of metal chain link fencing, the fencing shall contain slats which screen the view of containers and material inside the collection area. An alternative design may be approved if it is determined that such alternative would provide equal or better screening, architectural compatibility, and containment.

**3. Parking.**

No refuse and recycling collection area shall be located in such a way that new or existing parking stalls will prevent or interfere with the use and servicing of the collection area.

**4. Design.**

Refuse and recycling collection areas shall be sized, located, and constructed per standards established by the Public Works Department.

**Section 50: New Section.** A new Section 21.52.125 is added to the Lynnwood Municipal Code to read as follows:

**21.52.125 Project design review.**

**A. Design guidelines for non-residential uses.** The following structures and parking facilities permitted outright, by conditional use permit or special use permit in the Mixed/Business Zone shall comply with Lynnwood Citywide Design Guidelines for All Districts and Commercial

Districts, as adopted by reference in 21.25.145(B)(3) LMC and receive approval pursuant to Chapter 21.25 LMC, unless otherwise specified in this chapter:

1. Construction of any non-residential structure or building with a gross floor area of more than 1,000 square feet.
2. Construction of any parking lot and/or parking structure with 20 or more stalls or paved parking area of 5,400 square feet or more.

**B. Design guidelines for multiple family uses.**

Construction of any multi-family structure or building including duplexes (two-family dwellings) permitted outright, by conditional use permit or special use permit in the Mixed/Business Zone shall comply with Lynnwood Citywide Design Guidelines for All Districts and Multi-family Districts, as adopted by reference in 21.25.145(B)(3) LMC and receive approval pursuant to Chapter 21.25 LMC, unless otherwise specified in this chapter.

**C. Supersede.**

Applicable Lynnwood Citywide Design Guidelines, as adopted by reference in 21.25.145(B)(3) LMC shall supersede any development standards and requirements of this chapter that may conflict, unless otherwise specified in this chapter.

**D. Gateways and Prominent Intersections.**

See City of Lynnwood Zoning Map to identify development project sites within a Gateway or Prominent Intersection location. Such sites shall be subject to applicable Gateway and/or Prominent Intersection design guidelines identified in the All Districts section of the Lynnwood Citywide Design Guidelines, as adopted by reference in 21.25.145(B)(3) LMC. If any portion of a project site lies within a Gateway or Prominent Intersection Location, then the entire project shall comply with the applicable design guidelines.

**Section 51: Amendment.** That Section 21.52.400 of the Lynnwood Municipal Code is hereby repealed, revised and amended to read as follows:

**21.52.400 Gateway frontage landscaping.**

The following standards apply to project frontages along 196th Street SW, 198th Street SW, and 28th Avenue W., as such streets are intended to be developed as gateways to the City of Lynnwood.

- A. The width of the landscape area along a particular frontage may vary to account for parcel shapes and to encourage creativity in site design.
- B. Along these specified street frontages, a landscape area of at least 15 feet in depth is required. The above standard shall supersede any Lynnwood Citywide Design Guideline, as adopted by reference in 21.25.145(B)(3) LMC that may conflict.
- C. The landscape area must average at least 20 feet in depth over the entire length of the particular frontage. The above standard shall supersede any Lynnwood Citywide Design Guideline, as adopted by reference in 21.25.145(B)(3) LMC that may conflict.
- D. Such landscape areas may be interrupted by curb cuts and pedestrian access connections. The areas of such interruptions shall not be included as part of the frontage length in the averaging calculations.

E. Where appropriate, sidewalks may be included within the required depths if they are incorporated within the interior of the landscape area.

**Section 52: Amendment.** That subsection 21.52.900.B of the Lynnwood Municipal Code is hereby repealed, revised and amended to read as follows:

**B. Refuse and Recycling Collection Areas and Enclosures.**

On-site paved and enclosed refuse and recycling collection areas shall be provided on sites where new buildings are being constructed or existing buildings are being remodeled or expanded, and shall comply with the requirements of this section. One-family dwelling units, two-family dwelling units, and public parks are exempt from the requirements of this section.

**1. Development Standards.**

Refuse and recycling collection areas shall comply with the development standards below. The following development standards shall supercede other applicable setback requirements of this chapter and any Lynnwood Citywide Design Guidelines, as adopted by reference in 21.25.145(B)(3) LMC than may conflict:

- a. Setback a minimum of 25 ft. from a public street;
- b. Setback a minimum of 25 ft. from any interior property line adjoining an RS or RM zone or a P1 Zone with one-family dwelling units if a business site is one acre or larger in area; or
- c. Setback a minimum of 15 ft. from any interior property line adjoining an RS or RM zone or P1 Zone with one-family dwelling units if a business site is less than one acre in area.

**2. Enclosure.**

All refuse and recycling collection areas shall be enclosed on three sides by a 6 ft. high site-obscuring fence which uses building materials, color, and design details similar to the primary buildings on the site and a 6 ft. high gate on one side. The height of the enclosure may include the height of a surrounding slope or berm (height measured from bottom inside edge of the collection area). The enclosure shall include a gate which can be secured in an open or closed position. If the enclosure includes a gate made of metal chain link fencing, the fencing shall contain slats which screen the view of containers and material inside the collection area. An alternative design may be approved if it is determined that such alternative would provide equal or better screening, architectural compatibility, and containment.

**3. Parking.**

No refuse and recycling collection area shall be located in such a way that new or existing parking stalls will prevent or interfere with the use and servicing of the collection area.

**4. Design.**

Refuse and recycling collection areas shall be sized, located, and constructed per standards established by the Public Works Department.

**Section 53: Amendment.** That Section 21.54.150 of the Lynnwood Municipal Code is hereby repealed, revised and amended to read as follows:

**21.54.150 Project design review.**

**A. Design guidelines for non-residential uses.** The following structures and parking facilities permitted outright, by conditional use permit or special use permit in the Commercial-Residential

Zone shall comply with Lynnwood Citywide Design Guidelines for All Districts and Commercial Districts, as adopted by reference in 21.25.145(B)(3) LMC and receive approval pursuant to Chapter 21.25 LMC, unless otherwise specified in this chapter:

1. Construction of any non-residential structure or building with a gross floor area of more than 1,000 square feet.
2. Construction of any parking lot and/or parking structure with 20 or more stalls or paved parking area of 5,400 square feet or more.

**B. Design guidelines for multiple family uses.**

Construction of any multi-family structure or building including duplexes (two-family dwellings) permitted outright, by conditional use permit or special use permit in the Commercial-Residential Zone shall comply with Lynnwood Citywide Design Guidelines for All Districts and Multi-family Districts, as adopted by reference in 21.25.145(B)(3) LMC and receive approval pursuant to Chapter 21.25 LMC, unless otherwise specified in this chapter.

**C. Supersede.**

Applicable Lynnwood Citywide Design Guidelines, as adopted by reference in 21.25.145(B)(3) LMC shall supersede any development standards and requirements of this chapter that may conflict, unless otherwise specified in this chapter.

**D. Gateways and Prominent Intersections.**

See City of Lynnwood Zoning Map to identify development project sites within a Gateway or Prominent Intersection location. Such sites shall be subject to applicable Gateway and/or Prominent Intersection design guidelines identified in the All Districts section of the Lynnwood Citywide Design Guidelines, as adopted by reference in 21.25.145(B)(3) LMC. If any portion of a project site lies within a Gateway or Prominent Intersection Location, then the entire project shall comply with the applicable design guidelines.

**Section 54: Amendment.** That Section 21.54.200 of the Lynnwood Municipal Code is hereby repealed, revised and amended to read as follows:

**21.54.200 Area and dimensional standards.**

The standards in this section shall apply to all structures and non-structural uses in this zone. No building, structure or land shall be established, erected, enlarged or structurally altered, except in conformance with these standards or Chapter 21.14.

**Table 21.54.1  
Development Standards**

Site Planning	
Minimum Setback Abutting a Street	0 ft.
Maximum Setback Abutting a Street	25 ft.
Minimum Setback Abutting Another Property	10 ft. <sup>3</sup>
Maximum Building Height	no limit <sup>4</sup>
Corner Lot – Minimum Area of Landscaped Area at Intersection <sup>1</sup>	500 sq. ft.
Minimum Pedestrian Area at Building Entries	200 sq. ft.
Minimum setback from any residential zone	25 ft.

Maximum lot Coverage	70 percent
Parking Area	
Minimum Landscaped Area – Parking area within 100 ft. of street	See subsection 21.54.200(C)(4)
Minimum Landscaped Area – Parking area more than 100 ft. from street or behind a building	See subsection 21.54.200(C)(4)
Minimum size of landscaped area within 100 ft. of street	25 sq. ft.
Minimum width of landscaped area	5 ft.
Minimum number of trees in landscaped area within 100 ft. of street	1 per 6 parking spaces (This standard shall supercede any applicable Lynnwood Citywide Design Guideline that may conflict.)
Minimum number of trees in landscaped area more than 100 ft. from street	1 per 8 parking spaces (This standard shall supercede any applicable Lynnwood Citywide Design Guideline that may conflict.)
Corner lot – Minimum setback for parking area from street (unless separated from street by a building)	200 ft.
Maximum portion of a property frontage at which parking may be located in front of a building	50 percent
Landscaping	
Minimum width of landscaping adjoining a street	15 ft. <sup>2</sup> (This standard shall supercede any applicable Lynnwood Citywide Design Guideline that may conflict.)
Planting of street trees	30 ft. on center

**B. Notes.**

1. Landscaped area may include pedestrian pathway connecting development to crosswalk(s) at intersection.
2. Where a building is set back less than 15 feet from the street, the entire building setback (if any) shall be landscaped (not including pedestrian areas and pathways).
3. See also required buffers in LMC 21.54.240.
4. Any portion of a building or structure with a height greater than 35 feet shall be set back from all property lines a minimum of one foot for every two feet in height above 35 feet.

**C. Additional Standards.**

1. At any parking lot that is more than 130 feet in any dimension, specially marked pedestrian walkways leading to building entries shall be provided, subject to approval by the community development director.
2. Special paving shall be installed and maintained at all driveways and other points of access for vehicles to/from a public street. "Special paving" shall include, but is not limited to, bomonite, stamped or colored concrete, and concrete pavers.
3. All major building pedestrian entrances, and exits shall face a public street.
4. Five (5) percent of parking areas located only between the sides of buildings opposite the street and interior property lines; ten (10) percent of parking areas between buildings, between

buildings and the closest side property line, or single aisle, double loaded parking areas located between buildings and the street; and fifteen (15) percent of multi-aisle parking areas located between buildings and street shall be in landscaping (exclusive of landscaping on the street frontage and required landscape buffers).

**Section 55: Amendment.** That Section 21.54.900.B of the Lynnwood Municipal Code is hereby repealed, revised and amended to read as follows:

**B. Setback.**

Refuse and recycling collection areas in all commercial zones shall comply with the development standards below. The following development standards shall supercede other applicable setback requirements of this chapter and any Lynnwood Citywide Design Guidelines, as adopted by reference in 21.25.145(B)(3) LMC than may conflict:

1. Setback a minimum of 20 ft. from a public street;
2. Setback a minimum of 25 ft. from any interior property line adjoining an RS or RM zone; or
3. Setback a minimum of 10 ft. from any other interior property line.

**Section 56: Amendment.** That Section 21.56.150 of the Lynnwood Municipal Code is hereby repealed, revised and amended to read as follows:

**21.56.150 Project design review.**

Project design review shall occur pursuant to the regulations for the underlying zone.

**Section 57: Amendment.** That Section 21.56.200 of the Lynnwood Municipal Code is hereby repealed, revised and amended to read as follows:

**21.56.200 Area and dimensional standards.**

A. The standards in this section shall apply to all structures and non-structural uses in this overlay zone. No building, structure or land shall be established, erected, enlarged or structurally altered, except in conformance with these standards, unless modifications to these standards are approved through the design review process. These standards may be modified if the applicant demonstrates during design review that the proposed modification:

1. Substantially contributes to establishing strong visual and physical connections between the primary uses(s) of private property and the public street;
2. Provides landscaping along the public right-of-way and in parking lots that would be equal to or more extensive than landscaping required by this chapter; and
3. Promotes the intent and purpose of this chapter and the goals, objectives and policies of the Comprehensive Plan (particularly the North Gateway Subarea Plan).

**B. Table of Standards.**

**Table 21.56.1  
Development Standards**

Site Planning	
Minimum Front Setback	15 ft.
Maximum Front Setback (applicable only to 50 percent of building frontage)	90 ft.
Maximum Building Height	100 (1) ft.
Corner Lot – Minimum Area of Landscaped Area at Intersection <sup>1</sup>	500 sq. ft.
Minimum Pedestrian Area at Building Entries	200 sq. ft.
Parking Area	
Minimum Landscaped Area – Parking area within 100 ft. of street	See subsection 21.56.200(D)(4)
Minimum Landscaped Area – Parking area more than 100 ft. from street or behind a building	See subsection 21.56.200(D)(4)
Minimum size of landscaped area within 100 ft. of street	25 sq. ft.
Minimum width of landscaped area	5 ft.
Minimum number of trees in landscaped area within 100 ft. of street	1 per 6 parking spaces (This standard shall supercede any applicable Lynnwood Citywide Design Guideline that may conflict.)
Minimum number of trees in landscaped area more than 100 ft. from street	1 per 8 parking spaces (This standard shall supercede any applicable Lynnwood Citywide Design Guideline that may conflict.)
Landscaping	
Minimum width of landscaping between a street and a parking lot or drive aisle	20 ft. (This standard shall supercede any applicable Lynnwood Citywide Design Guideline that may conflict.)
Planting of street trees	30 ft. on center

**C. Notes.**

1. Any portion of a building or structure with a height greater than 35 feet shall be setback from all interior property lines one foot for every two feet in height greater than 35 feet.

**D. Additional Standards.**

1. At any parking lot that is more than 130 feet in any dimension, specially marked pedestrian walkways leading to building entries shall be provided.

2. Special paving shall be installed and maintained at all driveways and other points of access for vehicles to/from a public street. "Special paving" shall include, but is not limited to, bomonite, stamped or colored concrete, and concrete pavers.

3. Pedestrian connections shall be provided between all buildings and between buildings, parking areas and public sidewalks at adjoining streets.

4. Five (5) percent of parking areas located only between the sides of buildings opposite the street and interior property lines; ten (10) percent of parking areas between buildings, between



buildings and the closest side property line, or single aisle, double loaded parking areas located between buildings and the street; and fifteen (15) percent of multi-aisle parking areas located between buildings and street shall be in landscaping (exclusive of landscaping on the street frontage and required landscape buffers).

**Section 58: Amendment.** That Section 21.56.500 of the Lynnwood Municipal Code is hereby repealed, revised and amended to read as follows:

**21.56.500 Street frontage Landscaping.**

All landscaped areas between a parking area and a public street shall include mounding, a continuous hedge or other design elements to screen parked cars from public view. The minimum height of the screening required by this section shall be 2.5 feet above the elevation of the adjoining parking area, measured at the curb that adjoins the landscaped area. The above standard shall supercede any applicable Lynnwood Citywide Design Guideline, as adopted by reference in 21.25.145(B)(3) LMC that may conflict.

**Section 59: Severability.** If any section, subsection, sentence, clause, phrase or word of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase or word of this ordinance.

1 **Section 60: Effective Date.** This ordinance shall take effect and be in full force five (5) days  
2 after its passage, approval and publication.  
3  
4


5  
6 PASSED THIS 24<sup>th</sup> day of Sept, 2001 and signed in authentication of its passage this 25<sup>th</sup>  
7 day of Sept, 2001.  
8  
9

10   
11  
12 TINA ROBERTS-MARTINEZ, Mayor  
13

14 ATTEST:

15   
16  
17 MIKE BAILEY, Administrative Services Director  
18

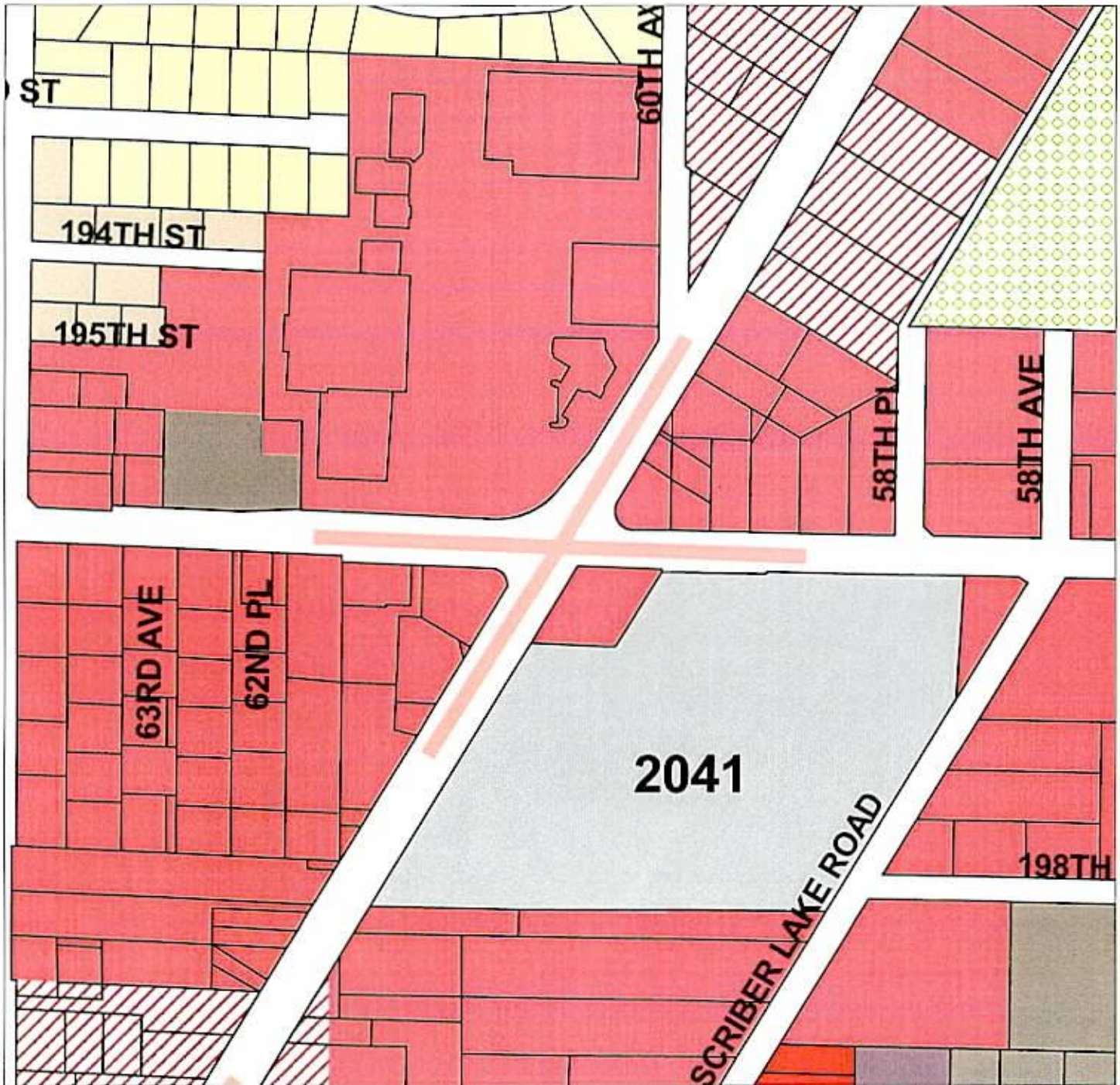
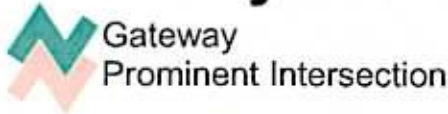
19 APPROVED AS TO FORM:

20   
21  
22 GREG RUBSTELLO, City Attorney  
23

24 File Number: 01CAM0005 & 00CPD0002

25 File Name: Citywide Design Program Code Amendment  
26  
27

# Gateways & Prominent Intersections

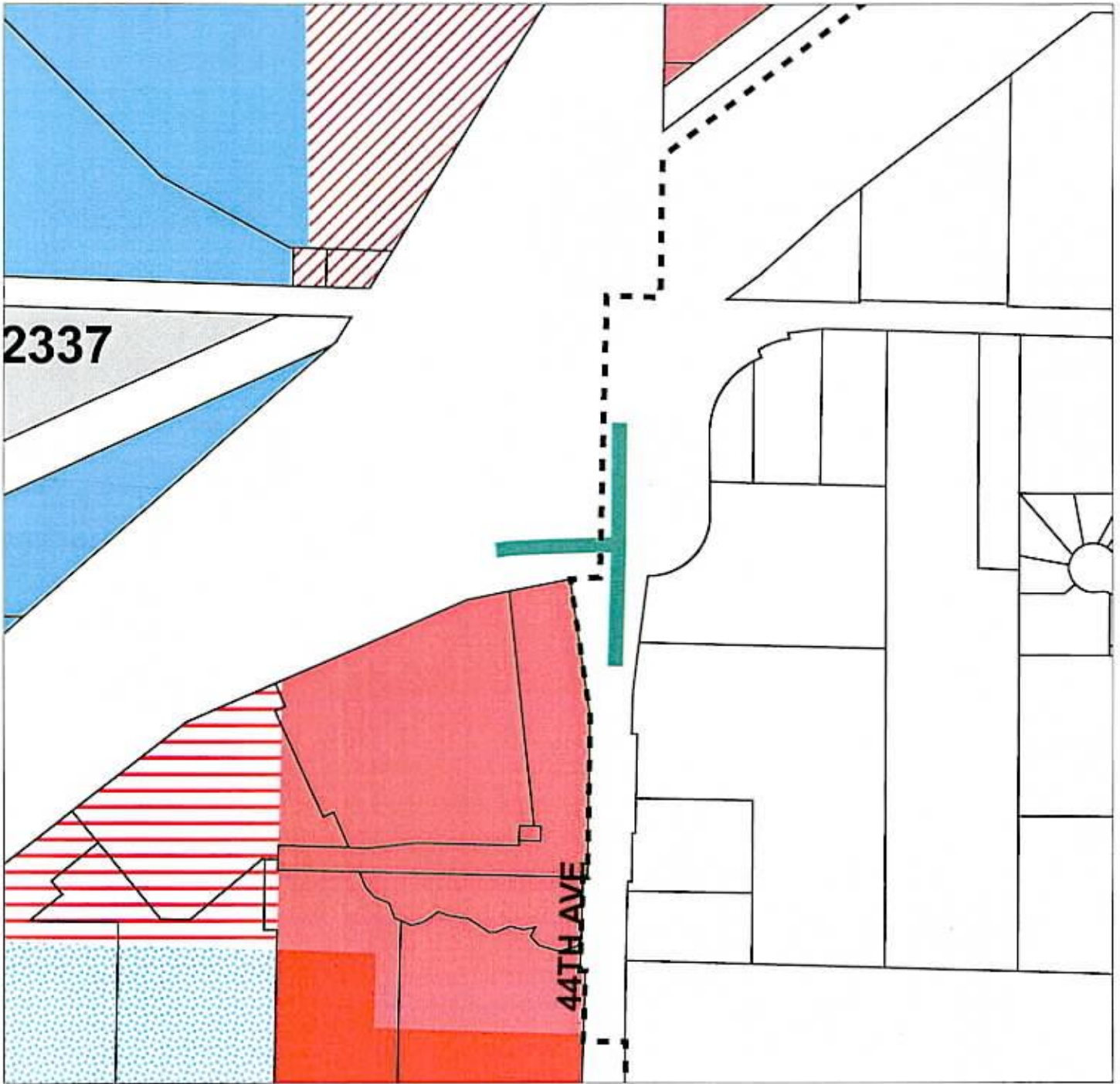
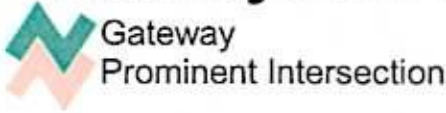
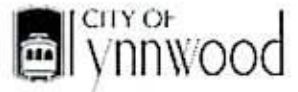


## ZONING:

- |   |                                      |
|---|--------------------------------------|
| RS7 - Residential 7200 Sq Ft              | BC - Community Business              |
| RS8 - Residential 8400 Sq Ft              | BN - Neighborhood Business           |
| RS12 - Residential 12000 Sq Ft            | C2 - Highway Services                |
| RML - Multiple Residential Low Density    | CG - General Commercial              |
| RMM - Multiple Residential Medium Density | PCD - Planned Commercial Development |
| RMH - Multiple Residential High Density   | PRC - Planned Regional Center        |
| RMHR - Multiple Residential High Rise     | LI - Light Industrial                |
| MU - Mixed Use                            | BTP - Business/Technical Park        |
| B2 - Limited Business                     | P1 - Public                          |
| B4 - Restricted Business                  | PUD - Planned Unit Development       |



# Gateways & Prominent Intersections

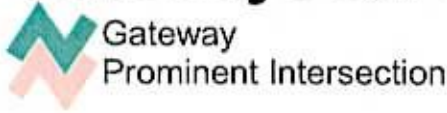


## ZONING:

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# Gateways & Prominent Intersections

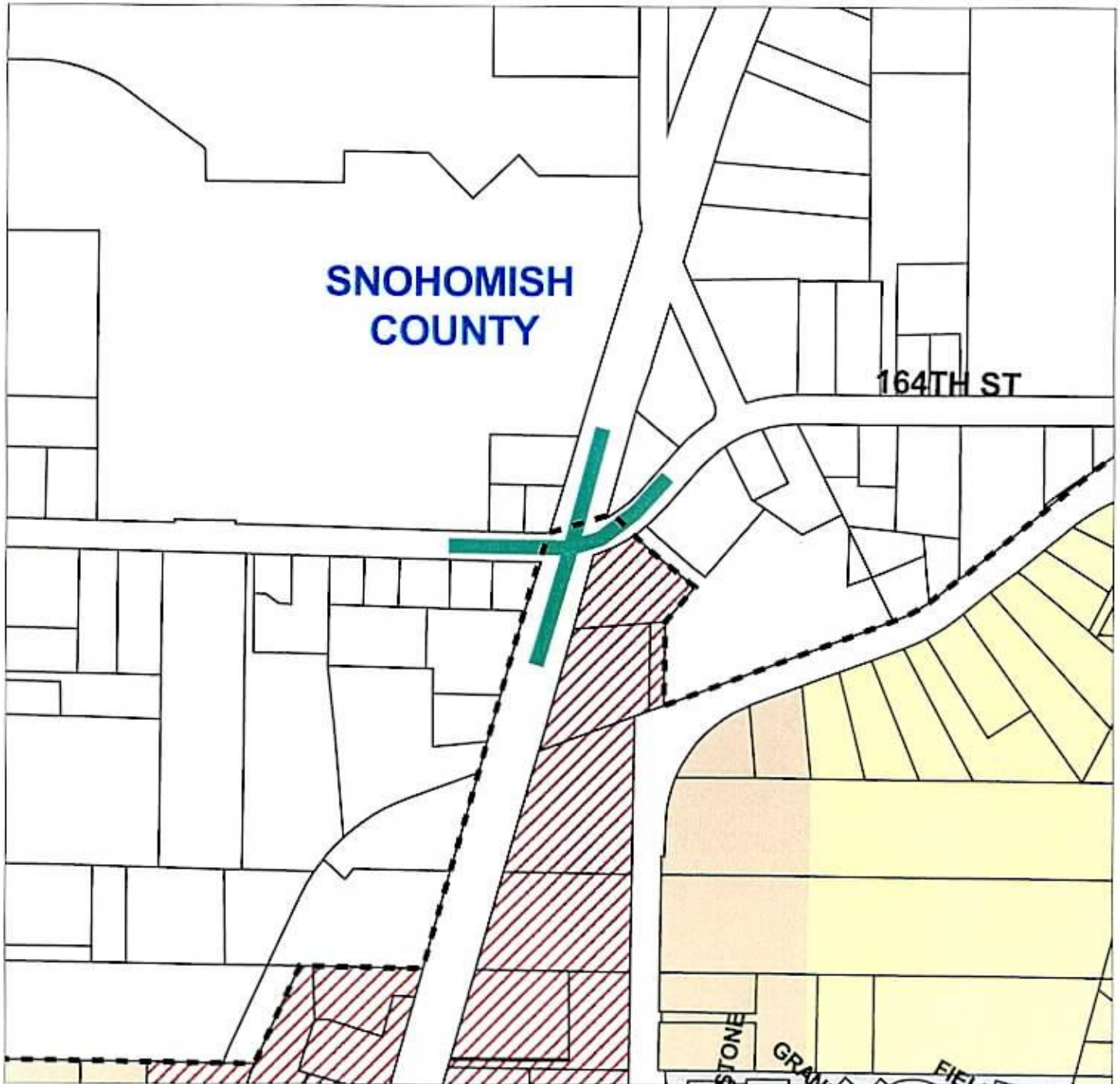
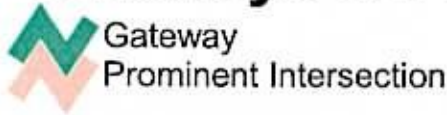


## ZONING:





















- |   |                                      |
|---|--------------------------------------|
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| RS8 - Residential 8400 Sq Ft              | BN - Neighborhood Business           |
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| RML - Multiple Residential Low Density    | CG - General Commercial              |
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| RMH - Multiple Residential High Density   | PRC - Planned Regional Center        |
| RMHR - Multiple Residential High Rise     | LI - Light Industrial                |
| MU - Mixed Use                            | BTP - Business/Technical Park        |
| B2 - Limited Business                     | P1 - Public                          |
| B4 - Restricted Business                  | PUD - Planned Unit Development       |



# Gateways & Prominent Intersections

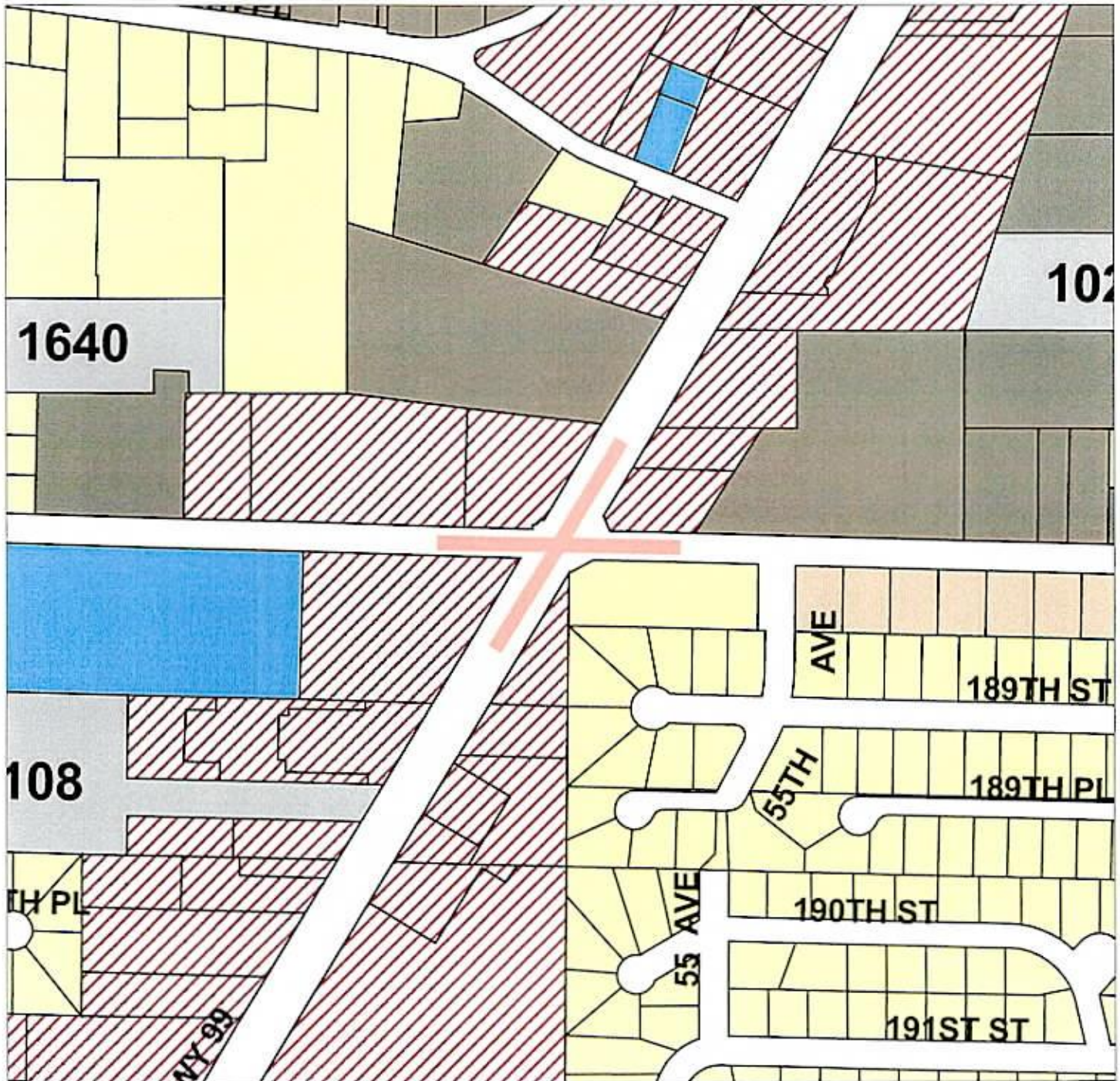
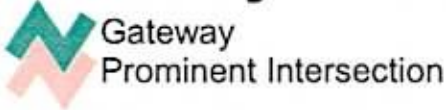


## ZONING:





















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|--|--|
|  RS7 - Residential 7200 Sq Ft              |  BC - Community Business              |
|  RS8 - Residential 8400 Sq Ft              |  BN - Neighborhood Business           |
|  RS12 - Residential 12000 Sq Ft            |  C2 - Highway Services                |
|  RML - Multiple Residential Low Density    |  CG - General Commercial              |
|  RMM - Multiple Residential Medium Density |  PCD - Planned Commercial Development |
|  RMH - Multiple Residential High Density   |  PRC - Planned Regional Center        |
|  RMHR - Multiple Residential High Rise     |  LI - Light Industrial                |
|  MU - Mixed Use                            |  BTP - Business/Technical Park        |
|  B2 - Limited Business                     |  P1 - Public                          |
|  B4 - Restricted Business                  |  PUD - Planned Unit Development       |



