

CITY OF LYNNWOOD

ORDINANCE NO. 2911

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LYNNWOOD, WASHINGTON ADOPTING CHAPTER 21.62 OF THE LYNNWOOD MUNICIPAL CODE (“HIGHWAY 99 MIXED USE ZONE”), AMENDING CHAPTER 21.16 (“SIGNS”), AMENDING CHAPTER 21.40 (USES AND ZONING MAP), PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE, AND FOR SUMMARY PUBLICATION

WHEREAS, in February, 2008 the City Council adopted Economic Revitalization Strategies for the Highway 99 corridor (“Strategies”); and

WHEREAS, the Strategies call for:

- Develop high density mixed use nodes at key locations;
- Increase development capacity at key locations
- Support transit oriented development and allow flexibility in zoning and increase density;
- Create design standards that address aesthetics, safety and corridor character; and

WHEREAS, in November, 2008 the City Council approved initiating preparation of a subarea plan and related documents for the corridor; and

WHEREAS, the project team conducted an open and inclusive planning process that included public meetings, work sessions with the City Planning Commission (serving as the project advisory committee) and with the City Council; and

WHEREAS, the project team, following consultations with residents and property owners in the corridor and the Planning Commission, developed a plan concept that envisioned A) redevelopment of properties around five key intersections along the corridor into mixed use “nodes” – in order to increase activity in the corridor and support for businesses along the corridor – and, B) maintaining existing plan designations and zoning in the remainder of the corridor to accommodate existing businesses (particularly auto dealerships) and provide opportunities for general commercial businesses; and

WHEREAS, following review of the plan concept with the City Council, the project team drafted a Subarea Plan for the corridor together with new zoning regulations, zoning maps and design guidelines for the mixed use nodes (“Project Documents”); and

WHEREAS, the project team also prepared a Draft Supplemental Environmental Impact Statement (SEIS) to assess the potential impacts of adoption the draft Project Documents; and

WHEREAS, the draft Project Documents and Draft SEIS were issued for public review and comment on September 10, 2010; and

WHEREAS, the proposed subarea plan, zoning regulations, design guidelines, and supplemental environmental impact statement for the Highway 99 Corridor were sent to the Washington State Department of Commerce in accordance with RCW 36.70A.106 and acknowledged by Commerce as having been received September 12, 2010; and,

WHEREAS, the proposed subarea plan, zoning regulations, design guidelines, and supplemental environmental impact statement for the Highway 99 Corridor were sent to the Washington State Department of Commerce in accordance with RCW 36.70A.106 and acknowledged by Commerce as having been received September 12, 2010; and,

WHEREAS, following completion of the public review period, written responses to all substantive comments on the Draft SEIS were provided in a Response-to-Comments addendum to the Draft SEIS; and

WHEREAS, the combination of the Draft SEIS and the Response-to-Comments document constitute the Final SEIS; and

WHEREAS, the City's Environmental Review Committee (SEPA Responsible Official for the City) approved the Final SEIS on February 2, 2011, and

WHEREAS, following the completion of the public review period, the project team reviewed the comments on the Project Documents, met with persons who had submitted comments and revised the Project Documents to respond to the comments; and

WHEREAS, Final Drafts of the Project Documents, including revisions made in response to comments on the Draft Project Documents, were issued on February 9, 2011; and

WHEREAS, the Planning Commission held work sessions on the Final Draft Project Documents on February 10 and February 24, 2011, and then held a public hearing on the Project Documents on March 2, 2011; and

WHEREAS, following completion of the public hearing and after discussion of comments made at the hearing, the Planning Commission recommended approval of the Project Documents, with revisions, on March 10, 2011; and

WHEREAS, the City Council then held a work session on the Project Documents as recommended by the Planning Commission on May 9, 2011, followed by a public hearing on the Documents on June 13, 2011 and then held additional work sessions on June 20 and August 1, 2011, and discussed a series of modifications to the Documents; and

WHEREAS, on September 12, 2011, the City Council adopted Ordinance No. 2910 approving the Highway 99 Subarea Plan and thereby designated nodes at key intersections where the City shall encourage mixed use development; and

WHEREAS, the City Council has determined that it is in the best interests of the City and is consistent with the Strategies to adopt zoning regulations and design guidelines for the designated mixed-use nodes in the Highway 99 corridor because:

- The Plan and Zoning will implement the Economic Revitalization Strategies for the Highway 99 Corridor.
- Under the State Growth Management Act and Vision 2040 (Puget Sound Regional Council), existing cities, including Lynnwood, are required to accommodate additional population and employment growth. Creating the mixed-use nodes along Highway 99 provides a location for that growth that will not impinge on or encroach into existing single family neighborhoods.
- Creating the mixed-use nodes will encourage living near transit and near work-places, shops and services and will encourage using transit, walking, or biking rather than driving. Pedestrian oriented development along the Corridor will also improve pedestrian connections for residents of existing neighborhoods. Approval of the Project Documents will also support the City's goals and policies for energy conservation and sustainability
- City housing policies call for providing a variety of housing opportunities in Lynnwood. At present, the type of housing planned for the nodes (mixed-use buildings/sites, pedestrian-oriented developments/areas) is not found in Lynnwood. Creating these nodes will respond to this part of the housing market in locations that are well served by transit and existing commercial services.
- The Supplemental Environmental Impact Statement (SEIS) showed that there would be no substantial adverse environmental impacts associated with approval of the documents and development of the nodes.
- The zoning regulations for the new Highway 99 Mixed Use Zone provide the details for development of these nodes. They include a set of incentives to encourage inclusion of residential dwellings in all new development in the nodes, as well as development standards that will promote development of high-quality urban spaces.
- The Design Guidelines provide direction for development of the nodes, stating the City's expectations for the design details (site design and building architecture) for new development in the nodes. Over time, implementation of these Guidelines will improve the image and appearance of the corridor.

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

Section 1: The recitals above are adopted as findings that support passage of this ordinance.

PASSED BY THE CITY COUNCIL, the 12th day of September, 2011.

APPROVED:



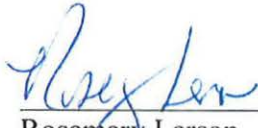
Don Gough, Mayor

ATTEST/AUTHENTICATED:

for 

Lorenzo Hines
Finance Director

APPROVED AS TO FORM:



Rosemary Larson
City Attorney

FILED WITH ADMINISTRATIVE SERVICES: 8.24.11
PASSED BY THE CITY COUNCIL: September 12, 2011
PUBLISHED: 9.29.2011
EFFECTIVE DATE: 10.4.2011
ORDINANCE NUMBER: 2911

Chapter 21.62

HIGHWAY 99 MIXED USE ZONE

21.62.100 Purpose.

The purpose of this zone is to promote the development of mixed-use nodes at key intersections on Highway 99 (Hwy 99) generally located at Bus Rapid Transit (BRT) stops, as envisioned by the Highway 99 Subarea Plan. Development in these nodes may consist of a combination of pedestrian-oriented retail that serves the local residential population, region-serving retail, multi-family residential development and/or a combination thereof (mixed use). Businesses and residences in this zone will be within a pedestrian-oriented environment designed to cater to transit, walking, and bicycle traffic. Mixed use development can be in the form of vertical mixed use (residential on top of commercial) or horizontal mixed use (residential adjacent to commercial). Development standards and design guidelines will define building and spatial relationships, with particular emphasis on the design of pedestrian spaces, linkages between development, Highway 99, BRT stations, and related pedestrian facilities and amenities.

21.62.150 Interpretation.

No building, structure or land shall be used and no building or structure shall be erected, enlarged or structurally altered, except as provided in the regulations in this Chapter. In the event of conflict between provisions in this Chapter and other provisions of this Title, the provisions of this Chapter shall prevail.

21.62.200 Permitted Land Uses.

The following land uses are permitted.

- A. Principal Uses Permitted Outright.
 1. Retail, office, eating/entertainment (including brewpubs, and outdoor dining as an accessory use to an indoor restaurant), professional offices (including medical and vet clinics), institutional and personal service uses are permitted, except as provided below for conditional uses and prohibited uses.
 2. Multiple family residences (including Convalescent and Nursing Homes, and Housing for the Elderly and Physically Disabled).
 3. Wireless communications facilities
 - a. Facilities attached (to buildings and structures), with no limitations; and
 - b. Freestanding facilities (towers) when designed so that they are not readily identifiable as such, and are designed to be aesthetically compatible with existing and proposed building(s) and uses on a site – sometimes referred to as a “stealth” or “camouflaged” facility. Examples of concealed support structures that can have a secondary, obvious function include, but are not limited to, the following: church steeples, bell towers, clock towers, cupolas, light standards, utility poles, flagpoles, or trees.
 - c. Freestanding facilities existing on the effective date of this Chapter are a permitted use.
 4. Transit stops/stations, not including park-and-ride, park-and-pool, or other transit-related parking areas.
 5. Senior center or community center.
 6. Day-care (for children or adults).
 7. Boarding house, dormitory or other group residential facility suitable for students.
 8. Inn or hotel, provided that parking for any rooms in excess of 100 rooms shall be located in a parking structure.

9. Auto/vehicle dealership (new and/or used vehicles) and vehicle service company, whether a building intended for occupancy by these uses is vacant (structures with a history of housing these uses) or in use, at the time of adoption of this chapter, may expand the business to other parts of the property in existence at the time of this ordinance, but may not expand to adjoining parcels. Provided that, a use that is absent from a property and/or the property is used for other purposes for a continuous period of seven years shall not be allowed to reestablish itself as a dealership or vehicle service company.
10. Drive-up or drive-through service and/or window subject to the following requirements:
 - a. No component of the drive through (such as approaching drive aisle, order box, service window, etc.) shall be located between the building it serves and a public street unless another intervening building(s) or building screening (walls and roof) exists between the drive through and street that blocks visibility of the drive through from the street); and
 - b. No more than two drive through lanes (plus a by-pass lane, where necessary) shall be permitted for the specific business being served by the drive through lane.
 - c. Access to the drive-through shall be provided only from a project parking area; direct access to a drive-through from a project entry aisle or from a public street is not allowed.
 - d. Any/all service windows within 150 feet of a public street may only located on a building wall that sits at an angle of at least 90 degrees to the public street.
 - e. See also LMC 21.18.810 (Stacking Lanes for Drive-Through Facilities).
11. Indoor amusements such as arcades, bowling, pool halls, etc.
12. Auto parts and accessory stores with no service/installation work on the premises.
13. Health & Fitness Club.

B. Principal Uses Allowed by Conditional Use Permit.

1. Performing arts facility.

C. Allowed Accessory Uses. Uses that meet the definition of “accessory” in this Code shall be permitted, except that a new accessory use may not be established at a site with a non-conforming use.

21.62.210 Prohibited Uses.

Uses not listed above as permitted outright or allowed by conditional use permit, or allowed as an accessory use to a permitted primary use, are prohibited in this zone. Notwithstanding any provision above, the uses listed below are specifically prohibited.