# Gateways & Prominent Intersections

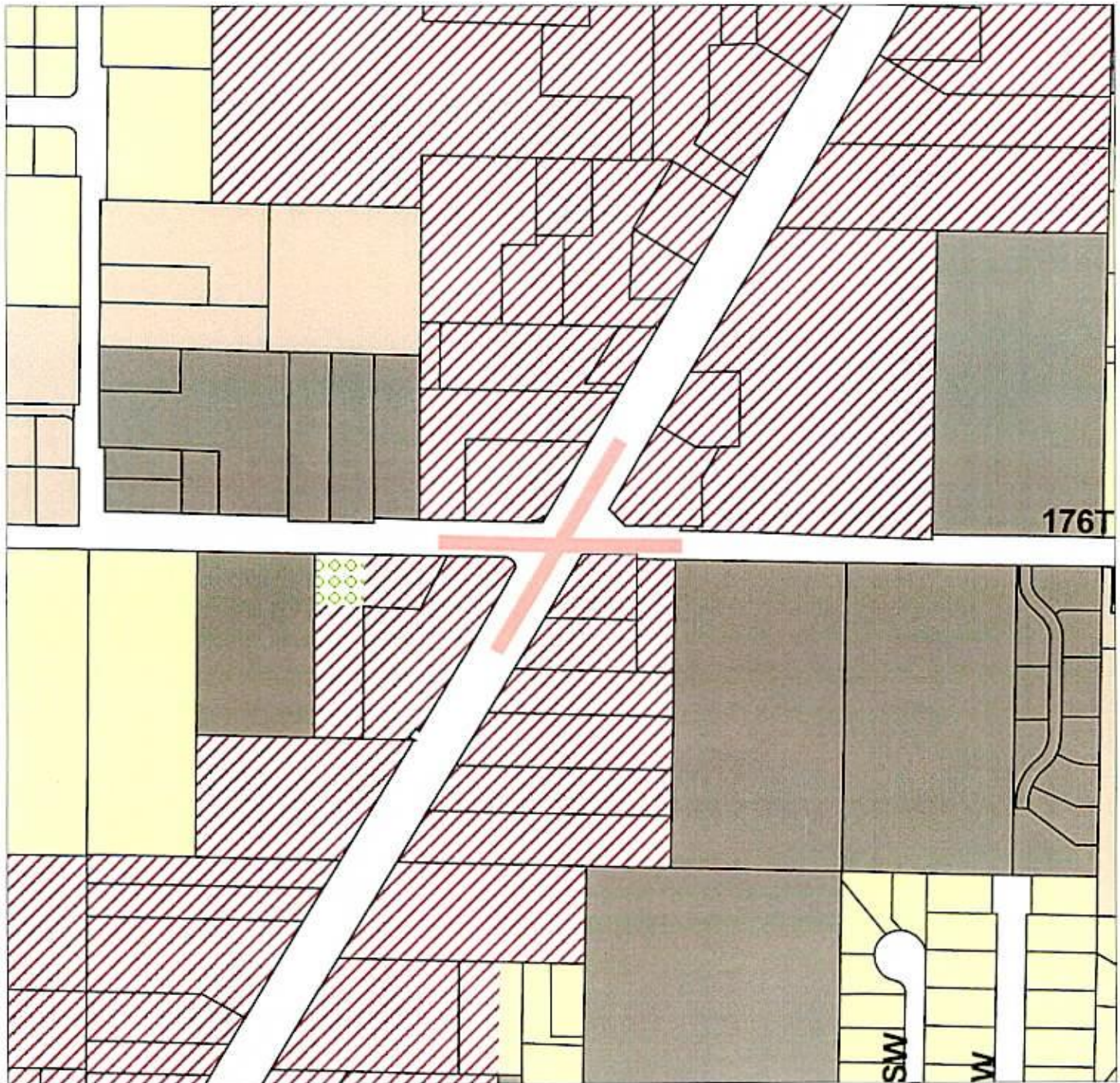
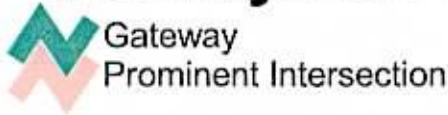


## ZONING:





















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|--|--|
|  RS7 - Residential 7200 Sq Ft              |  BC - Community Business              |
|  RS8 - Residential 8400 Sq Ft              |  BN - Neighborhood Business           |
|  RS12 - Residential 12000 Sq Ft            |  C2 - Highway Services                |
|  RML - Multiple Residential Low Density    |  CG - General Commercial              |
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|  RMH - Multiple Residential High Density   |  PRC - Planned Regional Center        |
|  RMHR - Multiple Residential High Rise     |  LI - Light Industrial                |
|  MU - Mixed Use                            |  BTP - Business/Technical Park        |
|  B2 - Limited Business                     |  P1 - Public                          |
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# Gateways & Prominent Intersections



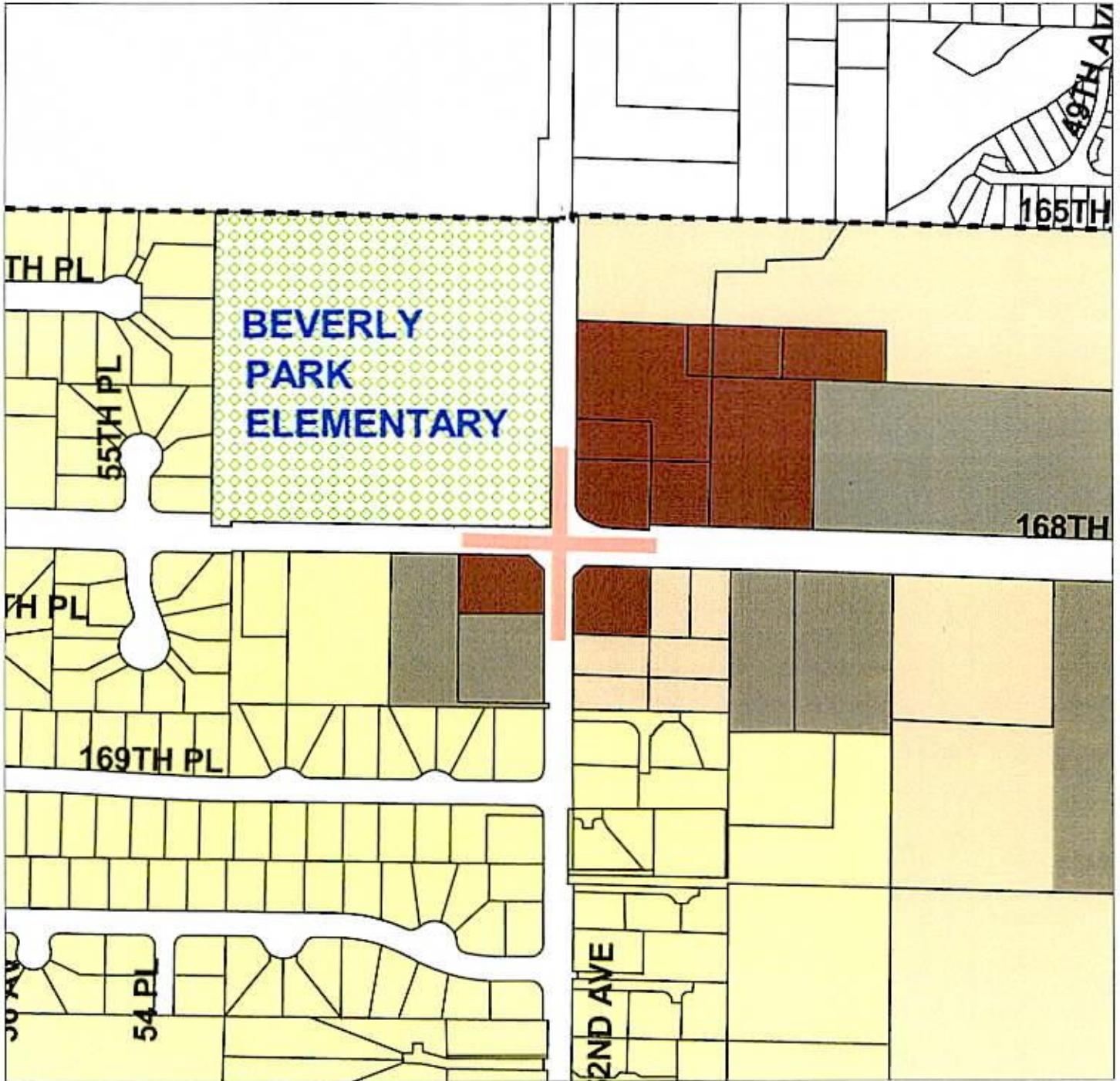
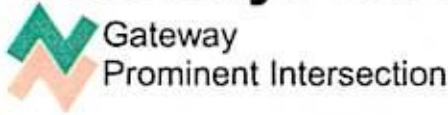
## ZONING:

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|  RS7 - Residential 7200 Sq Ft              |  BC - Community Business              |
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# Gateways & Prominent Intersections

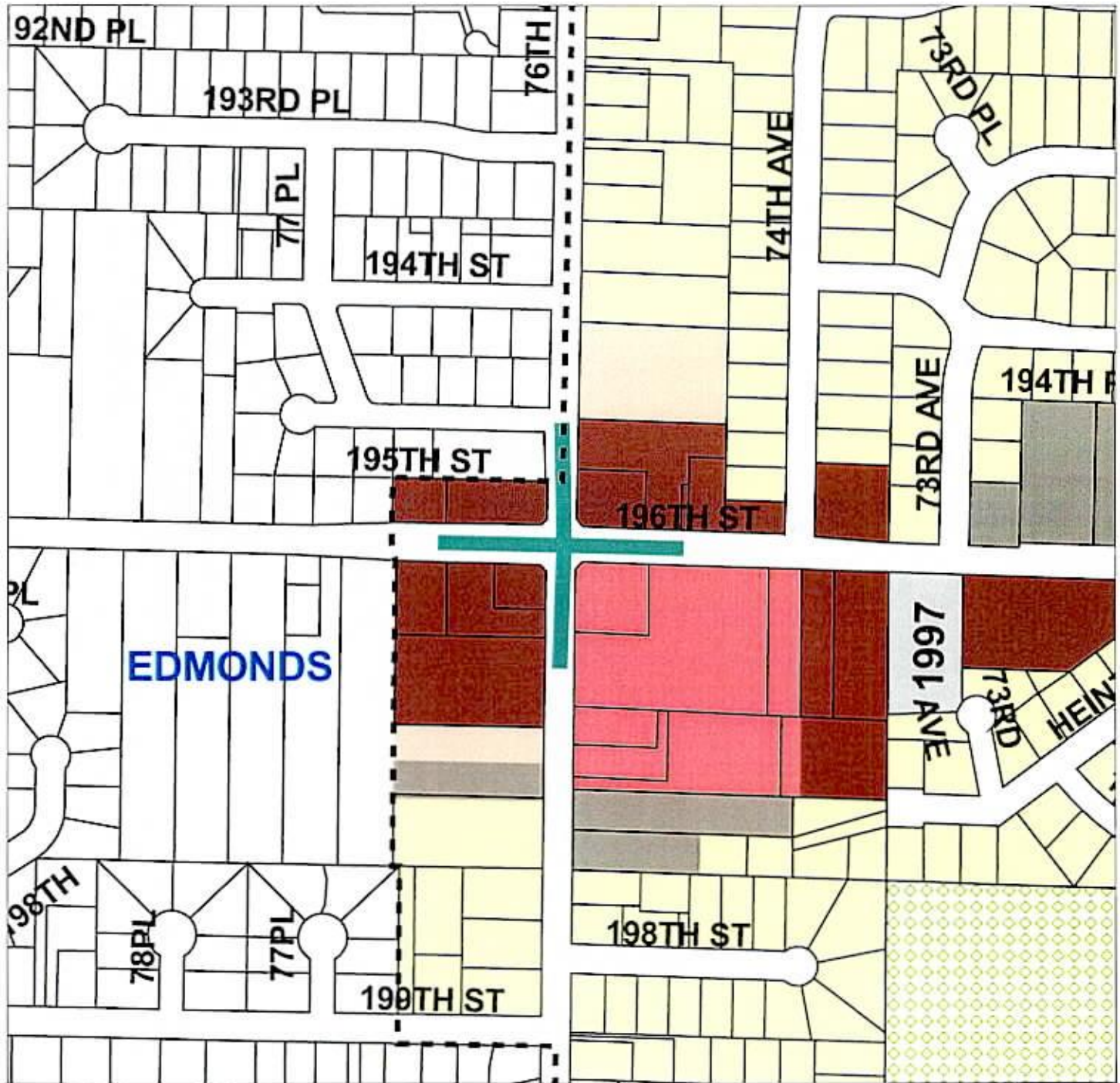
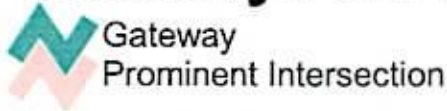


## ZONING:

- |   |                                      |
|---|--------------------------------------|
| RS7 - Residential 7200 Sq Ft              | BC - Community Business              |
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| MU - Mixed Use                            | BTP - Business/Technical Park        |
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# Gateways & Prominent Intersections





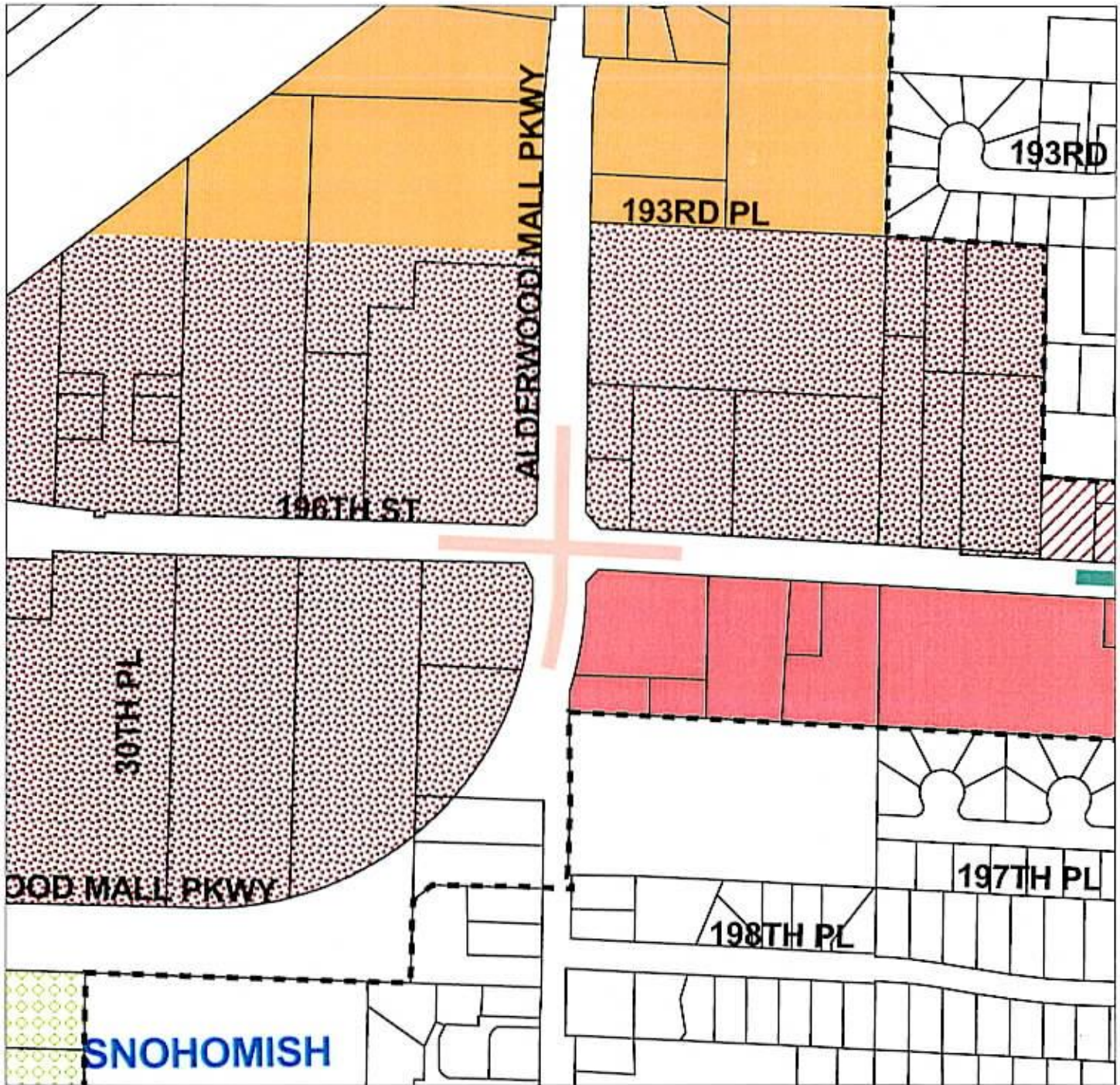
## ZONING:

- |  |   |
|--|---|
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| <span style="background-color: yellow; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> RS8 - Residential 8400 Sq Ft            | <span style="background-color: brown; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> BN - Neighborhood Business          |
| <span style="background-color: yellow; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> RS12 - Residential 12000 Sq Ft          | <span style="border-bottom: 2px solid red; width: 15px; display: inline-block;"></span> C2 - Highway Services   |
| <span style="background-color: yellow; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> RML - Multiple Residential Low Density  | <span style="border-bottom: 2px dashed red; width: 15px; display: inline-block;"></span> CG - General Commercial  |
| <span style="background-color: gray; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> RMM - Multiple Residential Medium Density | <span style="background-color: gray; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> PCD - Planned Commercial Development |
| <span style="background-color: purple; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> RMH - Multiple Residential High Density | <span style="border-bottom: 2px solid red; width: 15px; display: inline-block;"></span> PRC - Planned Regional Center   |
| <span style="background-color: red; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> RMHR - Multiple Residential High Rise      | <span style="background-color: lightblue; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> LI - Light Industrial           |
| <span style="background-color: orange; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> MU - Mixed Use                          | <span style="background-color: lightblue; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> BTP - Business/Technical Park   |
| <span style="border-bottom: 2px solid red; width: 15px; display: inline-block;"></span> B2 - Limited Business  | <span style="background-color: yellow; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> P1 - Public                        |
| <span style="background-color: red; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> B4 - Restricted Business                   | <span style="background-color: yellow; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> PUD - Planned Unit Development     |























# Gateways & Prominent Intersections

 Gateway  
 Prominent Intersection

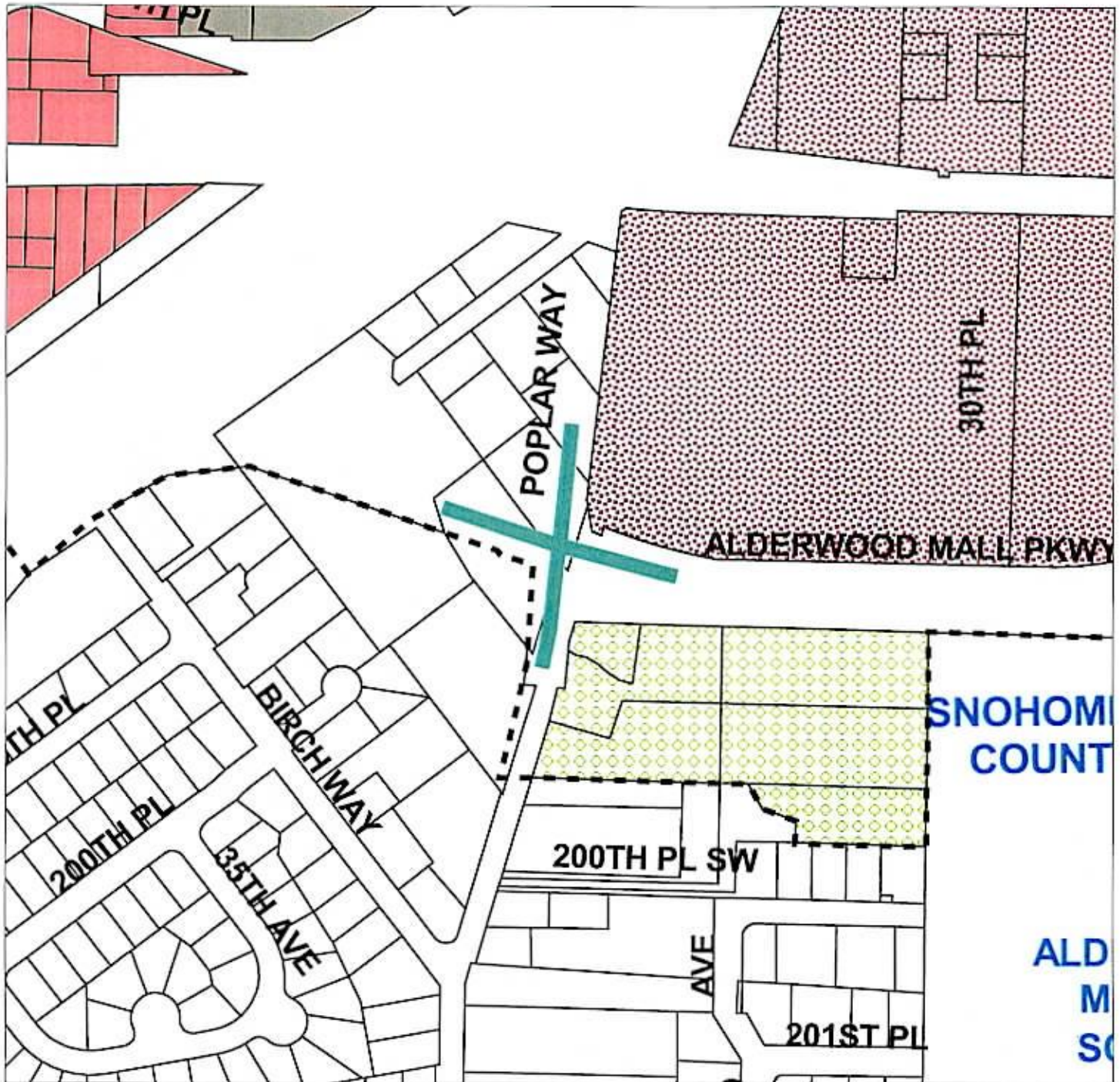
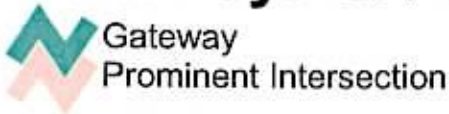


## ZONING:

- |  |   |   |                                      |
|--|---|---|--------------------------------------|
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|  | B2 - Limited Business                     |  | P1 - Public                          |
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# Gateways & Prominent Intersections





## ZONING:

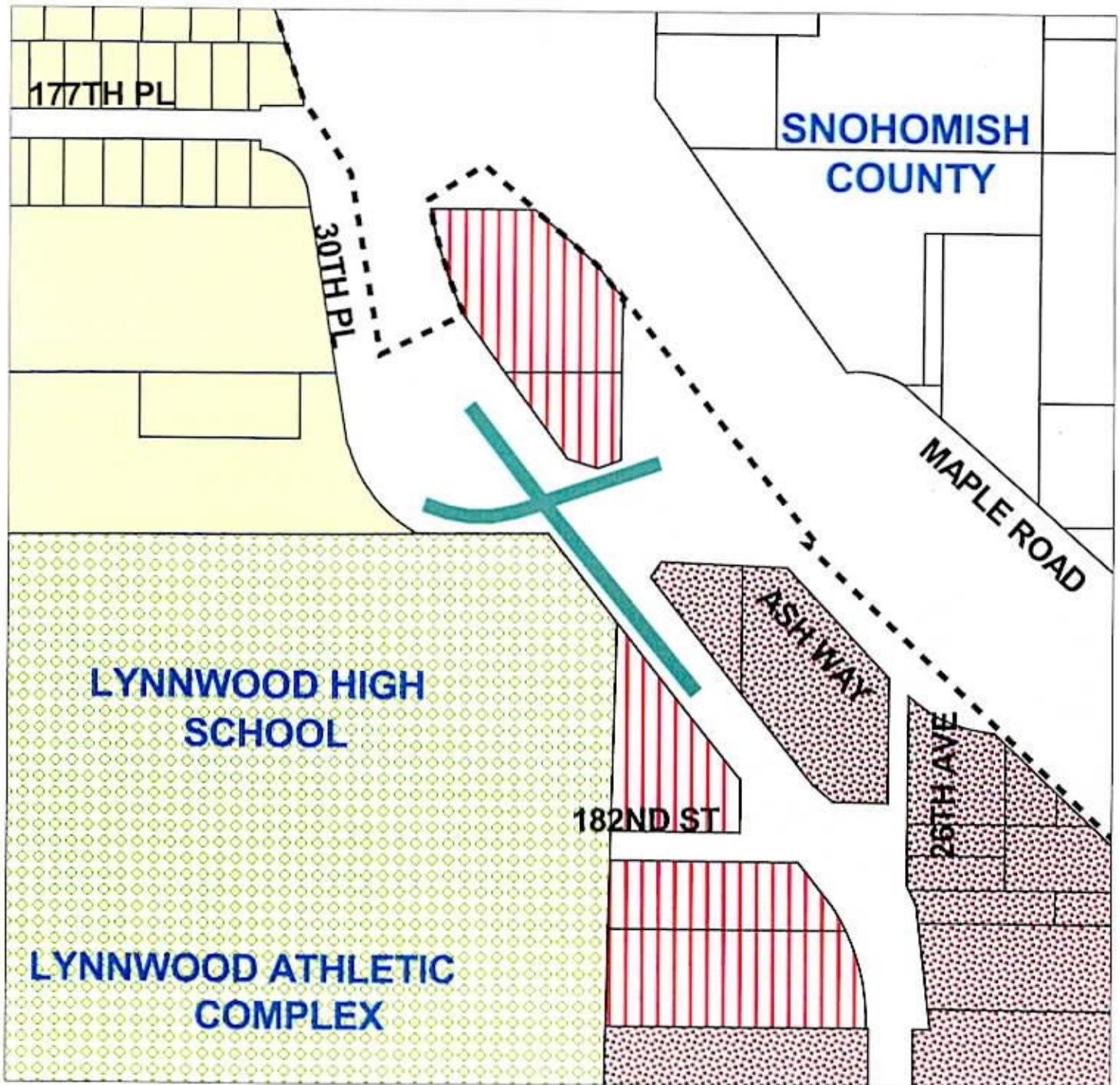
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











# Gateways & Prominent Intersections



 Gateway  
 Prominent Intersection

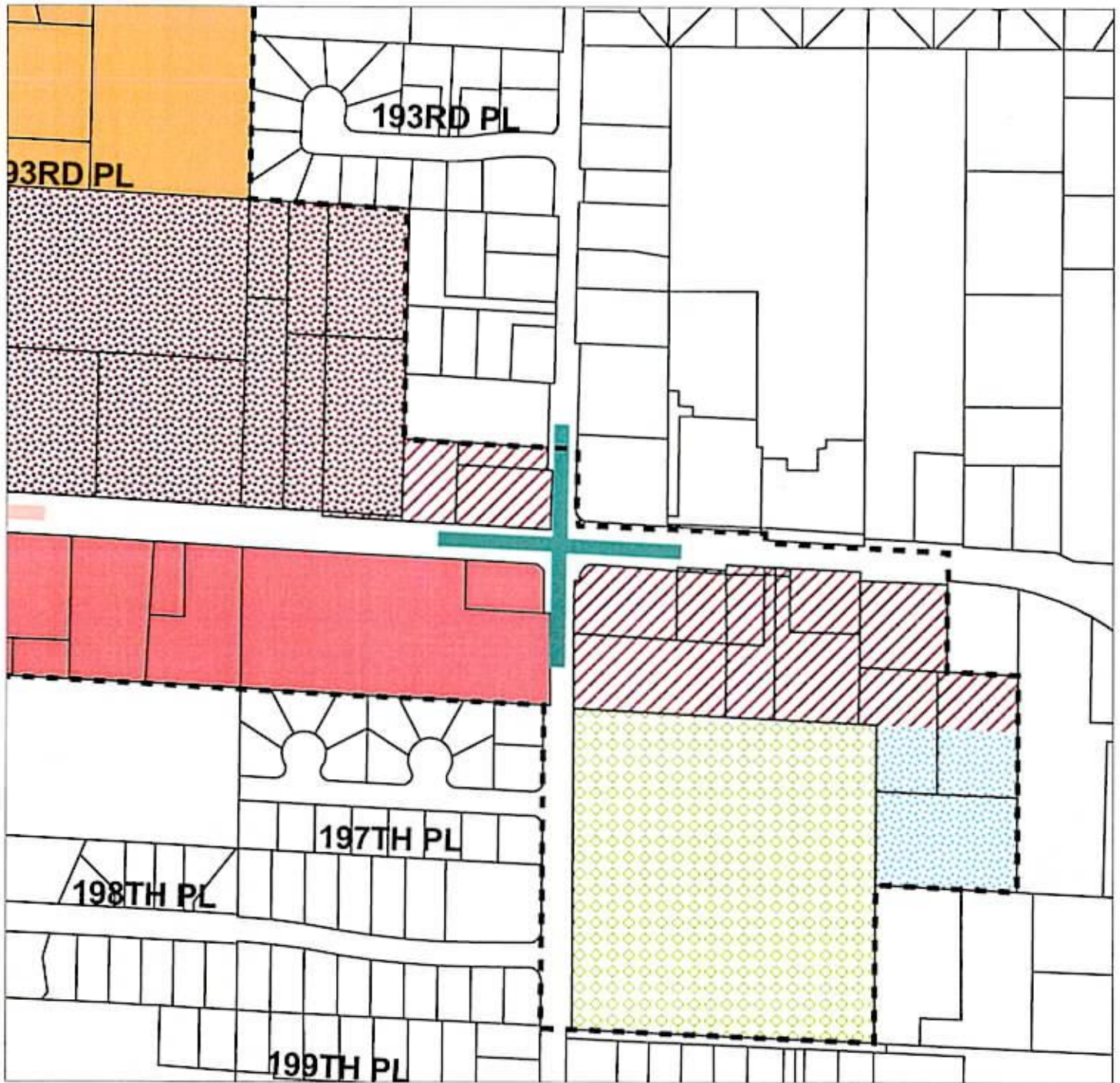
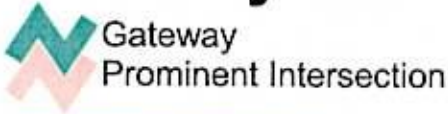


## ZONING:

 RS7 - Residential 7200 Sq Ft	 BC - Community Business
 RS8 - Residential 8400 Sq Ft	 BN - Neighborhood Business
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# Gateways & Prominent Intersections



## ZONING:

- |   |                                      |
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**SUMMARY OF ORDINANCE NO. 2388**

of the City of Lynnwood, Washington

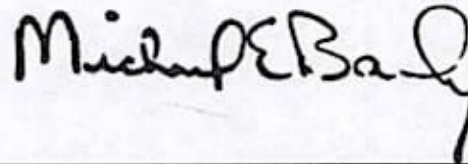
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On the 24th day of September, 2001, the City Council of the City of Lynnwood, passed Ordinance No. 2388. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE AMENDING TITLES 2 AND 21 OF THE LYNNWOOD MUNICIPAL CODE REGARDING DESIGN RELATED DEVELOPMENT STANDARDS, INCLUDING STANDARDS AND REVIEW PROCEDURES FOR BUILDING DESIGN, LANDSCAPING, SETBACKS, FENCES AND SIGNS AND PROVIDING FOR AN EFFECTIVE DATE AND SUMMARY PUBLICATION.

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

DATED this 25th day of September, 2001.



---

MICHAEL E. BAILEY, FINANCE DIRECTOR

1 CITY OF LYNNWOOD

2  
3 ORDINANCE NO. 2388

4  
5  
6 AN ORDINANCE AMENDING TITLES 2 AND 21 OF THE LYNNWOOD  
7 MUNICIPAL CODE REGARDING DESIGN RELATED DEVELOPMENT  
8 STANDARDS, INCLUDING STANDARDS AND REVIEW PROCEDURES  
9 FOR BUILDING DESIGN, LANDSCAPING, SETBACKS, FENCES AND  
10 SIGNS AND PROVIDING FOR AN EFFECTIVE DATE AND SUMMARY  
11 PUBLICATION.  
12

13  
14 WHEREAS, the City Council determined that existing development in the city should be  
15 studied to evaluate how the design and appearance of multi-family and non-residential  
16 development in the city could be improved as seen from the street and adjoining properties; and  
17

18 WHEREAS, the City Council approved funding of \$48,000 in the city's 2000 budget for  
19 the Community Development Department to contract with design professionals to study the  
20 design of exiting development and develop a citywide design program to improve the design of  
21 new multi-family and non-residential development and redevelopment within the city, except the  
22 Central Business District planning area that is the subject of another planning; and  
23

24 WHEREAS, the Community Development Department, with input on design issues from  
25 the City Council, Planning Commission, Citywide Design Program Advisory Committee and  
26 public, developed design guidelines and amendments to the City's development regulations to  
27 implement the design guidelines for Planning Commission consideration; and  
28

29 WHEREAS, after proper notice, a hearing was held by the Planning Commission to  
30 consider amendments to the official text of the Municipal Code of the City of Lynnwood to  
31 implement development design guidelines and design review process; and  
32

33 WHEREAS, the City Council reviewed the development design guidelines, design  
34 review process and development regulation amendments recommended by the Planning  
35 Commission; and  
36

37 WHEREAS, after proper notice, a hearing was held by the City Council to consider an  
38 ordinance amending the official text of the Municipal Code and Zoning Map of the City of  
39 Lynnwood to implement development design guidelines and design review process.  
40

41 NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LYNNWOOD DO  
42 ORDAIN AS FOLLOWS:  
43

44  
45 **Section 1: Amendment.** That the City of Lynnwood Zoning Map is revised to indicate lines  
46 extending within and outward from the centerline of the following public street right-of-way  
47 intersections indicating that property adjacent to these lines are subject to the Lynnwood  
48 Citywide Design Guidelines - Gateway and Prominent Intersection Guidelines, as adopted by  
49 reference in 21.25.145(B)(3) LMC as indicated on the attached maps:

- 50 ▪ 196<sup>th</sup> Street SW and Highway 99;  
51 ▪ 44<sup>th</sup> Avenue W and the northbound off ramp to 44<sup>th</sup> Avenue W from Interstate Route 5;



- 1   ▪ 212<sup>th</sup> Street SW and Highway 99;
- 2   ▪ 164<sup>th</sup> Street SW and Highway 99;
- 3   ▪ 188<sup>th</sup> Street SW and Highway 99;
- 4   ▪ 176<sup>th</sup> Street SW and Highway 99;
- 5   ▪ 168<sup>th</sup> Street SW and 52<sup>nd</sup> Avenue W;
- 6   ▪ 196<sup>th</sup> Street SW and 76<sup>th</sup> Avenue W;
- 7   ▪ 196<sup>th</sup> Street SW and Alderwood Mall Parkway;
- 8   ▪ Poplar Way and Alderwood Mall Parkway;
- 9   ▪ Alderwood Mall Parkway and Maple Road; and
- 10  ▪ 196<sup>th</sup> Street SW and 24<sup>th</sup> Avenue W.

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**Section 2: Amendment.** That Table 2.23.120.A in LMC Section 2.23.120 is revised read as follows:

**Table 2.23.120(A)**

<b>Application</b>	<b>Fee</b>
Accessory Dwelling Unit (see LMC 21.42.110(K))	\$110.00
Annexation (see RCW Title 35)	\$500.00 plus posting and mailing cost, plus any necessary consultant fees, including costs of design studies, creation of street standards and other similar expenses
Binding Site Plan (see Chapter 19.75 LMC)	Hourly charges plus posting and mailing costs
Boundary Line Adjustment	\$325.00
Comprehensive Plan Amendment Suggested Amendment Application for text or map change (see Chapter 18.04 LMC)	\$50.00 Hourly charges plus posting and mailing costs
Conditional Use Permit (see Chapter 21.24 LMC)	Hourly charges plus posting and mailing costs
Development Plan Approval (see LMC 21.50.200(B))	Hourly charges (regardless of zone) plus posting and mailing costs
Environmental Review Review of Checklist Environmental Impact Statement (EIS) (see Chapter 21.30 LMC)	\$325.00 Hourly charges plus any required consultant fees
Interim Downtown Use (see Chapter 21.72 LMC)	Hourly charges plus posting costs and mailing costs
Planned Unit Development By Public Agency All Others	\$100.00 Hourly charges plus posting costs and mailing costs

<u>Project Design Review</u> (see Chapter 21.25 LMC)	<u>Hourly charges</u> <u>plus posting costs and mailing costs, plus costs</u> <u>for consulting architect review if necessary.</u>
Rezone (Reclassifications) By Public Agency All Others (see Chapter 21.22 LMC)	\$100.00 Hourly charges plus posting costs and mailing costs
Short Subdivision (Short Plat) (see Chapter 19.50 LMC)	Hourly charges plus posting costs and mailing costs
Special Use Permit (see Chapter 21.28 LMC)	Hourly charges plus posting costs and mailing costs
Subdivision (Plat) (see LMC title 19)	Hourly charges plus posting costs and mailing costs
Variance Single-Family Use All Others (see Chapter 21.26 LMC)	\$400.00 Hourly charges plus posting costs and mailing costs

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6

**Section 3: Amendment.** That Table 2.23.140.A in LMC Section 2.23.140 is revised to read as follows:

**Table 2.23.140(A)**

<b>Application</b>	<b>Required Deposit or Bond</b>
Annexation	Flat fee amount plus estimated posting and mailing costs plus any estimated expenses for consultants
Binding Site Plan	\$2,000
Comprehensive Plan Amendment Application for text or map change	\$3,000
Conditional Use Permit	\$2,000
Development Plan Approval	\$3,000
Environmental Review Environmental Impact Statement (EIS)	\$2,000 plus any estimated expenses for consultants
Interim Downtown Use (see Chapter 21.72 LMC)	\$1,500
Planned Unit Development If not by Public Agency	\$3,000
<u>Project Design Review</u> (see Chapter 21.25 LMC)	<u>\$3,000</u>

Rezone If not by Public Agency	\$3,000
Short Subdivision (Short Plat)	\$2,000
Special Use Permit	\$3,000
Subdivision (Plat)	\$3,000
Variance If not a single-family use	\$2,000

**Section 4: Amendment.** That Section 21.06.200 of the Lynnwood Municipal Code is hereby repealed, revised and amended to read as follows:

**21.06.200 STREET FRONTAGE LANDSCAPING PLANS**

The landscaping requirements of Section 21.06.200 shall supercede other landscaping requirements of Title 21 and the Lynnwood Citywide Design Guidelines, as adopted by reference in 21.25.145(B)(3) LMC that may conflict. However, if it is determined through project design review (Chapter 21.25 LMC) that it is desirable to locate street trees between the street curb and walking route of the sidewalk, then a species other than London Plane shall be used that is similar in growth habit and form to London Plane but does not cause damage to sidewalks and below ground utilities. The following street frontage landscaping plans specifying planting materials are in effect:

**Section 5: Amendment.** That subsections 21.06.200.C, D and E of the Lynnwood Municipal Code are hereby repealed, revised and amended to read as follows:

**C. East and West Sides of Alderwood Mall Blvd. from 184th Street SW North to the City Limits**

**1. Planting Layout**

Minimum 9-foot wide sod lawn area between curb and sidewalk with a maximum slope of 4:1; Red Maple trees 3 inches minimum caliper size, 12 to 15 foot minimum height, centered in lawn area and planted 30 feet on center with branches eliminated to a height of 6 feet where necessary to prevent sight obstruction; sidewalk subject to Public Works Department standards; and 5-foot wide shrub area planted with evergreen shrubs forming a solid screen and obtaining a 36-inch maximum height, and evergreen ground cover spaced to achieve 100% coverage within 2 years. Refer to Figures 21.06.1 and 21.06.2 for alternative landscape configurations when insufficient right-of-way width exists to meet the above standards.

**2. Shrub Planting**

The shrub area shall contain shrubs 18 inches minimum height, planted 3 feet on center or greater if recommended by a landscape professional, and any of the following species:

- a. Otto Luyken Laurel
- b. Apple Blossom Escallonia
- c. Raphiolepis Ovata
- d. Ilex Crenata 'Convexa'
- e. Delavayi Osmanthus or Holly-Leaf Osmanthus

1 **3. Irrigation**

2 A below ground irrigation system shall be provided in addition to the required landscaping to  
3 insure that all plant materials receive adequate moisture on a regular basis.  
4

5 **4. Supereede**

6 ~~The landscaping requirements of this section shall supersede other landscaping requirements of~~  
7 ~~Title 21 that may conflict.~~  
8

9 **D. North and South Sides of 194th Street SW between 40th Avenue W. and 44th Avenue W.**  
10

11 **1. Planting Layout**

12 Five-foot wide sidewalk adjacent to curb; and a 10-foot wide landscape area consisting of a 6-  
13 foot wide sod lawn or ground cover area adjacent to the sidewalk, and a 4-foot wide area planted  
14 with evergreen or deciduous trees and evergreen shrubs. The tree and shrub area shall contain  
15 shrubs forming a screen obtaining a 3-foot maximum height, and evergreen groundcover spaced  
16 to achieve 100% coverage within 2 years. Up to 5 feet of the above landscaping may be within  
17 excess right-of-way with approval of the Public Works Department. Refer to Figures 21.06.3,  
18 21.06.4 and 21.06.5 for landscape standards applying to different access driveway configurations.  
19

20 **2. Tree Planting**

21 The above street trees shall be planted in groups of 2 or 3 at access driveways with each tree  
22 spaced 20 feet apart and at least 3 feet from the parking area curb. If the distance between access  
23 driveways on the same or adjoining property exceeds 150 feet, two trees 20 feet apart shall be  
24 planted at the mid point. In addition, one tree shall be planted 10 feet from each side property  
25 line, however, a tree will not be required if the distance from the access driveway to the side  
26 property line is 75 feet or less. Trees shall be a minimum of 2 1/2 inches in caliper, 10 foot  
27 minimum height at time of planting with branches eliminated to a height of 6 feet where  
28 necessary to prevent sight obstruction for motorists and pedestrians at access driveways and street  
29 intersections.

30 Any of the following trees may be used, however, within each site the same type of tree shall be  
31 used along the street frontage:

- 32 a. Columnar European Hornbeam
  - 33 b. Red Spire Ornamental Pear
  - 34 c. Katsura Tree
  - 35 d. Carrierei Hawthorn
  - 36 e. Washington Thorn
  - 37 f. Holly Oak
- 38

39 **3. Shrub Planting**

40 The tree and shrub area shall contain shrubs 18 inches minimum height, planted 3 feet on center  
41 or greater separation if recommended by a landscape professional, and any of the following  
42 species:

- 43 a. Glossy Abelia 'Edward Goucher'
  - 44 b. Otto Luyken Laurel
  - 45 c. Japanese Holly 'Convexa'
  - 46 d. Laurustinus 'Spring Bouquet'
  - 47 e. Evergreen Euonymus 'Sarcoxie'
  - 48 f. India Hawthorn (Raphiolepis)
  - 49 g. Delavay Osmanthus
  - 50 h. Darwin Barberry
- 51

1 **4. Groundcover Planting**

2 The tree and shrub area shall contain groundcover, spaced 18 to 24 inches on center or greater  
3 separation if recommended by a landscape professional, and any of the following species:

4 a. Kinnikinnick

5 b. Ivy

6 c. Common Wintercreeper

7 d. Cotoneaster 'Lowfast,' 'Dammeri'

8 e. Creeping Mahonia

9 f. Juniper 'Shore Juniper,' 'Blue Carpet Juniper,' 'Shimpaku,' 'Tam'

10 Insert Figure 21.06.4

11 Insert Figure 21.06.5

12  
13 **5. Irrigation**

14 A below ground irrigation system shall be provided in addition to required landscaping to insure  
15 that all plant materials receive adequate moisture on a regular basis.

16  
17 **6. Superecede**

18 ~~The above landscaping requirements of this section shall superecede other landscaping~~  
19 ~~requirements of Title 21 that may conflict.~~

20  
21 **7. 6. Existing Vegetation**

22 Existing vegetation shall be retained to the greatest extent possible within the required minimum  
23 20-foot wide buffer on properties on the north side of 194th Street SW along the property lines  
24 adjacent to residentially zoned property. This requirement shall work in conjunction with the site  
25 screening requirements in the applicable zone. Vegetation which is diseased, dead, dying, or  
26 judged to be hazardous may be removed with permission of the City.

27  
28 **E. North and South Sides of 196th Street SW from Interstate 5 East to the City Limits**

29  
30 **1. Planting Layout**

31 A sidewalk subject to Public Works Department standards adjacent to curb; and a 10-foot wide  
32 landscape area with a maximum slope of 4:1 consisting of a 5-foot wide sod lawn area adjacent to  
33 the sidewalk, and a 5-foot wide tree and shrub area planted with Red Maple (*Acer Rubrum*) trees  
34 spaced 30 feet on center, evergreen shrubs forming a screen obtaining a 3-foot maximum height,  
35 and evergreen groundcover spaced to achieve 100% coverage within 2 years. Up to 5 feet of the  
36 above landscaping may be within excess street right-of-way with approval of the Public Works  
37 Department. Refer to Figures 21.06.6, 21.06.7, and 21.06.8 for landscape standards when the  
38 grade between sidewalk and parking creates a slope of more than 4:1.

39  
40 **2. Tree Planting**

41 Red Maple street trees shall be planted at least three feet from the parking area curb. The trees  
42 shall be a minimum of 3 inches in caliper, 15 foot minimum height at time of planting with  
43 branches eliminated to a height of 6 feet where necessary to prevent sight obstruction for  
44 motorists and pedestrians at access driveways and street intersections.

45  
46 **3. Shrub Planting**

47 The tree and shrub area shall contain shrubs 18 inches minimum height, planted 3 feet on center  
48 or greater separation if recommended by a landscape professional, and any of the following  
49 species:

50 a. Glossy Abelia 'Edward Goucher'

51 b. Otto Luyken Laurel

- 1 c. Japanese Holly 'Convexa'
- 2 d. Laurustinus 'Spring Bouquet'
- 3 Insert Figure 21.06.6

#### 4 **4. Groundcover Planting**

6 The tree and shrub area shall contain groundcover, spaced 18 to 24 inches on center or greater separation if recommended by a landscape professional, and any of the following species:

- 8 a. Kinnikinnick
- 9 b. Ivy
- 10 c. Common Wintercreeper

#### 12 **5. Irrigation**

13 A below ground irrigation system shall be provided in addition to the required landscaping to insure that all plant materials receive adequate moisture on a regular basis.

#### 16 **6. Supereede**

17 ~~The landscaping requirements of this section shall supercede other landscaping requirements of~~  
18 ~~Title 21 that may conflict.~~

20 **Section 6: Amendment.** That subsections 21.10.100.B and C of the Lynnwood Municipal  
21 Code is hereby repealed, revised and amended to read as follows:

#### 23 **B. Location Of Fences And Hedges.**

##### 25 **1. Residential Zones.**

26 Non-vision obscuring fences and hedges may be located on any portion of a residential-zoned lot.  
27 Vision obscuring fences and hedges may be located on portions of a residential-zoned lot other  
28 than the following:

- 29 a. Within 15 feet of the front lot line.
- 30 b. Within a triangular area at street intersections. Such "intersection sight distance triangle" is  
31 defined as having two sides of 30 feet, measured along the property lines from the property  
32 corner at the street intersection, and a third side connecting the ends of the two aforementioned  
33 sides.
- 34 c. Within a triangular area adjacent on one side to a street, and on a second side to a property  
35 having frontage on and requiring access from that street. Such "driveway sight distance triangle"  
36 is defined as having two sides of 15 feet measured along the property lines from the property  
37 corner common to the subject and adjacent property, and a third side connecting the end points on  
38 the two aforementioned sides. If any adjacent lot is undeveloped, it shall be construed as having  
39 access from all adjacent streets until the direction of access has been established, either by  
40 development or by waiver of right of direct access as per RCW 58.17.165.

42 However, fences, walls and hedges between three and six feet high that comply with  
43 applicable design guidelines may be located in any portion of a Multiple Family  
44 Residential zoned lot as long as they are not located within intersection and driveway sight  
45 distance triangles, do not obstruct driver and pedestrian visibility, comply with applicable  
46 Lynnwood Citywide Design Guidelines, as adopted by reference in 21.25.145(B)(3) LMC  
47 and are approved through project design review (Chapter 21.25 LMC).

##### 49 **2. Commercial Zones.**

50 In commercial zones, vision-obscuring or non-vision-obscuring fences or hedges up to eight feet  
51 in height may be located on side and rear property lines and within side and rear yards, but not

1 nearer to any public street than a point equal to the closest part of any building thereon to that  
2 street.

3  
4 However, fences, walls and hedges up to 6 feet high that comply with applicable design  
5 guidelines may be located in any portion of a commercial zoned lot as long as they are not  
6 located within intersection and driveway sight distance triangles, do not obstruct driver and  
7 pedestrian visibility, comply with applicable Lynnwood Citywide Design Guidelines, as  
8 adopted by reference in 21.25.145(B)(3) LMC and are approved through project design  
9 review (Chapter 21.25 LMC).

10  
11 **C. Referrals to Hearing Examiner.**

12  
13 Any fence or wall approved through project design review (Chapter 21.25 LMC) does not have to  
14 be approved by the hearing examiner.

15  
16 The hearing examiner may review applications for fence permits in the following situations:

17  
18 **1. Appeal.**

19 As an appeal of an administrative determination when:

- 20 a. An applicant proposes a fence which he/she believes meets the stated purpose of this section,  
21 but does not strictly conform to the regulations;  
22 b. City staff believes that a proposed fence, while meeting regulations, may still obstruct visibility  
23 to such an extent that hazardous conditions would exist; or  
24 c. There is a disagreement between staff and an applicant regarding interpretation of the fence and  
25 hedge regulations.

26 In such cases, the Hearing Examiner may stipulate standards for fence composition, height, and  
27 location.

28  
29 **2. Variance.**

30 As a variance, when an applicant believes the regulations of this chapter cause hardship.

31  
32 **Section 7: Amendment.** That subsection 21.12.400.C of the Lynnwood Municipal Code  
33 is hereby repealed, revised and amended to read as follows:

34  
35 **C. Level 3 Improvements.**

36  
37 **1. Scope.**

38 This category includes improvements to existing buildings and construction of new buildings  
39 within any 36 consecutive months providing:

- 40 a. Increase the number of dwelling units on a site; or  
41 b. Increase the total floor area of a building or buildings on a site by more than 50%; or  
42 c. Have a value according to the Lynnwood Building Official exceeding 50% of the assessed  
43 value or appraised value whichever is greater, of the pre-existing structure or structures on the  
44 site.

45  
46 **2. Requirements.**

47  
48 Level 3 Improvements shall be permitted subject to the following provisions:

- 49  
50 a. All improvements, existing structures, accessory buildings, signs, parking facilities,  
51 landscaping, site screening, and storage yards shall conform to required setback and all other

1 development standards for the use within the respective zone and this title. Existing structures in  
2 residential zones may remain at present setbacks, but all additions or improvements thereto shall  
3 conform to the required setbacks and all other development standards.

4  
5 **b. Compliance with applicable Lynnwood Citywide Design Guidelines, as adopted by reference**  
6 **in 21.25.145(B)(3) LMC for improvements to multiple family, commercial, industrial and other**  
7 **non-residential buildings and sites that require project design review (Chapter 21.25 LMC).**

8  
9 **Section 8: Amendment.** Table 21.14.01 in LMC Section 21.14.200 is revised to read as follows:

10  
11 **21.14.200 MINIMUM STREET SETBACKS**

12  
13 **Table 21.14.01**

14

Street Type+	Standard Right-of-Way Width	Minimum Setback*
Freeway	Various	None
Principal Arterial	100 ft. or more	<del>100</del> 65 ft.
	80 ft. to 100 ft.	<del>90</del> 55 ft.
	60 ft. to 80 ft.	<del>80</del> 45 ft.
Minor Arterial	60 ft.	<del>55</del> 45 ft.
Collector	60 ft.	<del>55</del> 45 ft.
Access Street adjoining industrial, commercial, business and/or multiple family zones	60 ft.	<del>55</del> 45 ft.
Access Street adjoining single-family zones	60 ft.	55 ft.

15 Notes:

16 + As designated by the city comprehensive plan.

17 \* From centerline.

18  
19 **Section 9: Amendment.** That subsection 21.16.310.B.1.a of the Lynnwood Municipal Code is  
20 hereby repealed, revised and amended to read as follows:

21  
22 **B. Building Signs**

23  
24 **1. Wall Signs**

25 **a. Area.** The total allowable sign area for each business for signs attached to a building frontage  
26 including mural signs shall be 60 square feet, or one square foot for each lineal foot of building  
27 frontage, whichever is greater, up to a maximum of 200 square feet. However, wall signs that  
28 comply with the Sign Design - Creative/Artistic Elements Guidelines of the Lynnwood Citywide  
29 Design Guidelines, as adopted by reference in 21.25.145(B)(3) LMC may be allowed up to a 30  
30 % increase in wall sign area.

31  
32 **Section 10 Amendment.** That subsection 21.16.310.B.2 of the Lynnwood Municipal Code is  
33 hereby repealed, revised and amended to read as follows:

34  
35 **2. Projecting, Marquee, and Nonrigid Awning Signs.**

36 Projecting signs shall not extend ~~higher than one-foot~~ above the wall to which they are attached.  
37 Marquee signs shall not extend higher than ~~two feet above the leading edge of the marquee wall~~



1 to which they are attached. Nonrigid awning signs shall not extend higher than the wall to which  
2 they are attached.

3 Projecting and marquee signs and nonrigid awnings shall be at least eight feet above any  
4 walkway and 16 feet above any area used by vehicular traffic. However, nonrigid awnings with  
5 signs may be placed at the top of garage bay doors unless contact by vehicular traffic is possible.  
6 Projecting signs on business sites shall not extend into the public right-of-way or adjacent  
7 property. Marquee signs shall not block windows or doorways. The area for projecting, marquee  
8 and nonrigid awning signs shall come out of the sign area allocation for the building facade they  
9 are attached to. Nonrigid awning signs shall have a maximum dimension of four feet from top to  
10 bottom. The sign area for nonrigid awning signs shall be the entire area of any nonrigid awning  
11 that projects less than three feet from a building. The sign area for all other nonrigid awning signs  
12 shall be the rectangular area around letters and/or graphics displayed on the nonrigid awning.  
13 (See Figure 1.) Projecting and marquee ~~nonrigid-awning~~ signs may be illuminated; however, they  
14 shall not be illuminated if oriented toward adjacent residential-zoned property.

15  
16 **Section 11. Amendment.** That subsection 21.18.710.B of the Lynnwood Municipal Code is  
17 hereby repealed, revised and amended to read as follows:

18  
19 **B. Development Standards.**

20 **1. Compliance With Other Standards – Exception.**

21 A parking structure shall comply with all development standards for the applicable zone, with the  
22 following exceptions:

23 **a.** In the PRC, CG, BC/B-1, PCD and MU zones, 50 percent of the square footage of the ground-  
24 level floor of the parking structure shall be counted in the calculation of lot coverage. In all other  
25 zones, 100 percent of the square footage of the ground-level floor shall be counted in the  
26 calculation of lot coverage.

27 **b.** See subsection (B)(5)(c) of this section for minimum setback requirement from streets.

28 **2. Stall Dimensions.**

29 All parking stalls and aisles shall be designed according to Figure 21.18.1 "Minimum Standards  
30 for Off-Street Parking," unless all parking is to be done by parking attendants on duty at all times  
31 that the parking structure is in use for the storage of vehicles.

32  
33 **3. Exterior Elevations.**

34 The exterior colors and materials of a parking structure shall match or complement those of the  
35 project for which it provides parking to the maximum extent feasible. The architectural design of  
36 the structure's exterior (including the use of colors and materials) does not need to match the  
37 design of adjoining buildings, but it should visually complement other buildings in the project.  
38 When viewed together, the main building(s) and parking structure(s) should create an overall  
39 design character that integrates all project buildings into a well coordinated and visually pleasing  
40 streetscape.

41  
42 Regardless of the structural design of the structure, horizontal elements on the structure exterior  
43 shall be level and not sloping. Masking or concealing sloping ramps may necessitate placing one  
44 or more facades on these walls.

45  
46 Horizontal exterior facades of 40 30 feet or longer shall be treated or designed so that long and  
47 continuous horizontal surfaces do not dominate the structure's appearance.

48 The apparent bulk of the structure shall be reduced by setting back floors above the third floor  
49 above ground-level floors.

50

1 Low walls, facades or other improvements (at least 3.5 feet high) shall be installed around all  
2 sides of all levels of the structure so that parked vehicles are shielded from view from ground  
3 level and adjoining buildings. Landscaping may be installed (in planter boxes) at the tops of such  
4 walls to provide additional screening and to soften the exterior appearance of the parking  
5 structure.

6  
7 **4. Roof-Top.**

8 The structure's roof shall be treated with landscaping, trellises, and/or other design features in  
9 order to break-up or soften the dominance of the combination of concrete and asphalt when the  
10 structure is viewed or could be viewed from above.

11  
12 **5. Ground Floor.**

13  
14 **a. Vehicle Access.**

15 The number of travel lanes at an entry/exit driveway shall be limited to a maximum of three lanes  
16 unless exceptional traffic conditions or congestion require an additional drive. In no cases shall  
17 the number of lanes exceed four.

18  
19 **b. Landscaping.**

20 Landscaping shall be installed and maintained at ground level on all sides of a parking structure  
21 (exceptions: designated "pedestrian-oriented street" frontages (see below) and locations where the  
22 distance between the structure and an adjoining building is less than 20 feet). On the side of a  
23 parking structure that faces a street, a planting area at least 25 feet wide shall be provided.

24 Planting along streets for which a landscaping plan has been approved (Chapter 21.06 LMC) shall  
25 conform with the approved plan. Along other sides of the structure, planting shall include:

26 **i.** A planting area at least 10 feet wide adjacent to the side of the structure and a planting area at  
27 least 15 wide adjacent to the street frontage;

28 **ii.** Trees in an arrangement that is consistent with the architecture of the parking structure so that  
29 the average spacing between trees is no more than 30 feet;

30 **iii.** Shrubs and groundcover in the remainder of the planting area so that all exposed ground shall  
31 be covered within five years;

32 **iv.** Flowering plants (covering a minimum of eight square feet) where a vehicle driveway  
33 connects to private or public streets and along sidewalks leading to pedestrian entrances and exits.

34  
35 **c. Street Frontage.**

36 The design and use of portions of the ground-floor of a parking structure that have frontage on a  
37 public or private street (but not including an alley) shall comply with the following requirements:

38 **i. Designated Pedestrian-Oriented Streets.**

39 Where a parking structure fronts on a street designated as a "pedestrian-oriented street", the  
40 portion of the garage that fronts on the designated street shall be designed to provide occupiable  
41 space for commercial uses that generate substantial foot traffic, such as retail businesses, walk-in  
42 businesses (arcades, art galleries, museums, and the like) and personal service shops (such as  
43 banks, barber and beauty shops, travel agencies, printing/copying stores, and dry cleaners).

44 Exceptions to this requirement shall be allowed for entry/exit driveways and pedestrian  
45 egress/ingress to/from the structure.

46  
47 **ii Other Streets.**

48 Where a parking structure fronts on a street not designated as a "pedestrian-oriented street,"  
49 parking may be located along the street frontage, provided that the garage parking structure is  
50 setback from the street as required by the applicable zone and that a minimum setback of 10 25

1 feet is provided. The setback shall be landscaped as required by subsection (B)(5)(b) of this  
2 section.

3  
4 **d. Pedestrian Connections.**

5 The design of pedestrian connections or pathways from a parking structures to the building(s) for  
6 which it provides parking shall clearly delineate and separate the pedestrian way from travel areas  
7 for vehicles.

8  
9 **6. Above-Ground Pedestrian Connections.**

10 Pedestrian connections from a parking structures to the building(s) for which it provides parking  
11 ("skybridges") are allowed. The exterior design of such connections shall be consistent with the  
12 design of the parking structure and the main building(s) and shall maintain architectural  
13 continuity with the design concept for the project.

14  
15 **Section 12: Amendment.** That Table 21.18.08 in LMC Section 21.18.800 is revised to read as  
16 follows:

17  
18 **Table 21.18.01**

19

Residential Uses	Number of Parking Stalls Required
Convalescent, Nursing, or Rest Homes or Sanitariums	One per four beds plus one per employee including doctors on staff
Fraternities	One per accommodation
Hotels, Motels or Other Overnight Accommodations	One per unit or room, plus additional parking in accordance with these tables for restaurants, convention facilities and any other businesses or facilities associated with the motel or hotel
Mobile and Manufactured Homes	One per dwelling and one guest stall per five dwellings
Multiple-Family Residential	<del>See requirements in the appropriate use zone</del> Two per dwelling unit
Respite Care	One per staff member plus one per 10 persons receiving care
Retirement Housing	1.5 per housing unit++
Rooming Houses	One per accommodation

20  
21 **Section 13: New Chapter.** A new chapter 21.25 is added to the Lynnwood Municipal Code to  
22 read as follows:

23  
24 **CHAPTER 21.25 PROJECT DESIGN REVIEW**

25  
26 **21.25.100 ADMINISTRATIVE DECISION BY COMMUNITY DEVELOPMENT**  
27 **DEPARTMENT DIRECTOR**

28  
29 Sections 21.25.100 through 21.25.185 LMC shall apply to multi-family, commercial,  
30 industrial and other non-residential project design review decisions of the Community  
31 Development Department director whenever a provision of the Lynnwood Municipal Code  
32 requires project design review.  
33  
34

1 **21.25.105 ADMINISTRATION**

2  
3 Various places in Title 21 (Zoning) indicate that applications for certain multi-family,  
4 commercial, industrial and other non-residential development are permitted only if it  
5 complies with Lynnwood Citywide Design Guidelines and approved pursuant to the  
6 provision of this chapter. In addition, various parts of Title 21 also require design review  
7 for remodeling and expansion of existing multi-family, commercial, industrial and other  
8 non-residential development shall also comply with Lynnwood Citywide Design  
9 Guidelines and be approved pursuant to the provisions of this chapter. The Community  
10 Development Director will make the decision on compliance with the Lynnwood Citywide  
11 Design Guidelines based on written comments and information. Appeals of the decision  
12 will be decided by the Hearing Examiner. (See Section 21.25.185)  
13

14 **21.25.110 PURPOSE OF REVIEW**

15  
16 Project design review has the following purposes:

- 17 A. To review the proposal for compliance with the provisions of Title 21 (Zoning),  
18 Lynnwood Citywide Design Guidelines and all other applicable laws and regulations.  
19 B. To help insure that the proposal is coordinated, as is reasonable and appropriate, with  
20 other known or anticipated development on private properties in the area and with known  
21 or anticipated right-of-way and other public improvement projects within the area.  
22 C. To encourage proposals that embody good design principles that will result in high  
23 quality development on the subject property.  
24

25 **21.25.115 APPLICATIONS**

- 26  
27 A. Who may apply? Any person may, personally or through an agent, apply for a decision  
28 regarding property he or she owns.  
29 B. How to apply. The applicant shall file a completed application on the form provided by  
30 the applicable department, and supply all the application materials specified in the form.  
31 The applicant shall also provide all information or material that is specified in applicable  
32 provisions of Title 21, and any additional information or material that the director  
33 determines is reasonably necessary for a decision on the matter.  
34 C. Fee. With the application, the applicant shall submit a fee. The fee for a project design  
35 review application is set forth in LMC 2.23.120. The application will not be accepted  
36 unless it is accompanied by the required fee.  
37

38 **21.25.120 COMPLIANCE WITH STATE ENVIRONMENTAL POLICY ACT**

39  
40 The State Environmental Policy Act (SEPA) applies to some of the decisions that will be made  
41 using this process. The SEPA Responsible Official (Environmental Review Committee) shall  
42 evaluate each application and, where applicable, comply with SEPA and with state regulations  
43 and city ordinances issued under the authority of SEPA.  
44

45 **21.25.125 OFFICIAL FILE**

- 46  
47 A. Contents. The director shall compile an official file on the application containing  
48 the following:  
49 (1) All application material submitted by the applicant.  
50 (2) All written comments received on the matter.  
51 (3) The written decision of the director.

1 (4) If the decision of the director is appealed, the following will be included in the  
2 file:

- 3 a. The letter of appeal
- 4 b. All written comments received regarding the appeal.
- 5 c. The staff report on the appeal.
- 6 d. The decision of the Hearing Examiner on the appeal.

7 (5) Any other information relevant to the matter.

8 B Availability. The official file is a public record. It is available for inspection and copying  
9 in the Community Development Department during regular business hours.

10  
11 **21.25.130 PUBLIC NOTICE OF IMPENDING DECISION**

12  
13 A Content of Notice. The director shall prepare a notice of an impending decision on an  
14 application for project design review containing the following information:

- 15 (1) The name of the applicant and, if applicable, the project name. The date of  
16 application.
- 17 (2) The street address of the subject property or, if this is not available, a locational  
18 description in nonlegal language sufficient to identify its location;
- 19 (3) The citation of applicable provision of the Lynnwood Municipal Code;
- 20 (4) A brief description of the impending decision;
- 21 (5) A statement of the availability of the official file.
- 22 (6) The date on which the public comment period ends.
- 23 (7) A statement of the right of any person to submit written comments to the director  
24 regarding the application within 14 days of the date of the notice.
- 25 (8) A statement that only persons who submit written comments to the director or  
26 specifically requests a copy of the original decision may appeal the director's  
27 decision.

28 B. Time of Notice. The director shall provide such notice at least 17 days prior to the  
29 decision.

30 C. The director shall provide such notice by:

- 31 (1) Publishing it in the official daily newspaper of the city. (see Chapter 1.08 LMC)
- 32 (2) Posting it at each official posting place of the city (see Chapter 1.12 LMC) and  
33 posting it on or near the subject property.
- 34 (3) Mailing the notice to each owner of real property within 300 feet of any  
35 boundary of the subject property and of any property contiguous thereto which is  
36 in the applicant's ownership. Notice mailed to the addressee found on the city of  
37 Lynnwood utility billing records, or if there is no such record for any given lot,  
38 then notice mailed to the last owner of record in the office of the county treasurer  
39 shall be deemed proper notice.
- 40 (4) Mailing the notice addressed to "occupant/tenant" of each address in a multiple-  
41 residential building or mobile home park within the applicant's property or  
42 contiguous to the subject property and to each address in a multiple-residential  
43 building or mobile home park within 300 feet of any boundary of the subject  
44 property and any property contiguous thereto which is in the applicant's  
45 ownership. "Occupant/tenant" must be addressed by unit in a multiple-unit  
46 building or mobile home park but need not be identified by name.
- 47 (5) Mailing the notice to each person who has requested such notice in writing for  
48 the calendar year and who has paid the \$250.00 fee.

49 D. Notice by mail requirements shall be satisfied by substantial compliance with this  
50 section.

1 **21.25.135 BURDEN OF PROOF**

2  
3 The applicant has the responsibility of convincing the director that, under the provisions of  
4 this process, the applicant is entitled to the requested decision.  
5

6 **21.25.140 WRITTEN COMMENTS**

7  
8 The director shall consider all written comments and information regarding the requested  
9 decision that is received by the Community Development Department prior to the date on  
10 which the decision is to be made.  
11

12 **21.25.145 DIRECTOR'S DECISION**

13  
14 A General.

15 (1) Coordination with decisions under SEPA. If a SEPA threshold determination is  
16 required to be issued, the threshold determination must precede the director's  
17 decision on the project. If the SEPA threshold determination is appealed, the  
18 director's decision shall be issued prior to the open record hearing on the  
19 threshold determination appeal.

20 B Decisional criteria. The director shall use the criteria listed in this section.

- 21 (1) It is consistent with the comprehensive plan.  
22 (2) It is consistent with all applicable provisions of this chapter.  
23 (3) It is consistent with the applicable design guidelines found in the Lynnwood  
24 Citywide Design Guidelines, adopted by this reference and incorporated in the  
25 provisions of the LMC and Chapter 21.25 LMC as fully as if herein set forth.  
26 (4) For development applications for remodeling or expansion of an existing  
27 development, it is consistent with those provisions in the Lynnwood Citywide  
28 Design Guidelines, identified by the director as being applicable.  
29 (5) For such applications, the director may modify applicable design standards and  
30 guidelines to provide continuity between existing and new development and/or  
31 proposed phases of development.

32 C. Conditions and restrictions. The director shall include in the written decision any  
33 conditions and restrictions that are necessary to ensure compliance with the decisional  
34 criteria listed in 21.25.145(B) LMC.

35 D Contents of Decision. The director shall include the following in the written decision:

- 36 (1) A statement granting, modifying and granting, or denying the application.  
37 (2) Any conditions and restrictions than are imposed.  
38 (3) A statement of facts presented to the director that support the decision, including  
39 any conditions and restrictions that are imposed.  
40 (4) A statement of the director's conclusions based on those facts.  
41 (5) A statement of the criteria used by the director in making the decision.  
42 (6) The date of the decision.  
43 (7) A summary of the rights, as established in this process, of the applicant and  
44 others to appeal the decision of the director.  
45 (8) A statement of any threshold determination made under the State Environmental  
46 Policy Act, (SEPA) Chapter 43.21C RCW.

47 E Distribution of written decision. Within five (5) working days after the written decision  
48 of the director is issued, it shall be distributed as follows:

- 49 (1) A copy will be mailed to the applicant.  
50 (2) A copy will be mailed to each person who submitted written comments or  
51 information to the director.

- 1 (3) A copy will be mailed to any person who has specifically requested it.  
2 (4) A copy will be given to every member of the City Council.  
3

4 **21.25.150 DESIGN DEPARTURE**

5 An applicant may propose, and the director may approve an alternative project design that does  
6 not strictly comply with applicable design guidelines, but is consistent with the intent of the  
7 design guidelines. In evaluating the project, the director shall determine if the alternative design  
8 provides equivalent or superior results when compared with strict compliance with applicable  
9 guidelines. The director may also approve an alternative project design on the basis of physical  
10 constraints of the project site. The director may also approve an alternative design for special  
11 types of public facility projects such as park and ride lots and transit centers on the basis of the  
12 unique functions they are designed to serve. Zoning code requirements and standards are not  
13 subject to design departure.  
14

15 **21.25.155 LIMITATION ON MODIFICATION**

16 If the director modifies or imposes conditions upon the application which results in a  
17 proposal not reasonably foreseeable from the description of the proposal contained in the  
18 public notice provided pursuant to LMC 1.35.330, the director shall provide a new notice  
19 of an impending decision and obtain public comment prior to making a decision.  
20

21 **21.25.160 EFFECT OF THE DECISION**

22 The applicant may not engage in any activity based on the decision until the third working  
23 day after the time to appeal has expired. If the decision is appealed, the applicant may not  
24 engage in any activity based on the decision until the third working day after the city  
25 issues a final decision on the matter. If the decision of the director is not appealed, that  
26 decision is the final decision of the city.  
27

28 **21.25.165 LAPSE OF APPROVAL – GENERAL**

29  
30 The applicant under this process must begin construction or submit to the city a complete  
31 building permit application for the development activity, or remodel or expansion of  
32 existing development approved under this process within one year after the final decision  
33 on the matter, or the decision becomes void. The applicant must substantially complete  
34 construction for the development activity, remodel or expansion of existing development  
35 approved under this process and complete the applicable conditions listed in the decision  
36 within five years after the final decision of the city on the matter, or the decision becomes  
37 void. If litigation is initiated pursuant to LMC 1.35.260 (Appeal of hearing examiner's  
38 decision to superior court), the time limits of this section are automatically extended by the  
39 length of time between the commencement and final termination of that litigation. If the  
40 development activity, remodel or expansion of existing development approved under this  
41 process includes phased construction, the time limits of this section may be extended in the  
42 decision on the application, to allow the completion of subsequent phases.  
43

44 **21.25.170 LAPSE OF APPROVAL – TIME EXTENSION**

- 45  
46 A. Application. Prior to the lapse of approval under LMC 1.35.565 the applicant may submit  
47 a written application in the form of a letter with supporting documentation to the  
48 Community Development Department requesting a one-time extension of those time  
49 limits of up to one year.  
50 B. Criteria. The request must demonstrate that the applicant is making substantial progress  
51 on the development activity, remodel or expansion of existing development approved

1 under this process and that circumstances beyond the applicant's control prevent  
2 compliance with the time limits of 1.35.565 LMC.

- 3 C. Review process. An application of a time extension will be reviewed and decided upon  
4 by the director.
- 5 D. Appeals. Any person who is aggrieved by the granting or denying of a request for a time  
6 extension under this section may appeal that decision. The appellant must file a letter of  
7 appeal indicating how the decision on the time extension affects the appellant's property  
8 and presenting any relevant material or information supporting the appellant's contention.  
9 The appeal will be heard and decided upon using Process II as identified in chapter  
10 1.35.200 LMC.

11  
12 **21.25.175 BONDS OR OTHER FINANCIAL SECURITY**

13  
14 The city may require a bond or other financial security to insure compliance with any aspect  
15 of a permit or approval under this process.

16  
17 **21.25.180 COMPLETE COMPLIANCE REQUIRED**

- 18  
19 A. Generally. Except as specified in subsection (B) of this section, the applicant must  
20 comply with all aspects, including conditions and restrictions, of an approval granted  
21 under this process in order to do everything authorized by that approval.
- 22 B. Exception, subsequent modification. If a specific site configuration for the subject  
23 property was approved under this process or any quasi-judicial process, the applicant is  
24 not required to apply for and obtain approval through this process for a subsequent  
25 change in site configuration unless:
- 26 (1) There is a change in use and LMC Title 21 (Zoning) establishes different  
27 or more rigorous standards for the new use than for the existing use; or
- 28 (2) The director determines that there will be substantial changes in the  
29 impacts on the neighborhood or the city as a result of the change.

30  
31 **21.25.185 PROCESS ON APPEAL TO HEARING EXAMINER**

32  
33 Any Party of Record may appeal the decision of the director by filing a written request  
34 for appeal with the Community Development Department within 14 calendar days of  
35 the date of issuance of the decision. An appeal filed within this time limit shall be  
36 processed pursuant to Process II, as identified in Chapter 1.35.200 LMC.