- A. Drive-up or drive-through service and/or window that does not meet the requirements of LMC 21.62.200(10).
- B. Auto-oriented commercial uses including, but not limited to:
 1. Gas stations;
 2. Auto repair, auto service shops, or the like;
 3. Auto wrecking, recycling businesses and/or yards;
 4. Car washes; and
 5. New auto dealerships (new and/or used vehicles), except as provided in LMC 21.62.200(9).
- C. Adult establishments and adult retail uses.
- D. Industrial uses.
- E. Warehouses, mini-warehouses, self-storage, mini-storage and the like.
- F. Park-n-ride and park-n-pool lots or facilities.

- G. Freestanding wireless communications towers and support structures (attached wireless facilities are permitted, see above).

21.62.250 Regulations for Specific Uses

- A. Child Day-Care Center. See “Requirements” in LMC 21.46.113.A.2.
- B. Veterinarian Clinics. See LMC 21.46.114.A.
- C. Convalescent and Nursing Homes, and Housing for the Elderly and Physically Disabled. See requirement for passive recreation and/or open space in LMC 21.46.116.C.2.b.
- D. Temporary Outdoor Display of Merchandise. Small, temporary displays of products or merchandise offered for sale by a business may be displayed outdoors, provided that:
 - 1. The display shall be located no more than twenty (20) feet from the primary entry to the business;
 - 2. The area occupied by the display shall not exceed 300 square feet; and
 - 3. The products or merchandise shall be displayed outdoors only when the business is open ; and
 - 4. Sidewalks shall not be enclosed as building space for retailing by fencing or other means that effectively limits public use of the sidewalk.
 - 5. The limitations in this subsection do not apply to the display of automobiles or other merchandise that require outdoor storage. Such displays are permitted as a normal part of that use or business.

21.62.300 Project Design Review.

- A. Design Guidelines. Construction of the following structures and parking facilities in the Highway 99 Mixed Use zone shall comply with the Highway 99 Design Guidelines (which are adopted by this reference as if fully set forth herein) and receive approval pursuant to Chapter 21.25 LMC, unless otherwise specified in this chapter:
 - 1. Construction or expansion of any nonresidential structure or building with a gross floor area of 1,000 sq. ft. or more;
 - 2. Construction of any parking lot and/or parking structure with 20 or more stalls or paved parking area of 5,400 sq. ft. or more; or
 - 3. Construction of or addition to any structure containing residential units.
- B. Supersede. Applicable Highway 99 Design Guidelines shall supersede any development standards and requirements of this chapter that may conflict, unless otherwise specified in this chapter.
- C. Gateways and Prominent Intersections. See Zoning Map to identify development project sites at 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 LMC 21.25.145(B)(3). If any portion of a project site is located at a gateway or prominent intersection location, then the entire project shall comply with the applicable Citywide Design Guideline(s).

21.62.400 Development Standards.

- A. Building to Site Relationships. Development shall meet the following standards:

Table 21.62.01

	Development Level		
	1	2	3
	Sites with non-residential development only and less than 2 acres in size.	Sites with non-residential development only, on sites 2 acres or greater in size OR sites of any size with residential development of less than 20 dwelling units/acre	Sites with residential/mixed use development or residential-only development with 20 dwelling units/acre or more of residential development.
Development Standard			
Minimum Setbacks*:			
Public Street:	None.	None.	None.
Interior Property Lines:	None.	None.	None.
Ground Floor Residential Units ⁺ :	-	10 ft.	10 ft.
Minimum Sidewalk Width Along Public Streets:	12 ft.	12 ft.	12 ft.
Maximum Lot Coverage:	25%	35%	None.
Maximum Building Height:	35 ft.	50 ft.	90 feet, not to exceed six stories.
Minimum Dwelling Units/Acre ⁺⁺	NA	NA	20 DU/A
Maximum Floor-Area Ratio	0.5	1.0	3.0

Notes:

- * See LMC 21.62.450 for development adjacent to a residential zone (Transitional Property Lines).
- + Applies to residential projects only; setback is from all public rights-of-way, internal circulation (vehicle, bicycle, pedestrian), parking areas, or access easements. Alternatively, where vision-obscuring glass is installed, the setback may be eliminated.
- ++ The minimum number of residential units to qualify for this Level shall be calculated using the entire project site. Where residential development is part of redevelopment of one or more parcels, this calculation shall be based only on the portion of the parcel(s) being redeveloped. Fractional portions of a unit are “rounded up” for this calculation.

- B. **Minimum Size of Structures with Residential Dwelling Units.** Residential development is encouraged as part of development of parcels in this zone, but it is not required. Where development of one or more parcels in this zone includes new residential development, the residential development shall comply with the following standard: the minimum height of a structure with residential units shall be three stories above grade.
- C. **Parking and Vehicle Circulation.** Off-street parking for uses in this zone shall be provided and maintained consistent with the regulations in LMC 21.18 and LMC 21.46.900.D, with the following exceptions:
1. New residential development will have a minimum requirement of 1.0 parking spaces per dwelling unit. Surface parking is limited to a maximum of two (2) parking spaces per dwelling unit; additional parking for residential development shall be located in a parking structure. Tandem parking may be used to meet residential parking requirements, provided both spaces are assigned to the same dwelling.
 2. New multi-story commercial development that is not part of a mixed use development with residential units at a minimum density of 20 units/acre shall provide at least 50% of the parking required for upper stories (any story above the first story) in a parking structure.
 3. Parking for commercial and other non-residential uses in a mixed-use development with residential units shall be provided at a minimum rate of three (3) parking spaces per 1,000 SF of leasable building area (i.e. not including service corridors, ventilation shafts, sprinkler riser rooms or the like) dedicated to commercial or non-residential uses. Parking for institutional uses and hotels/motels shall be provided as set forth in Chapter 21.18. See Chapter 21.18 for allowed reductions in required parking for non-residential uses. Tandem parking is not permitted for non-residential uses.
 4. A parking structure may be located either above or below ground, and may either be attached to a new or existing building or may be freestanding. Parking structures shall meet the requirements on LMC 21.18.710, with the following provisions applying in lieu of LMC 21.18.710.D:
 - a. **Setback.** Parking structures located along streets which are not “designated side streets” (as defined in the Highway 99 Design Guidelines) shall provide a landscaping area between the structure and the street which is a minimum of 25 ft. wide.
 - b. **Design.** The parking structure shall comply with the Highway 99 Design Guidelines.
 - c. **Vehicle Access.** No parking structure entry/exit driveway shall have more than three lanes unless exceptional traffic conditions or congestion require an additional drive lane. In no case shall the number of lanes exceed four.
 - d. **Pedestrian Connections.** The design of pedestrian connections or pathways from a parking structure to the building(s) for which it provides parking shall clearly delineate and separate the pedestrian way from travel areas for vehicles.
- D. **Landscaping at Parking and Circulation Areas.** Landscaping shall be provided within surface parking areas with 10 or more parking stalls for the purpose of providing shade, diminishing the visual impacts of large paved areas, and providing stormwater management where feasible. Landscaping for surface parking areas shall be as follows:
1. Residential developments with open parking areas used by or available to all residents (e.g. where parking is provided in a shared parking area, rather than in individual garages) shall provide planting areas at the rate of 20 square feet per parking stall.
 2. Commercial or institutional developments shall provide landscaping at a rate of:
 - a. 20 square feet per parking stall when 10 to 30 parking stalls are provided.

- b. 25 square feet per parking stall when 31 or more parking stalls are provided.
 3. Trees shall be provided and distributed throughout the parking area at a rate of:
 - a. One tree for every 5 parking stalls for all development or uses except residential or institutional uses.
 - b. One tree for every 10 parking stalls for residential or institutional development or uses.
 - c. For calculating required trees at parking areas for mixed use developments, separate requirements shall be made for parking assigned/allocated to each type of use shall be added and rounded-up to the next whole number of trees.
 4. The maximum distance between any parking stall and landscaping area shall be no more than 45 feet.
 5. Permanent curbs or structural barriers shall be provided to protect the plantings from vehicle overhang and curb cuts shall be provided in these barriers to allow surface water to flow into landscaped areas. A minimum setback of two feet for all shrubs and four feet for all trees shall be provided where vehicle overhang extends into landscape areas.
 6. Additional parking lot landscaping requirements:
 - a. Drought tolerant plants and/or plants native to the Pacific Northwest shall be provided for a minimum of 50% of the landscaping area.
 - b. Shrubs shall be planted at a rate of one per 20 square feet of total landscaped area.
 - c. Landscape areas adjacent to a pedestrian walkway or within the sight triangle at street intersections or access driveways (see LMC 21.10) shall contain plant material chosen to maintain a clear zone between 3 and 8 feet above ground level.
 - d. Planting islands or strips shall have a narrow dimension of no less than five feet.
 - e. All trees shall be chosen from the City-approved tree list. Trees within landscaped areas and street trees shall be chosen to consider existing and proposed utilities, site lighting, signage, adjacent trees, natural features, tree root growth, solar access, planting area width, and overall height at maturity.
 - f. Groundcover shall provide total coverage of landscaped areas within five years of planting. No more than 5% of the landscaped area shall be covered with river rock or other non-living materials, unless the river rock or other non-living material is a part of a storm drainage system.
 - g. For projects that redevelop more than 50% of the area of a development site, automatic irrigation shall be provided for all new landscaping, unless water for irrigation is provided by a Low Impact Design system.
 - h. A landscape maintenance plan shall be provided. The plan shall include, at a minimum, on-going tasks and schedules for all landscape areas, such as litter pick-up, mowing turf, tree and shrub pruning, weeding planting beds, removing noxious weeds, sweeping, replacement of dead or dying plant material, irrigation repair/adjustment, and trimming of hedges.
- E. Non-residential Open Space.
 1. New non-residential development subject to Project Design Review under this Chapter and with at least 20 units/acre of residential development shall include on-site pedestrian-oriented open space at least equal to 1 percent of the lot area plus 1 percent of new non-residential floor area. Where pedestrian-oriented facades are required by the Design Guidelines, the façade(s) shall be oriented towards the required open area. These requirements are in addition to the open space required for residential units, if any. The open space may be in the form of wider sidewalks (beyond the minimum) café seating areas, gardens, plazas or play areas.