37  
38 **Section 14: Amendment.** That Section 21.30.300 of the Lynnwood Municipal Code is hereby  
39 repealed, revised and amended to read as follows:

40  
41 **21.30.300 PROCEDURE FOR APPROVAL OF PLANNED UNIT DEVELOPMENT**  
42 **PROJECTS**

43  
44 The City will process an application for a preliminary planned unit development through Process  
45 IV (LMC 1.35.400 through 1.35.499). Before approval of any plan, the City Council shall  
46 determine that such plans comply with the development policies of the comprehensive plan, the  
47 purposed of this title, and provisions of this chapter. Such preliminary approval or subsequent  
48 revision shall be binding as to the general intent and apportionment of land for buildings,  
49 stipulated use and circulation pattern, but shall not be construed to render inflexible the ultimate  
50 design, specific uses of final plan of the project.



1 All commercial, industrial and multiple family Planned Unit Developments (PUD's) and PUD's  
2 with non-residential development shall comply with applicable Lynnwood Citywide Design  
3 Guidelines and receive project design review approval pursuant to Chapter 21.25 LMC prior to  
4 Process IV approval.

5  
6 **Section 15: Amendment.** That Section 21.42.100 of the Lynnwood Municipal Code is hereby  
7 repealed, revised and amended to read as follows:  
8

9 **21.42.100 USES ALLOWED IN RESIDENTIAL ZONES**

10  
11 A. See table below 21.42.01 for use restrictions in residential zones.

12  
13 (Note: No amendments to Table 21.42.01.)

14  
15 **Section 16: New Section.** A new Section 21.42.105 is added to the Lynnwood Municipal Code  
16 to read as follows:  
17

18 **21.42.105 PROJECT DESIGN REVIEW**

19  
20 **A. Design guidelines for multiple family uses.**

21 Construction of any multi-family structure or building including duplexes (two-family dwellings)  
22 permitted outright or by conditional use permit in any Residential Zone shall comply with  
23 Lynnwood Citywide Design Guidelines for All Districts and Multi-family Districts, as adopted by  
24 reference in 21.25.145(B)(3) LMC and receive approval pursuant to Chapter 21.25 LMC, unless  
25 otherwise specified in this chapter.

26  
27 **B. Design guidelines for non-residential uses.**

28 Construction of any non-residential structure or building with a gross floor area of more than  
29 1,000 square feet, permitted outright or by conditional use permit in any Residential Zone shall  
30 comply with Lynnwood Citywide Design Guidelines for All Districts and Multi-family Districts,  
31 as adopted by reference in 21.25.145(B)(3) LMC and receive approval pursuant to Chapter 21.25  
32 LMC, unless otherwise specified in this chapter.

33  
34 **C. Design guidelines for parking lots and parking structures.**

35 Construction of any parking lot and/or parking structure with 20 or more stalls or paved parking  
36 area of 5,400 square feet or more permitted outright or by conditional use permit in any  
37 Residential Zone shall comply with Lynnwood Citywide Design Guidelines for All Districts and  
38 Commercial Districts, as adopted by reference in 21.25.145(B)(3) LMC and receive approval  
39 pursuant to Chapter 21.25 LMC, unless otherwise specified in this chapter.

40  
41 **D. Supercede.** Applicable Lynnwood Citywide Design Guidelines, as adopted by reference in  
42 21.25.145(B)(3) LMC shall supercede any development standards and requirements of this  
43 chapter that may conflict, unless otherwise specified in this chapter.

44  
45 **E. Gateways and Prominent Intersections.** See City of Lynnwood Zoning Map to  
46 identify development project sites within a Gateway or Prominent Intersection location.  
47 Such sites shall be subject to applicable Gateway and/or Prominent Intersection design  
48 guidelines identified in the All Districts section of the Lynnwood Citywide Design  
49 Guidelines, as adopted by reference in 21.25.145(B)(3) LMC. If any portion of a project  
50 site lies within a Gateway or Prominent Intersection Location, then the entire project shall  
51 comply with the applicable design guidelines.

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7

**Section 17: Amendment.** That Table 21.42.02 in Section 21.42.200 of the Lynnwood Municipal Code is revised to read as follows:

**Table 21.42.02  
Development Standards**

Standard	RS-12	RS-9	RS-8	RS-7	RMD	RML	RMM	RMH	RMHR
Minimum Lot Area***	12,500 sf	9,600 sf	8,400 sf	7,200 sf	8,400 sf	7,200 sf	none	none	none
Minimum Lot Area per Dwelling	NA	NA	NA	NA	4,200 sf	3,600 sf	2,400 sf	1,200 sf <sup>+</sup>	1,000 sf <sup>+</sup>
Minimum Lot Width	80 ft.	75 ft.	70 ft.+++	60 ft.	none	None	70 ft.	100 ft. plus 1 ft. for every 10 ft. of lot depth after the first 100 ft.	100 ft. plus 1 ft. for every 10 ft. of lot depth after the first 100 ft.
Minimum Frontage at Street	40 ft.	40 ft.	30 ft.+++	30 ft.	75 ft.	70 ft.	none	none	none
Minimum Front Yard Setback									
Interior Lot	25 ft.	25 ft.	25 ft.	20 ft.	<del>25</del> 15 ft.	<del>25</del> 15 ft.	<del>25</del> 15 ft.	<del>25</del> 15 ft.	<del>25</del> 15 ft.
Corner Lot	25 ft.	25 ft.	25 ft.	20 ft.	<del>25</del> 15 ft.	<del>25</del> 15 ft.	<del>25</del> 15 ft.	<del>25</del> 15 ft.	<del>25</del> 15 ft.
Abutting a Principal Arterial Street	25 ft.	25 ft.	25 ft.	25 ft.	<del>25</del> -15 ft.	<del>50</del> -15 ft.	<del>50</del> -15 ft.	<del>50</del> -15 ft.	<del>50</del> -15 ft.
Minimum Side Yard Setbacks – Corner Lot									
Street Side	15 ft.	15 ft.	15 ft.	15 ft.	15 ft.	<del>25</del> 15 ft.	<del>25</del> 15 ft.	<del>25</del> 15 ft.	<del>25</del> 15 ft.
Interior Side	6 ft.	5 ft.	5 ft.	5 ft.	5 ft.	5 ft.	15 ft.	15 ft.	15 ft.
Both Sides Combined	16 ft.	15 ft.	15 ft.	10 ft.	20 ft.	15 ft. ***	none	none	none
Abutting a Principal Arterial Street	25 ft.	25 ft.	25 ft.	25 ft.	<del>25</del> 15 ft.	<del>50</del> 15 ft.	<del>50</del> 15 ft.	<del>50</del> 15 ft.	<del>50</del> 15 ft.
Minimum Side Yard Setbacks-Interior Lot									
Each Side	6 ft.	5 ft.	5 ft.	5 ft.	5 ft.	5 ft.	15 ft.	15 ft.	15 ft.
Both Sides Combined	16 ft.	15 ft.	15 ft.	10 ft.	15 ft.	15 ft.	none	none	none
Minimum Rear Yard Setback	25 ft.	25 ft.	25 ft.	25 ft.	25 ft.	25 ft.	25 ft.	25 ft.	25 ft.
Minimum Building Separation*	16 ft.	none	none	none	none	none	none	none	none
Maximum Lot Coverage by Buildings	35 percent	35 percent	35 percent	35 percent	35 percent	35 percent	35 percent	35 percent	45 percent
Maximum Building Height	35 ft.	35 ft.	35 ft.	35 ft.	35 ft., or 2 stories from average finished grade	35 ft., or 2 stories from average finished grade	35 ft.	none***	none***

Minimum Floor Area**	1,000 sf on 1 floor; 1,500 sf on 2 floors	1,000 sf on 1 floor; 1,500 sf on 2 floors	900 sf on 1 floor; 1,350 sf on 2 floors	none	none	none	none	none	none
----------------------	--	--	--	------	------	------	------	------	------

1  
2 \* Minimum distance of dwelling from any other main building in zone.

3 \*\* Excluding garage or storage.

4 \*\*\* Unless any structure extending into the side yard is open and allows emergency access to  
5 the year yard, in which case a five-foot side yard may be the minimum of each side.

6 + The total lot area may be "increased" at the rate of 250 square feet for every parking space  
7 provided within the apartment structure.

8 ++ The total lot area may be "increased" at the rate of 200 square feet for every parking space  
9 provided within the multiple-family housing structure.

10 +++ See LMC 21.42.210.

11  
12 **Section 18: Amendment.** That subsection 21.42.210.A of the Lynnwood Municipal Code is  
13 hereby repealed, revised and amended to read as follows:

14  
15 **A. Parking Requirements.**

16 Parking requirements for the Residential Zones are as provided in Chapter 21.18.

17  
18 **1. Tandem Parking in Multiple Family Zones.**

19 In the RML, RMM, RMH, and RMHR Zones, ten percent of the required parking may be in  
20 tandem parking, provided that the area in which the tandem parking is located in designated on an  
21 approved site plan and that they are assigned by the management; or, ten percent of the parking  
22 stalls required may be located in a separate parking lot utilized only for recreation vehicles  
23 provided the area does not encroach on front, side, and rear yard setbacks.

24  
25 **2. Driveways as Parking Space.**

26 In the RMD Zone, driveways may be counted as one parking space.

27  
28 **3. Landscaping in Parking Areas in the Multiple Family Zones.**

29 **a. Purpose.**

30 The purpose of these landscaping provisions is:

31 i. To break up the visual blight created by large expanses of barren asphalt which make up a  
32 typical parking lot;

33 ii. To encourage the preservation of mature evergreens and other large trees which are presently  
34 located on most of the potential multiple family housing sites in this City;

35 iii. To provide an opportunity for the development of a pleasing visual environment in the  
36 multiple family housing zones of this City from the viewpoint of the local resident and visitor  
37 passing through the zones (a purpose of this section) as well as from the viewpoint of the multiple  
38 family housing dweller (a purpose of the multiple family housing developer);

39 iv. To insure the preservation of land values in multiple family housing zones by creating and  
40 insuring an environmental quality which is most compatible with the development of this land;  
41 and

42 v. To provide adequate control over the application of landscaping standards so that these  
43 objectives are accomplished in the most effective manner and to avoid the abuse of these  
44 intentions by placing the described landscaping in remote parts of the site or in recreational areas  
45 where they bear no relationship to these objectives.

1  
2 **b. Planting at Street Frontages.**

3 Development sites with parking areas fronting on a street right-of-way located only between the  
4 sides of buildings opposite the street and interior property lines shall provide a ten-foot wide  
5 planting area along the entire street frontage, except for driveways, walkways and other  
6 pedestrian spaces. Development sites with single aisle, double loaded parking areas located  
7 between buildings and the street right-of-way, parking areas between buildings or parking areas  
8 between buildings and the closest side property line shall provide a fifteen-foot wide planting area  
9 along the entire street frontage with the same above exceptions. Development sites with multi-  
10 aisle parking areas located between buildings and the street right-of-way shall provide a twenty-  
11 foot wide planting area along the entire street frontage with the same above exceptions. Planting  
12 shall consist of ornamental landscaping of low plantings and high plantings. The minimum  
13 height of trees shall be eight feet for evergreen trees and ten feet for all other species. Trees shall  
14 be spaced a maximum of twenty-five feet on center with branches eliminated to a height of six  
15 feet where necessary to prevent sight obstruction. The required trees in this planting area may be  
16 located within the adjacent street right-of-way as long as they comply with Lynnwood Citywide  
17 Design Guidelines, as adopted by reference in 21.25.145(B)(3) LMC and are approved by the  
18 Public Works Department.

19 Low evergreen plantings or a mixture of low evergreen and deciduous plantings with a maximum  
20 height of thirty inches, in bark or decorative rock, shall be provided so as to achieve fifty percent  
21 ground cover within two years.

22 The location and width of the planting area may be modified in accordance with the following  
23 provisions: that up to five feet of the ten foot total required may be installed in portions of City  
24 right-of-way which are not covered by impervious surfaces or, in the case of right-of-way which  
25 is not fully improved, are not projected to be covered by impervious surfaces upon full  
26 improvement.

27  
28 **c. Landscaping in Right-of-Way.**

29 Property owners who install landscaping on portions of right-of-way not covered by impervious  
30 surfaces shall provide the City with a written release of liability for damages which may be  
31 incurred to the planting area from any public use of the right-of-way and an indemnity to the City  
32 against any injuries occurring within that portion of right-of-way so utilized.

33  
34 **d. Planting Coverage.**

35 Ten percent of parking areas located between buildings or between buildings and interior  
36 property lines, and single aisle, double loading parking areas located between buildings and the  
37 street ); and fifteen 15% of multi-aisle parking areas located between buildings and street shall be  
38 in landscaping (exclusive of landscaping on the street frontage and required landscape buffers;  
39 provided that:

40 i. No landscaping area shall be less than one hundred square feet in area or less than five feet in  
41 width;

42 ii. No parking stall shall be located more than forty-five feet from a landscaped area. The  
43 Planning Commission may approve landscaping plans involving alternatives to this specification  
44 for individual properties if it finds that the alternative plans would be more effective in meeting  
45 the above stated purposes of this section; and

46 iii. All landscaping must be located between parking stalls or between parking stalls and the  
47 property lines. Landscaping which occurs between parking stalls and multiple family housing or  
48 between parking stalls and multiple family housing recreation areas shall not be considered in the  
49 satisfaction of these landscaping requirements.

50  
51

1 **e. Style of Landscaping.**

2 The planting area shall include liberal landscaping using such material as trees, ornamental  
3 shrubs, ~~gravel, river rock, driftwood, rockeries,~~ lawn or combination of such materials.  
4

5 **f. Landscaping Adjacent to Parking Stalls.**

6 Where landscaping areas which fulfill City standards are adjoined by angular or perpendicular  
7 parking stalls, landscaping in the form of ground cover materials or plants may be installed in that  
8 portion of any parking stall which will be ahead of the wheels and adjacent to the landscaped  
9 area, providing that curbing or wheel stops are installed in a position which will protect the plants  
10 from damage. Such landscaping shall not be construed to be part of the percentage of landscaped  
11 area required by this chapter nor a reduction of the parking stall.  
12

13 **g. Additional Landscaping Along Specified Streets.**

14 Along streets where it may be desirable and feasible to obtain a higher degree of continuity in  
15 landscaping from property to property than is provided for here, the City Council, upon  
16 recommendation by the Planning Commission, may designate specific street frontage landscaping  
17 plans for those streets. See Chapter 21.06 LMC.  
18

19 Section 19: Amendment. That subsection 21.42.220 B of the Lynnwood Municipal Code is  
20 hereby repealed, subsection C is amended, and subsections D and E are renumbered, as follows:  
21

22 **B. Procedure**

23 ~~The Planning Director may approve the landscaping plan if it complies totally with the~~  
24 ~~requirements of the Lynnwood Municipal Code existing at the time of application of plans or in~~  
25 ~~the discretion of the Planning Director and prior to issuance of either a building permit or~~  
26 ~~occupancy permit, cause the matter to be presented to the City Council for the purpose of~~  
27 ~~determining standards for the site screening or greenbelt.~~

28 ~~The Planning Commission shall consider all relevant factors, including, but not limited to: the~~  
29 ~~existing and future planned use of the land in question, the topography, the height, and~~  
30 ~~appearance of the buildings existing or to be placed upon the land in question, the character and~~  
31 ~~appearance of existing buildings on adjoining lands, and existing and proposed traffic patterns~~  
32 ~~and conditions.~~

33 ~~The Planning Commission may request a precise and detailed landscape blueprint to be supplied~~  
34 ~~by the applicant to assist the Planning Commission in determining the type of planting or~~  
35 ~~screening, the height thereof at maturity and at various stages of maturity, and the density of any~~  
36 ~~planting at various seasons of the year.~~

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

48 ~~Upon receipt of the standards established by the City Council, any permit issued by the Building~~  
49 ~~Official shall be conditioned upon compliance with the screening or greenbelt standards~~  
50 ~~established by the City Council.~~  
51

1 **C.B. Maintenance.**

2 Whenever greenbelts or landscaping are required to be installed according to City zoning  
3 requirements, the plant material shall be regularly maintained and kept in a healthy condition in  
4 accordance with zoning requirements, Lynnwood Citywide Design Guidelines, as adopted by  
5 reference in 21.25.145 (B)(3) LMC and approved development plans. Maintenance shall also  
6 include regular weeding, removal of litter from landscaped areas, and repair or replanting so that  
7 the greenbelts or landscaping continue to comply with zoning requirements and/or development  
8 plans.  
9

10 **D.C. Minimum Standards.**

11  
12 **1. Planting and Fencing.**

13 a. RMD, RML, RMM, RMH, and RMHR Zones Adjoining a Single Family Residential Zone  
14 The planting strip shall consist of one row of evergreen conifer trees, spaced a maximum of ten  
15 feet on center. Minimum tree height shall be six feet. The remainder of the planting strip shall be  
16 promptly planted with low evergreen plantings which will mature to a total ground cover within  
17 five years. A permanent six-foot site screening fence shall be placed at the property line.

18 b. RML, RMM, RMH, and RMHR Zones Adjoining the RMD Zone

19 The planting strip shall consist of one row of evergreen conifer trees, spaced a maximum of ten  
20 feet on center. Minimum tree height shall be six feet. The remainder of the planting strip shall be  
21 promptly planted with low evergreen plantings which will mature to a total ground cover within  
22 five years. A permanent six-foot site screening fence shall be placed at the property line.

23 c. A Multiple Family Residential Zone Adjoining a Commercial or Industrial Zone

24 The planting strip shall contain the planting in the preceding paragraph; or, an evergreen hedge,  
25 with plants spaced so that they will form a dense hedge within five years, and the minimum plant  
26 height shall be four feet. A permanent six-foot site screening fence shall be placed at the property  
27 line.  
28

29 **2. Signed Plans.**

30 All landscaping plans shall bear the seal of a registered landscape architect or signature of a  
31 professional nurseryman and be drawn to a scale no less than one inch to twenty feet. The  
32 landscape architect or professional nurseryman shall certify that the species of plants are fast-  
33 growing and that the design of the plan will fulfill City code requirements within five years.  
34

35 **3. Installation Prior to Occupancy.**

36 All landscaping that fulfills the City code requirements shall be installed prior to occupancy of  
37 any structure located on the same site.

38 If, due to extreme weather conditions or some unforeseen emergency, all required landscaping  
39 cannot be installed prior to occupancy, then a cash deposit or guarantee account with the City  
40 shall be provided as financial security to guarantee installation of the remaining landscaping. The  
41 security shall be equal to the cost of the remaining landscaping including labor and materials or a  
42 minimum of \$500. The security shall not extend for a period of more than 30 days. If, within 30  
43 days, the remaining landscaping is installed according to code requirements and approved  
44 development plans, then all funds shall be refunded.  
45

46 **E.D. Fence Regulations.**

47 **1. Definition.**

48 For the purposes of this section a "site screening fence" means a solid one-inch thick board  
49 (nominal dimensional standards) fence. One made of brick, rock or masonry materials may be  
50 substituted for a board fence;  
51

1 **2. Exceptions.**

2 Where a fence is required by the above standards, no fence will be required in those cases where  
3 a fence already exists which meets the intent of this section. However, if the existing fence is  
4 ever removed, demolished or partially destroyed, then the owner of the property first being  
5 required by the section to provide the necessary fence will be responsible for replacing the fence;  
6 In those cases where the slope of the land is such that the location of a fence required by the  
7 above standards is impractical or ineffective in satisfying the intent of this section, the planning  
8 director may, at his discretion, permit a location which more adequately satisfies the intent of this  
9 section.

10  
11 **Section 20: Amendment.** That subsection 21.42.900.A of the Lynnwood Municipal Code is  
12 hereby repealed, revised and amended to read as follows:

13  
14 **A. Refuse and Recycling Collection Areas and Enclosures.**

15 On-site paved and enclosed refuse and recycling collection areas shall be provided on sites where  
16 new buildings are being constructed or existing buildings are being remodeled or expanded, and  
17 shall comply with the requirements of this section. One-family dwelling units, two-family  
18 dwelling units, and public parks are exempt from the requirements of this section.

19  
20 **1. Development Standards.**

21 Refuse and recycling collection areas in all multiple family zones shall comply with the following  
22 development standard below. The following development standard shall supercede other  
23 applicable setback requirements of this chapter and applicable Lynnwood Citywide Design  
24 Guidelines, as adopted by reference in 21.25.145(B)(3) LMC than may conflict: setback a  
25 minimum of 25 ft. from a public street and 10 ft. from any interior property line.

26  
27 **2. Enclosure.**

28 All refuse and recycling collection areas shall be enclosed on three sides by a 6 ft. high site-  
29 obscuring fence which uses building materials, color, and design details similar to the primary  
30 buildings on the site and a 6 ft. high gate on one side. The height of the enclosure may include  
31 the height of a surrounding slope or berm (height measured from bottom inside edge of the  
32 collection area). The enclosure shall include a gate which can be secured in an open or closed  
33 position. If the enclosure includes a gate made of metal chain link fencing, the fencing shall  
34 contain slats which screen the view of containers and material inside the collection area. An  
35 alternative design may be approved if it is determined that such alternative would provide equal  
36 or better screening, architectural compatibility, and containment.

37  
38 **3. Parking.**

39 No refuse and recycling collection area shall be located in such a way that new or existing  
40 parking stalls will prevent or interfere with the use and servicing of the collection area.

41  
42 **4. Design.**

43 Refuse and recycling collection areas shall be sized, located, and constructed per standards  
44 established by the Public Works Department.

1 **Section 21: Amendment.** That subsection 21.42.900.B of the Lynnwood Municipal Code is  
2 hereby repealed, revised and amended to read as follows:  
3

4 **B. Recreational Requirements.**

5 In the RML, RMM, RMH, and RMHR Zones, on-site recreational facilities and outdoor  
6 amenities shall be provided, as follows:

7 **1. Objectives.**

- 8 a. To require the multiple family housing developer to satisfy a portion of the demand for  
9 recreational facilities that are created in a proportional ratio to the increased population density;  
10 and  
11 b. To provide standards which can be principally satisfied through proper site design that gains a  
12 maximum use of the respective land parcel.  
13

14 **2. Requirement.**

15 All new multiple family housing developments, and all expansions of existing multiple family  
16 housing developments by the addition of new dwelling units, shall provide sufficient active  
17 recreational areas to satisfy a minimum ratio of two hundred square feet per multiple family  
18 housing unit. The site plan shall designate the location of recreational facilities and outdoor  
19 amenities and the boundaries of recreational areas. Indoor recreational areas or rooftop  
20 recreational areas may be used to satisfy this ratio if they satisfy all requirements of this section.  
21

22 **3. Development Standard.**

23 All recreation facilities shall be of a permanent nature.  
24

25 **4. Use Restriction.**

26 The recreation facilities may be restricted to use by tenants only. This provision excludes use of  
27 private and semi-private patios, and balconies in meeting the recreational requirements.  
28

29 **Section 22: New Section.** A new Section 21.44.105 is added to the Lynnwood Municipal Code  
30 to read as follows:  
31

32 **21.44.105 PROJECT DESIGN REVIEW**  
33

34 **A. Design Guidelines for non-residential uses.** The following structures and parking facilities  
35 permitted outright or by conditional use permit in the Public & Semi Public Zone shall comply  
36 with Lynnwood Citywide Design Guidelines for All Districts and Commercial Districts, as  
37 adopted by reference in 21.25.145(B)(3) LMC and receive approval pursuant to Chapter 21.25  
38 LMC, unless otherwise specified in this chapter;  
39

40 1. Construction of any non-residential structure or building with a gross floor area of more than  
41 1,000 square feet.  
42

43 2. Construction of any parking lot and/or parking structure with 20 or more stalls or paved  
44 parking area of 5,400 square feet or more.  
45

46 **B. Design guidelines for multiple family uses.**

47 Construction of any multi-family structure or building including duplexes (two-family dwellings)  
48 permitted outright or by conditional use permit in the Public & Semi Public Zone shall comply  
49 with Lynnwood Citywide Design Guidelines for All Districts and Multi-family Districts, as  
50 adopted by reference in 21.25.145 (B)(3) LMC and receive approval pursuant to Chapter 21.25  
51 LMC, unless otherwise specified in this chapter.



1  
2 **C. Supercede.** Applicable Lynnwood Citywide Design Guidelines, as adopted by reference in  
3 21.25.145 (B)(3) LMC shall supercede any development standards and requirements of this  
4 chapter that may conflict, unless otherwise specified in this chapter.  
5

6 **D. Gateways and Prominent Intersections.** See City of Lynnwood Zoning Map to identify  
7 development project sites within a Gateway or Prominent Intersection location. Such sites shall  
8 be subject to applicable Gateway and/or Prominent Intersection design guidelines identified in the  
9 All Districts section of the Lynnwood Citywide Design Guidelines, as adopted by reference in  
10 21.25.145(B)(3) LMC. If any portion of a project site lies within a Gateway or Prominent  
11 Intersection Location, then the entire project shall comply with the applicable design guidelines.  
12

13 **Section 23: Repealer.** That Section 21.44.110 of the Lynnwood Municipal Code is hereby  
14 repealed.  
15

16 **A. Site Plan.**

17 ~~Before any building permit is issued for nonresidential uses which do not require a conditional~~  
18 ~~use permit, a site development plan for the entire site shall be submitted and approved by the~~  
19 ~~planning department as complying with the intent and purpose of this chapter, as well as all other~~  
20 ~~applicable city ordinances. The plan shall be evaluated particularly with respect to the location,~~  
21 ~~height, and orientation of buildings on the lot; the orientation of wall openings above the second~~  
22 ~~floor level in relation to residential home sites, either developed or undeveloped, outside this~~  
23 ~~zone; the preservation of trees and other natural features; all to be evaluated in relation to the~~  
24 ~~preservation of the residential character of the surrounding neighborhood and the privacy of~~  
25 ~~homes on adjoining land. The city shall approve the site development plan or specify any~~  
26 ~~additional information required or changes to be made in the site development plan, in order for it~~  
27 ~~to be approved. After the site plan has been approved, no building permit may be issued for any~~  
28 ~~building which is not in compliance with the approved site development plan. The approved site~~  
29 ~~plan may be amended by the developers in the same manner as the original approval. The city~~  
30 ~~may require a preliminary site development plan prior to considering the rezoning of land to the~~  
31 ~~semi-public zone, and if such a preliminary site development plan is required, the final site~~  
32 ~~development plan shall be in general conformance with the preliminary plan.~~  
33

34 **Section 24: Amendment.** That subsection 21.44.200.A of the Lynnwood Municipal Code is  
35 hereby repealed, revised and amended to read as follows:  
36

37 **A. Minimum Setbacks.** There shall be a minimum setback for nonresidential buildings of ~~50~~ 15  
38 feet from any public street and 50 feet from any property line adjoining a single-family residential  
39 zone or use. The setback from any other property line shall be 25 feet. These setbacks shall be  
40 increased by one foot for each foot of height exceeding 45 feet, measured from the lowest ground  
41 elevation at the foundation to the ceiling of the highest story occupied.  
42

43 **Section 25: Amendment.** That subsection 21.44.210.A.1 of the Lynnwood Municipal Code is  
44 hereby repealed, revised and amended to read as follows:  
45

46 **1. Landscaping in Parking Areas.**

47 **a. Purpose.**

48 The purpose of these landscaping provisions is:

- 49 i. To break up the visual blight created by large expanses of barren asphalt which make up a  
50 typical parking lot;

- 1 ii. To encourage the preservation of mature evergreens and other large trees which are presently  
2 located on most of the potential multiple-family housing sites in this city;  
3 iii. To provide an opportunity for the development of a pleasing visual environment in the  
4 multiple-family housing zones of this city from the viewpoint of the local resident and visitor  
5 passing through the zones (a purpose of this section) as well as from the viewpoint of the  
6 multiple-family housing dweller (a purpose of the multiple-family housing developer);  
7 iv. To insure the preservation of land values in multiple-family housing zones by creating and  
8 insuring an environmental quality which is most compatible with the development of this land;  
9 and  
10 v. To provide adequate control over the application of landscaping standards so that these  
11 objectives are accomplished in the most effective manner and to avoid the abuse of these  
12 intentions by placing the described landscaping in remote parts of the site or in recreational areas  
13 where they bear no relationship to these objectives.

14  
15 **b. Planting at Street Frontages.**

16 Development sites with parking areas fronting on a street right-of-way located only between the  
17 sides of buildings opposite the street and interior property lines shall provide a ten-foot wide  
18 planting area along the entire street frontage, except for driveways, walkways and other  
19 pedestrian spaces. Development sites with single aisle, double loaded parking areas located  
20 between buildings and the street right-of-way, parking areas between buildings or parking areas  
21 between buildings and the closest side property line shall provide a fifteen-foot wide planting area  
22 along the entire street frontage with the same above exceptions. Development sites with multi-  
23 aisle parking areas located between buildings and the street right-of-way shall provide a twenty-  
24 foot wide planting area along the entire street frontage with the same above exceptions. Planting  
25 shall consist of ornamental landscaping of low plantings and high plantings. The minimum  
26 height of trees shall be eight feet for evergreen trees and ten feet for all other species. Trees shall  
27 be spaced a maximum of twenty-five feet on center with branches eliminated to a height of six  
28 feet where necessary to prevent sight obstruction. The required trees in this planting area may be  
29 located within the adjacent street right-of-way as long as they comply with Lynnwood Citywide  
30 Design Guidelines, as adopted by reference in 21.25.145(B)(3) LMC and are approved by the  
31 Public Works Department. Low evergreen plantings or a mixture of low evergreen and  
32 deciduous plantings with a maximum height of thirty inches, in bark or decorative rock, shall be  
33 provided so as to achieve fifty percent ground cover within two years.

34 The location and width of the planting area may be modified in accordance with the following  
35 provisions: that up to five feet of the ten foot total required may be installed in portions of City  
36 right-of-way which are not covered by impervious surfaces or, in the case of right-of-way which  
37 is not fully improved, are not projected to be covered by impervious surfaces upon full  
38 improvement.

39  
40 **c. Landscaping in Right-of-Way.**

41 Property owners who install landscaping on portions of right-of-way not covered by impervious  
42 surfaces shall provide the City with a written release of liability for damages which may be  
43 incurred to the planting area from any public use of the right-of-way and an indemnity to the City  
44 against any injuries occurring within that portion of right-of-way so utilized.

45  
46 **d. Coverage.**

47 Ten percent of parking areas located between buildings or between buildings and interior  
48 property lines, and single aisle, double loading parking areas located between buildings and the  
49 street ); and fifteen 15% of multi-aisle parking areas located between buildings and street shall be  
50 in landscaping (exclusive of landscaping on the street frontage and required landscape buffers;  
51 provided that:

- 1 i. No landscaping area shall be less than 100 square feet in area or less than five feet in width;  
2 ii. No parking stall shall be located more than 45 feet from a landscaped area. The planning  
3 commission may approve landscaping plans involving alternatives to this specification for  
4 individual properties if it finds that the alternative plans would be more effective in meeting the  
5 above stated purposes of this section; and  
6 iii. All landscaping must be located between parking stalls or between parking stalls and the  
7 property lines. Landscaping which occurs between parking stalls and multiple-family housing or  
8 between parking stalls and multiple-family housing recreation areas shall not be considered in the  
9 satisfaction of these landscaping requirements.

10  
11 **e. Amount of Landscaping.**

12 The planting area shall include liberal landscaping using such material as trees, ornamental  
13 shrubs, gravel, river rock, driftwood, rockeries, lawn or combination of such materials.

14  
15 **f. Landscaping Adjacent to Parking Stalls.**

16 Where landscaping areas which fulfill City standards are adjoined by angular or perpendicular  
17 parking stalls, landscaping in the form of ground cover materials or plants may be installed in that  
18 portion of any parking stall which will be ahead of the wheels and adjacent to the landscaped  
19 area, providing that curbing or wheel stops are installed in a position which will protect the plants  
20 from damage. Such landscaping shall not be construed to be part of the percentage of landscaped  
21 area required by this chapter nor a reduction of the parking stall.

22  
23 **g. Additional Landscaping Along Specified Streets.**

24 Along streets where it may be desirable and feasible to obtain a higher degree of continuity in  
25 landscaping from property to property than is provided for here, the City Council, upon  
26 recommendation by the Planning Commission, may designate specific street frontage landscaping  
27 plans for those streets. See Chapter 21.06 LMC.

28  
29 **Section 26: Amendment.** That subsection 21.44.220.A of the Lynnwood Municipal Code is  
30 hereby repealed, subsection B is amended, and subsections C and D are renumbered, as follows:

31  
32 ~~A. Procedure. The planning director may approve the landscaping plan if it complies totally with  
33 the requirements of the Lynnwood Municipal Code existing at the time of application of plans, or,  
34 in the discretion of the planning director and prior to issuance of either a building permit or  
35 occupancy permit, cause the matter to be presented to the city council for the purpose of  
36 determining standards for the site screening or greenbelt.~~

37  
38 ~~The planning commission shall consider all relevant factors, including, but not limited to: the  
39 existing and future planned use of the land in question, the topography, the height, and  
40 appearance of the buildings existing or to be placed upon the land in question, the character and  
41 appearance of existing buildings on adjoining lands, and existing and proposed traffic patterns  
42 and conditions.~~

43 ~~The Planning Commission may request a precise and detailed landscape blueprint to be supplied  
44 by the applicant to assist the Planning Commission in determining the type of planting or  
45 screening, the height thereof at maturity and at various stages of maturity, and the density of any  
46 planting at various seasons of the year.~~

47 ~~Upon receipt of such information, the Planning Commission shall, and after proper consideration,  
48 make recommendations to the City Council as to the screening and/or greenbelt recommended by  
49 it. Upon receipt of the recommendation of the Planning Commission, the City Council shall  
50 establish standards as to the screening and greenbelt on the land in question, defining the type of  
51 material to be used in the screening and/or the type and size of plants to be used in the greenbelt;~~

1 the City Council may also establish a time schedule (days, weeks or years) for the installation of  
2 the screening and/or greenbelt required by it. If a greenbelt is required, the City Council may  
3 require installation of fast maturing plants to be eventually replaced (according to a time schedule  
4 also established by the City Council) by a slower growing and more permanent and ornamental  
5 type of greenbelt. The City Council shall also establish the amount of bond which shall be  
6 required prior to issuance of a building or occupancy permit.  
7 Upon receipt of the standards established by the City Council, any permit issued by the Building  
8 Official shall be conditioned upon compliance with the screening or greenbelt standards  
9 established by the City Council.

10  
11 **B. A Maintenance.**

12 Whenever greenbelts or landscaping are required to be installed according to City zoning  
13 requirements, the plant material shall be regularly maintained and kept in a healthy condition in  
14 accordance with zoning requirements, Lynnwood Citywide Design Guidelines, as adopted by  
15 reference in 21.25.145(B)(3) LMC and approved development plans. Maintenance shall also  
16 include regular weeding, removal of litter from landscaped areas, and repair or replanting so that  
17 the greenbelts or landscaping continue to comply with zoning requirements and/or development  
18 plans.

19  
20 **C B. Minimum Standards.**

21 **1. Planting and Fencing.**

22 The planting strip shall consist of one row of evergreen conifer trees, spaced a maximum of ten  
23 feet on center. Minimum tree height shall be six feet. The remainder of the planting strip shall be  
24 promptly planted with low evergreen plantings which will mature to a total ground cover within  
25 five years. A permanent six-foot site screening fence shall be placed at the property line.

26 **2. Signed Plans.**

27 All landscaping plans shall bear the seal of a registered landscape architect or signature of a  
28 professional nurseryman and be drawn to a scale no less than one inch to twenty feet. The  
29 landscape architect or professional nurseryman shall certify that the species of plants are fast-  
30 growing and that the design of the plan will fulfill City code requirements within five years.

31 **3. Installation Prior to Occupancy.**

32 All landscaping that fulfills the City code requirements shall be installed prior to occupancy of  
33 any structure located on the same site.

34 If, due to extreme weather conditions or some unforeseen emergency, all required landscaping  
35 cannot be installed prior to occupancy, then a cash deposit or guarantee account with the City  
36 shall be provided as financial security to guarantee installation of the remaining landscaping. The  
37 security shall be equal to the cost of the remaining landscaping including labor and materials or a  
38 minimum of \$500. The security shall not extend for a period of more than 30 days. If, within 30  
39 days, the remaining landscaping is installed according to code requirements and approved  
40 development plans, then all funds shall be refunded.

41  
42 **D C. Fence Regulations**

43 **1. Definition.**

44 For the purposes of this Section a "site screening fence" means a solid one-inch thick board  
45 (nominal dimensional standards) fence. One made of brick, rock or masonry materials may be  
46 substituted for a board fence;

47 **2. Exceptions.**

48 Where a fence is required by the above standards, no fence will be required in those cases where  
49 a fence already exists which meets the intent of this section. However, if the existing fence is  
50 ever removed, demolished or partially destroyed, then the owner of the property first being  
51 required by the section to provide the necessary fence will be responsible for replacing the fence;

1 In those cases where the slope of the land is such that the location of a fence required by the  
2 above standards is impractical or ineffective in satisfying the intent of this section, the planning  
3 director may, at his discretion, permit a location which more adequately satisfies the intent of this  
4 section.

5  
6 **Section 27: Amendment.** That subsection 21.44.250.A of the Lynnwood Municipal Code is  
7 hereby repealed, revised and amended to read as follows:

8  
9 A. Buildings and structures at properties designated "Recreation/Open Space" on the future land  
10 use plan map of the comprehensive plan shall be subject to the development standards in LMC  
11 21.44.200; provided, that the community development director may authorize a reduction in the  
12 minimum setback from a public street to the following:

13  
14 1. Structures and buildings no more than one story in height and with a gross floor area of 1,000  
15 square feet or less: 10 feet.

16  
17 2. Structures and buildings either more than one story in height or with a gross floor area greater  
18 than 1,000 square feet (or both): ~~25~~ 15 feet.

19  
20 3. Provided, that the director finds:

21 a. The standards in LMC 21.44.200 would not allow use of a building or structure in the park as  
22 that building or structure is intended to be used; and

23 b. Use of the building or structure would not adversely affect adjoining properties.

24  
25 **Section 28: Amendment.** That subsection 21.44.900.A of the Lynnwood Municipal Code is  
26 hereby repealed, revised and amended to read as follows:

27  
28 **A. Refuse and Recycling Collection Areas and Enclosures.**

29 On-site paved and enclosed refuse and recycling collection areas shall be provided on sites where  
30 new buildings are being constructed or existing buildings are being remodeled or expanded, and  
31 shall comply with the requirements of this section. One-family dwelling units, two-family  
32 dwelling units, and public parks are exempt from the requirements of this section.

33  
34 **1. Development Standards.**

35 Refuse and recycling collection areas in ~~all commercial~~ the Public & Semi Public zones shall  
36 comply with the following development standards below. The following development standards  
37 shall supercede other applicable setback requirements of this chapter and any applicable  
38 Lynnwood Citywide Design Guidelines, as adopted by reference in 21.25.145(B)(3) LMC than  
39 may conflict:

40 a. Setback a minimum of 25 ft. from a public street;

41 b. Setback a minimum of 25 ft. from any interior property line adjoining an RS or RM zone or a  
42 P1 Zone with one-family dwelling units if a business site is one acre or larger in area; or

43 c. Setback a minimum of 15 ft. from any interior property line adjoining an RS or RM zone or P1  
44 Zone with one-family dwelling units if a business site is less than one acre in area.

45  
46 **2. Enclosure.**

47 All refuse and recycling collection areas shall be enclosed on three sides by a 6 ft. high site-  
48 obscuring fence which uses building materials, color, and design details similar to the primary  
49 buildings on the site and a 6 ft. high gate on one side. The height of the enclosure may include  
50 the height of a surrounding slope or berm (height measured from bottom inside edge of the  
51 collection area). The enclosure shall include a gate which can be secured in an open or closed

1 position. If the enclosure includes a gate made of metal chain link fencing, the fencing shall  
2 contain slats which screen the view of containers and material inside the collection area. An  
3 alternative design may be approved if it is determined that such alternative would provide equal  
4 or better screening, architectural compatibility, and containment.

5  
6 **3. Parking.**

7 No refuse and recycling collection area shall be located in such a way that new or existing  
8 parking stalls will prevent or interfere with the use and servicing of the collection area.

9  
10 **4. Design.**

11 Refuse and recycling collection areas shall be sized, located, and constructed per standards  
12 established by the Public Works Department.

13  
14 **Section 29: Amendment.** That Section 21.46.100 of the Lynnwood Municipal Code is hereby  
15 repealed, revised and amended to read as follows:

16  
17 **21.46.100 PERMITTED STRUCTURES AND USES**

18  
19 A. No building, structure or land shall be used and no building or structure shall be erected,  
20 enlarged or structurally altered, except for one or more of the uses permitted by the schedule of  
21 permitted uses Table 21.46.01.

22  
23 (Note: No amendments to Table 21.46.01)

24  
25 **Section 30: New Section.** A new Section 21.46.105 is added to the Lynnwood Municipal Code  
26 to read as follows:

27  
28 **21.46.105 PROJECT DESIGN REVIEW**

29  
30 A. Design guidelines for non-residential uses. The following structures and parking facilities  
31 permitted outright, by conditional use permit or special use permit in any Commercial Zone shall  
32 comply with Lynnwood Citywide Design Guidelines for All Districts and Commercial Districts,  
33 as adopted by reference in 21.25.145(B)(3) LMC and receive approval pursuant to Chapter 21.25  
34 LMC, unless otherwise specified in this chapter:

35  
36 1. Construction of any non-residential structure or building with a gross floor area of more than  
37 1,000 square feet.

38  
39 2. Construction of any parking lot and/or parking structure with 20 or more stalls or paved  
40 parking area of 5,400 square feet or more.

41  
42 B. Design guidelines for multiple family uses.

43 Construction of any multi-family structure or building including duplexes (two-family dwellings)  
44 permitted outright, by conditional use permit or special use permit in any Commercial Zone shall  
45 comply with Lynnwood Citywide Design Guidelines for All Districts and Multi-family Districts,  
46 as adopted by reference in 21.25.145(B)(3) LMC and receive approval pursuant to Chapter 21.25  
47 LMC, unless otherwise specified in this chapter.

48  
49 C. Supersede. Applicable Lynnwood Citywide Design Guidelines, as adopted by reference in  
50 21.25.145(B)(3) LMC shall supersede any development standards and requirements of this  
51 chapter that may conflict, unless otherwise specified in this chapter.

1  
2 **D. Gateways and Prominent Intersections.** See City of Lynnwood Zoning Map to identify  
3 development project sites within a Gateway or Prominent Intersection location. Such sites shall  
4 be subject to applicable Gateway and/or Prominent Intersection design guidelines identified in the  
5 All Districts section of the Lynnwood Citywide Design Guidelines, as adopted by reference in  
6 21.25.145(B)(3) LMC. If any portion of a project site lies within a Gateway or Prominent  
7 Intersection Location, then the entire project shall comply with the applicable design guidelines.  
8

9 **Section 31: Amendment.** That subsection 21.46.111.B of the Lynnwood Municipal Code is  
10 hereby repealed, revised and amended to read as follows:  
11

12 **B. Full Service Stations, Self Service Stations, and Gas Stations.**

13 These uses are permitted only by means of a conditional use permit. All full service, self service,  
14 and gas station sites shall be developed in accordance with the following regulations.  
15

16 **1. Purpose.**

17 The purpose of this Subsection is to promote the public health, safety, and general welfare in the  
18 City by establishing standards for the site design and operation of full service stations, self service  
19 stations, and gas stations; and convenience stores when combined with the aforementioned uses.  
20 The need for such standards is created by the typical close spacing of curb cuts and the frequency  
21 with which vehicles enter and leave the sites. This is an inherent trait of these uses. Conflicts  
22 with normal traffic patterns on arterial streets increases the potential for automobile accidents and  
23 injury to passengers and pedestrians, and contributes to traffic congestion. By establishing  
24 standards for such uses and their ingress and egress, it is intended that the smooth flow of traffic  
25 will be facilitated and greater safety will be provided for automobile passengers and pedestrians.  
26 It is also the purpose of this chapter to establish bulk regulations including standards for  
27 landscaping and signs, consistent with the aesthetic objectives of the City as indicated in the texts  
28 of the official plans of the City and as are appropriate to the characteristics of this industry.  
29

30 **2. Development Standards.**

31 In addition to ~~the~~ any applicable Development Standards and Lynnwood Citywide Design  
32 Guidelines, as adopted by reference in 21.25.145(B)(3) LMC listed above, development of Full  
33 Service Stations, Self Service Stations, and Gas Stations, and Convenience Stores when  
34 combined with any of these stations shall comply with the following standards:

35 **a. Minimum Street Frontage.**

36 150 feet of frontage is necessary for street frontages which have two accesses. This figure can be  
37 reduced appropriately if the number of curb cuts are also reduced.

38 **b. Minimum Lot Area:**

39 As provided for the applicable zone

40 **c. Minimum Setbacks for Buildings and Canopies.**

41 Minimum setbacks for buildings as provided for the applicable zone. However, canopies shall be  
42 setback a minimum of 20 feet from public street right-of-way.

43 **d. Site Screening Standards for Side Yard and Rear Yard:**

44 As provided for the applicable zone

45 **e. Off Street Parking and Landscaping:**

46 Same as Chapter 21.18 LMC except that a 20-foot wide landscaping strip shall be required along  
47 the street frontage. This 20-foot landscaping strip is in lieu of the five percent (5%) landscaping  
48 required in the interior of the parking area. This requirement shall supercede applicable design  
49 guidelines. However, when the service stations described in 21.46.111.B.2 above are contained  
50 within buildings located closer to the street than fuel pump islands, canopies and parking areas,  
51 then a 15 foot wide street frontage landscape strip shall be required.

1 **f. Street Standards:**

2 All public rights of way shall be fully improved to the center of the street with paving, curb,  
3 gutter, and sidewalk to city standards.

4 **g. Driveways:**

5 Driveways shall be designed and located according to public works department standards.

6 **h. Separation Between Parking and Pump Islands**

7 Where there are parking stalls backing up to pump islands, the minimum distance between pump  
8 islands and off-street parking shall be 40 feet from the end of stall to the pump island.

9 **i. Signs:**

10 see LMC 21.16.310 for sign regulations.

11 **j. Lighting Standards**

12 All lighting shall be so arranged and shielded as to confine all direct light rays entirely within the  
13 boundary lines of the site, and as to prevent, to the extent practicable, reflected light rays from  
14 shining upon other properties, and as to avoid glare onto any portion of any adjacent right-of-way  
15 or into the path of oncoming vehicles.

16 **k. Dumpster Enclosures**

17 All dumpster enclosures shall meet the setback requirements for the applicable zone. The  
18 enclosure shall not exceed six feet in height and shall consist of a solid fence made of wood or  
19 masonry material.

20 **l. Building Height Limit And Maximum Lot Coverage And Interior Yard Setbacks:**

21 As provided for the applicable zone.

22  
23 **3. Operation, Supervision, and Maintenance Restrictions.**

24 a. Unattended coin-operated and unattended self-service dispensing of fuel shall not be permitted.

25 b. Services rendered, and products stored on the premises and sold there shall be limited in  
26 accordance with the activities included in the definitions 21.02.661, 21.02.660, 21.02.375 and  
27 21.02.267, as approved by conditional use permit.

28 c. Wrecked or dismantled vehicles shall not be stored out-of-doors for more than twenty-four  
29 hours. Operation of a rental agency or sales lot for automobiles, trucks, trailers or other  
30 equipment or other business accessory to the operation of an full service station, self serve service  
31 station, and gas station, shall require a separate occupancy permit and business license. These  
32 uses would only be allowed as an accessory use if they are permitted in that zone as a separate  
33 use. The application for the occupancy permit and business license shall be accompanied by a  
34 site plan, and any vehicles or equipment involved shall be stored or parked in areas defined on the  
35 site plan and shall be kept in a neat and orderly manner. The development for the accessory use  
36 shall meet all applicable City regulations.

37 d. All buildings, grounds, and landscaping shall be kept in a constant state of repair and  
38 maintenance. Upon failure to do so, the City shall require repair or replanting as per LMC  
39 21.04.310. Landscape maintenance shall also comply applicable Lynnwood Citywide Design  
40 Guidelines, as adopted by reference in 21.25.145 (B)(3) LMC.

41 e. The work station shall be designed so that at least one qualified attendant shall have maximum  
42 view of the fueling areas. For the purpose of this Title, a qualified attendant is one who is trained  
43 in the operation of the fuel pump emergency shut-off system..

44 f. When a convenience store is combined with a full service station, self service station or gas  
45 station, dispensing of fuel shall be subject to electronic control (within arms reach) of a qualified  
46 attendant.

47 g. Amusement devises as defined by 5.60.030A of the LMC are not permitted in conjunction with  
48 the uses allowed by this subsection.

49 h. All alcoholic beverages shall be stored within cabinets or coolers which can be locked during  
50 the time period when alcoholic beverage sales are prohibited by law. A buzzer on the doors of



1 coolers which store alcoholic beverages shall be provided for monitoring. Observation mirrors  
2 shall also be provided.

3 i. Window visibility shall be maintained. Advertising and/or merchandise displays or other  
4 objects shall not block attendant visibility from view of the gas pumps. The attendant's cashier  
5 station shall be visible from a street and the parking areas.

6  
7 **4. Motor Vehicle and Pedestrian Separation Between the Public Sidewalk and the**  
8 **Convenience Store.**

9 When a convenience store is combined with an automobile service station, self service station  
10 and/or gas station, design considerations shall be implemented to minimize pedestrian conflicts  
11 with vehicular traffic such as but not limited to brick pavers, signs, raised sidewalks, striping, or a  
12 combination of the above.

13  
14 **5. Effects of Change of Use.**

15 The addition of a convenience store to an automobile service station, self serve service station or  
16 gas station would constitute a change in use and would require complete compliance with Chapter  
17 21.12.

18  
19 **6. General Criteria for Approval.**

20 In addition to the criteria found in Chapter 21.24 no conditional use permit for the uses mentioned  
21 in this Subsection shall be approved unless:

- 22 a. The proposal meets the uniform Fire and Uniform Building Code;  
23 b. The proposal meets the standards of this Chapter and Title 21 of the LMC; and  
24 c. The proposal meets all other applicable City and governmental regulations.

25  
26 **7. Exceptions**

27 There shall not be any relaxation of development standards as provided for in Section 21.24.100  
28 of the LMC. Any exceptions to these standards shall be subject to the variance criteria as found  
29 in Title 2.22. However, the Hearing Examiner and City Council may consider these criteria as  
30 part of the conditional use permit process, instead of a separate variance application.

31  
32 **Section 32: Amendment.** That subsection 21.46.120.F.2 of the Lynnwood Municipal Code is  
33 hereby repealed, revised and amended to read as follows:

34  
35 **2. Other Standards.**

36 The following standards apply to adult establishments in the Controlled Use Area:

37 The following standards shall supercede the Lynnwood Citywide Design Guidelines, as adopted  
38 by reference in 21.25.145(B)(3) LMC that may conflict.

- 39  
40 a. The starting of an adult establishment constitutes a change in use and is subject to the non  
41 conforming chapter in addition to these development standards;  
42  
43 b. Landscaping shall be a wall of trees created by two rows of evergreen conifer trees. The trees  
44 shall be staggered and spaced a maximum of ten feet on center, so as to form an effective visual  
45 barrier within five years. The minimum tree height shall be six feet. A permanent six-foot site  
46 screening fence shall be placed on the side and rear property lines;  
47  
48 c. All parking areas shall be visible from the street fronting the establishment and shall not allow  
49 access to the rear of any structures;  
50  
51 d. The parking areas shall be fully illuminated with street light standards.

**Section 33: Amendment.** That subsection 21.46.200.A of the Lynnwood Municipal Code is hereby repealed, revised and amended to read as follows:

**A. General Area & Dimensional Standards**

No building, structure or land shall be established, erected, enlarged or structurally altered, except in conformance with the following standards and in conformance with the adopted building code and applicable Lynnwood Citywide Design Guidelines, as adopted by reference in 21.25.145(B)(3) LMC (for purposes of determining the required yards along public street, the classification of streets indicated on the comprehensive plan shall apply):

**Section 34: Amendment.** That Table 21.46.14 in Section 21.46.200 of the Lynnwood Municipal Code is revised to read as follows:

**Table 21.46.14  
Minimum Standards**

	B-4	B-3 or BN	B-2	PCD	B-1 or BC	C-2	C-1 or CG
Area (unless adjacent to similar zoned land)	none	3 ac.	1 ac.	none	None	1 ac.	none
Maximum Area	none	6 ac	none	none	None	none	none
Front Yard							
Located on a principal arterial	<del>50-15 ft.</del>	<del>50-15 ft.</del>	<del>50-15 ft.</del>	<del>50-15 ft.</del>	<del>50-15 ft.</del>	<del>50-15 ft.</del>	<del>50-15 ft.</del>
Located on all other streets	<del>40-15 ft.</del>	<del>40-15 ft.</del>	<del>40-15 ft.</del>	<del>40-15 ft.</del>	<del>40-15 ft.</del>	<del>40-15 ft.</del>	<del>40-15 ft.</del>
Side Yard-Street							
Located on a principal arterial	<del>50-15 ft.</del>	<del>50-15 ft.</del>	<del>50-15 ft.</del>	<del>50-15 ft.</del>	<del>50-15 ft.</del>	<del>50-15 ft.</del>	<del>50-15 ft.</del>
Located on all other streets	<del>40-15 ft.</del>	<del>40-15 ft.</del>	<del>40-15 ft.</del>	<del>40-15 ft.</del>	<del>40-15 ft.</del>	<del>40-15 ft.</del>	<del>40-15 ft.</del>
Rear Yard	25 ft.	none*	25 ft.	none*	None*	none*	none*
Maximum Building Height	25 ft.+	35 ft.+	none	none	None	none	none
Maximum Lot Coverage	35%	35%	35%	35%	35%	35%	35%

Key:

- \* Except where adjoining a residential zone; see LMC 21.46.220 and 21.46.230.
- + Except that the maximum height within 25 feet of a residential zone is 25 feet.

**Section 35: Amendment.** That subsection 21.46.210.B.2 of the Lynnwood Municipal Code is hereby repealed, revised and amended to read as follows:

**2. Landscaping in Parking Areas.**

**a. Purpose.**

The purpose of these landscaping provision is:

- i. To break up the visual blight created by large expanses of barren asphalt which make up a typical parking lot;
- ii. To encourage the preservation of mature evergreens and other large trees which are presently located on most undeveloped sites in this City;
- iii. To insure the preservation of land values in commercial zones by creating and insuring an environmental quality which complements the commercial objectives of the respective land.

1  
2 **b. Planting at Street Frontages.**

3 Development sites with parking areas fronting on a street right-of-way located only between the  
4 sides of buildings opposite the street and interior property lines shall provide a ten-foot wide  
5 planting area along the entire street frontage, except for driveways, walkways and other  
6 pedestrian spaces. Development sites with single aisle, double loaded parking areas located  
7 between buildings and the street right-of-way, parking areas between buildings or parking areas  
8 between buildings and the closest side property line shall provide a fifteen-foot wide planting area  
9 along the entire street frontage with the same above exceptions. Development sites with multi-  
10 aisle parking areas located between buildings and the street right-of-way shall provide a twenty-  
11 foot wide planting area along the entire street frontage with the same above exceptions. Planting  
12 shall consist of ornamental landscaping of low plantings and high plantings. The minimum  
13 height of trees shall be eight feet for evergreen trees and ten feet for all other species. Trees shall  
14 be spaced a maximum of twenty-five feet on center with branches eliminated to a height of six  
15 feet where necessary to prevent sight obstruction. The required trees in this planting area may be  
16 located within the adjacent street right-of-way as long as they comply with Lynnwood Citywide  
17 Design Guidelines, as adopted by reference in 21.25.145(B)(3) LMC and are approved by the  
18 Public Works Department. Low evergreen plantings or a mixture of low evergreen and  
19 deciduous plantings with a maximum height of thirty inches, ~~in bark or decorative rock,~~ shall be  
20 provided so as to achieve fifty percent ground cover within two years.

21  
22 The location and width of the planting area may be modified in accordance with the following  
23 provisions: that up to five feet of the ten foot total required may be installed in portions of City  
24 right-of-way which are not covered by impervious surfaces or, in the case of right-of-way which  
25 is not fully improved, are not projected to be covered by impervious surfaces upon full  
26 improvement.

27  
28 **c. Landscaping in Right-of-Way.**

29 Property owners who install landscaping on portions of right-of-way not covered by impervious  
30 surfaces shall provide the City with a written release of liability for damages which may be  
31 incurred to the planting area from any public use of the right-of-way and an indemnity to the City  
32 against any injuries occurring within that portion of right-of-way so utilized.

33  
34 **d. Coverage.**

35 Five percent of parking areas located only between the sides of buildings opposite the street and  
36 interior property lines; ten (10)% of parking areas between buildings, between buildings and the  
37 closest side property line, or single aisle, double loading parking areas located between buildings  
38 and the street; and fifteen (15)% of multi-aisle parking areas located between buildings and street  
39 shall be in landscaping (exclusive of landscaping on the street frontage and required landscape  
40 buffers) provided that:

41 **i.** No landscaping area shall be less than twenty-five square feet in area or less than three feet in  
42 width;

43 **ii.** No parking stall shall be located more than forty-five feet from a landscaped area. ~~The~~  
44 ~~Planning Commission may approve landscaping plans involving alternatives to this specification~~  
45 ~~for individual properties if it finds that the alternative plans would be more effective in meeting~~  
46 ~~the above stated purposes of this section; and~~

47 **iii.** All landscaping must be located between parking stalls, at the end of parking columns, or  
48 between parking stalls and the property lines.

49  
50  
51

1 **e. Landscaping Adjacent to Parking Stalls.**

2 Where landscaping areas which fulfill City standards are adjoined by angular or perpendicular  
3 parking stalls, landscaping in the form of ground cover materials or plants may be installed in that  
4 portion of any parking stall which will be ahead of the wheels and adjacent to the landscaped  
5 area, providing that curbing or wheel stops are installed in a position which will protect the plants  
6 from damage. Such landscaping shall not be construed to be part of the percentage of landscaped  
7 area required by this chapter nor a reduction of the parking stall.

8 **f. Additional Landscaping Along Specified Streets.**

9 Along streets where it may be desirable and feasible to obtain a higher degree of continuity in  
10 landscaping from property to property than is provided for here, the City Council, upon  
11 recommendation by the Planning Commission, may designate specific street frontage landscaping  
12 plans for those streets. See LMC Chapter 21.06.

13  
14 **Section 36: Amendment.** That subsection 21.46.220.B of the Lynnwood Municipal Code is  
15 hereby repealed, subsection C is amended, and subsections D and E are renumbered as follows:  
16

17 **B-Procedure**

18 ~~The Planning Director may approve the landscaping plan if it complies totally with the~~  
19 ~~requirements of the Lynnwood Municipal Code existing at the time of application of plans or in~~  
20 ~~the discretion of the Planning Director and prior to issuance of either a building permit or~~  
21 ~~occupancy permit, cause the matter to be presented to the City Council for the purpose of~~  
22 ~~determining standards for the site screening or greenbelt.~~

23 ~~The Planning Commission shall consider all relevant factors, including, but not limited to: the~~  
24 ~~existing and future planned use of the land in question, the topography, the height, and~~  
25 ~~appearance of the buildings existing or to be placed upon the land in question, the character and~~  
26 ~~appearance of existing buildings on adjoining lands, and existing and proposed traffic patterns~~  
27 ~~and conditions.~~

28 ~~The Planning Commission may request a precise and detailed landscape blueprint to be supplied~~  
29 ~~by the applicant to assist the Planning Commission in determining the type of planting or~~  
30 ~~screening, the height thereof at maturity and at various stages of maturity, and the density of any~~  
31 ~~planting at various seasons of the year.~~

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

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

46  
47 **C. B. Maintenance.**

48 Whenever greenbelts or landscaping are required to be installed according to City zoning  
49 requirements, the plant material shall be regularly maintained and kept in a healthy condition in  
50 accordance with zoning requirements, Lynnwood Citywide Design Guidelines, as adopted by  
51 reference in 21.25.145(B)(3) LMC and approved development plans. Maintenance shall also

1 include regular weeding, removal of litter from landscaped areas, and repair or replanting so that  
2 the greenbelts or landscaping continue to comply with zoning requirements and/or development  
3 plans.  
4

5 **D. C. Minimum Standards.**

6 **1. Planting and Fencing.**

7 a. Where a property zoned to any Commercial Zone is adjacent to a property zoned Single Family  
8 Residential

9 The purpose of this landscaping is to provide a sight, sound, and psychological barrier between  
10 zones with a high degree of incompatibility. This planting strip shall be at least 20 feet in width  
11 and shall consist of two rows of evergreen conifer trees. The trees shall be staggered and spaced  
12 a maximum of ten feet on center, so as to form an effective visual barrier within five years. The  
13 minimum tree height shall be six feet. A permanent six-foot site screening fence shall be placed  
14 at the property line.

15 b. Where a property zoned to any Commercial Zone is adjacent to a property zoned Multiple  
16 Family Residential of Public & Semi-Public

17 The planting strip shall be at least ten feet in width and shall consist of either of the following two  
18 options:

19 i. One row of evergreen conifer trees, spaced a maximum of ten feet on center. Minimum tree  
20 height shall be six feet, the remainder of the planting strip shall be promptly planted with low  
21 evergreen plantings which will mature to a total ground cover within five years; or

22 ii. A site screening evergreen hedge that provides a sight, sound, and psychological barrier  
23 between zones with some degree of incompatibility. The spacing of plants shall be such that they  
24 will form a dense hedge within five years. Minimum plant height shall be four feet.

25 A permanent six-foot site screening fence shall be placed at the property line.

26 **2. Signed Plans.**

27 All landscaping plans shall bear the seal of a registered landscape architect or signature of a  
28 professional nurseryman and be drawn to a scale no less than one inch to twenty feet. The  
29 landscape architect or professional nurseryman shall certify that the species of plants are fast-  
30 growing and that the design of the plan will fulfill city code requirements within five years.

31 **3. Installation Prior to Occupancy.**

32 All landscaping that fulfills the city code requirements shall be installed prior to occupancy of  
33 any structure located on the same site.

34 If, due to extreme weather conditions or some unforeseen emergency, all required landscaping  
35 cannot be installed prior to occupancy, then a cash deposit or guarantee account with the city  
36 shall be provided as financial security to guarantee installation of the remaining landscaping. The  
37 security shall be equal to the cost of the remaining landscaping including labor and materials or a  
38 minimum of \$500. The security shall not extend for a period of more than 30 days. If, within 30  
39 days, the remaining landscaping is installed according to code requirements and approved  
40 development plans, then all funds shall be refunded.

41 **E D. Fence Regulations.**

42 **1. Definition.**

43 For the purposes of this section a "site screening fence" means a solid one-inch thick board  
44 (nominal dimensional standards) fence. One made of brick, rock or masonry materials may be  
45 substituted for a board fence;

46 **2. Exceptions.**

47 Where a fence is required by the above standards, no fence will be required in those cases where  
48 a fence already exists which meets the intent of this section. However, if the existing fence is  
49 ever removed, demolished or partially destroyed, then the owner of the property first being  
50 required by the section to provide the necessary fence will be responsible for replacing the fence;

1 In those cases where the slope of the land is such that the location of a fence required by the  
2 above standards is impractical or ineffective in satisfying the intent of this section, the planning  
3 director may, at his discretion, permit a location which more adequately satisfies the intent of this  
4 section.

5  
6 **Section 37: Amendment.** That subsection 21.46.900.A of the Lynnwood Municipal Code is  
7 hereby repealed, revised and amended to read as follows:

8  
9 **A. Refuse and Recycling Collection Areas and Enclosures**

10 On-site paved and enclosed refuse and recycling collection areas shall be provided on sites where  
11 new buildings are being constructed or existing buildings are being remodeled or expanded, and  
12 shall comply with the requirements of this section. One-family dwelling units, two-family  
13 dwelling units, and public parks are exempt from the requirements of this section.

14  
15 **1. Development Standards.**

16 Refuse and recycling collection areas in all commercial zones shall comply with the following  
17 development standards below. The following development standards shall supercede other  
18 applicable setback requirements of this chapter and any Lynnwood Citywide Design Guidelines,  
19 as adopted by reference in 21.25.145(B)(3) LMC than may conflict:

- 20 a. Setback a minimum of 25 ft. from a public street;  
21 b. Setback a minimum of 25 ft. from any interior property line adjoining an RS or RM zone or a  
22 P1 Zone with one-family dwelling units if a business site is one acre or larger in area; or  
23 c. Setback a minimum of 15 ft. from any interior property line adjoining an RS or RM zone or P1  
24 Zone with one-family dwelling units if a business site is less than one acre in area.

25  
26 **2. Enclosure**

27 All refuse and recycling collection areas shall be enclosed on three sides by a 6 ft. high site-  
28 obscuring fence which uses building materials, color, and design details similar to the primary  
29 buildings on the site and a 6 ft. high gate on one side. The height of the enclosure may include  
30 the height of a surrounding slope or berm (height measured from bottom inside edge of the  
31 collection area). The enclosure shall include a gate which can be secured in an open or closed  
32 position. If the enclosure includes a gate made of metal chain link fencing, the fencing shall  
33 contain slats which screen the view of containers and material inside the collection area. An  
34 alternative design may be approved if it is determined that such alternative would provide equal  
35 or better screening, architectural compatibility, and containment.

36  
37 **3. Parking**

38 No refuse and recycling collection area shall be located in such a way that new or existing  
39 parking stalls will prevent or interfere with the use and servicing of the collection area.

40 **4. Design**

41  
42 Refuse and recycling collection areas shall be sized, located, and constructed per standards  
43 established by the Public Works Department.

44  
45 **Section 38: Amendment.** That subsection 21.46.910.B of the Lynnwood Municipal Code is  
46 hereby repealed, revised and amended to read as follows:

47  
48 **B. Gateway Frontage Landscaping.**

49 The following standards apply to project frontages in the area defined in LMC 21.06.200 along  
50 196th SW, 198th SW and 28th Ave W, as such streets are intended to be developed as gateways  
51 to the city of Lynnwood. The width of the landscape area along a particular frontage may vary to

1 account for parcel shapes and to encourage creativity in site design. Along these specified street  
2 frontages, a landscape area of at least 15 feet in depth is required, but the landscape area must  
3 average at least 20 feet in depth over the entire length of the particular frontage. Such landscape  
4 areas may be interrupted by curb cuts and pedestrian access connections and the areas of such  
5 interruptions shall not be included as part of the frontage length in the averaging calculations.  
6 Where appropriate, sidewalks may be included within the required depths if they are incorporated  
7 within the interior of the landscape area. The above standards shall supercede any applicable  
8 Lynnwood Citywide Design Guideline, as adopted by reference in 21.25.145(B)(3) LMC that  
9 may conflict.

10  
11 **Section 39: Amendment.** That Section 21.48.100 of the Lynnwood Municipal Code is hereby  
12 repealed, revised and amended to read as follows:  
13

14 **A.** All uses permitted in the BN and BC zones are permitted in this classification, except for the  
15 following:

- 16 A 1. Outdoor used automobile sales; and  
17 B 2. Funeral parlors and mortuaries.  
18

19 **Section 40: New Section.** A new Section 21.48.105 is added to the Lynnwood Municipal Code  
20 to read as follows:  
21

#### 22 **21.48.105 PROJECT DESIGN REVIEW**

23  
24 **A. Design guidelines for non-residential uses.** The following structures and parking facilities  
25 permitted outright, by conditional use permit or special use permit in the Planned Regional  
26 Shopping Center Zone shall comply with Lynnwood Citywide Design Guidelines for All Districts  
27 and Commercial Districts, as adopted by reference in 21.25.145(B)(3) LMC and receive approval  
28 pursuant to Chapter 21.25 LMC, unless otherwise specified in this chapter:  
29

30 1. Construction of any non-residential structure or building with a gross floor area of more than  
31 1,000 square feet.

32  
33 2. Construction of any parking lot and/or parking structure with 20 or more stalls or paved  
34 parking area of 5,400 square feet or more.  
35

#### 36 **B. Design guidelines for multiple family uses.**

37 Construction of any multi-family structure or building including duplexes (two-family dwellings)  
38 permitted outright or by conditional use permit in the Planned Regional Shopping Center Zone  
39 shall comply with Lynnwood Citywide Design Guidelines for All Districts and Multi-family  
40 Districts, as adopted by reference in 21.25.145(B)(3) LMC and receive approval pursuant to  
41 Chapter 21.25 LMC, unless otherwise specified in this chapter.  
42

43 **C. Supercede.** Applicable Lynnwood Citywide Design Guidelines, as adopted by reference in  
44 21.25.145(B)(3) LMC shall supercede any development standards and requirements of this  
45 chapter that may conflict, unless otherwise specified in this chapter.  
46

#### 47 **D. Gateways and Prominent Intersections.**

48 See City of Lynnwood Zoning Map to identify development project sites within a Gateway or  
49 Prominent Intersection location. Such sites shall be subject to applicable Gateway and/or  
50 Prominent Intersection design guidelines identified in the All Districts section of the Lynnwood  
51 Citywide Design Guidelines, as adopted by reference in 21.25.145(B)(3) LMC. If any portion of

1 a project site lies within a Gateway or Prominent Intersection Location, then the entire project  
2 shall comply with the applicable design guidelines.  
3

4 **Section 41: Amendment.** That subsection 21.48.111.B of the Lynnwood Municipal Code is  
5 hereby repealed, revised and amended to read as follows:  
6

7 **B. Full Service Stations, Self Service Stations and Gas Stations.**

8 These uses are permitted only by means of a conditional use permit. All full service, self service,  
9 and gas station sites shall be developed in accordance with the following regulations.

10 **1. Purpose.**

11 The purpose of this Subsection is to promote the public health, safety, and general welfare in the  
12 City by establishing standards for the site design and operation of full service stations, self service  
13 stations, and gas stations; and convenience stores when combined with the aforementioned uses.  
14 The need for such standards is created by the typical close spacing of curb cuts and the frequency  
15 with which vehicles enter and leave the sites. This is an inherent trait of these uses. Conflicts  
16 with normal traffic patterns on arterial streets increases the potential for automobile accidents and  
17 injury to passengers and pedestrians, and contributes to traffic congestion. By establishing  
18 standards for such uses and their ingress and egress, it is intended that the smooth flow of traffic  
19 will be facilitated and greater safety will be provided for automobile passengers and pedestrians.  
20 It is also the purpose of this chapter to establish bulk regulations including standards for  
21 landscaping and signs, consistent with the aesthetic objectives of the City as indicated in the texts  
22 of the official plans of the City and as are appropriate to the characteristics of this industry.  
23

24 **2. Development Standards.**

25 In addition to the any applicable Development Standards and Lynnwood Citywide Design  
26 Guidelines, as adopted by reference in 21.25.145(B)(3) LMC listed above, development of Full  
27 Service Stations, Self Service Stations, Gas Stations and Convenience Stores when combined  
28 with any of these stations shall comply with the following standards:

29 **a. Minimum Street Frontage:**

30 150 feet of frontage is necessary for street frontages which have two accesses. This figure can be  
31 reduced appropriately if the number of curb cuts are also reduced.

32 **b. Minimum Lot Area:**

33 As provided for the applicable zone.

34 **c. Minimum Setbacks for Buildings and Canopies:**

35 Minimum setbacks for buildings as provided for the applicable zone. However, canopies shall be  
36 setback a minimum of 20 feet from public street right-of-way.

37 **d. Site Screening Standards for Side Yard and Rear Yard:**

38 As provided for the applicable zone.

39 **e. Off Street Parking and Landscaping:**

40 Same as Chapter 21.18 LMC except that a 20-foot wide landscaping strip shall be required along  
41 the street frontage. This 20-foot landscaping strip is in lieu of the five percent (5%) landscaping  
42 required in the interior of the parking area. This requirement shall supercede applicable design  
43 guidelines. However, when the service stations described in 21.48.111.B.2 above are contained  
44 within buildings located closer to the street than fuel pump islands, canopies and parking areas,  
45 then a 15 foot wide street frontage landscape strip shall be required.

46 **f. Street Standards:**

47 All public rights of way shall be fully improved to the center of the street with paving, curb,  
48 gutter, and sidewalk to city standards.