2. New non-residential development subject to Project Design Review under this Chapter and not including residential development of 20 units/acre shall include on-site pedestrian-oriented open space at least equal to 2 percent of the lot area plus 2 percent of new non-residential floor area. Where pedestrian-oriented facades are required by the Design Guidelines, the façade(s) shall be oriented towards the required open area. These requirements are in addition to the open space required for residential units, if any. The open space may be in the form of wider sidewalks (beyond the minimum) café seating areas, gardens, plazas or play areas.
- F. Residential Open Space. All developments with multiple family dwelling units shall provide recreational space (for use by residents of the development) equal to at least 10 percent of the building living area (not counting corridors, lobbies, storage, service space, and similar service areas), as follows (in mixed use developments, this requirement is in addition to the Non-residential Open Space required under Subsection E, above):
1. Common open space may be used for all of the required open space. Common open space includes landscaped courtyards or decks, gardens with pathways, children’s play areas, or other multi-purpose green spaces. In addition:
 - a. Minimum required setback areas shall not count towards the open space requirement;
 - b. Minimum required landscaping areas shall not count towards the open space requirement;
 - c. Common open spaces shall be a minimum size of 1,000 sq. ft. each with a minimum dimension of 20 feet on all sides except where the Community Development Director determines that the proposed space is functional for appropriate active or passive recreational uses.
 2. Individual balconies and patios may be used to meet up to 50 percent of the required open space. To qualify as open space, balconies/patios must be at least 35 square feet with no dimension less than five (5) feet.
 3. Space at rooftop decks may count for up to 50 percent of the required open space, provided:
 - a. Space shall be accessible (ADA) to/from all dwelling units.
 - b. Space shall provide amenities such as seating areas, landscaping, and/or other features that encourage recreational use;
 - c. Space shall feature a maximum of 75% hard surfacing appropriate to encourage resident use;
 - d. Space shall incorporate features that provide for the safety of residents, such as railings, enclosures and appropriate lighting levels. Lighting shall be of pedestrian scale and shall not project past the roofline to neighboring properties.
 4. Indoor recreational areas may count for up to 50 percent of the required open space only in mixed-use buildings where other forms of open space are less feasible. Indoor areas shall be designed specifically to serve interior recreational functions.
- G. Fences and Retaining Walls
1. Permitted Fences, except as provided below.
 - a. Fences up to three (3) feet in height are permitted.
 - b. Fences up to six (6) feet in height are allowed along side and rear property lines (provided they are not parallel to a public right-of-way) and to enclose allowed service areas, storage areas, and other spaces.
 2. Prohibited Fences.

- a. Chain-link fences.
 - b. Electric fences.
 - c. Barbed wire and razor fencing.
 - d. Wood fences (manufactured wood products are acceptable).
 - e. Fencing shall not be installed along principal, collector, or minor arterials, except where the property owner or applicant demonstrates the fence is necessary for security purposes. Such fences shall not diminish the pedestrian qualities of the street and shall not encroach into the “sight triangle” as required by Chapter 21.10.
3. Retaining Wall Standards. For retaining walls that are visible from a public right-of-way or a residentially-zoned property, no above-ground portion of a retaining wall shall be taller than four (4) feet in height.

H. Service Areas.

1. Exterior service areas shall not be located within 30 feet of a single- or multiple-family residential-zoned property or of an existing building containing residential units. Service areas include but are not limited to: loading docks, trash dumpsters, compactors, refuse and recycling areas, and mechanical equipment areas.
2. All external trash, recycling, and storage areas are required to be enclosed with a solid structure with a minimum height of seven feet and a roof. However, if the area is not visible from an adjacent property or public right-of-way, the enclosure does not require a roof. Enclosures shall be constructed of materials that match or complement the exterior materials of primary building(s).

- I. Street Trees. Street trees shall be provided every 30 feet or less on center or spaced as directed by City staff. All trees shall be chosen from the City-approved tree list and shall have a minimum 2-inch caliper at planting.

21.62.450 Treatment at Transitional Property Lines

Where a property zoned Highway 99 Mixed Use abuts a property zoned residential, the following regulations shall apply:

- A. Setback and building height adjacent to a multi-family residential zone:
 1. For the portion of the property line adjacent to a multi-family zone, the setback shall be a minimum of 15 feet.
 2. Portions of buildings within 30 feet of an adjacent multi-family zone shall have a maximum height of 35 feet.
 3. Portions of a building more than 30 feet and less than 60 feet from a multi-family zone shall have a maximum building height of 50 feet.
- B. Setback and building height adjacent to a single-family residential zone:
 1. For the portion of the property that has a property line adjacent to a single family zone, the setback shall be a minimum of 20 feet.
 2. Portions of buildings within 30 feet of a single-family zone shall have a maximum building height of 25 feet.
 3. Portions of a building more than 30 feet and less than 50 feet from a single family zone shall have a maximum building height of 45 feet.
 4. Roof decks designed for human activities and balconies overlooking single-family-zones shall be set back from the property line at least 30 feet.
- C. Landscaping Treatment.

1. Planting and Fencing. The purpose of this landscaping and fencing is to provide a sight and sound barrier between zones with a high degree of incompatibility.
 - a. Where property zoned Highway 99 Mixed Use is adjacent to a property zoned Single-Family Residential, the 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 10 feet on center, so as to form an effective visual barrier within five years. The minimum tree height at the time of planting shall be six feet. The planting strip and a permanent six-foot tall site-screening fence shall be placed at the property line. Except that, with the concurrence of all adjoining property owners, an alternative planting treatment may be approved by the Community Development Director.
 - b. Where a property zoned Highway 99 Mixed Use is adjacent to a property zoned Multi-Family Residential, the planting strip shall be at least 10 feet in width and shall consist of either of the following two options:
 - i. One row of evergreen conifer trees, spaced a maximum of 10 feet on center. Minimum tree height at the time of planting shall be six feet, the remainder of the planting strip shall be promptly planted with low evergreen plantings which will mature to a total groundcover within five years; or
 - ii. A site-screening evergreen hedge that provides a sight, sound, and psychological barrier. The spacing of plants shall be such that they will form a dense hedge within five years. Minimum plant height at the time of planting shall be four feet. The planting strip and a permanent six-foot tall 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 Certified Professional Horticulturalist (CPH) and be drawn to a scale no less than one inch to 20 feet. The landscape architect or CPH 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, as provided in LMC 21.04.920.
 4. Fencing. 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. Where a fence is required by the above standards, no fence shall be required 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 community development director may permit a location which more adequately satisfies the intent of this section.
- D. Maintenance. See LMC 21.04.310.

21.62.500 Swift Station off-street parking and landscaping.

In calculating and applying the parking stall and landscaping requirements of this title, the parking stalls and landscaping that have been or are replaced by a transit station and related improvements of the Snohomish County Public Transportation Benefit Area (dba Community Transit), also known as a Swift BRT station, pursuant to the development agreement between the City and Community Transit dated August 20, 2008, or any subsequent agreements, shall be included within the calculation and application of such requirements. The replacement of a portion of a parking stall shall be deemed to be a replacement of the entire parking stall. In any application for a building or other permit for construction of such transit station and related improvements, Community Transit shall provide photographs of the parking stalls and landscaping that will be replaced by the transit station and related improvements, or such other evidence of the parking stalls and landscaping that is acceptable to the Director.

21.62.600 Nonconforming structures, sites and uses.

It is expected that existing development and uses will remain in the nodes for a substantial amount of time, even as some properties in the nodes are redeveloped. However, it is necessary to ensure that all forms of development contribute positively to the character and quality of the nodes. Changes to nonconforming conditions shall not increase the degree of nonconformity, but rather move the site and its uses and buildings towards greater conformity. Given the location and configuration of current buildings, application of all zoning regulations and design guidelines may not be possible or practical; however, every effort should be made to comply with such standards for the portions of sites and buildings in proximity to the alterations being made. This section supersedes Chapter 21.12 LMC.

- A. Prohibited Uses. Any prohibited uses legally existing at the time of the adoption of the ordinance codified in this chapter shall be considered “legal nonconforming uses.” Such uses are not permitted to expand or to relocate anywhere in either of these zones. Exterior landscaping, facade improvements, or interior upgrades are permitted.
- B. Nonconforming Sites. Certain types of minor changes to existing site development would not trigger compliance with the development regulations and design guidelines for this zone, such as re-stripping of stalls, new or altered signage, lighting or renovation of landscaping. Any other exterior renovation that is subject to project design review approval shall incorporate site design features from the design guidelines that bring the site more into compliance with the guidelines. Compliance should be localized to the area being altered and the incorporated site design features shall be directly proportionate to the value or size of the proposed improvements.
- C. Nonconforming Buildings. There are many buildings and other structures existing at the adoption of the ordinance codified in this chapter that do not comply with the zoning regulations and design guidelines for this zone. Expansion of building footprints by 1,000 sq. ft. or more or renovation over 10% of the assessed or appraised value of the buildings on site, whichever value is greater, shall trigger compliance with both these regulations and site and building design guidelines. Compliance should be localized to the area of the building being altered and shall be directly proportionate to the value or size of the proposed improvements, whichever is greater. Particular emphasis should be given to the provision of pedestrian amenities oriented towards streets; e.g., if a building is expanded towards the street, elements such as parking lot landscaping and pedestrian connections to the sidewalk are expected to be accomplished.

Chapter 21.16 SIGNS

21.16.340 Signs in the Highway 99 Mixed Use Zone

Only the following signs are permitted in the Highway 99 Mixed Use Zone:

- A. General Regulations
 1. Back-lit signs are prohibited; signs with individual backlit letters are acceptable.
 2. Neon signs are permitted.
 3. External sign lighting is permitted. The lighting shall not be visible from adjacent residentially-zoned properties and shall not project towards the night sky or past the sign.
 4. For residential real estate signs, see LMC 21.16.290.D.
 5. For Commercial Incidental signs, Internal Information signs, Portable Business signs, Temporary Commercial Event signs, Real Estate signs, Construction signs and variances for commercial signs, see LMC 21.16.310.
- B. Pole Sign Standards:
 1. One pole sign shall be permitted for a single and multi-tenant development with a gross building floor area of 50,000 sf or more. Pole signs shall not be permitted for single and multi-tenant developments with a gross building floor area less than 50,000 sf.
 2. Maximum height of 15 feet
 3. Minimum sign set back of 25 feet
 4. Maximum sign area is 75 square feet
 5. Comply with design criteria in LMC 21.16.310.A.1.c.iii.
- C. Monument Sign Standards. Monument signs shall conform to the requirements of Table 21.16.01 below.

Table 21.16.01. Monument Sign Standards

Requirements ^{a, b, c}	Single and Multi-Tenant Developments		
	(less than 25,000 sf floor area)	(25,000-50,000 sf floor area)	(more than 50,000 sf floor area)
Maximum Height	4 ft.	6 ft.	8 ft.
Maximum Sign Area	20 sf	30 sf	40 sf
Minimum Setback from Front Property Lines ^d	5 ft. plus 1.5 ft. per additional foot in height above 3.5 ft.		
Minimum Setback – Side ^d	5 ft.		
Landscaping ^e	2 ft. of landscaping surrounding the base of the sign		
Minimum Separation ^f	250 ft. between signs		

Notes for Table:

- a. Monument signs shall include the address number on the face of the sign. Address numbers shall meet Fire Department requirements and shall not be counted towards the sign area.
- b. The sign shall consist of materials and colors that minimize reflection capabilities and are consistent and complimentary to the architecture of the primary building on site. Materials shall be easily maintained and shall retain their shape, color, texture and appearance over time.
- c. The sign shall comply with the design criteria in Figure 5 of LMC Chapter 21.16.

- d. Signs shall not be located within a triangular area at street intersection or street and driveway intersections formed by two points measuring 20 feet back from the point where the two street right-of-way lines merge or a street right-of-way line and edge of driveway merge and extending a line that connects these two points to complete the triangle (see Figure 4 of LMC Chapter 21.16).
- e. Landscaping shall include a decorative combination of groundcover and shrubs to provide seasonal interest in the area surrounding the base of the sign. Landscaping shall be well maintained at all times of the year. The required landscaping area shall be protected by a raised curb if not surrounded by additional landscaping.
- f. In general, an individual building, development, or complex may not display more than one monument sign per street frontage. However, additional monument signs can be used on the site as long as they advertise a different business onsite and can be placed at least 250 feet from the first sign along applicable street frontages. No two signs shall be closer than 250 linear feet.

<end of table notes>

D. Wall Sign Standards

1. Single story building:
 - a. Business tenants with building frontage: 1 sq. ft. of signage for each linear foot of building frontage, provided that each tenant is allowed a minimum of 40 sq. ft. of signage.
 - b. Business tenants without building frontage: 1/2 square foot for each lineal foot of building façade, not to exceed 100 square feet maximum.
 - c. Allowable sign area may not be transferred from one façade and/or building frontage to another.
2. Multi-story building:
 - a. Ground-floor business tenants with a direct exterior entrance into the business (not a lobby) are permitted 1 sq. ft. of signage for each linear foot of building frontage of the applicable tenant space, provided that each tenant is allowed a minimum of 40 sq. ft. of signage. This signage shall be located at their exterior entry on the ground floor.
 - b. Other business tenants with building frontage. The total exterior wall signage allowed shall be a maximum of 1 sq. ft. of signage for each linear foot of building, up to a maximum of 250 sq. ft. per building frontage (total for all business tenants). This signage may identify either the building, a major tenant of the building, or individual tenants that do not have a direct exterior entrance into their tenant space (or a combination of all three), as determined and allocated by the building owner. This signage may be located only on either the ground floor or the top floor (below the cornice or edge of the roof) of the building (or both), as determined by the owner.
 - c. Business tenants without building frontage. The total exterior wall signage allowed shall be a maximum of ½ sq. ft. for each lineal foot of building façade which does not meet the definition of building frontage, up to a maximum of 100 sq. ft (total for all business tenants). The property owner shall allocate this signage among tenants without building frontage, including tenant spaces without wall space along the exterior façade. This signage may be located only at the ground floor or the top floor of the building (or both), as determined by the owner.
 - d. Allowable sign area may not be transferred from one façade and/or building frontage to another.

- e. In no case shall allowable sign area be permitted on intermediate floors (above the first story or below the top story).
3. Residential Development or Institutional Identification Signs. Wall signs for multi-family development identification are permitted. Signs at ground-floor public residential or institutional entrances shall have a maximum size of 20 sq. ft. per such entrance. Additional signs may be permitted on the top floor (below the cornice or roof edge), provided such signs shall be allocated as part of the total allowable sign area per facade by the owner (see above).
4. Home Occupation Signs. Home Occupations may be allocated sign area as part of an internal or external sign directory; no other signage is permitted.
5. Maximum Height: Wall signs may not extend above the building parapet, soffit, the eave line or the roof of the building.
6. Mounting: Building signs should be mounted plumb with the building, with a maximum protrusion of 1-foot unless the sign incorporates sculptural elements or architectural devices. The sign frame shall be concealed or integrated into the building's architectural character in terms of form, color, and materials.
- E. Projecting, Marquee and Awning Signs. Projecting, marquee and awning signs shall meet the requirements of LMC 21.16.310(B)(2) in addition to the following:
 1. The sign shall not project more than 5 feet from the building, unless the sign is a part of a permanent marquee or awning over the sidewalk. Vertically oriented signs shall not project more than 3 feet from the building. Signs shall not project into the public right-of-way.
 2. Sign area shall be counted as part of the allocation for wall signs, above.
 3. Signs shall not extend above the building parapet, soffit, eave line or the roof of the building, except for theaters.
 4. Marquee and awning signs shall not cover more than 70% of the applicable storefront or awning.
- F. Blade Signs. Blade signs are small signs with faces perpendicular to the building façade. They generally are mounted directly to the building façade or hung below a canopy or projecting weather protection. Blade signs are generally oriented to face pedestrians walking down the fronting sidewalk. Blade signs meeting the following conditions are allowed for commercial uses:
 1. Projection: Blade signs may project up to 3 feet. Bracket signs shall have 1-foot minimum between the sign and the outer edge of the marquee, awning, or canopy and between the sign and the building facade.
 2. Clearance: Blade/bracket signs shall maintain a minimum clearance of 8 feet between the walkway and the bottom of the sign.
 3. Dimensions: Blade signs shall not exceed 6 square feet in area. Bracket signs shall not exceed 2 feet in height.
 4. Mounting: Blade signs must avoid covering or modifying windows or other architectural feature.
- G. Prohibited Signs. The following signs are specifically prohibited:
 1. Signs employing moving or flashing lights.
 2. Signs employing exposed electrical conduits.
 3. Visible ballast boxes or other equipment.
 4. Roof-mounted signs.
- H. Other Signs – See LMC 21.16.310 C-J.

Chapter 21.40 USE ZONES AND ZONING MAP

21.40.100 Use Zones Established

For the purpose of this title, the city is divided into use zones as provided hereafter:

Essential Uses	Symbols	Description
A. Single-Family Residential Zones.		
Single-Family Residences	RS-8	Low-Density Single-Family Residential
	RS-7	Medium-Density Single-Family Residential
	RS-4	High-Density Single-Family Residential
B. Multiple-Family Zones.		
Multiple-Family Residences	RML	Low-Density Multiple-Family Residential
	RMM	Medium-Density Multiple-Family Residential
	RMH	High-Density Multiple-Family Residential
C. Commercial Zones.		
Retail, Offices and Services	B-4	Restricted Business
	B-3	Neighborhood Business
	B-2	Limited Business
	PCD	Planned Commercial Development
	B-1	Community Business
	MU	Mixed Use/Business
	CC-W	City Center – West End
	CC-N	City Center – North End
	CC-C	City Center – Core
	CG	General Commercial
	PRC	Planned Regional Shopping Center
	CDM	College District Mixed Use
	<u>HMU</u>	<u>Highway 99 Mixed Use</u>
D. Industrial Zones.		
Employment Uses	BTP	Business and Technical Park(s)
	LI	Light Industrial
E. Public and Institutional Zones.		
Institutional Uses	P-1	Public and Semi-Public Uses.

21.40.900 Order of Restrictiveness

The City of Lynnwood is divided into ~~21~~ 22 use zones which shall be known, in the order of restrictiveness, beginning with the most restrictive, as:

	Upon deletion of the Suburban Residential Zone (RS-12), the properties in the zone are to be automatically placed in the adjacent Residential Zone (RS-8).	
RS-8	Low-Density Single-Family Residential	
RS-7	Medium-Density Single-Family Residential	
RS-4	High-Density Single-Family Residential	
P-1	Public and Semi-Public Use	
RML	Low-Density Multiple-Family	
RMM	Medium-Density Multiple-Family	

RMH	High-Density Multiple-Family Upon deletion of the High Rise Multiple-Family Zone (RMHR), the properties in the zone are to be automatically placed in the High Density Multiple-Family Zone (RMH).
B-4	Restricted Business
B-2	Limited Business Upon deletion of the Highway Services Zone (C-2), the properties in the zone are to be automatically placed in the adjacent Planned Commercial Development Zone (PCD).
B-3	Neighborhood Business
PCD	Planned Commercial Development
B-1	Community Business
CDM	College District Mixed Use
MU	Mixed Use/Business
<u>HMU</u>	<u>Highway 99 Mixed Use</u>
CC-W	City Center – West End
CC-N	City Center – North End
CC-C	City Center – Core
CG	General Commercial
PRC	Planned Regional Shopping Center
BTP	Business and Technical Park
LI	Light Industrial

CITY OF LYNNWOOD

**Design Guidelines for
Highway 99 Mixed-Use Zones**

September 12, 2011

Adopted by Ordinance No. 2911

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A. Introduction

A.1 Purpose

The general purpose of these Highway 99 Design Guidelines (Guidelines) is to implement the City's Comprehensive Plan vision, which calls for a vibrant, accessible, and pedestrian friendly mixed use corridor with active nodes, enhanced design and a landscaped setting.

More specifically, the purposes of these Guidelines are to ensure attractive, functional development, promote social and economic vitality, and foster safety, comfort, interest, and identification between people and the development in the Highway 99 Mixed-Use zone (HMU).

These guidelines complement the Lynnwood Municipal Code (LMC) provisions of Title 21 and, more specifically, Chapter 21.62.

A.2 Administrative Procedures

The City of Lynnwood Director of Community Development (Director) will administer these Guidelines, lead the review process, and ensure that new development meets their intent, as provided in LMC 21.25.

B. Site Planning

B.1 Relationship to Street Front

INTENT:

- ◆ To enhance commercial areas and to establish visual identity for each area.
- ◆ To create an active, safe pedestrian environment, especially at the center of the mixed-use nodes.
- ◆ To unify streetscapes, especially on side streets and internal streets.
- ◆ To improve circulation, including options for pedestrians, bicycles and vehicles.
- ◆ To enhance the visual character of streets within commercial areas.
- ◆ To enhance the visibility of commercial uses from the street.
- ◆ To link neighborhoods across Highway 99.

GUIDELINES:

B.1.1 Properties Fronting on Highway 99

- a. All new development at properties fronting Highway 99 must adhere to the following standards,
 - (1) Building entries shall have a direct walkway to the public sidewalk. Building entries should face a street, if feasible.
 - (2) Parking areas fronting Highway 99 shall be screened according to the options provided in D.2.2.
 - (3) No untreated blank walls or service areas shall be located along Highway 99 or any public street frontage (see Section E.8).
 - (4) If the building is located within 30 feet of the Highway 99 right-of-way, then the area between the sidewalk and the building shall feature pedestrian-oriented space or landscaping. This area may be used for outdoor display or seating, but it may not be used for storage or display when the building is closed.
 - (5) Buildings located within 15 feet of the Highway 99 right-of-way shall feature transparency (window or glass area) on at least 50 percent of the ground floor façade facing Highway 99 or any public street between 2 feet and 8 feet above the grade
 - (6) Parking areas shall not front the Highway 99 right-of-way (they must be separated by a building) within 200 feet of a designated side street right-of-way or a BRT station. For development projects with at least 20 dwelling

units per acre residential density, parking areas shall be allowed up to 100 feet of a designated side street.

- (7) Buildings within 100 feet of public right-of-way shall feature pedestrian-oriented facades as described in Section E.4.