49 **g. Driveways:**

50 Driveways shall be designed and located according to Public Works Department standards.

51 **h. Separation Between Parking and Pump Islands:**



1 Where there are parking stalls backing up to pump islands, the minimum distance between pump  
2 islands and off-street parking shall be 40 feet from the end of stall to the pump island.

3 **i. Signs:**

4 see LMC 21.16.320 for sign regulations.

5 **j. Lighting Standards:**

6 All lighting shall be so arranged and shielded as to confine all direct light rays entirely within the  
7 boundary lines of the site, and as to prevent, to the extent practicable, reflected light rays from  
8 shining upon other properties, and as to avoid glare onto any portion of any adjacent right-of-way  
9 or into the path of oncoming vehicles.

10 **k. Dumpster Enclosures:**

11 All dumpster enclosures shall meet the setback requirements for the applicable zone. The  
12 enclosure shall not exceed 6 feet in height and shall consist of a solid fence made of wood or  
13 masonry material.

14 **l. Building Height Limit And Maximum Lot Coverage And Interior Yard Setbacks:**

15 As provided for the applicable zone.

16  
17 **3. Operation, Supervision, and Maintenance Restrictions.**

18 a. Unattended coin-operated and unattended self-service dispensing of fuel shall not be permitted.

19 b. Services rendered, and products stored on the premises and sold there shall be limited in  
20 accordance with the activities included in the definitions 21.02.661, 21.02.660, 21.02.375 and  
21 21.02.267, as approved by conditional use permit.

22 c. Wrecked or dismantled vehicles shall not be stored out-of-doors for more than twenty-four  
23 hours. Operation of a rental agency or sales lot for automobiles, trucks, trailers or other  
24 equipment or other business accessory to the operation of an full service station, self serve service  
25 station, and gas station, shall require a separate occupancy permit and business license. These  
26 uses would only be allowed as an accessory use if they are permitted in that zone as a separate  
27 use. The application for the occupancy permit and business license shall be accompanied by a  
28 site plan, and any vehicles or equipment involved shall be stored or parked in areas defined on the  
29 site plan and shall be kept in a neat and orderly manner. The development for the accessory use  
30 shall meet all applicable City regulations.

31 d. All buildings, grounds, and landscaping shall be kept in a constant state of repair and  
32 maintenance. Upon failure to do so, the city shall require repair or replanting as per LMC  
33 21.04.310. Landscape maintenance shall also comply applicable Lynnwood Citywide Design  
34 Guidelines, as adopted by reference in 21.25.145(B)(3) LMC.

35 e. The work station shall be designed so that at least one qualified attendant shall have maximum  
36 view of the fueling areas. For the purpose of this Title, a qualified attendant is one who is trained  
37 in the operation of the fuel pump emergency shut-off system..

38 f. When a convenience store is combined with a full service station, self service station or gas  
39 station, dispensing of fuel shall be subject to electronic control (within arms reach) of a qualified  
40 attendant.

41 g. Amusement devises as defined by 5.60.030A of the LMC are not permitted in conjunction with  
42 the uses allowed by this subsection.

43 h. All alcoholic beverages shall be stored within cabinets or coolers which can be locked during  
44 the time period when alcoholic beverage sales are prohibited by law. A buzzer on the doors of  
45 coolers which store alcoholic beverages shall be provided for monitoring. Observation mirrors  
46 shall also be provided.

47 i. Window visibility shall be maintained. Advertising and/or merchandise displays or other  
48 objects shall not block attendant visibility from view of the gas pumps. The attendant's cashier  
49 station shall be visible from a street and the parking areas.

50

1 **4. Motor Vehicle and Pedestrian Separation Between the Public Sidewalk and the**  
2 **Convenience Store.**

3 When a convenience store is combined with an automobile service station, self service station  
4 and/or gas station, design considerations shall be implemented to minimize pedestrian conflicts  
5 with vehicular traffic such as but not limited to brick pavers, signs, raised sidewalks, striping, or a  
6 combination of the above.

7  
8 **5. Effects of Change of Use.**

9 The addition of a convenience store to an automobile service station, self serve service station or  
10 gas station would constitute a change in use and would require complete compliance with Chapter  
11 21.12.

12  
13 **6. General Criteria for Approval.**

14 In addition to the criteria found in Chapter 21.24 no conditional use permit for the uses mentioned  
15 in this Subsection shall be approved unless:

- 16 a. The proposal meets the uniform Fire and uniform Building Code;  
17 b. The proposal meets the standards of this Chapter and Title 21 of the LMC; and  
18 c. The proposal meets all other applicable City and governmental regulations.

19  
20 **7. Exceptions.**

21 There shall not be any relaxation of development standards as provided for in Section 21.24.100  
22 of the LMC. Any exceptions to these standards shall be subject to the variance criteria as found  
23 in Title 2.22. However, the Hearing Examiner and City Council may consider these criteria as  
24 part of the conditional use permit process, instead of a separate variance application.

25  
26 **Section 42: Amendment.** That subsection 21.48.200.A of the Lynnwood Municipal Code is  
27 hereby repealed, revised and amended to read as follows:

28  
29 **A. Minimum Setbacks.**

30 There shall be a minimum setback for buildings of ~~fifty~~ fifteen (15) feet from any public street  
31 right-of-way and fifty feet from any property line adjoining an RS or RM zone, with the  
32 following exceptions:

- 33  
34 1. Buildings which are to be used for professional offices, and which do not exceed a height of  
35 twenty-five feet above the average finished grade around the foundation of the building, shall be  
36 set back fifty feet from any property line adjoining an RS Zone and twenty-five feet from any  
37 property line adjoining an RM Zone; and  
38 2. See LMC 21.16.320 for sign regulations.

39  
40 **Section 43: Amendment.** That subsection 21.48.210.B of the Lynnwood Municipal Code is  
41 hereby repealed, revised and amended to read as follows:

42  
43 **B. Parking.**

44 **1. Required Number of Stalls.**

45 See Chapter 21.18.

46  
47 **2. Landscaping in Parking Areas.**

48 **a. Purpose.**

49 The purpose of these landscaping provision is:

- 50 i. To break up the visual blight created by large expanses of barren asphalt which make up a  
51 typical parking lot;

1 ii. To encourage the preservation of mature evergreens and other large trees which are presently  
2 located on most undeveloped sites in this City;

3 iii. To insure the preservation of land values in commercial zones by creating and insuring an  
4 environmental quality which complements the commercial objectives of the respective land.

5 **b. Planting at Street Frontages.**

6 Development sites with parking areas fronting on a street right-of-way located only between the  
7 sides of buildings opposite the street and interior property lines shall provide a ten-foot wide  
8 planting area along the entire street frontage, except for driveways, walkways and other  
9 pedestrian spaces. Development sites with single aisle, double loaded parking areas located  
10 between buildings and the street right-of-way, parking areas between buildings or parking areas  
11 between buildings and the closest side property line shall provide a fifteen-foot wide planting area  
12 along the entire street frontage with the same above exceptions. Development sites with multi-  
13 aisle parking areas located between buildings and the street right-of-way shall provide a twenty-  
14 foot wide planting area along the entire street frontage with the same above exceptions.. Planting  
15 shall consist of ornamental landscaping of low plantings and high plantings. The minimum  
16 height of trees shall be eight feet for evergreen trees and ten feet for all other species. Trees shall  
17 be spaced a maximum of twenty-five feet on center with branches eliminated to a height of six  
18 feet where necessary to prevent sight obstruction. The required trees in this planting area may be  
19 located within the adjacent street right-of-way as long as they comply with Lynnwood Citywide  
20 Design Guidelines, as adopted by reference in 21.25.145(B)(3) LMC and are approved by the  
21 Public Works Department.. Low evergreen plantings or a mixture of low evergreen and  
22 deciduous plantings with a maximum height of thirty inches, in-bark or decorative rock, shall be  
23 provided so as to achieve fifty percent ground cover within two years. This landscaping plan  
24 (providing for coordination of the landscaping throughout the PRC Zone) shall be submitted and  
25 approved prior to the issuing of the first building permit.

26 The location and width of the planting area may be modified in accordance with the following  
27 provisions: that up to five feet of the ten foot total required may be installed in portions of City  
28 right-of-way which are not covered by impervious surfaces or, in the case of right-of-way which  
29 is not fully improved, are not projected to be covered by impervious surfaces upon full  
30 improvement.

31 **c. Landscaping in Right-of-Way.**

32 Property owners who install landscaping on portions of right-of-way not covered by impervious  
33 surfaces shall provide the City with a written release of liability for damages which may be  
34 incurred to the planting area from any public use of the right-of-way and an indemnity to the City  
35 against any injuries occurring within that portion of right-of-way so utilized.

36 **d. Coverage.**

37 Five percent of parking areas located only between the sides of buildings opposite the street and  
38 interior property lines; ten (10)% of parking areas between buildings, between buildings and the  
39 closest side property line, or single aisle, double loading parking areas located between buildings  
40 and the street; and fifteen (15)% of multi-aisle parking areas located between buildings and street  
41 shall be in landscaping (exclusive of landscaping on the street frontage and required landscape  
42 buffers) provided that:

43 i. No landscaping area shall be less than twenty-five square feet in area or less than three feet in  
44 width;

45 ii. No parking stall shall be located more than forty-five feet from a landscaped area. ~~The~~  
46 ~~Planning Commission may approve landscaping plans involving alternatives to this specification~~  
47 ~~for individual properties if it finds that the alternative plans would be more effective in meeting~~  
48 ~~the above stated purposes of this section, (OR alternatives to this provision may be approved by~~  
49 ~~the City Council upon its findings that an alternate design would be more effective in interrupting~~  
50 ~~the large expanse of asphalt in the parking area. The City Council may delegate this authority.);~~  
51 and

1     iii. All landscaping must be located between parking stalls, at the end of parking columns, or  
2     between parking stalls and the property lines.

3     **e. Landscaping Adjacent to Parking Stalls.**

4     Where landscaping areas which fulfill City standards are adjoined by angular or perpendicular  
5     parking stalls, landscaping in the form of ground cover materials or plants may be installed in that  
6     portion of any parking stall which will be ahead of the wheels and adjacent to the landscaped  
7     area, providing that curbing or wheel stops are installed in a position which will protect the plants  
8     from damage. Such landscaping shall not be construed to be part of the percentage of landscaped  
9     area required by this chapter nor a reduction of the parking stall.

10    **f. Additional Landscaping Along Specified Streets.**

11    Along streets where it may be desirable and feasible to obtain a higher degree of continuity in  
12    landscaping from property to property than is provided for here, the City Council, upon  
13    recommendation by the Planning Commission, may designate specific street frontage landscaping  
14    plans for those streets. See Chapter 21.06 LMC.

15  
16    **Section 44: Amendment.** That Section 21.48.220 of the Lynnwood Municipal Code is hereby  
17    repealed, revised and amended to read as follows:  
18

19    **A. Transitional or buffer landscaped strips (also referred to as greenbelts) shall be installed in the**  
20    **following situations:**

- 21    1. Where the side yard or rear yard of a property zoned to this Zone is adjacent to a property  
22    zoned Single Family Residential
- 23    2. Where the side yard or rear yard of a property zoned to this Zone is adjacent to a property  
24    zoned Multiple Family Residential or Public & Semi-Public,

25    **B. Procedure**

26    ~~The Planning Director may approve the landscaping plan if it complies totally with the~~  
27    ~~requirements of the Lynnwood Municipal Code existing at the time of application of plans or in~~  
28    ~~the discretion of the Planning Director and prior to issuance of either a building permit or~~  
29    ~~occupancy permit, cause the matter to be presented to the City Council for the purpose of~~  
30    ~~determining standards for the site screening or greenbelt.~~

31    ~~The Planning Commission shall consider all relevant factors, including, but not limited to: the~~  
32    ~~existing and future planned use of the land in question, the topography, the height, and~~  
33    ~~appearance of the buildings existing or to be placed upon the land in question, the character and~~  
34    ~~appearance of existing buildings on adjoining lands, and existing and proposed traffic patterns~~  
35    ~~and conditions.~~

36    ~~The Planning Commission may request a precise and detailed landscape blueprint to be supplied~~  
37    ~~by the applicant to assist the Planning Commission in determining the type of planting or~~  
38    ~~screening, the height thereof at maturity and at various stages of maturity, and the density of any~~  
39    ~~planting at various seasons of the year.~~

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

1 Upon receipt of the standards established by the City Council, any permit issued by the Building  
2 Official shall be conditioned upon compliance with the screening or greenbelt standards  
3 established by the City Council.  
4

5 **C. B. Maintenance**

6 Whenever greenbelts or landscaping are required to be installed according to City zoning  
7 requirements, the plant material shall be regularly maintained and kept in a healthy condition in  
8 accordance with zoning requirements, Lynnwood Citywide Design Guidelines, as adopted by  
9 reference in 21.25.145(B)(3) LMC and approved development plans. Maintenance shall also  
10 include regular weeding, removal of litter from landscaped areas, and repair or replanting so that  
11 the greenbelts or landscaping continue to comply with zoning requirements and/or development  
12 plans.  
13

14 **D C. Minimum Standards.**

15 **1. Planting and Fencing.**

16 a. Where a property zoned to the PRC Zone is adjacent to a property zoned Single Family  
17 Residential.

18 The purpose of this landscaping is to provide a sight, sound, and psychological barrier between  
19 zones with a high degree of incompatibility. This planting strip shall consist of two rows of  
20 evergreen conifer trees. The trees shall be staggered and spaced a maximum of ten feet on center,  
21 so as to form an effective visual barrier within five years. The minimum tree height shall be six  
22 feet. A permanent six-foot site screening fence shall be placed at the property line.

23 b. Where a property zoned to the PRC Zone is adjacent to a property zoned Multiple Family  
24 Residential of Public & Semi-Public.

25 The planting strip shall consist of either of the following two options:

26 i. One row of evergreen conifer trees, spaced a maximum of ten feet on center. Minimum tree  
27 height shall be six feet, the remainder of the planting strip shall be promptly planted with low  
28 evergreen plantings which will mature to a total ground cover within five years; or

29 ii. A sitescreening evergreen hedge that provides a sight, sound, and psychological barrier  
30 between zones with some degree of barrier between zones with some degree of incompatibility.

31 The spacing of plants shall be such that they will form a dense hedge within five years.

32 Minimum plant height shall be four feet.

33 A permanent six-foot site screening fence shall be placed at the property line.  
34

35 **2. Signed Plans.**

36 All landscaping plans shall bear the seal of a registered landscape architect or signature of a  
37 professional nurseryman and be drawn to a scale no less than one inch to twenty feet. The  
38 landscape architect or professional nurseryman shall certify that the species of plants are fast-  
39 growing and that the design of the plan will fulfill City code requirements within five years.  
40

41 **3. Installation Prior to Occupancy.**

42 All landscaping that fulfills the City code requirements shall be installed prior to occupancy of  
43 any structure located on the same site.

44 If, due to extreme weather conditions or some unforeseen emergency, all required landscaping  
45 cannot be installed prior to occupancy, then a cash deposit or guarantee account with the City  
46 shall be provided as financial security to guarantee installation of the remaining landscaping. The  
47 security shall be equal to the cost of the remaining landscaping including labor and materials or a  
48 minimum of \$500. The security shall not extend for a period of more than 30 days. If, within 30  
49 days, the remaining landscaping is installed according to code requirements and approved  
50 development plans, then all funds shall be refunded.  
51

1 **E D. Fence Regulations.**

2 **1. Definition.**

3 For the purposes of this section a "site screening fence" means a solid one-inch thick board  
4 (nominal dimensional standards) fence. One made of brick, rock or masonry materials may be  
5 substituted for a board fence;

6 **2. Exceptions.**

7 Where a fence is required by the above standards, no fence will be required in those cases where  
8 a fence already exists which meets the intent of this section. However, if the existing fence is  
9 ever removed, demolished or partially destroyed, then the owner of the property first being  
10 required by the section to provide the necessary fence will be responsible for replacing the fence;  
11 In those cases where the slope of the land is such that the location of a fence required by the  
12 above standards is impractical or ineffective in satisfying the intent of this section, the planning  
13 director may, at his discretion, permit a location which more adequately satisfies the intent of this  
14 section.

15  
16 **Section 45: Amendment.** That subsection 21.48.900.B of the Lynnwood Municipal Code is  
17 hereby repealed, revised and amended to read as follows:  
18

19 **B. Refuse and Recycling Collection Areas and Enclosures.**

20 On-site paved and enclosed refuse and recycling collection areas shall be provided on sites where  
21 new buildings are being constructed or existing buildings are being remodeled or expanded, and  
22 shall comply with the requirements of this section. One-family dwelling units, two-family  
23 dwelling units, and public parks are exempt from the requirements of this section.  
24

25 **1. Development Standards.**

26 Refuse and recycling collection areas in all commercial zones shall comply with the following  
27 development standards below. The following development standards shall supercede other  
28 applicable setback requirements of this chapter and any Lynnwood Citywide Design Guidelines,  
29 as adopted by reference in 21.25.145(B)(3) LMC than may conflict:

30 a. Setback a minimum of 25 ft. from a public street;

31 b. Setback a minimum of 25 ft. from any interior property line adjoining an RS or RM zone or a  
32 P1 Zone with one-family dwelling units if a business site is one acre or larger in area; or

33 c. Setback a minimum of 15 ft. from any interior property line adjoining an RS or RM zone or P1  
34 Zone with one-family dwelling units if a business site is less than one acre in area.  
35

36 **2. Enclosure.**

37 All refuse and recycling collection areas shall be enclosed on three sides by a 6 ft. high site-  
38 obscuring fence which uses building materials, color, and design details similar to the primary  
39 buildings on the site and a 6 ft. high gate on one side. The height of the enclosure may include  
40 the height of a surrounding slope or berm (height measured from bottom inside edge of the  
41 collection area). The enclosure shall include a gate which can be secured in an open or closed  
42 position. If the enclosure includes a gate made of metal chain link fencing, the fencing shall  
43 contain slats which screen the view of containers and material inside the collection area. An  
44 alternative design may be approved if it is determined that such alternative would provide equal  
45 or better screening, architectural compatibility, and containment.  
46

47 **3. Parking.**

48 No refuse and recycling collection area shall be located in such a way that new or existing  
49 parking stalls will prevent or interfere with the use and servicing of the collection area.  
50  
51

1 **4. Design.**

2 Refuse and recycling collection areas shall be sized, located, and constructed per standards  
3 established by the Public Works Department.

4  
5 **Section 46: New Section.** A new Section 21.50.105 is added to the Lynnwood Municipal Code  
6 to read as follows:

7  
8 **21.50.105 PROJECT DESIGN REVIEW**

9  
10 **A. Design guidelines for non-residential uses.**

11 Construction of any non-residential structure or building with a gross floor area of more than  
12 1,000 square feet permitted outright or by conditional use permit in any Industrial Zone shall  
13 comply with Lynnwood Citywide Design Guidelines for All Districts, as adopted by reference in  
14 21.25.145(B)(3) LMC and receive approval pursuant to Chapter 21.25 LMC, unless otherwise  
15 specified in this chapter:

16  
17 **B. Design guidelines for parking lots and parking structures.**

18 Construction of any parking lot and/or parking structure with 20 or more stalls or paved parking  
19 area of 5,400 square feet or more permitted outright or by conditional use permit in any Industrial  
20 Zone shall comply with Lynnwood Citywide Design Guidelines for All Districts and Commercial  
21 Districts, as adopted by reference in 21.25.145(B)(3) LMC and receive approval pursuant to  
22 Chapter 21.25 LMC, unless otherwise specified in this chapter.

23  
24 **C. Supersede.**

25 Applicable Lynnwood Citywide Design Guidelines, as adopted by reference in 21.25.145(B)(3)  
26 LMC shall supersede any development standards and requirements of this chapter that may  
27 conflict, unless otherwise specified in this chapter.

28  
29 **D. Gateways and Prominent Intersections.**

30 See City of Lynnwood Zoning Map to identify development project sites within a Gateway or  
31 Prominent Intersection location. Such sites shall be subject to applicable Gateway and/or  
32 Prominent Intersection design guidelines identified in the All Districts section of the Lynnwood  
33 Citywide Design Guidelines, as adopted by reference in 21.25.145(B)(3) LMC. If any portion of  
34 a project site lies within a Gateway or Prominent Intersection Location, then the entire project  
35 shall comply with the applicable design guidelines.

36  
37 **Section 47: Amendment.** That Section 21.50.210 of the Lynnwood Municipal Code is hereby  
38 repealed, revised and amended to read as follows:

39  
40 **21.50.210 ADDITIONAL DEVELOPMENT STANDARDS**

41  
42 **A. Building Height**

43 **1. BTP Zone**

44 For those buildings taller than three stories, the floor area to lot area ratio (FAR) shall not exceed  
45 0.4, unless specifically allowed in the development plan approval. In connection with any such  
46 development plan approval, the applicant shall demonstrate that the additional floor area will not  
47 adversely impact traffic flow and volumes on the public streets, as compared to other existing or  
48 anticipated developments on other properties in the same zone and vicinity.

49 **2. LI Zone**

50 A height variance may be obtained when a proof of conformance with the general intent of this  
51 chapter has been established.

1  
2 **B. Setbacks for Fences**

3 All setbacks in Subsection A, above, shall also apply to fences.

4  
5 However, fences, walls and hedges up to 6 feet high may be located in any portion of an  
6 industrial zoned lot as long as they not located within intersection and driveway sight distance  
7 triangles, do not obstruct driver and pedestrian visibility, comply with applicable Lynnwood  
8 Citywide Design Guidelines, as adopted by reference in 21.25.145(B)(3) LMC and are approved  
9 through project design review (Chapter 21.25 LMC).

10  
11 **C. Landscaping Requirements for Sites in the Light Industrial Zone.**

12 1. On a transitional site, at least fifty percent of the front yard area shall be landscaped which may  
13 include landscaping requirements in parking lots.

14 2. On a general site, at least twenty-five percent of the front yard area shall be landscaped which  
15 may include landscaping requirements in parking lots.

16 3. Where interior property lines of a site being developed are not affected by other landscaping  
17 standards and are not adjoined by buildings, trees shall be planted inside and along the property  
18 line with a spacing of forty feet or less between the trees.

19  
20 **D. Parking Requirements**

21  
22 **1. Required Number of Stalls**

23 Requirements for parking are provided in Chapter 21.18 of this code. At transitional sites in the  
24 BTP Zone, the landscaping requirement along zoning boundaries which occur along streets may  
25 be counted to fulfill front yard parking lot landscaping, providing the building is located no closer  
26 to the street than the minimum allowable setback.

27  
28 **2. Landscaping in Parking Areas**

29  
30 **a. Purpose**

31 The purpose of these landscaping provision is:

32 i. To break up the visual blight created by large expanses of barren asphalt which make up a  
33 typical parking lot;

34 ii. To encourage the preservation of mature evergreens and other large trees which are presently  
35 located on most of the potential industrial sites in this City;

36 iii. To implement the objective of the industrial section of the zoning title by creating and  
37 insuring an environmental quality which is in keeping with the highest quality of industrial parks.

38  
39 **b. Planting at Street Frontages**

40 Development sites with parking areas fronting on a street right-of-way located only between the  
41 sides of buildings opposite the street and interior property lines shall provide a ten-foot wide  
42 planting area along the entire street frontage, except for driveways, walkways and other  
43 pedestrian spaces. Development sites with single aisle, double loaded parking areas located  
44 between buildings and the street right-of-way, parking areas between buildings or parking areas  
45 between buildings and the closest side property line shall provide a fifteen-foot wide planting area  
46 along the entire street frontage with the same above exceptions. Development sites with multi-  
47 aisle parking areas located between buildings and the street right-of-way shall provide a twenty-  
48 foot wide planting area along the entire street frontage with the same above exceptions. Planting  
49 shall consist of ornamental landscaping of low plantings and high plantings. The minimum  
50 height of trees shall be eight feet for evergreen trees and ten feet for all other species. Trees shall  
51 be spaced a maximum of twenty-five feet on center with branches eliminated to a height of six



1 feet where necessary to prevent sight obstruction. The required trees in this planting area may be  
2 located within the adjacent street right-of-way as long as they comply with Lynnwood Citywide  
3 Design Guidelines, as adopted by reference in 21.25.145(B)(3) LMC and are approved by the  
4 Public Works Department. Low evergreen plantings or a mixture of low evergreen and  
5 deciduous plantings with a maximum height of thirty inches, ~~in bark or decorative rock,~~ shall be  
6 provided so as to achieve fifty percent ground cover within two years.  
7

8 **c. Landscaping in Right-of-way.**

9 Additional plantings may be placed on street right-of-way behind the sidewalk line if the property  
10 owner provides the City with a written release of liability for damages which may be incurred to  
11 the planting area from future street expansion or utility installation and/or agrees to relocate  
12 plantings at owner's expense.  
13

14 **d. Coverage.**

15 Ten percent of parking areas located between buildings or between buildings and interior  
16 property lines, and single aisle, double loading parking areas located between buildings and the  
17 street ); and fifteen 15% of multi-aisle parking areas located between buildings and street shall be  
18 in landscaping (exclusive of landscaping on the street frontage and required landscape buffers;  
19 provided that:

20 i. No landscaping area shall be less than one hundred square feet in area or less than five feet in  
21 width;

22 ii. No parking stall shall be located more than forty-five feet from a landscaped area. ~~The~~  
23 ~~Planning Commission may approve landscaping plans involving alternatives to this specification~~  
24 ~~for individual properties if it finds that the alternative plans would be more effective in meeting~~  
25 ~~the above stated purposes of this section;~~ and

26 iii. All landscaping must be located between parking stalls or between parking stalls and the  
27 property lines.

28 **e. Landscaping Adjacent to Parking Stalls**

29 Where landscaping areas which fulfill City standards are adjoined by angular or perpendicular  
30 parking stalls, landscaping in the form of ground cover materials or plants may be installed in that  
31 portion of any parking stall which will be ahead of the wheels and adjacent to the landscaped  
32 area, providing that curbing or wheel stops are installed in a position which will protect the plants  
33 from damage. Such landscaping shall not be construed to be part of the percentage of landscaped  
34 area required by this chapter nor a reduction of the parking stall.

35 **f. Additional Landscaping Along Specified Streets**

36 Along streets where it may be desirable and feasible to obtain a higher degree of continuity in  
37 landscaping from property to property than is provided for here, the City Council, upon  
38 recommendation by the Planning Commission, may designate specific street frontage landscaping  
39 plans for those streets. See Chapter 21.06 LMC .  
40

41 **E. Surface Water Disposal**

42 Each industrial area shall have adequate facilities for disposal of runoff surface water.  
43

44 **F. Screening of Service Yards**

45  
46 Service yards shall be site-screened so that a visual barrier is established between the storage yard  
47 and local streets and arterials.

48 Screening shall be installed on side yard setbacks between street right-of-way and service  
49 buildings or storage yards (except for driveways). It shall consist of either:

- 1 1. one row of evergreen conifer trees, spaced a maximum of ten feet on center. Minimum tree  
2 height shall be six feet. The remainder of the planting strip shall be promptly planted with low  
3 evergreen plantings which will mature to a total ground cover within five years; or,
- 4 2. a sitescreening evergreen hedge that provides a sight, sound, and psychological barrier between  
5 zones with some degree of incompatibility. The spacing of plants shall be such that they will  
6 form a dense hedge within five years. Minimum plant height shall be four feet.

7 ~~A variance may be granted to substitute lawn or low plantings in those cases where the~~  
8 ~~improvements to the main property have been so constructed that all of the aesthetic standards~~  
9 ~~and objectives of the landscaping requirements have been satisfied and it is found that the use of~~  
10 ~~the plantings would be an unnecessary and/or duplicative expense resulting in hardship to the~~  
11 ~~applicant.~~

### 12 13 **G. Development Standards - Cooperative Programs.**

14 In the BTP Zone, cooperative development of adjacent properties is encouraged. Section  
15 21.46.900.E provides incentives which should be considered when contemplating development,  
16 particularly the development of relatively small properties.

17  
18 Section 48: Amendment. That Section 21.50.220 of the Lynnwood Municipal Code is hereby  
19 repealed, revised and amended to read as follows:  
20

#### 21 **21.50.220 TRANSITION OR BUFFER STRIP**

22 **A.** Transitional or buffer landscaped strips (also referred to as greenbelts) shall be installed in the  
23 following situations:

- 24 1. Where the side yard or rear yard of a property zoned to any industrial zone is adjacent to a  
25 property zoned Single Family Residential or Multiple Family Residential; or
- 26 2. Where the side yard or rear yard of a property zoned to any Industrial Zone is adjacent to a  
27 property zoned Public & Semi-Public.
- 28 3. Where the side yard or rear yard of a property zoned to any Industrial Zone is adjacent to a  
29 property zoned to any Commercial Zone, except the General Commercial and PRC zones.

#### 30 **~~B. Procedure.~~**

31 ~~The Planning Director may approve the landscaping plan if it complies totally with the~~  
32 ~~requirements of the Lynnwood Municipal Code existing at the time of application of plans or in~~  
33 ~~the discretion of the Planning Director and prior to issuance of either a building permit or~~  
34 ~~occupancy permit, cause the matter to be presented to the City Council for the purpose of~~  
35 ~~determining standards for the site screening or greenbelt.~~

36 ~~The Planning Commission shall consider all relevant factors, including, but not limited to: the~~  
37 ~~existing and future planned use of the land in question, the topography, the height, and~~  
38 ~~appearance of the buildings existing or to be placed upon the land in question, the character, and~~  
39 ~~appearance of existing buildings on adjoining lands and existing and proposed traffic patterns and~~  
40 ~~conditions.~~

41 ~~The Planning Commission may request a precise and detailed landscape blueprint to be supplied~~  
42 ~~by the applicant to assist the Planning Commission in determining the type of planting or~~  
43 ~~screening, the height thereof at maturity and at various stages of maturity, and the density of any~~  
44 ~~planting at various seasons of the year.~~

45 ~~Upon receipt of such information, the Planning Commission shall, and after proper consideration,~~  
46 ~~make recommendations to the City Council as to the screening and/or greenbelt recommended by~~  
47 ~~it. Upon receipt of the recommendation of the Planning Commission, the City Council shall~~  
48 ~~establish standards as to the screening and greenbelt on the land in question, defining the type of~~  
49 ~~material to be used in the screening and/or the type and size of plants to be used in the greenbelt;~~  
50 ~~the City Council may also establish a time schedule (days, weeks or years) for the installation of~~  
51 ~~the screening and/or greenbelt required by it. If a greenbelt is required, the City Council may~~

1 ~~require installation of fast maturing plants to be eventually replaced (according to a time schedule~~  
2 ~~also established by the City Council) by a slower growing and more permanent and ornamental~~  
3 ~~type of greenbelt. The City Council shall also establish the amount of bond which shall be~~  
4 ~~required prior to issuance of a building or occupancy permit.~~  
5 ~~Upon receipt of the standards established by the City Council, any permit issued by the Building~~  
6 ~~Official shall be conditioned upon compliance with the screening or greenbelt standards~~  
7 ~~established by the City Council.~~

8  
9 **C. B. Maintenance.**

10 Whenever greenbelts or landscaping are required to be installed according to City zoning  
11 requirements, the plant material shall be regularly maintained and kept in a healthy condition in  
12 accordance with zoning requirements, Lynnwood Citywide Design Guidelines, as adopted by  
13 reference in 21.25.145(B)(3) LMC and approved development plans. Maintenance shall also  
14 include regular weeding, removal of litter from landscaped areas, and repair or replanting so that  
15 the greenbelts or landscaping continue to comply with zoning requirements and/or development  
16 plans.

17  
18 **D. C. Minimum Standards.**

19 **1. Planting and Fencing.**

20 Planting and fencing shall be installed and maintained as specified below, except that in the BTP  
21 Zone ornamental landscaping of low plantings and high plantings may be substituted for dense  
22 plantings where there is potential impairment of drivers' visibility by dense plantings near streets,  
23 thereby softening the visual impact of the industrial buildings on the residential area where it is  
24 not practical for the foregoing reasons to attempt to screen the building from view entirely. This  
25 ornamental landscaping shall consist of trees (with a minimum of height of eight feet for  
26 evergreen trees and ten feet for all other species) spaced a maximum of 25 feet on center with  
27 branches eliminated to a height of six feet where necessary to prevent sight obstruction; and low  
28 evergreen plantings, or a mixture of low evergreen and deciduous plantings, with a maximum  
29 height of thirty inches, ~~in bark or decorative rock~~, provided so as to achieve 50 percent ground  
30 cover within two years.

31 **a.** Where a property zoned to any Industrial Zone is adjacent to a property zoned Single Family  
32 Residential or Multiple Family Residential

33 The purpose of this landscaping is to provide a sight, sound, and psychological barrier between  
34 zones with a high degree of incompatibility. This planting strip shall be at least 20 feet in width  
35 and shall consist of two rows of evergreen conifer trees. The trees shall be staggered and spaced  
36 a maximum of ten feet on center, so as to form an effective visual barrier within five years. The  
37 minimum tree height shall be six feet. A permanent six-foot site screening fence shall be placed  
38 at the property line.

39 **b.** Where a property zoned to any Industrial Zone is adjacent to a property zoned Public & Semi-  
40 Public.

41 The planting strip shall be at least ten feet in width and shall consist of a sitescreening evergreen  
42 hedge that provides a sight, sound, and psychological barrier between zones with some degree of  
43 incompatibility. The spacing of plants shall be such that they will form a dense hedge within five  
44 years. Minimum plant height shall be four feet.

45 A permanent six-foot site screening fence shall be placed at the property line.

46 **c.** Where a property zoned to any Industrial Zone is adjacent to a property zoned to any  
47 Commercial Zone, except the General Commercial and PRC Zones.

48 The planting strip shall be at least five feet in width and shall consist of a sitescreening evergreen  
49 hedge that provides a sight, sound, and psychological barrier between zones with some degree of  
50 incompatibility. The spacing of plants shall be such that they will form a dense hedge within five  
51 years. Minimum plant height shall be four feet.

1 A permanent six-foot site screening fence shall be placed at the property line.

2  
3 **2. Signed Plans.**

4 All landscaping plans shall bear the seal of a registered landscape architect or signature of a  
5 professional nurseryman and be drawn to a scale no less than one inch to twenty feet. The  
6 landscape architect or professional nurseryman shall certify that the species of plants are fast-  
7 growing and that the design of the plan will fulfill City code requirements within five years.

8  
9 **3. Installation Prior to Occupancy.**

10 All landscaping that fulfills the City code requirements shall be installed prior to occupancy of  
11 any structure located on the same site.

12 If, due to extreme weather conditions or some unforeseen emergency, all required landscaping  
13 cannot be installed prior to occupancy, then a cash deposit or guarantee account with the City  
14 shall be provided as financial security to guarantee installation of the remaining landscaping. The  
15 security shall be equal to the cost of the remaining landscaping including labor and materials or a  
16 minimum of \$500. The security shall not extend for a period of more than 30 days. If, within 30  
17 days, the remaining landscaping is installed according to code requirements and approved  
18 development plans, then all funds shall be refunded.

19  
20 **E D. Fence Regulations.**

21 **1. Definition.**

22 For the purposes of this section a "site screening fence" means a solid one-inch thick board  
23 (nominal dimensional standards) fence. One made of brick, rock or masonry materials may be  
24 substituted for a board fence;

25 **2. Exceptions.**

26 Where a fence is required by the above standards, no fence will be required in those cases where  
27 a fence already exists which meets the intent of this section. However, if the existing fence is  
28 ever removed, demolished or partially destroyed, then the owner of the property first being  
29 required by the section to provide the necessary fence will be responsible for replacing the fence;  
30 In those cases where the slope of the land is such that the location of a fence required by the  
31 above standards is impractical or ineffective in satisfying the intent of this section, the planning  
32 director may, at his discretion, permit a location which more adequately satisfies the intent of this  
33 section.

34  
35 **Section 49: Amendment.** That subsection 21.50.900.A of the Lynnwood Municipal Code is  
36 hereby repealed, revised and amended to read as follows:

37  
38 **A. Refuse and Recycling Collection Areas and Enclosures.**

39 On-site paved and enclosed refuse and recycling collection areas shall be provided on sites where  
40 new buildings are being constructed or existing buildings are being remodeled or expanded, and  
41 shall comply with the requirements of this section. One-family dwelling units, two-family  
42 dwelling units, and public parks are exempt from the requirements of this section.