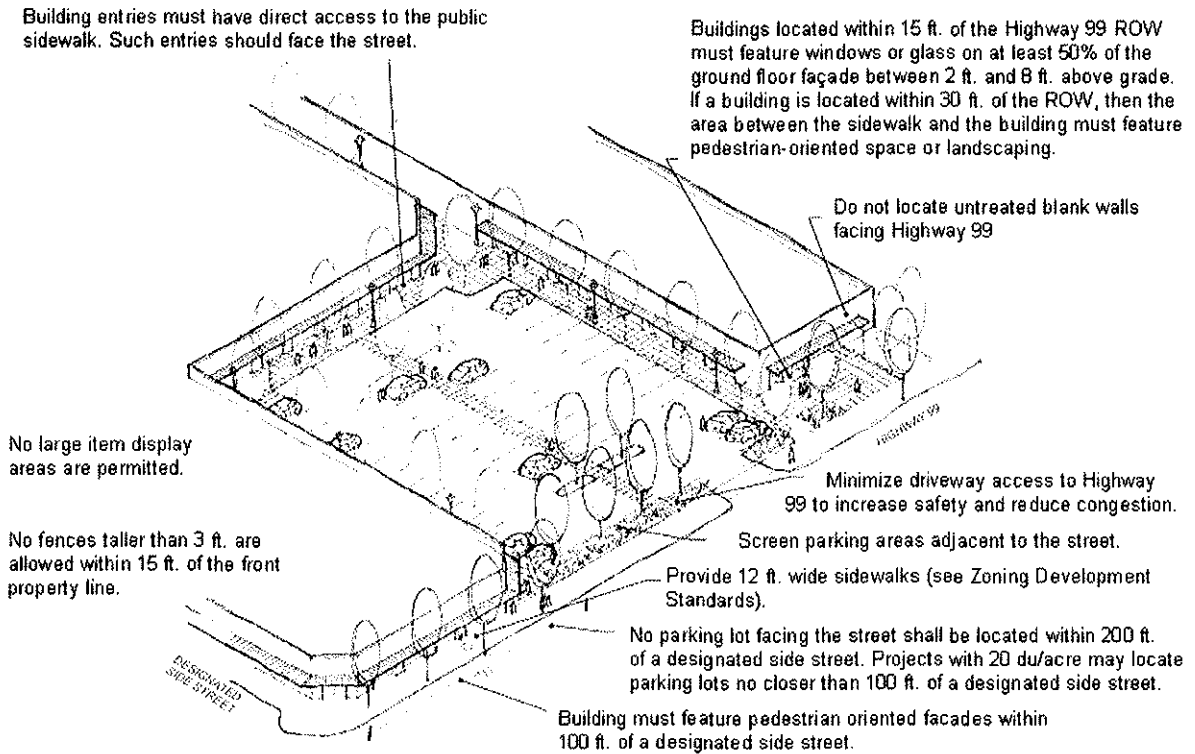


Figure 1. Highway 99 street orientation requirements.

- (8) Structured parking (parking garages) shall not front Highway 99 unless they serve a residential use. Garages for residences may front Highway 99.
- (9) Non-residential parking areas adjacent to Highway 99 shall not be located between a primary building and the right-of-way if the building is located within 200 feet of the right-of-way, unless the project includes at least 20 dwelling unit per acre of residential development. In such cases, the Director may allow parking areas to occupy up to 50 percent of the street frontage, so long as the parking area does not exceed 65 lineal feet of the street frontage.

B.1.2 Properties Fronting on Designated Side Streets

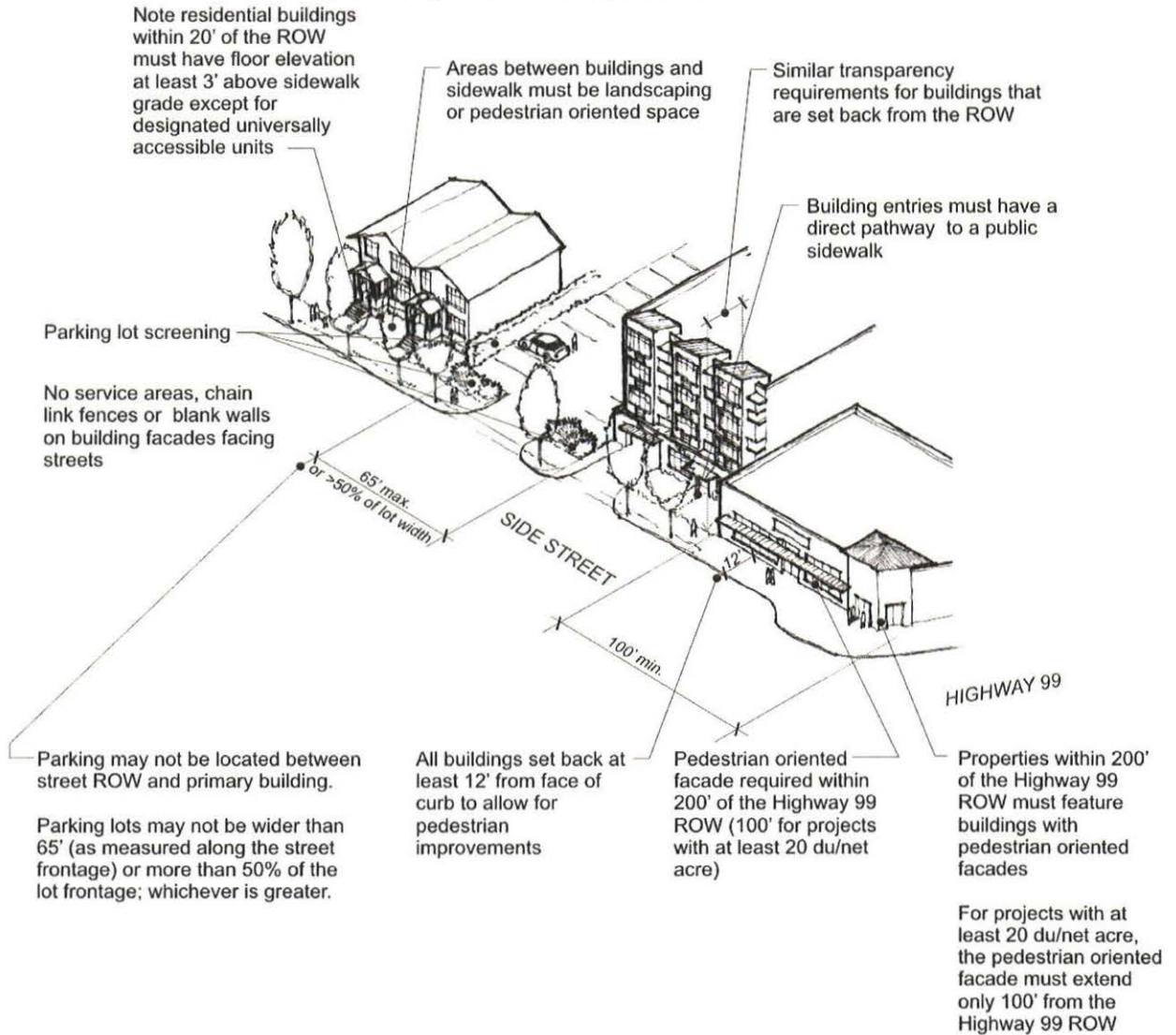
- a. All development for properties fronting on “designated side streets” (148th Street SW, 156th Street SW, 176th Street SW, 188th Street SW, 196th Street SW, 200th Street SW, and 208th Street SW; within the HMU zone shall meet the following conditions:

- (1) Parking areas shall not be located between primary buildings and the designated side streets unless the project includes at least 20 dwelling units per acre residential development. In such cases, the Director may allow parking areas to occupy up to 50 percent of the street front, but no more than 65 linear feet.

Parking areas shall not be allowed along side street right-of-ways within 200 feet of the Highway 99 right-of-way. Projects which include at least 20 dwelling units per acre may feature parking lots no closer than 100 feet to the Highway right-of-way.

- (2) Service areas and untreated blank walls shall not front a side street. (See Section E.8.)
- (3) Pedestrian-oriented facades shall face the designated side street if the building is within 200 feet of the Highway 99 right-of-way (see Section E.4). Projects that include at least 20 dwelling units per acre shall feature pedestrian-oriented facades if the building is within 100 feet of the Highway 99 right-of-way.
- (4) Buildings with ground floor residential units within 20 feet of the right-of-way shall have a ground floor elevation at least 3 feet above sidewalk grade except for designated universally accessible units. Buildings with ground floor residential units facing the street shall feature a window area of at least 10 square feet for every 30 linear feet of frontage or landscaping with trees, shrubs, and groundcovers, as approved by the Director.
- (5) Parking areas shall be screened in accordance with D.2 from pedestrian areas, sidewalks, walkways and the street right-of-way.
- (6) Non-residential buildings located within 15 feet of the right-of-way shall feature transparency (window or glass area) on at least 50 percent of the ground floor façade facing the street between 2 feet and 8 feet above grade. The area between the street and building must be landscaped.
- (7) Building entries shall have a direct walkway to the public sidewalk. Such entries should face the street.
- (8) Buildings at street corners must create a strong visual identity (See B.7, Street Corners).
- (9) Areas between the street right-of-way and the front building façade shall be landscaped or a pedestrian oriented space as described in C.3.1.

(10) Structured parking (parking garages) shall not front designated side streets unless they serve a residential use.



SIDE STREET FRONTAGE GUIDELINE



Figure 2. Designated side street configuration requirements.

B.2 General Pedestrian Circulation

INTENT:

- ◆ To improve the pedestrian environment by making it easier, safer, and more comfortable to walk between businesses and residences, on street sidewalks, to transit stops, and through parking areas.
- ◆ To provide pedestrian facilities such as sidewalks, crosswalks, and bus shelters connecting to all modes of transportation.
- ◆ To improve the system of connections between neighborhoods and commercial services



GUIDELINES:

B.2.1 Pedestrian Circulation

Provide safe convenient pedestrian circulation for all users. Specifically:

- a. Pedestrian access onto the site shall be provided from all streets on which the use is located. Where a use fronts two or more streets, pedestrian access shall be provided from all streets.
- b. Developments shall adapt building access to site conditions for level, convenient, and clearly identified pedestrian entry.
- c. For developments with multiple buildings, pedestrian circulation shall be provided between all buildings.



Figure 3. Provide pedestrian access to the site from the street.

- d. Pedestrian connections shall be clearly defined and distinguishable from vehicle circulation areas using a combination of at least three of the following: special paving, curbing, railings, bollards or other pedestrian-scale lighting, low seating or other architectural features, and landscaping. Such connections shall be protected by appropriate access easements. Pedestrian connections shall be no less than 8 feet wide.

See also Chapter C, Pedestrian Access, Amenities, and Open Space Design and B.4 below.

B.3 Vehicular Access and Circulation

INTENT:

- ◆ To provide access management on Highway 99; i.e., to reduce turning movements that increase congestion and reduce safety.
- ◆ To provide safe and convenient vehicular access routes through large areas by connecting public and/or private roadways and accessways.
- ◆ To mitigate traffic impacts and to conform to the City's objectives for better traffic circulation.
- ◆ To enhance the visual character of interior access roads.
- ◆ To minimize conflicts with pedestrian circulation and activity.

GUIDELINES:

See also **Chapter D, Parking Area Design.**

B.3.1 Vehicular Connections

- a. Internal access roads should be designed to look and function like streets, utilizing street trees and sidewalks.



Figure 4. Kent Station internal roadways are one model of internal access roads. Note sidewalks and landscaping.

- b. Vehicular access to corner areas shall be located on the lowest classified roadway and as close as practical to the property line most distant from the intersection. Do not locate access for corner areas from Highway 99 unless the Public Works Director determines there is no other solution.

B.4 Lots with Multiple Buildings or Lots Without at Least 20 Dwelling Units per Net Acre

INTENT:

- ◆ To create integrated development plans and phasing strategies.
- ◆ To reduce negative impacts to adjacent properties.
- ◆ To enhance pedestrian and vehicular circulation.
- ◆ To encourage transit use.
- ◆ To provide usable open space.
- ◆ To create focal points for pedestrian activity for developments.
- ◆ To enhance the visual character of the community.
- ◆ To create unique attractions for the Highway 99 corridor.

GUIDELINES:

B.4.1 Unifying Site Planning Concept

- a. Development at sites with two or more buildings shall demonstrate that the project is based on a unifying site planning concept that meets the following criteria:
 - (1) Incorporates open space and landscaping as a unifying element.
 - (2) Provides pedestrian paths or walkways connecting all businesses and the entries of multiple buildings.
 - (3) Provides for safe, efficient internal vehicular circulation that does not isolate the buildings.
 - (4) Takes advantage of special on-site or nearby features.
- b. In order to achieve better pedestrian connections and a pleasant atmosphere, building entrances shall not be focused around a central parking area but be connected by a walkway system and/or open space(s).
- c. A development should provide a major public entry serving several shops rather than providing a separate storefront entry for all shops. If the development employs the combined-entry option, then it must be at least 15 feet wide, with special entry features, weather protection, lighting, etc.

B.5 Service Areas and Mechanical Equipment

INTENT:

- ◆ To minimize adverse visual, olfactory, or auditory impacts of mechanical equipment and service areas at ground and roof levels.
- ◆ To provide adequate, durable, well-maintained, and accessible service and equipment areas.
- ◆ Protect residential uses and adjacent properties from impacts due to location and utilization of service areas.

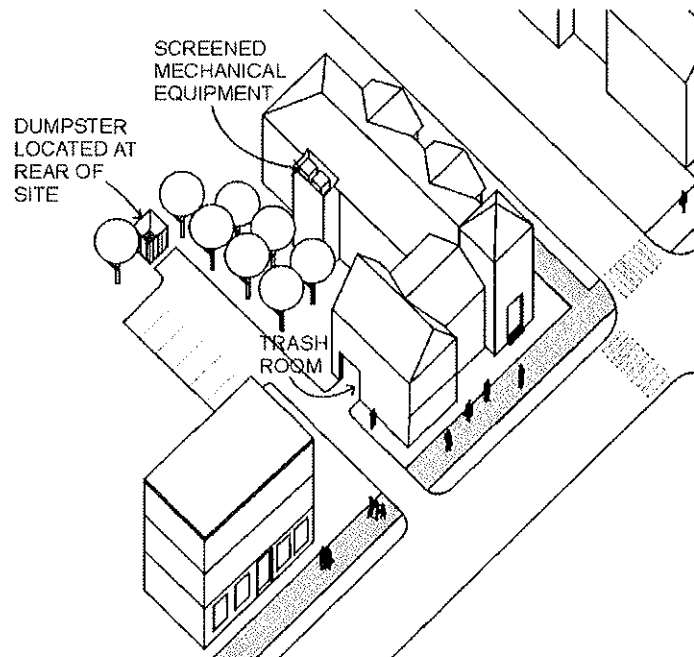


Figure 5. Locate service elements to reduce impacts on the residential and pedestrian environment.

GUIDELINES:

B.5.1 Service Areas

Reduce impacts of refuse containers and storage areas through the following implementation measures:

- a. Service areas (loading docks, trash dumpsters, compactors, recycling areas, and mechanical equipment areas) shall be located to avoid negative visual, auditory (noise), olfactory, or physical impacts on the street environment and adjacent residentially zoned properties. The City may require evidence that such elements will not significantly impact neighboring properties or public areas. (For example, the City may require noise damping specifications for fans near residential zones.)
- b. Loading areas for commercial uses shall not be located within 100 feet of a residentially zoned property, unless the Director finds such a restriction does not allow feasible development. In such cases, the areas will be separated from the

residential lot by a masonry wall at least 8 feet high. Such a wall shall comply with the guidelines in E.8.

- c. Service areas shall not be visible from the sidewalk and adjacent properties. Where the City finds that the only option for locating a service area is either visible from a public right-of-way or space or from an adjacent property, the area must be screened with landscape and structural screening measures. Use of wood for structural screening is not allowed.
- d. Ground-mounted mechanical equipment shall be located and screened as necessary to minimize visual and noise impacts to pedestrians on streets and adjoining properties
- e. Roof-mounted mechanical equipment shall be located and screened so the equipment is not visible from the ground level of adjacent streets or properties within 150 feet of the structure. The roof mounted equipment shall match the exposed color of the roof to minimize visual impacts.

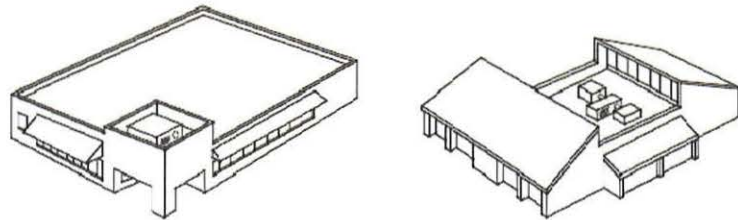


Figure 6. Examples of how to screen roof-mounted mechanical equipment.

- f. Locate and screen utility meters, electrical conduit, and other service and utilities apparatus so they are not visible from adjoining properties and nearby streets.



Figure 7. Place utility meters in less visible locations. Note that this example is acceptable on a service alley but not near a street or residential walkway.

B.5.2 Screening of Service Areas and Mechanical Equipment

- a. A structural enclosure shall be constructed of masonry or heavy-gauge metal. The walls must be sufficient to provide full screening from the affected roadway or use. The enclosure may use overlapping walls to screen dumpsters and other materials (see photos). Gates shall be made of heavy-gauge, site obscuring metal.

- b. Collection points shall be located and configured so that the enclosure gate swing does not obstruct pedestrian or vehicle traffic, or does not require that a hauling truck project into any public right-of-way.
- c. Weather protection of recyclables shall be ensured by using weather-proof containers or by providing a roof over the storage area.

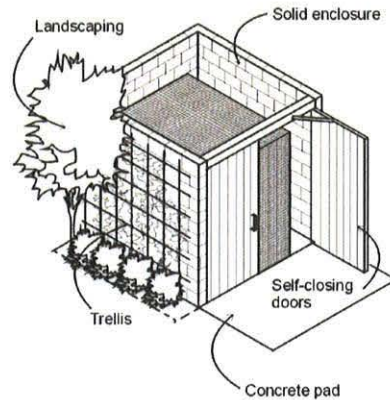


Figure 8. Examples of acceptable dumpster enclosures.

B.6 Storm Water Facility Planning

INTENT:

- ◆ To comply with storm water management requirements.
- ◆ To integrate storm water management/water quality systems into the site design as an amenity.
- ◆ To reduce the economic burden of storm water management systems on developments.

Note: These guidelines address design issues and are not intended to diminish or alter other requirements for storm water management measures in Chapter 13.45, LMC.

GUIDELINES:

B.6.1 Integration into Site Design

- a. When used, biofiltration swales, rain gardens, storm water planters, and other storm water management measures shall be integrated into the overall site design in a manner that is consistent with the landscape design concept. Methods of filtration are listed below in order of preference:
 - (1) Incorporate the biofiltration system, including low-impact development (LID) features, as part of the landscape features of the development. If the biofiltration system is incorporated into the landscaping of the site's open space, then, upon approval of the Director, the storm water facility may be counted as part of the required open space.



Figure 9. The preferred method of handling storm water is through retention systems, such as rain gardens, incorporated as site amenities. Other low-impact development techniques are encouraged.

- (2) Locate biofiltration swales, ponds, or other approved biofiltration systems as part of a landscape screen. Trees may be planted near the grass swale as long as they do not substantially shade the grass or undermine soil structure within the swale. The swale or pond should be designed so it does not impede pedestrian circulation or shared parking between two or more properties.

- (3) Where topography is favorable, locate the biofiltration swale, wet pond, or other approved biofiltration system within the paved parking or service area. The swale or pond should be landscaped as part of the required internal parking area landscaping and oriented so it does not impede pedestrian circulation.

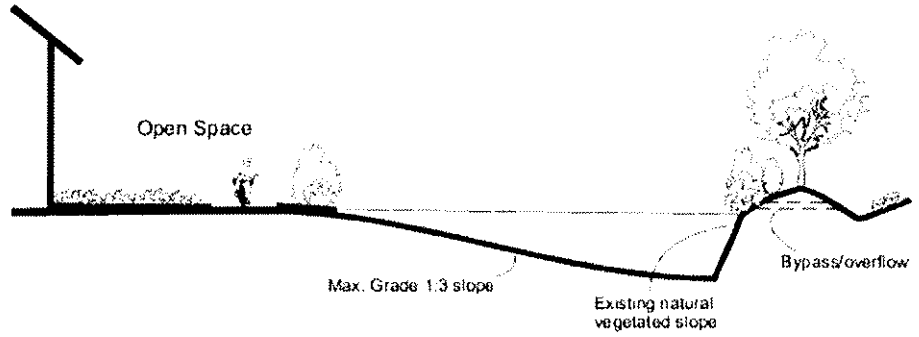


Figure 10. Biofiltration swale designed as an amenity.

B.7 Street Corner Treatment

INTENT:

- ◆ To create and preserve visual identity and spatial reference at street corners.
- ◆ To enhance the pedestrian environment at street corners.

Note: See also guidelines in E.5, which address building elements at street corners.

GUIDELINES:

B.7.1 Street Corner Treatments

All development proposals at the corners of intersections of Highway 99 with designated side streets (see B.1.2) must include at least one of the design treatments described below (in order of preference):

- a. Locate a building towards the street corner (within 15 feet of corner of property lines). See also Guideline E.5.
- b. Provide pedestrian-oriented space, as described in C.3.1, at the corner leading directly to a building entry or entries.

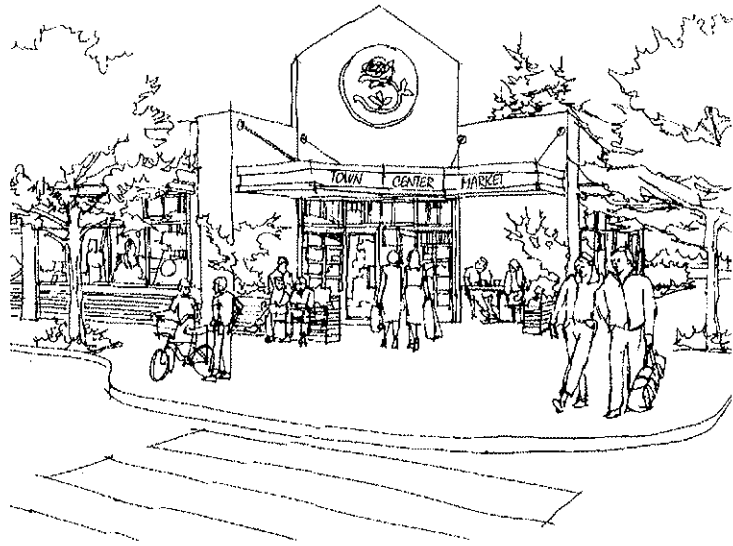


Figure 11. This example includes both a building located towards the street corner and a small pedestrian-oriented space.