43  
44 **1. Development Standards**

45 Refuse and recycling collection areas shall comply with the following development standards  
46 below. The following development standards shall supercede other applicable setback  
47 requirements of this chapter and any Lynnwood Citywide Design Guidelines, as adopted by  
48 reference in 21.25.145(B)(3) LMC than may conflict:

- 49 a) Setback a minimum of 25 ft. from a public street;  
50 b) Setback a minimum of 25 ft. from any interior property line adjoining an RS or RM zone or a  
51 P1 Zone with one-family dwelling units if a business site is one acre or larger in area; or

1 c) Setback a minimum of 15 ft. from any interior property line adjoining an RS or RM zone or P1  
2 Zone with one-family dwelling units if a business site is less than one acre in area.  
3

4 **2. Enclosure.**

5 All refuse and recycling collection areas shall be enclosed on three sides by a 6 ft. high site-  
6 obscuring fence which uses building materials, color, and design details similar to the primary  
7 buildings on the site and a 6 ft. high gate on one side. The height of the enclosure may include  
8 the height of a surrounding slope or berm (height measured from bottom inside edge of the  
9 collection area). The enclosure shall include a gate which can be secured in an open or closed  
10 position. If the enclosure includes a gate made of metal chain link fencing, the fencing shall  
11 contain slats which screen the view of containers and material inside the collection area. An  
12 alternative design may be approved if it is determined that such alternative would provide equal  
13 or better screening, architectural compatibility, and containment.  
14

15 **3. Parking.**

16 No refuse and recycling collection area shall be located in such a way that new or existing  
17 parking stalls will prevent or interfere with the use and servicing of the collection area.  
18

19 **4. Design.**

20 Refuse and recycling collection areas shall be sized, located, and constructed per standards  
21 established by the Public Works Department.  
22

23 **Section 50: New Section.** A new Section 21.52.125 is added to the Lynnwood Municipal Code  
24 to read as follows:  
25

26 **21.52.125 PROJECT DESIGN REVIEW**

27  
28 **A. Design guidelines for non-residential uses.** The following structures and parking facilities  
29 permitted outright, by conditional use permit or special use permit in the Mixed/Business Zone  
30 shall comply with Lynnwood Citywide Design Guidelines for All Districts and Commercial  
31 Districts, as adopted by reference in 21.25.145(B)(3) LMC and receive approval pursuant to  
32 Chapter 21.25 LMC, unless otherwise specified in this chapter;  
33

34 1. Construction of any non-residential structure or building with a gross floor area of more than  
35 1,000 square feet.

36  
37 2. Construction of any parking lot and/or parking structure with 20 or more stalls or paved  
38 parking area of 5,400 square feet or more.  
39

40 **B. Design guidelines for multiple family uses.**

41 Construction of any multi-family structure or building including duplexes (two-family dwellings)  
42 permitted outright, by conditional use permit or special use permit in the Mixed/Business Zone  
43 shall comply with Lynnwood Citywide Design Guidelines for All Districts and Multi-family  
44 Districts, as adopted by reference in 21.25.145(B)(3) LMC and receive approval pursuant to  
45 Chapter 21.25 LMC, unless otherwise specified in this chapter.  
46

47 **C. Supercede.**

48 Applicable Lynnwood Citywide Design Guidelines, as adopted by reference in 21.25.145(B)(3)  
49 LMC shall supercede any development standards and requirements of this chapter that may  
50 conflict, unless otherwise specified in this chapter.  
51

1 **D. Gateways and Prominent Intersections.**

2 See City of Lynnwood Zoning Map to identify development project sites within a Gateway or  
3 Prominent Intersection location. Such sites shall be subject to applicable Gateway and/or  
4 Prominent Intersection design guidelines identified in the All Districts section of the Lynnwood  
5 Citywide Design Guidelines, as adopted by reference in 21.25.145(B)(3) LMC. If any portion of  
6 a project site lies within a Gateway or Prominent Intersection Location, then the entire project  
7 shall comply with the applicable design guidelines.

8  
9 **Section 51: Amendment.** That Section 21.52.400 of the Lynnwood Municipal Code is hereby  
10 repealed, revised and amended to read as follows:

11  
12 **21.52.400 GATEWAY FRONTAGE LANDSCAPING**

13 The following standards apply to project frontages along 196th Street SW, 198th Street SW, and  
14 28th Avenue W., as such streets are intended to be developed as gateways to the City of  
15 Lynnwood.

16  
17 A. The width of the landscape area along a particular frontage may vary to account for parcel  
18 shapes and to encourage creativity in site design.

19  
20 B. Along these specified street frontages, a landscape area of at least 15 feet in depth is required.  
21 The above standard shall supercede any Lynnwood Citywide Design Guideline, as adopted by  
22 reference in 21.25.145(B)(3) LMC that may conflict.

23  
24 C. The landscape area must average at least 20 feet in depth over the entire length of the  
25 particular frontage. The above standard shall supercede any Lynnwood Citywide Design  
26 Guideline, as adopted by reference in 21.25.145(B)(3) LMC that may conflict.

27  
28 D. Such landscape areas may be interrupted by curb cuts and pedestrian access connections. The  
29 areas of such interruptions shall not be included as part of the frontage length in the averaging  
30 calculations.

31  
32 E. Where appropriate, sidewalks may be included within the required depths if they are  
33 incorporated within the interior of the landscape area.

34  
35 **Section 52: Amendment.** That subsection 21.52.900.B of the Lynnwood Municipal Code is  
36 hereby repealed, revised and amended to read as follows:

37  
38 **B. Refuse and Recycling Collection Areas and Enclosures.**

39 On-site paved and enclosed refuse and recycling collection areas shall be provided on sites where  
40 new buildings are being constructed or existing buildings are being remodeled or expanded, and  
41 shall comply with the requirements of this section. One-family dwelling units, two-family  
42 dwelling units, and public parks are exempt from the requirements of this section.

43  
44 **1. Development Standards.**

45 Refuse and recycling collection areas shall comply with the ~~following~~ development standards  
46 below. The following development standards shall supercede other applicable setback  
47 requirements of this chapter and any Lynnwood Citywide Design Guidelines, as adopted by  
48 reference in 21.25.145(B)(3) LMC than may conflict:

49  
50 a. Setback a minimum of 25 ft. from a public street;

- 1 b. Setback a minimum of 25 ft. from any interior property line adjoining an RS or RM zone or a  
2 P1 Zone with one-family dwelling units if a business site is one acre or larger in area; or  
3 c. Setback a minimum of 15 ft. from any interior property line adjoining an RS or RM zone or P1  
4 Zone with one-family dwelling units if a business site is less than one acre in area.  
5

6 **2. Enclosure.**

7 All refuse and recycling collection areas shall be enclosed on three sides by a 6 ft. high site-  
8 obscuring fence which uses building materials, color, and design details similar to the primary  
9 buildings on the site and a 6 ft. high gate on one side. The height of the enclosure may include  
10 the height of a surrounding slope or berm (height measured from bottom inside edge of the  
11 collection area). The enclosure shall include a gate which can be secured in an open or closed  
12 position. If the enclosure includes a gate made of metal chain link fencing, the fencing shall  
13 contain slats which screen the view of containers and material inside the collection area. An  
14 alternative design may be approved if it is determined that such alternative would provide equal  
15 or better screening, architectural compatibility, and containment.  
16

17 **3. Parking.**

18 No refuse and recycling collection area shall be located in such a way that new or existing  
19 parking stalls will prevent or interfere with the use and servicing of the collection area.  
20

21 **4. Design.**

22 Refuse and recycling collection areas shall be sized, located, and constructed per standards  
23 established by the Public Works Department.  
24

25 **Section 53: Amendment.** That Section 21.54.150 of the Lynnwood Municipal Code is hereby  
26 repealed, revised and amended to read as follows:  
27

28 **21.54.150 PROJECT DESIGN REVIEW APPROVAL**

29 ~~Development or redevelopment of any property within this zone shall require design review~~  
30 ~~approval, pursuant to Chapter 21.25.~~  
31

32 **A. Design guidelines for non-residential uses.** The following structures and parking facilities  
33 permitted outright, by conditional use permit or special use permit in the Commercial-Residential  
34 Zone shall comply with Lynnwood Citywide Design Guidelines for All Districts and Commercial  
35 Districts, as adopted by reference in 21.25.145(B)(3) LMC and receive approval pursuant to  
36 Chapter 21.25 LMC, unless otherwise specified in this chapter:  
37

38 1. Construction of any non-residential structure or building with a gross floor area of more than  
39 1,000 square feet.

40  
41 2. Construction of any parking lot and/or parking structure with 20 or more stalls or paved  
42 parking area of 5,400 square feet or more.  
43

44 **B. Design guidelines for multiple family uses.**

45 Construction of any multi-family structure or building including duplexes (two-family dwellings)  
46 permitted outright, by conditional use permit or special use permit in the Commercial-Residential  
47 Zone shall comply with Lynnwood Citywide Design Guidelines for All Districts and Multi-  
48 family Districts, as adopted by reference in 21.25.145(B)(3) LMC and receive approval pursuant  
49 to Chapter 21.25 LMC, unless otherwise specified in this chapter.  
50  
51

1 **C. Supercede.**

2 Applicable Lynnwood Citywide Design Guidelines, as adopted by reference in 21.25.145(B)(3)  
3 LMC shall supercede any development standards and requirements of this chapter that may  
4 conflict, unless otherwise specified in this chapter.

6 **D. Gateways and Prominent Intersections.**

7 See City of Lynnwood Zoning Map to identify development project sites within a Gateway or  
8 Prominent Intersection location. Such sites shall be subject to applicable Gateway and/or  
9 Prominent Intersection design guidelines identified in the All Districts section of the Lynnwood  
10 Citywide Design Guidelines, as adopted by reference in 21.25.145(B)(3) LMC. If any portion of  
11 a project site lies within a Gateway or Prominent Intersection Location, then the entire project  
12 shall comply with the applicable design guidelines.

14 **Section 54: Amendment.** That Section 21.54.200 of the Lynnwood Municipal Code is hereby  
15 repealed, revised and amended to read as follows:

17 **21.54.200 AREA & DIMENSIONAL STANDARDS**

18 The standards in this section shall apply to all structures and non-structural uses in this zone. No  
19 building, structure or land shall be established, erected, enlarged or structurally altered, except in  
20 conformance with these standards or Chapter 21.14.

22 **Table 21.54.1**  
23 **Development Standards**

Site Planning	
Minimum Setback Abutting a Street	0 ft.
Maximum Setback Abutting a Street	25 ft.
Minimum Setback Abutting Another Property	10 ft. <sup>3</sup>
Maximum Building Height	no limit <sup>4</sup>
Corner Lot – Minimum Area of Landscaped Area at Intersection <sup>1</sup>	500 sq. ft.
Minimum Pedestrian Area at Building Entries	200 sq. ft.
Minimum setback from any residential zone	25 ft.
Maximum lot Coverage	70 percent
Parking Area	
Minimum Landscaped Area – Parking area within 100 ft. of street	<del>8-percent</del> of area See subsection 21.54.200(C)(4)
Minimum Landscaped Area – Parking area more than 100 ft. from street or behind a building	<del>5-percent</del> of area See subsection 21.54.200(C)(4)
Minimum size of landscaped area within 100 ft. of street	25 sq. ft.
Minimum width of landscaped area	5 ft.
Minimum number of trees in landscaped area within 100 ft. of street	1 per 6 parking spaces (This standard shall supercede any applicable Lynnwood Citywide Design Guideline that may conflict.)
Minimum number of trees in landscaped area more than 100 ft. from street	1 per 8 parking spaces (This standard shall supercede any applicable Lynnwood Citywide Design Guideline that may conflict.)



Corner lot – Minimum setback for parking area from street (unless separated from street by a building)	200 ft.
Maximum portion of a property frontage at which parking may be located in front of a building	50 percent
Landscaping	
Minimum width of landscaping adjoining a street	15 ft. <sup>2</sup> (This standard shall supercede any applicable Lynnwood Citywide Design Guideline that may conflict.)
Planting of street trees	30 ft. on center

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**B. Notes.**

1. Landscaped area may include pedestrian pathway connecting development to crosswalk(s) at intersection.
2. Where a building is set back less than 15 feet from the street, the entire building setback (if any) shall be landscaped (not including pedestrian areas and pathways).
3. See also required buffers in LMC 21.54.240.
4. Any portion of a building or structure with a height greater than 35 feet shall be set back from all property lines a minimum of one foot for every two feet in height above 35 feet.

**C. Additional Standards.**

1. At any parking lot that is more than 130 feet in any dimension, specially marked pedestrian walkways leading to building entries shall be provided, subject to approval by the community development director.
2. Special paving shall be installed and maintained at all driveways and other points of access for vehicles to/from a public street. "Special paving" shall include, but is not limited to, bomonite, stamped or colored concrete, and concrete pavers.
3. All major building pedestrian entrances, and exits shall face a public street.
4. Five percent of parking areas located only between the sides of buildings opposite the street and interior property lines; ten (10)% of parking areas between buildings, between buildings and the closest side property line, or single aisle, double loading parking areas located between buildings and the street; and fifteen (15)% of multi-aisle parking areas located between buildings and street shall be in landscaping (exclusive of landscaping on the street frontage and required landscape buffers).

**Section 55: Amendment.** That Section 21.54.900.B of the Lynnwood Municipal Code is hereby repealed, revised and amended to read as follows:

**B. Setback**

Refuse and recycling collection areas in all commercial zones shall comply with the following development standards below. The following development standards shall supercede other applicable setback requirements of this chapter and any Lynnwood Citywide Design Guidelines, as adopted by reference in 21.25.145(B)(3) LMC than may conflict:

1. Setback a minimum of 20 ft. from a public street;
2. Setback a minimum of 25 ft. from any interior property line adjoining an RS or RM zone; or

1 3. Setback a minimum of 10 ft. from any other interior property line.

2  
3 **Section 56: Amendment.** That Section 21.56.150 of the Lynnwood Municipal Code is hereby  
4 repealed, revised and amended to read as follows:

5  
6 **21.56.150 PROJECT DESIGN REVIEW APPROVAL**

7 ~~Development or redevelopment of any property within this zone shall require design review~~  
8 ~~approval, pursuant to Chapter 21.25. Project design review shall occur pursuant to the regulations~~  
9 ~~for the underlying zone.~~

10  
11 **Section 57: Amendment.** That Section 21.56.200 of the Lynnwood Municipal Code is hereby  
12 repealed, revised and amended to read as follows:

13  
14 **21.56.200 AREA & DIMENSIONAL STANDARDS**

15 A. The standards in this section shall apply to all structures and non-structural uses in this overlay  
16 zone. No building, structure or land shall be established, erected, enlarged or structurally altered,  
17 except in conformance with these standards, unless modifications to these standards are approved  
18 through the design review process. These standards may be modified if the applicant  
19 demonstrates during design review that the proposed modification:

- 20 1. Substantially contributes to establishing strong visual and physical connections between the  
21 primary uses(s) of private property and the public street;  
22 2. Provides landscaping along the public right-of-way and in parking lots that would be equal to  
23 or more extensive than landscaping required by this chapter; and  
24 3. Promotes the intent and purpose of this chapter and the goals, objectives and policies of the  
25 Comprehensive Plan (particularly the North Gateway Subarea Plan).

26  
27  
28 **B. Table of Standards**

29  
30 **Table 21.56.1**  
31 **Development Standards**  
32

Site Planning	
Minimum Front Setback	20 15 ft.
Maximum Front Setback (applicable only to 50 percent of building frontage)	90 ft.
Maximum Building Height	100 (1) ft.
Corner Lot – Minimum Area of Landscaped Area at Intersection <sup>1</sup>	500 sq. ft.
Minimum Pedestrian Area at Building Entries	200 sq. ft.
Parking Area	
Minimum Landscaped Area – Parking area within 100 ft. of street	8-percent of area See subsection 21.56.200(D)(4)
Minimum Landscaped Area – Parking area more than 100 ft. from street or behind a building	5-percent of area-See subsection 21.56.200(D)(4)
Minimum size of landscaped area within 100 ft. of street	25 sq. ft.
Minimum width of landscaped area	5 ft.
Minimum number of trees in landscaped area	1 per 6 parking spaces (This standard shall

within 100 ft. of street	<u>supercede any applicable Lynnwood Citywide Design Guideline that may conflict.)</u>
Minimum number of trees in landscaped area more than 100 ft. from street	1 per 8 parking spaces (This standard shall <u>supercede any applicable Lynnwood Citywide Design Guideline that may conflict.)</u> )
Landscaping	
Minimum width of landscaping between a street and a parking lot or drive aisle	20 ft. (This standard shall <u>supercede any applicable Lynnwood Citywide Design Guideline that may conflict.)</u> )
Planting of street trees	30 ft. on center

1  
2 **C. Notes.**

3 1. Any portion of a building or structure with a height greater than 35 feet shall be setback from  
4 all interior property lines one foot for every two feet in height greater than 35 feet.

5  
6 **D. Additional Standards.**

7  
8 1. At any parking lot that is more than 130 feet in any dimension, specially marked pedestrian  
9 walkways leading to building entries shall be provided.

10  
11 2. Special paving shall be installed and maintained at all driveways and other points of access for  
12 vehicles to/from a public street. "Special paving" shall include, but is not limited to, bomonite,  
13 stamped or colored concrete, and concrete pavers.

14  
15 3. Pedestrian connections shall be provided between all buildings and between buildings, parking  
16 areas and public sidewalks at adjoining streets.

17  
18 4. Five percent of parking areas located only between the sides of buildings opposite the street  
19 and interior property lines; ten (10)% of parking areas between buildings, between buildings and  
20 the closest side property line, or single aisle, double loading parking areas located between  
21 buildings and the street; and fifteen (15)% of multi-aisle parking areas located between buildings  
22 and street shall be in landscaping (exclusive of landscaping on the street frontage and required  
23 landscape buffers).

24  
25 **Section 58: Amendment.** That Section 21.56.500 of the Lynnwood Municipal Code is hereby  
26 repealed, revised and amended to read as follows:

27  
28 **21.56.500 Street frontage landscaping.**

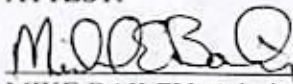
29 All landscaped areas between a parking area and a public street shall include mounding, a  
30 continuous hedge or other design elements to screen parked cars from public view. The minimum  
31 height of the screening required by this section shall be 2.5 feet above the elevation of the  
32 adjoining parking area, measured at the curb that adjoins the landscaped area. The above standard  
33 shall supercede any applicable Lynnwood Citywide Design Guideline, as adopted by reference in  
34 21.25.145(B)(3) LMC that may conflict.

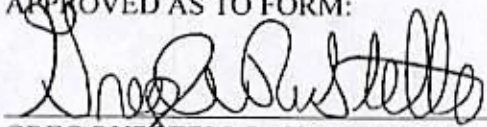
35  
36 **Section 59: Severability.** If any section, subsection, sentence, clause, phrase or word of this  
37 ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction,  
38 such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of  
39 any other section, subsection, sentence, clause, phrase or word of this ordinance.

1 **Section 60: Effective Date.** This ordinance shall take effect and be in full force five (5) days  
2 after its passage, approval and publication.

3  
4  
5  
6 PASSED THIS 24<sup>th</sup> day of Sept 2001 and signed in authentication of its passage this 25<sup>th</sup>  
7 day of Sept, 2001.

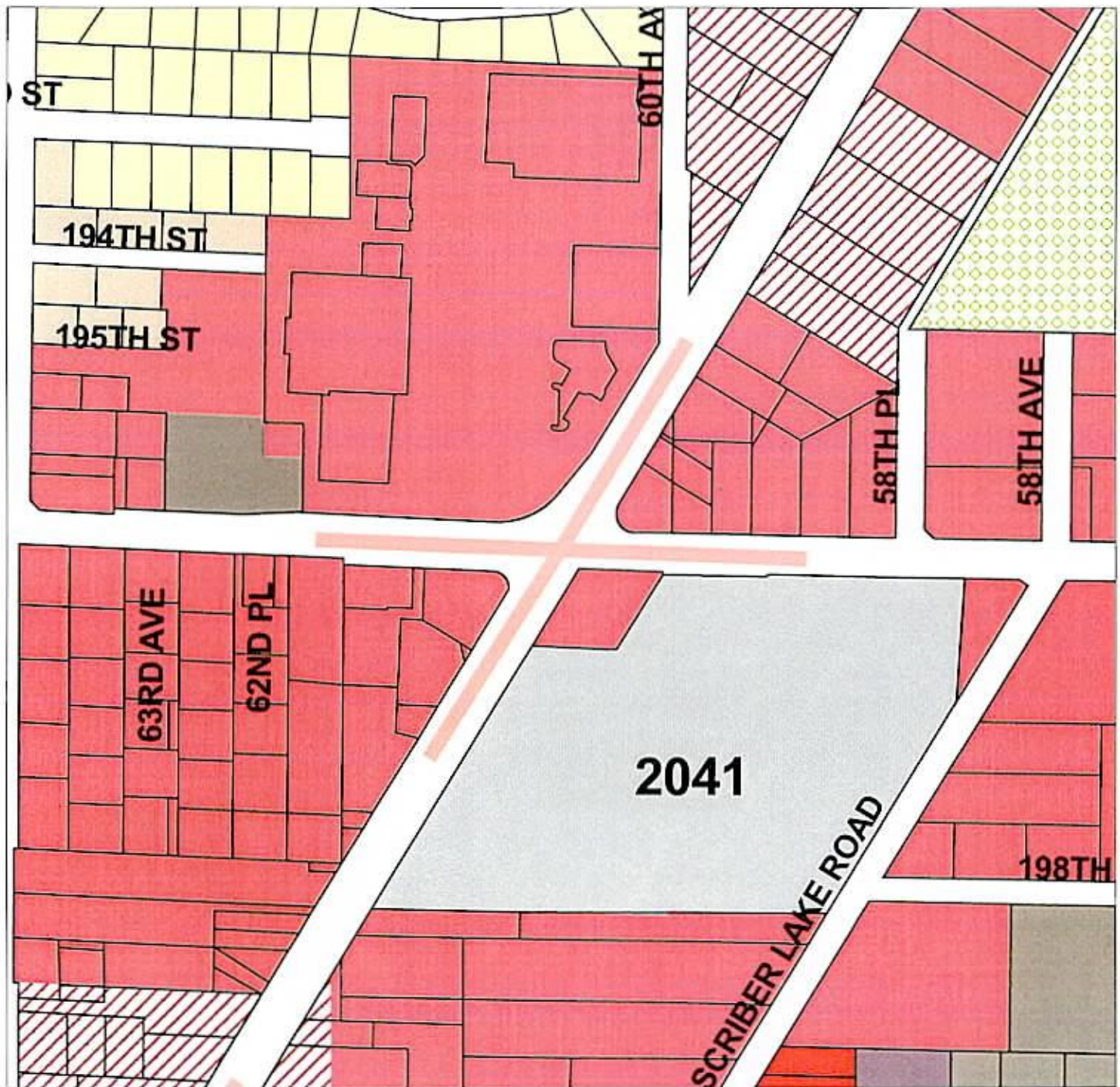
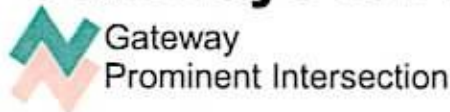
8  
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11 \_\_\_\_\_  
12 TINA ROBERTS-MARTINEZ, Mayor

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14 ATTEST:  
15   
16 \_\_\_\_\_  
17 MIKE BAILEY, Administrative Services Director

18  
19 APPROVED AS TO FORM:  
20   
21 \_\_\_\_\_  
22 GREG RUBSTELLO, City Attorney

23  
24 File Number: 01CAM0005 & 00CPD0002  
25 File Name: Citywide Design Program Code Amendment  
26  
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# Gateways & Prominent Intersections

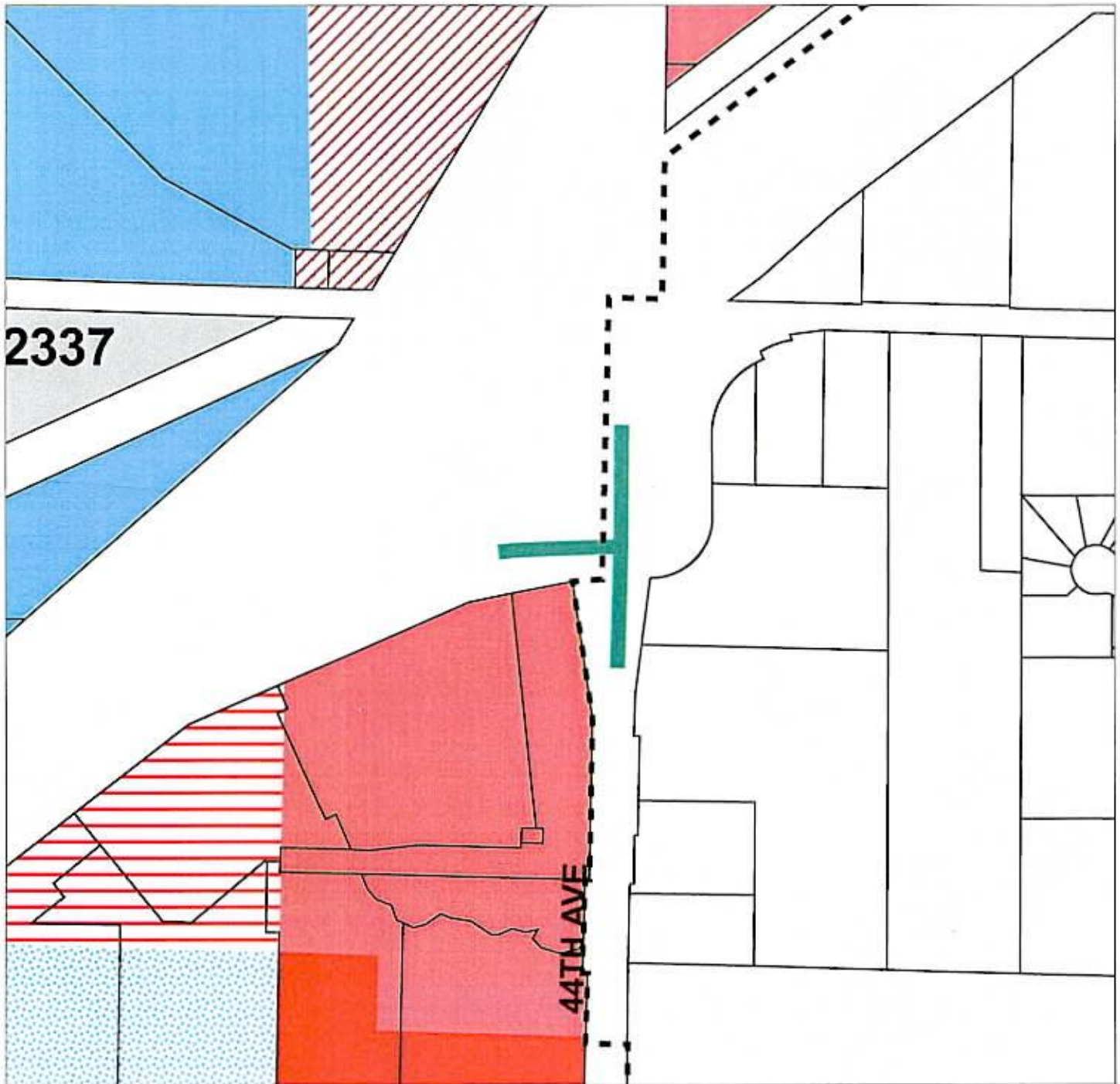
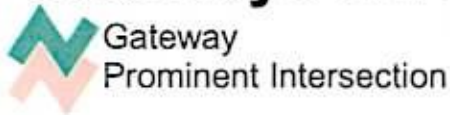


## ZONING:

- |  |   |  |                                      |
|--|---|--|--------------------------------------|
|  | RS7 - Residential 7200 Sq Ft              |  | BC - Community Business              |
|  | RS8 - Residential 8400 Sq Ft              |  | BN - Neighborhood Business           |
|  | RS12 - Residential 12000 Sq Ft            |  | C2 - Highway Services                |
|  | RML - Multiple Residential Low Density    |  | CG - General Commercial              |
|  | RMM - Multiple Residential Medium Density |  | PCD - Planned Commercial Development |
|  | RMH - Multiple Residential High Density   |  | PRC - Planned Regional Center        |
|  | RMHR - Multiple Residential High Rise     |  | LI - Light Industrial                |
|  | MU - Mixed Use                            |  | BTP - Business/Technical Park        |
|  | B2 - Limited Business                     |  | P1 - Public                          |
|  | B4 - Restricted Business                  |  | PUD - Planned Unit Development       |



# Gateways & Prominent Intersections

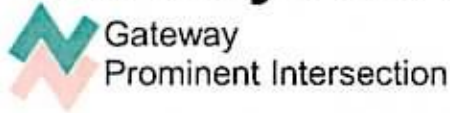


## ZONING:

- |   |   |
|---|---|
| <span style="background-color: yellow; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> RS7 - Residential 7200 Sq Ft                 | <span style="background-color: lightcoral; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> BC - Community Business              |
| <span style="background-color: yellow; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> RS8 - Residential 8400 Sq Ft                 | <span style="background-color: brown; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> BN - Neighborhood Business                |
| <span style="background-color: yellow; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> RS12 - Residential 12000 Sq Ft               | <span style="border-bottom: 2px dashed orange; display: inline-block; width: 15px; height: 10px;"></span> C2 - Highway Services                                     |
| <span style="background-color: lightyellow; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> RML - Multiple Residential Low Density  | <span style="background-color: lightcoral; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> CG - General Commercial              |
| <span style="background-color: lightgrey; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> RMM - Multiple Residential Medium Density | <span style="background-color: lightcoral; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> PCD - Planned Commercial Development |
| <span style="background-color: lightgrey; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> RMH - Multiple Residential High Density   | <span style="background-color: lightcoral; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> PRC - Planned Regional Center        |
| <span style="background-color: lightgrey; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> RMHR - Multiple Residential High Rise     | <span style="background-color: lightblue; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> LI - Light Industrial                 |
| <span style="background-color: orange; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> MU - Mixed Use                               | <span style="background-color: lightblue; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> BTP - Business/Technical Park         |
| <span style="border-bottom: 2px dashed orange; display: inline-block; width: 15px; height: 10px;"></span> B2 - Limited Business   | <span style="background-color: lightblue; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> P1 - Public                           |
| <span style="background-color: orange; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> B4 - Restricted Business                     | <span style="background-color: lightgrey; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> PUD - Planned Unit Development        |



# Gateways & Prominent Intersections

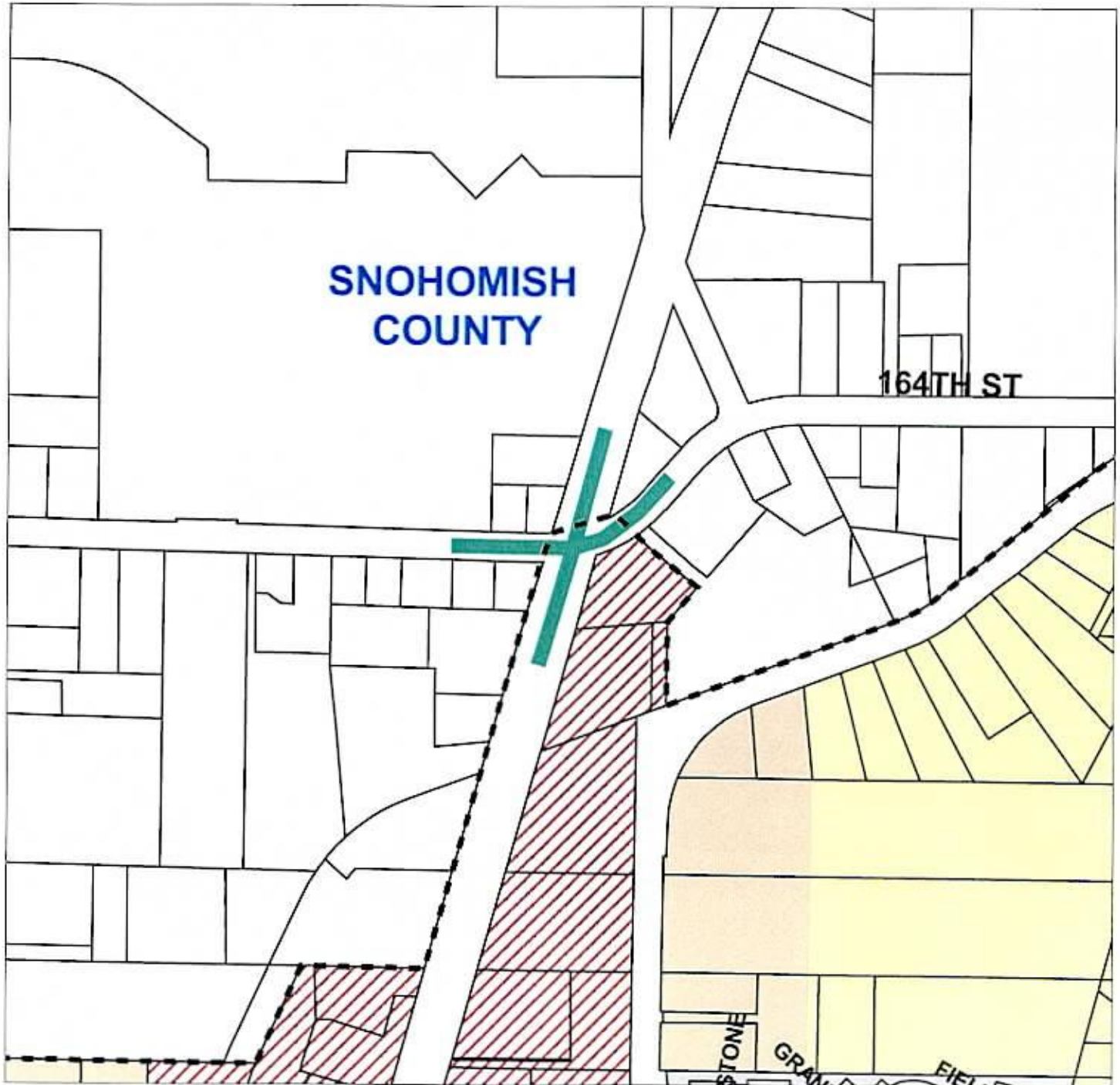
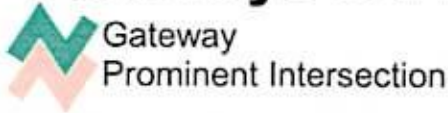


## ZONING:





















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| <span style="background-color: yellow; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> RS7 - Residential 7200 Sq Ft              | <span style="background-color: red; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> BC - Community Business                    |
| <span style="background-color: lightyellow; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> RS8 - Residential 8400 Sq Ft         | <span style="background-color: brown; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> BN - Neighborhood Business               |
| <span style="border-bottom: 2px dashed black; display: inline-block; width: 15px; height: 10px;"></span> RS12 - Residential 12000 Sq Ft                              | <span style="border-bottom: 2px dashed black; display: inline-block; width: 15px; height: 10px;"></span> C2 - Highway Services                                     |
| <span style="background-color: lightgrey; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> RML - Multiple Residential Low Density | <span style="background-color: lightgrey; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> CG - General Commercial              |
| <span style="background-color: grey; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> RMM - Multiple Residential Medium Density   | <span style="background-color: lightgrey; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> PCD - Planned Commercial Development |
| <span style="background-color: purple; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> RMH - Multiple Residential High Density   | <span style="background-color: lightgrey; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> PRC - Planned Regional Center        |
| <span style="background-color: darkred; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> RMHR - Multiple Residential High Rise    | <span style="background-color: lightblue; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> LI - Light Industrial                |
| <span style="background-color: orange; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> MU - Mixed Use                            | <span style="background-color: lightblue; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> BTP - Business/Technical Park        |
| <span style="border-bottom: 2px solid red; display: inline-block; width: 15px; height: 10px;"></span> B2 - Limited Business  | <span style="background-color: yellow; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> P1 - Public                             |
| <span style="border-bottom: 2px solid darkred; display: inline-block; width: 15px; height: 10px;"></span> B4 - Restricted Business                                   | <span style="background-color: lightgrey; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> PUD - Planned Unit Development       |