- c. Other elements or methods if the proposed element or method conforms with the intent of this section as determined by the Director.

B.8 Residential Open Space

INTENT:

- ◆ Create pleasant residential settings in the Highway 99 mixed use zone.
- ◆ To create useable space that is suitable for leisure or recreational activities for residents.
- ◆ To create open space that contributes to the residential setting.

GUIDELINES:

B.8.1 Design of Required Common Open Space for Multifamily Residences

- a. Common open space shall be visible from dwelling units and positioned near pedestrian activity, particularly children’s play areas.
- b. Residential units adjacent to the common open space should have individual entrances to the space. Preferably, these units should include a small area of semi-private open space enclosed by low level landscaping or hedges (no taller than 42”).
- c. A combination of paths, seating, lighting, and other pedestrian amenities shall be included to make the area more functional and enjoyable.
- d. The space shall provide for a range of activities that accommodate a range of age groups;
- e. Open space should be oriented to receive sunlight, facing east, west or (preferably) south, when possible; and
- f. Common space should be separated from ground floor windows, streets, service areas, and parking areas with landscaping and/or low-level fencing. However, care should be used to maintain visibility from dwelling units towards open space for safety.



Figure 12. Good examples of common open space, including street level courtyards (top pictures), a children's play area (lower left), and a pedestrian corridor (lower right).

B.9 Non-Residential Open Space

INTENT:

- ◆ To enhance the development character and attractiveness of non-residential development.
- ◆ To increase pedestrian activity and amenity for shoppers
- ◆ To mitigate the impacts of large format retail stores, which by their nature are auto-oriented, anti-pedestrian, and damaging to the desired, mixed-use character of the mixed use zones.

GUIDELINES:

B.9.1 Non-Residential Open Space Requirements

- a. New developments shall provide pedestrian oriented open space. Common open space shall be positioned near pedestrian activity.
- b. A combination of paths, seating, lighting, and other pedestrian amenities shall be included to make the area more functional and enjoyable.
- c. Open space should be oriented to receive sunlight, facing east, west or (preferably) south, when possible; and
- d. Common space should be separated from streets, service areas, and parking areas with landscaping and/or low-level fencing.

B.10 Site Planning for Security

INTENT:

- ◆ To increase personal safety and property security.

GUIDELINES:

B.10.1 Prohibitions

In site development planning, avoid:

- Creating “entrapment” areas, where a person could feel trapped with no exit route. At least two means of egress shall be provided from all common outdoor spaces. Ensure entrapment conditions are avoided in the design of rooftop decks.
- Areas which are dark or not visible from a public space.

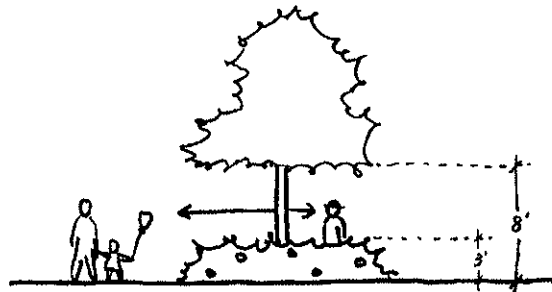


Figure 13. Keep landscaping open between 3 feet and 8 feet above grade where there is the need for visibility to establish a clear site zone.

- Buildings, vegetation, or other objects (e.g., a storage enclosure) that block visibility into a space or provide places to hide.
- Screens or landscaping that blocks motorists’ views of pedestrians crossing streets, driveways, and vehicular circulation areas.

B.10.2 Desirable Elements

While planning the site and design of buildings and site elements, provide for the following to the extent feasible:

- “Passive surveillance,” or the ability of people occupying buildings and public spaces to view all parts of accessible spaces.
- Security and pedestrian lighting per Guideline F.1.1.

C. Pedestrian Access, Amenities, and Open Space Design

C.1 Street Amenities

INTENT:

- ◆ To provide pedestrian spaces which include accommodations for seasonal climate conditions for a variety of activities.
- ◆ To provide amenities along sidewalks and walkways which enrich the pedestrian environment.
- ◆ To encourage walking, both as a recreational activity and as a means of transportation.

GUIDELINES:

C.1.1 Amenities on Highway 99 and Side Streets

At least three of the amenities listed below shall be included for each 100 lineal feet of public street frontage. Sites with less than 100 feet of frontage shall provide one amenity. The amenities shall be located along the street frontage; they do not need to be spaced 100 feet apart, but should be located where they best integrate with other site amenities. The amenities shall be in addition to those required by other provisions of these guidelines and the LMC. If the amenities already exist along the property's street fronts, they may satisfy this requirement. Amenities include:

- a. Pedestrian-scaled lighting (luminaires between 12 feet-14 feet above the ground).
- b. Pedestrian furniture, such as seating space, approved trash receptacles, bicycle racks, and drinking fountains. Seating areas and trash receptacles are particularly important where there is expected to be a concentration of pedestrian activity (such as near major building entrances and transit stops).
- c. Planting beds, hanging flower baskets, large semi-permanent potted plants, and/or other ornamental landscaping.
- d. Decorative pavement patterns and tree grates.
- e. Informational kiosks.
- f. Decorative clocks.
- g. Artwork, including pavement artwork.
- h. Other amenities that meet the Intent of this guideline.

C.2 Internal Pedestrian Paths and Circulation

INTENT:

- ◆ To provide safe and direct pedestrian access that accommodates all pedestrians, minimizes conflicts between pedestrians and vehicular traffic, and provides pedestrian connections to neighborhoods.
- ◆ To accommodate non-competitive/non-commuter bicycle riders who use bicycles on short trips for exercise and convenience.
- ◆ To provide attractive internal pedestrian routes which promote walking and enhance the character of the area.

GUIDELINES:

C.2.1 Pedestrian Circulation – General

- a. Pedestrian circulation routes shall be provided in accordance with Sections B.1, B.2, B.4, and B.7 from building entries of businesses to services within the same development, building entries of nearby residential complexes, parking lots and sidewalks along abutting roadways.

Figure 14. An example of an attractive pedestrian connection through a large development.



- b. New developments shall provide for the opportunity for future pedestrian connections to adjacent commercial, mixed-use and multi family residential properties (inside and outside nodes) through the use of walkway stub-outs, building configuration, and/or parking area layout.
- c. For safety and access, landscaping next to a pedestrian walkway shall be maintained or plant material chosen to maintain a clear site zone between 3 and 8 feet from ground level.
- d. Pedestrian walks shall be separated from structures by at least 3 feet for landscaping, except where the adjacent building features a pedestrian-oriented façade per Section E.4. The Director may consider other treatments to provide attractive walkways. Examples include sculptural, mosaic, bas-relief artwork, or other decorative treatments that meet the Intent. (Figure 16 provides one example.)

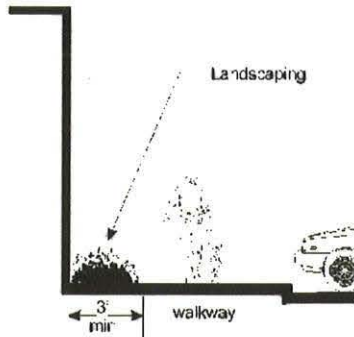


Figure 15. Provide landscaping between walkways and structures.



Figure 16. Wall treatment to provide interest along a walkway.

- e. Walkways providing access to commercial and mixed-use buildings must be at least 8 feet wide. For all other interior walkways, the applicant must demonstrate to the Director's satisfaction that the proposed walkway is of sufficient width to accommodate the anticipated number of users. For example, a 10- to 12-foot wide walkway can accommodate two pairs of pedestrians passing one another. An 8 foot wide walkway will accommodate three persons walking abreast, while a 6-foot wide walkway will allow two individuals to pass comfortably.

C.2.2 Pedestrian Circulation Where Facades Face Parking Areas

In commercial settings where buildings face onto a parking area rather than the street, provide wide walkways adjacent to the façades of retail and mixed-use buildings. Walkways along the front façade of mixed-use and retail buildings 100 feet or more in length (measured along the façade) that are not located adjacent to a street must be at least 12 feet wide with 8 feet minimum unobstructed width and include the following:

- a. Trees shall be placed at an average of 30 feet on-center and placed in grates. Breaks in the tree coverage will be allowed near major building entries to enhance visibility. However, no less than 1 tree per 60 lineal feet of building façade must be provided.
- b. Planting strips should be used between any vehicle access or parking area and the walkway, provided that the required trees are included and the walkway is at least 8 feet in width and the combined walkway and planting strip is at least 12 feet in width (See Figure 17).
- c. Pedestrian-scaled lighting shall be provided, mounted either on posts no more than 15 feet high or on the building.

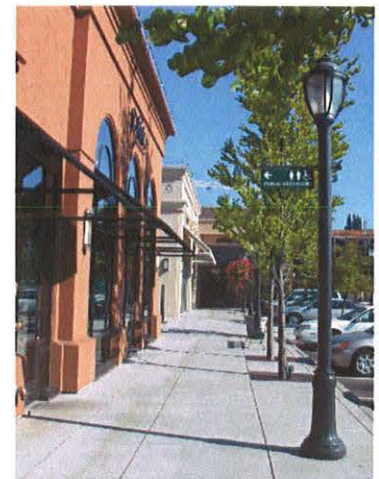


Figure 17. Example of a successful pedestrian sidewalk between parking lot and storefront.

C.3 Pedestrian-Oriented Open Space

INTENT:

- ◆ To provide a variety of pedestrian areas to accommodate shoppers on designated pedestrian-oriented streets.
- ◆ To provide safe, attractive, and usable open spaces that promote pedestrian activity and recreation.

GUIDELINES:

C.3.1 Pedestrian-Oriented Open Space

Where “pedestrian-oriented open space” is provided (including, but not limited to areas required in these guidelines or in the LMC), design the open space according to the following criteria. If sidewalks are wider than the required minimum width, the additional sidewalk width may be counted as pedestrian-oriented open space.

- a. Required pedestrian-oriented open space features:
 - (1) Visual and pedestrian access (including handicapped access) into the site from a street, private access road, or non-vehicular courtyard.
 - (2) Paved walking surfaces of either concrete or approved unit paving.
 - (3) On-site pole or building-mounted lighting (fixtures no taller than 15 feet) providing at least 4 foot candles (average) on the ground.
 - (4) Spaces shall be located in or adjacent to areas with significant pedestrian traffic to provide interest and security, such as adjacent to or visible from a building entry.
 - (5) Landscaping components that add visual interest and do not act as a visual barrier. This could include planting beds, potted plants, or both.
 - (6) Pedestrian amenities, such as a water feature, site furniture, artwork, drinking fountains, kiosks, etc.
 - (7) At least 2 feet of seating area (a bench or ledge at least 16 inches deep and appropriate seating height) or one individual seat per 60 square feet of plaza area or open space.
 - (8) Adjacent buildings with transparent window and doors covering 75 percent of the façade between 2 feet and 8 feet above the ground level.

- c. A pedestrian-oriented open space shall not have:
 - (1) Asphalt or gravel pavement.
 - (2) Adjacent parking areas or service areas (e.g., trash areas) which are not separated with landscaping, as described in D.2.2.
 - (3) Adjacent chain-link fences.