# Gateways & Prominent Intersections





## ZONING:

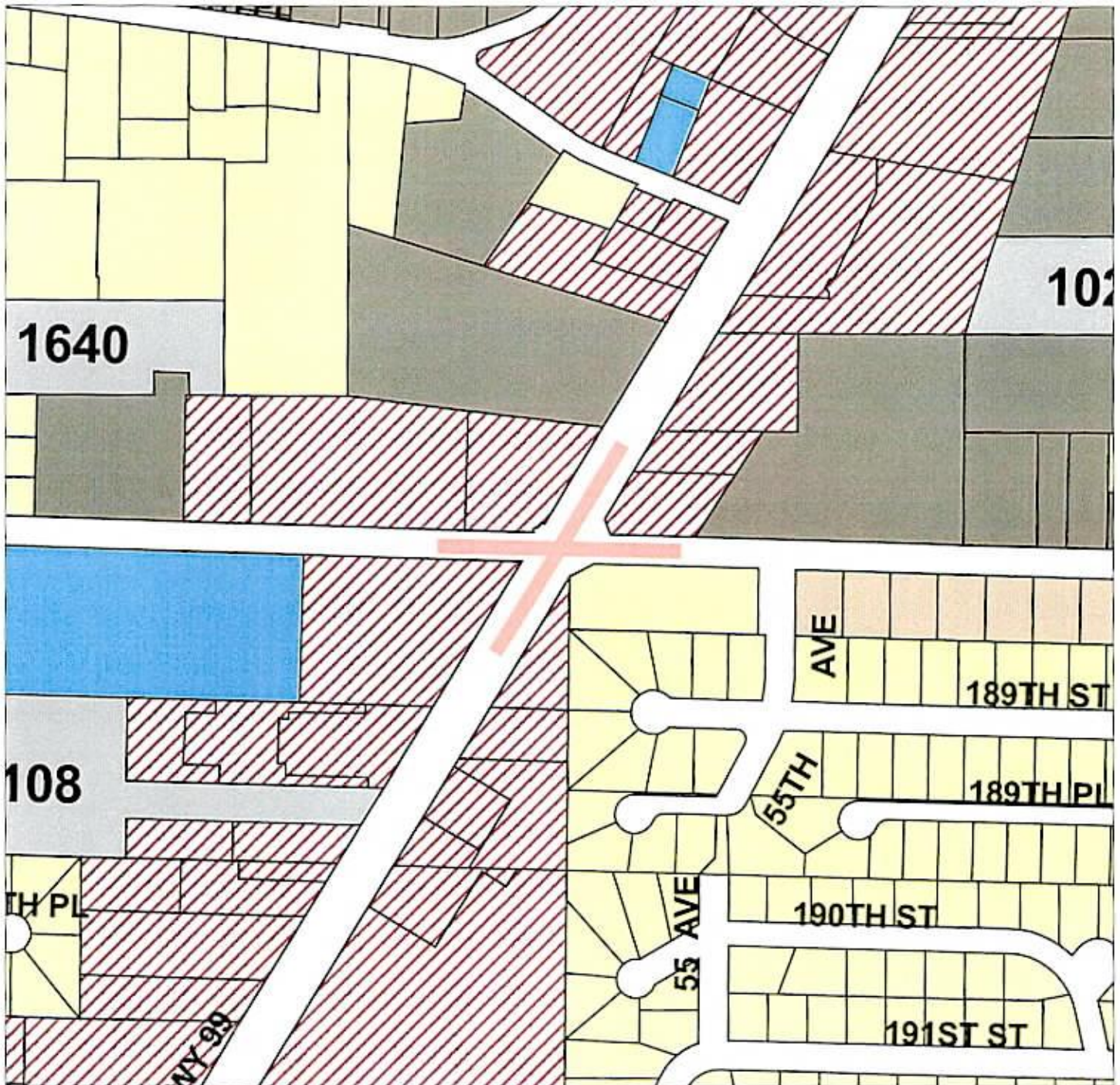
	RS7 - Residential 7200 Sq Ft		BC - Community Business
	RS8 - Residential 8400 Sq Ft		BN - Neighborhood Business
	RS12 - Residential 12000 Sq Ft		C2 - Highway Services
	RML - Multiple Residential Low Density		CG - General Commercial
	RMM - Multiple Residential Medium Density		PCD - Planned Commercial Development
	RMH - Multiple Residential High Density		PRC - Planned Regional Center
	RMHR - Multiple Residential High Rise		LI - Light Industrial
	MU - Mixed Use		BTP - Business/Technical Park
	B2 - Limited Business		P1 - Public
	B4 - Restricted Business		PUD - Planned Unit Development

























# Gateways & Prominent Intersections

 Gateway  
 Prominent Intersection

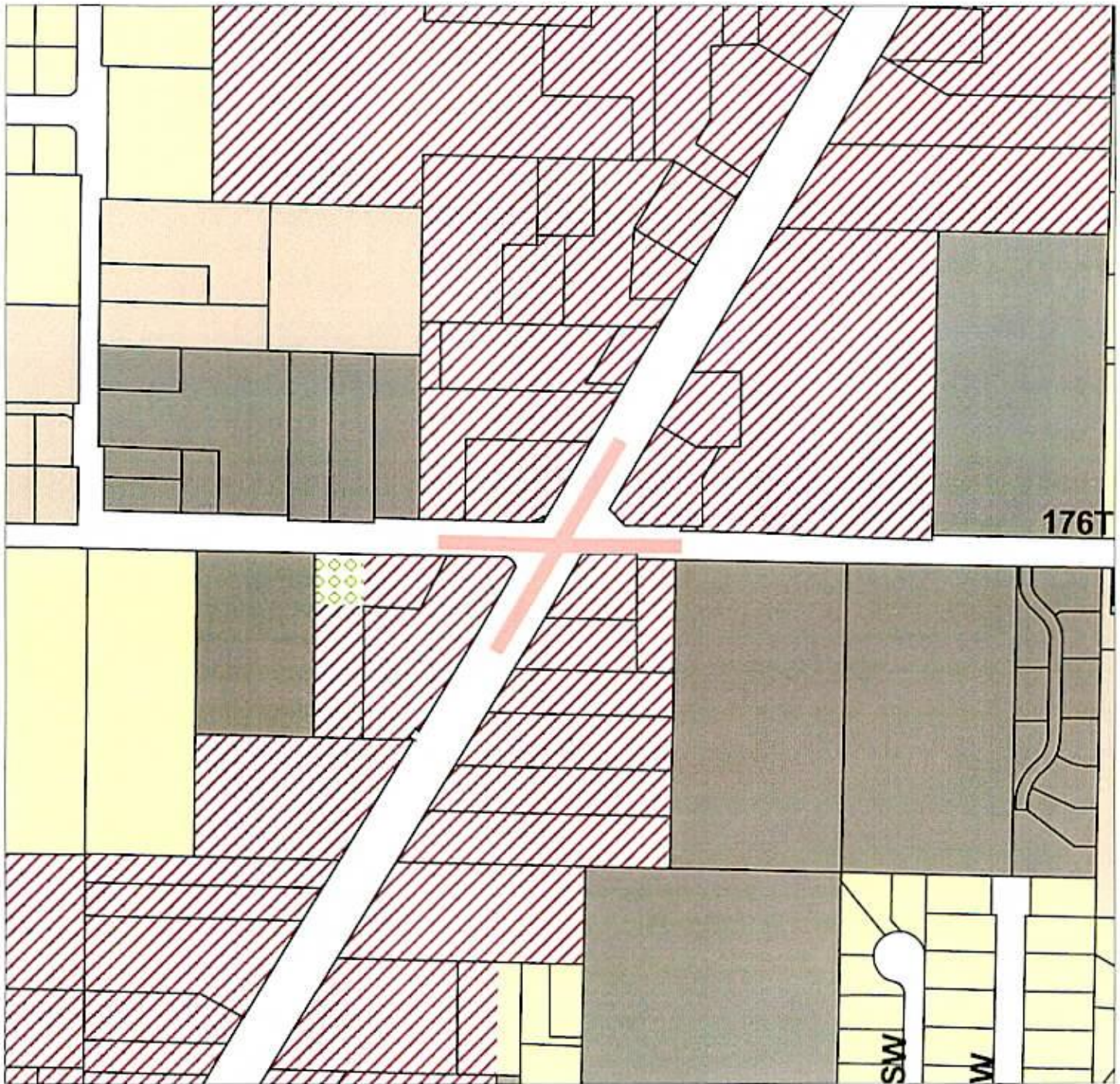
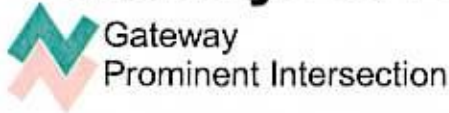


## ZONING:





















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|--|--|
|  RS7 - Residential 7200 Sq Ft              |  BC - Community Business              |
|  RS8 - Residential 8400 Sq Ft              |  BN - Neighborhood Business           |
|  RS12 - Residential 12000 Sq Ft            |  C2 - Highway Services                |
|  RML - Multiple Residential Low Density    |  CG - General Commercial              |
|  RMM - Multiple Residential Medium Density |  PCD - Planned Commercial Development |
|  RMH - Multiple Residential High Density   |  PRC - Planned Regional Center        |
|  RMHR - Multiple Residential High Rise     |  LI - Light Industrial                |
|  MU - Mixed Use                            |  BTP - Business/Technical Park        |
|  B2 - Limited Business                     |  P1 - Public                          |
|  B4 - Restricted Business                  |  PUD - Planned Unit Development       |



# Gateways & Prominent Intersections

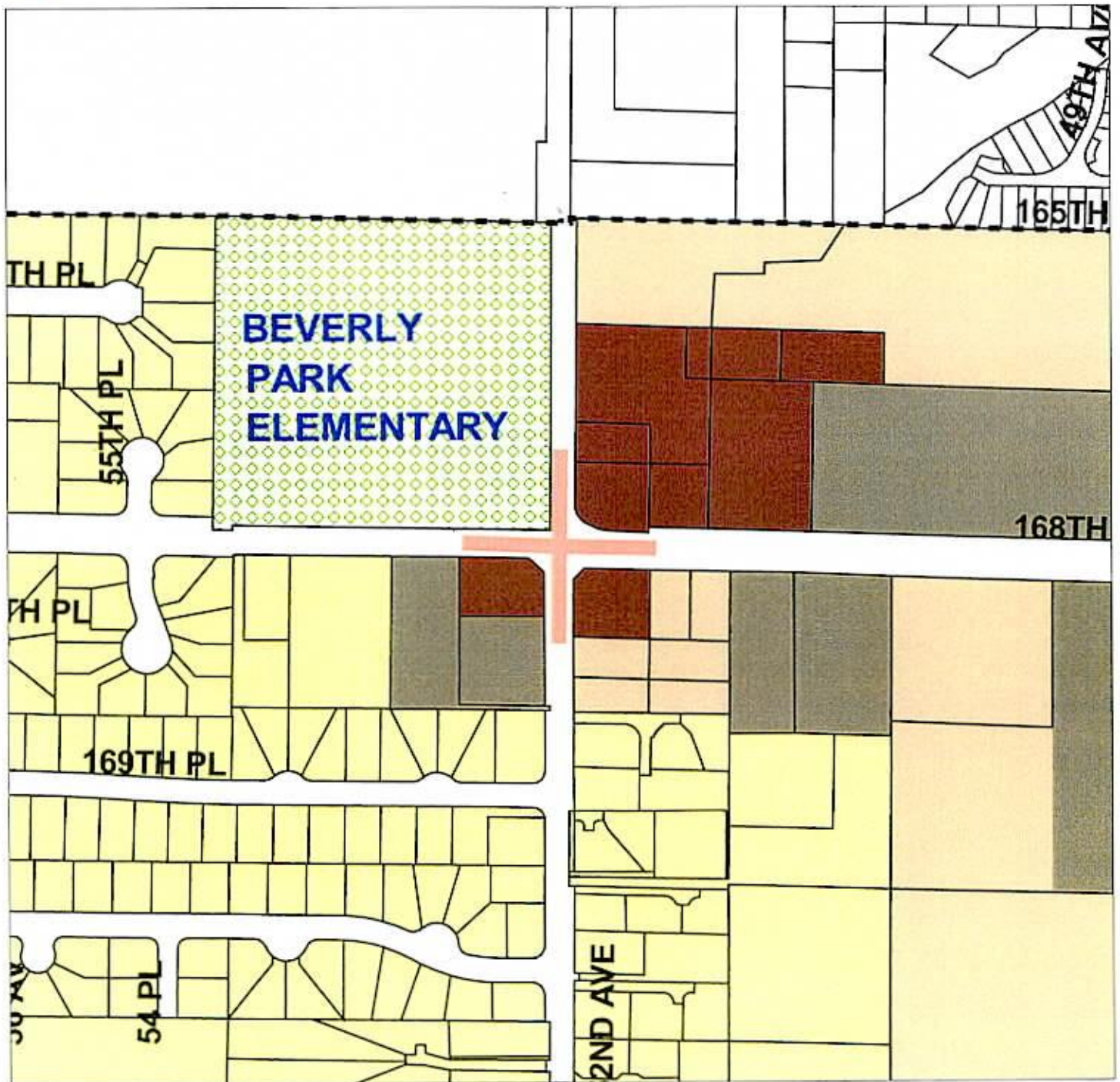
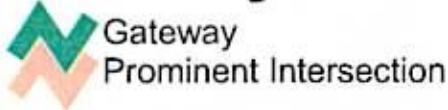


## ZONING:

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|--|--|
|  RS7 - Residential 7200 Sq Ft              |  BC - Community Business              |
|  RS8 - Residential 8400 Sq Ft              |  BN - Neighborhood Business           |
|  RS12 - Residential 12000 Sq Ft            |  C2 - Highway Services                |
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|  MU - Mixed Use                            |  BTP - Business/Technical Park        |
|  B2 - Limited Business                     |  P1 - Public                          |
|  B4 - Restricted Business                  |  PUD - Planned Unit Development       |



# Gateways & Prominent Intersections



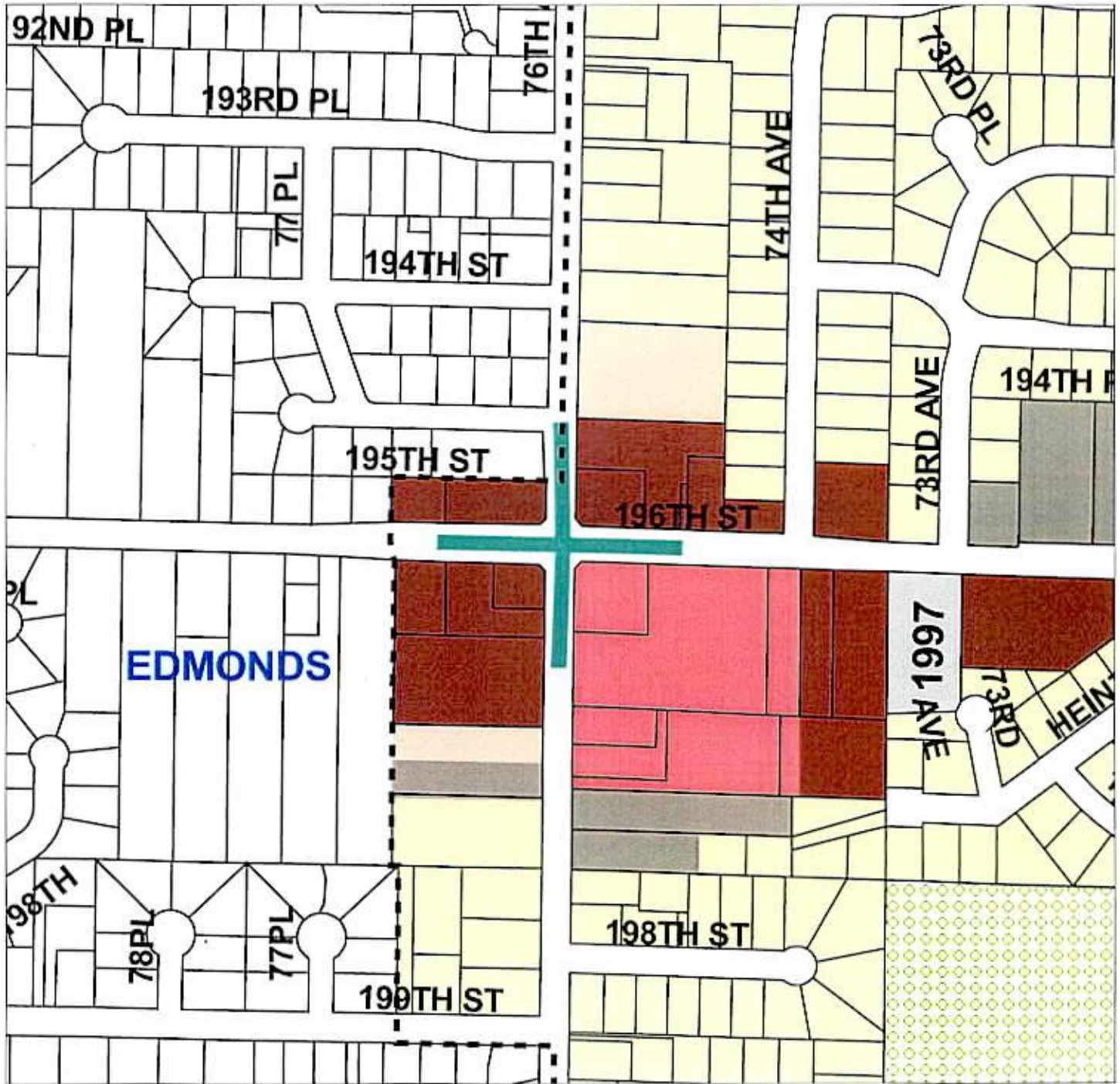
## ZONING:

- |   |                                      |
|---|--------------------------------------|
| RS7 - Residential 7200 Sq Ft              | BC - Community Business              |
| RS8 - Residential 8400 Sq Ft              | BN - Neighborhood Business           |
| RS12 - Residential 12000 Sq Ft            | C2 - Highway Services                |
| RML - Multiple Residential Low Density    | CG - General Commercial              |
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| RMHR - Multiple Residential High Rise     | LI - Light Industrial                |
| MU - Mixed Use                            | BTP - Business/Technical Park        |
| B2 - Limited Business                     | P1 - Public                          |
| B4 - Restricted Business                  | PUD - Planned Unit Development       |



# Gateways & Prominent Intersections

Gateway  
 Prominent Intersection



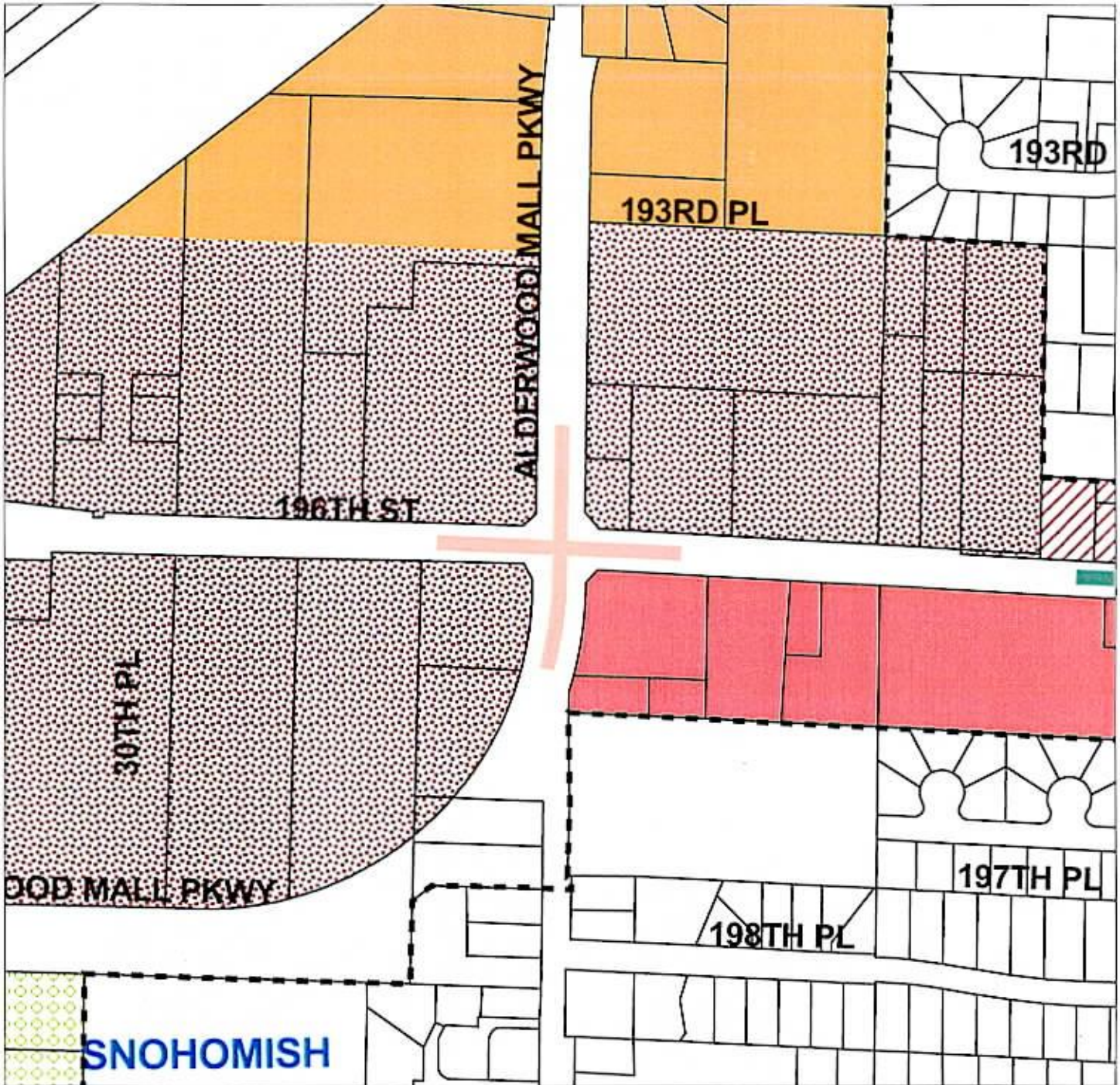
## ZONING:

- |  |   |  |                                      |
|--|---|--|--------------------------------------|
|  | RS7 - Residential 7200 Sq Ft              |  | BC - Community Business              |
|  | RS8 - Residential 8400 Sq Ft              |  | BN - Neighborhood Business           |
|  | RS12 - Residential 12000 Sq Ft            |  | C2 - Highway Services                |
|  | RML - Multiple Residential Low Density    |  | CG - General Commercial              |
|  | RMM - Multiple Residential Medium Density |  | PCD - Planned Commercial Development |
|  | RMH - Multiple Residential High Density   |  | PRC - Planned Regional Center        |
|  | RMHR - Multiple Residential High Rise     |  | LI - Light Industrial                |
|  | MU - Mixed Use                            |  | BTP - Business/Technical Park        |
|  | B2 - Limited Business                     |  | P1 - Public                          |
|  | B4 - Restricted Business                  |  | PUD - Planned Unit Development       |



# Gateways & Prominent Intersections

Gateway  
 Prominent Intersection

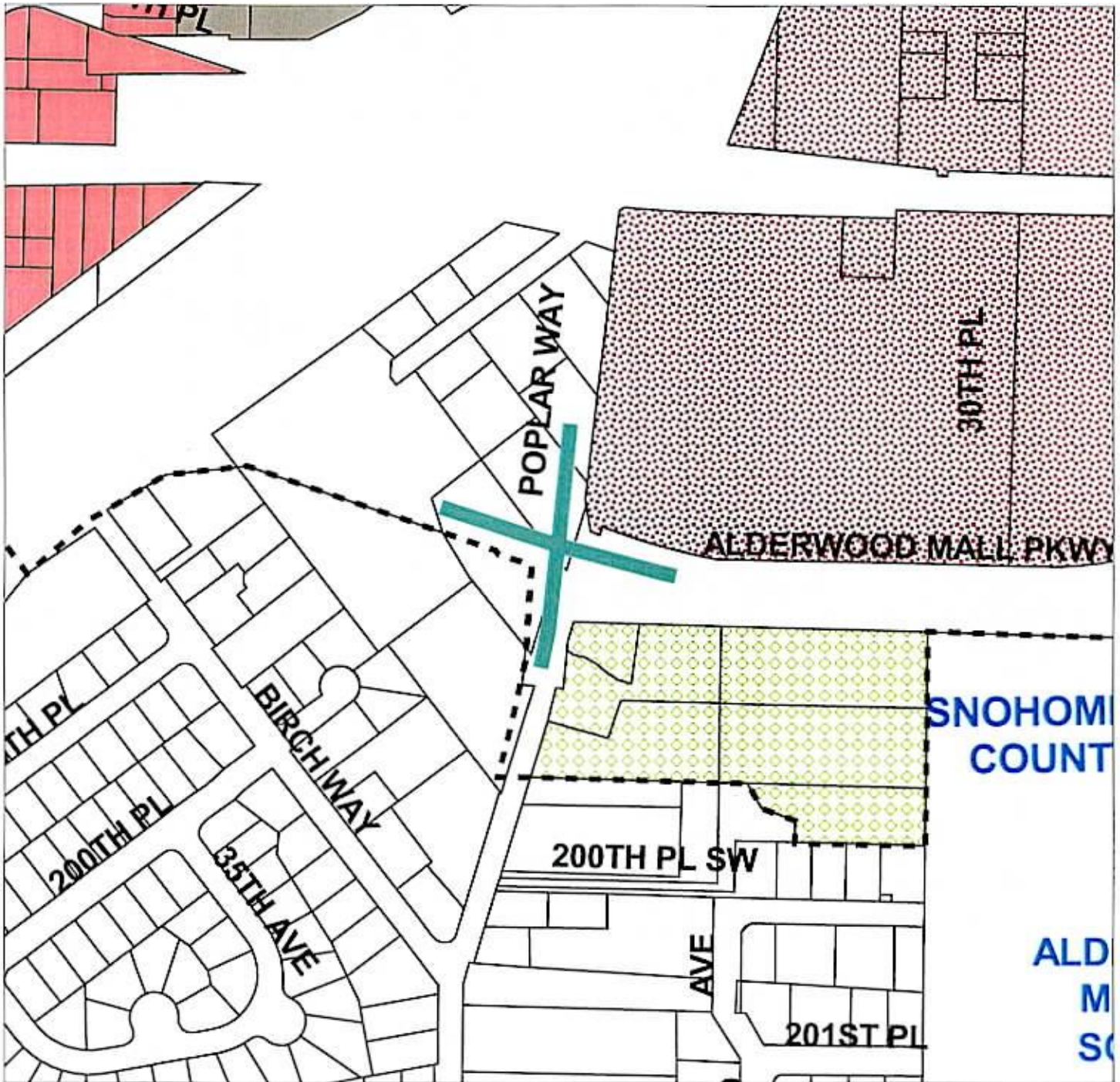
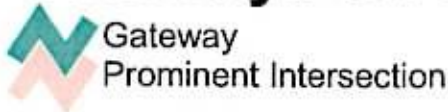


## ZONING:

- |   |                                      |
|---|--------------------------------------|
| RS7 - Residential 7200 Sq Ft              | BC - Community Business              |
| RS8 - Residential 8400 Sq Ft              | BN - Neighborhood Business           |
| RS12 - Residential 12000 Sq Ft            | C2 - Highway Services                |
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| RMH - Multiple Residential High Density   | PRC - Planned Regional Center        |
| RMHR - Multiple Residential High Rise     | LI - Light Industrial                |
| MU - Mixed Use                            | BTP - Business/Technical Park        |
| B2 - Limited Business                     | P1 - Public                          |
| B4 - Restricted Business                  | PUD - Planned Unit Development       |



# Gateways & Prominent Intersections





## ZONING:

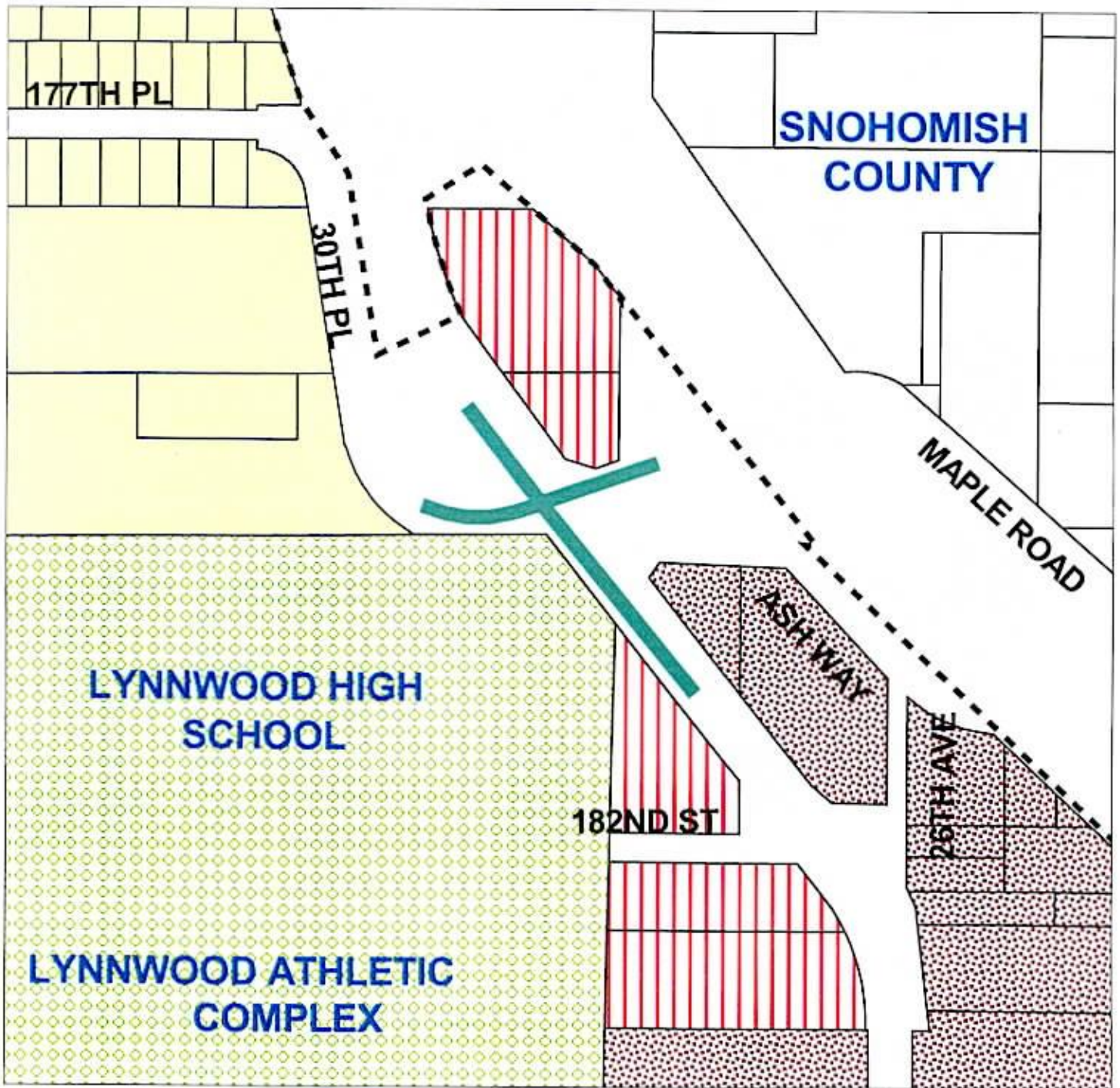
- |   |                                      |
|---|--------------------------------------|
| RS7 - Residential 7200 Sq Ft              | BC - Community Business              |
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| B2 - Limited Business                     | P1 - Public                          |
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# Gateways & Prominent Intersections



-  Gateway
-  Prominent Intersection

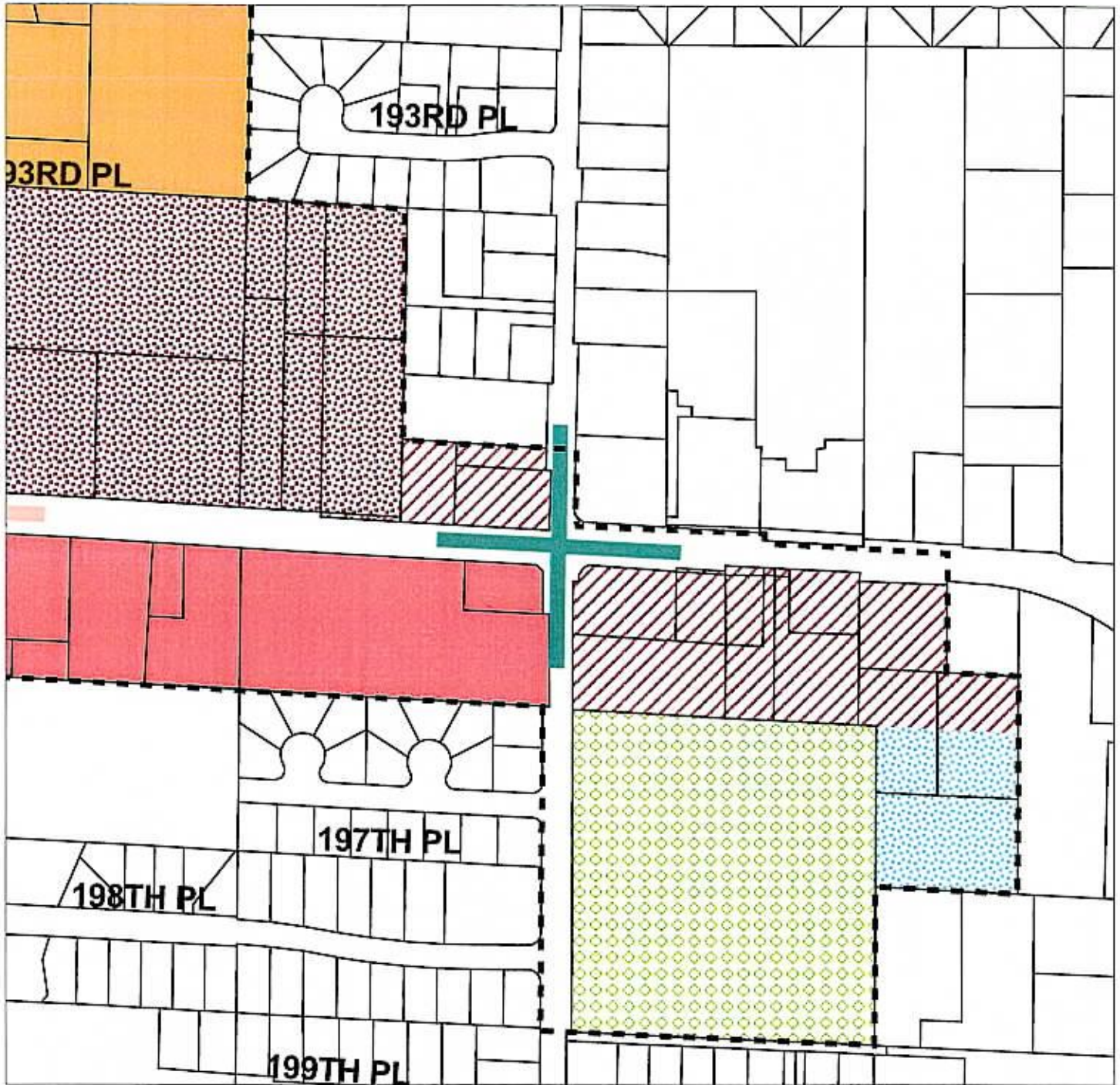
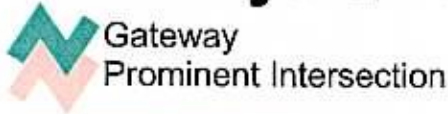


## ZONING:





















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|--|--|
|  RS7 - Residential 7200 Sq Ft              |  BC - Community Business              |
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|  B2 - Limited Business                     |  P1 - Public                          |
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# Gateways & Prominent Intersections



## ZONING:

- |  |  |
|--|--|
|  RS7 - Residential 7200 Sq Ft              |  BC - Community Business              |
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|  MU - Mixed Use                            |  BTP - Business/Technical Park        |
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