- (4) Adjacent blank walls without treatment.
- (5) Outdoor storage or retail sales which do not contribute to the pedestrian-oriented environment.

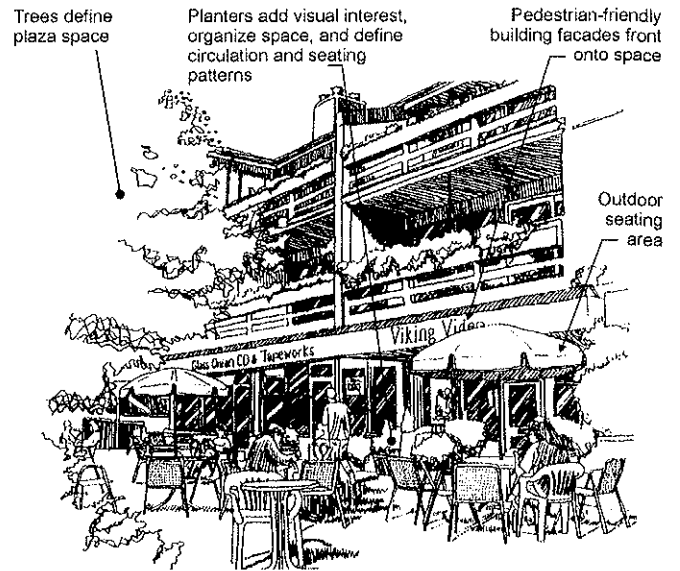


Figure 18. Example of a small pedestrian-oriented open space.

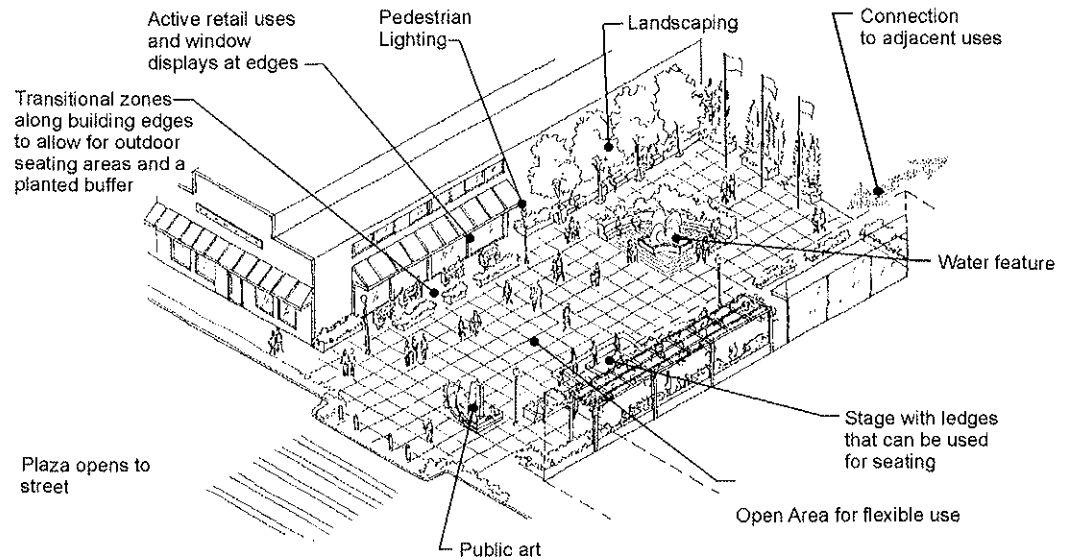


Figure 19. Example of a large pedestrian-oriented open space.

C.4 Site Landscaping

INTENT:

- ◆ To encourage the abundant use of gardens and other landscaping in site and development design to improve site aesthetics, enhance the pedestrian experience, and increase environmental quality.
- ◆ To reduce surface water runoff by percolating water through landscaped areas.
- ◆ .To provide visual relief from roadways, parking areas, and the built environment.

GUIDELINES:

C.4.1 Landscaping Requirements

- a. Landscaping shall reinforce pedestrian and vehicular circulation, especially parking lot entrances, ends of driving aisles, and pedestrian walkways leading through parking lots.
- b. Landscaping plant material, size, variety, color, and texture shall be integrated with the overall site landscaping design.
- c. Landscaping shall provide a variety of seasonal colors, forms, and textures that contrast or complement each other with a mixture of evergreen and deciduous trees, shrubs, groundcovers, and low-maintenance perennials. Continuous expanses of uniform landscape treatment along street frontages and within parking lots is prohibited.

D. Parking Area Design

D.1 Walkways Through Parking Areas

INTENT:

- ◆ To provide safe and convenient pedestrian paths from the street sidewalk through parking areas to building entries in order to encourage pleasant walking experiences between businesses.
- ◆ To provide an inviting, pleasant pedestrian circulation system that integrates with parking and serves as access to nearby businesses.

GUIDELINES:

D.1.1 Walkways Through Parking Lots

Developments shall provide specially marked or paved walkways through parking areas. Generally, walkways should be provided a minimum of every four rows and a maximum distance of 180 feet shall be maintained between paths. Where possible, align the walkways to connect with major building entries or other sidewalks, walkways, and destinations.



Figure 20. Parking area walkway examples.

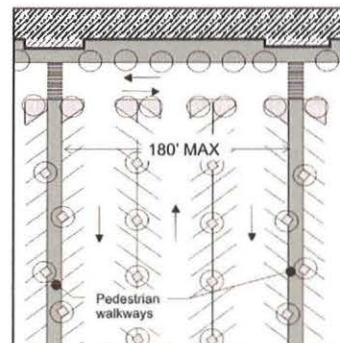


Figure 21. Parking area walkway configuration.

D.2 Parking Area Landscaping

INTENT:

- ◆ To reduce the visual presence of parking on the Highway 99 Mixed-Use zone streetscape and adjacent development.
- ◆ To increase the visual quality of the Highway 99 Mixed-Use zone.
- ◆ To increase tree canopy cover for environmental and aesthetic benefits.
- ◆ To improve water quality and improve storm water management.

GUIDELINES:

D.2.1 Parking Area Landscaping

See Zoning Code for landscaping requirements for a parking area.

D.2.2 Parking Area Screening

Parking area screening shall be provided between the sidewalk and parking areas within the Hwy 99 mixed-use zone as follows:

- a. Landscaping at parking areas fronting on a public street shall include a 10-foot-wide planting area along the entire street frontage, except for driveways, walkways and other pedestrian spaces. Plantings shall consist of ornamental landscaping of low plantings and high plantings. The minimum height of trees (at planting) shall be eight feet for evergreen trees and 10 feet for all other species. Trees shall be spaced a maximum of 25 feet on center with branches eliminated to a height of eight feet as the tree grows, where necessary, to prevent sight obstruction. The required trees in this planting area may be located within the adjacent street right-of-way, subject to approval by the Public Works and Community Development Directors. Low evergreen plantings, or a mixture of low evergreen and deciduous plantings with a maximum height of 30 inches, shall be provided so as to achieve 50 percent groundcover within two years.
- b. Alternatively, one of the following options could be used:
 - (1) The location and width of the planting area may be modified so that up to five feet of the 10-foot total required may be installed in portions of city right-of-way which are not covered by impervious surfaces, subject to approval by the Public Works and Community Development Directors.
 - (2) Provide a 5-foot wide planting bed that incorporates a continuous low wall (maximum 3 feet tall) and/or trellis. The planting bed shall be in front of the wall and feature the following plantings:
 - (a) A mix of deciduous and evergreen trees generally interspersed throughout the landscape strip.
 - (b) At least 70 percent deciduous trees.

- (c) Trees provided at the rate of one per 250 square feet or one per 25 linear feet, whichever is greater, of landscape strip and spaced no more than 30 feet apart on center.
- (d) Shrubs provided at the rate of one per 20 square feet of landscape strip and spaced no more than eight feet apart on center.
- (e) Perennials.
- (f) Groundcover.
- (g) No plants included in the Snohomish County Noxious Weed list.

The wall shall be constructed of brick, stone, decorative concrete or concrete block, or other permanent material that provides visual interest and helps to define the street edge as determined by the Director. See Figure 22 for an example. Use of wood is prohibited.



Figure 22. Parking area planting buffer with low wall and trellis.

- (2) Provide an elevated planter which is a minimum of 5 feet wide and between 2 and 3 feet in height. Ledges that are approximately 12 inches in width are encouraged as they can double as a seating area. The planter must be constructed of masonry, concrete or other permanent material that effectively contrasts with the color of the sidewalk and combines groundcover and annuals, perennials, ornamental grasses, low shrubs, and/or small trees that provide seasonal interest. See Figure 23 as an example.

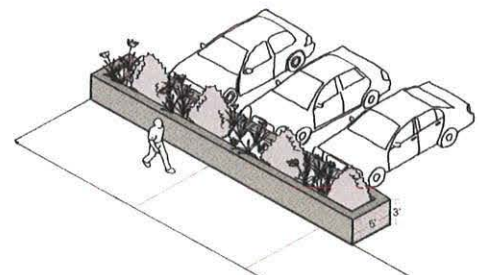


Figure 23. Elevated parking area planting buffer.

- (3) Options (1) and (2) should choose and maintain plantings to maintain eye level visibility between the street/sidewalk and parking area for safety. This means that shrubs and other low plantings should be maintained below 3 feet in height while trees (once they achieve taller heights) should be trimmed to up to the 8-foot level. (See Figure 13 in B.9.)

E. Building Design

E.1 Building Design - Character

GENERAL NOTES:

1. Many of these building design guidelines call for a building to feature one or more elements from a menu of items. In these cases, a single element, feature, or detail may satisfy multiple objectives. For example, a specially designed or fabricated covered entry with attractive detailing might be counted toward requirements for human scale, building corners, and building details.
2. The terms “decorative” and “ornamental” are not necessarily meant to mean “characterized by traditional patterns, nonstructural elements, or applied markings.” Elements may be considered “decorative,” “ornamental,” or “special” if they extend beyond the typical level of quality, use materials or forms in an unusual way, or show special architectural consideration. The Director shall determine what elements are “ornamental,” “decorative,” or “special.”

INTENT:

- ◆ To provide building design that has a high level of design quality and creates comfortable human environments.
- ◆ To incorporate design treatments which add interest and reduce the scale of large buildings.
- ◆ To encourage building design that is authentic and responsive to site conditions.
- ◆ To encourage functional, durable, and environmentally responsible buildings.

GUIDELINES:

E.1.1 Architectural Character

While a variety of architectural elements and characteristics are desirable to avoid monotonous development, new buildings should not exhibit specific historical styles and themes such as “Bavarian” or “Colonial” architecture. Traditional building elements, forms and materials may be appropriate, as are contemporary architectural styles and features. Buildings within a multi-building development should generally be designed as a composition so that the buildings’ characters complement one another through the use of similar forms, materials, proportions or other characteristics. Although some buildings may include corporate signature elements, such elements that do not meet the intent of these guidelines are not acceptable.

E.2 Human Scale Elements

INTENT:

- ◆ To encourage the use of building components that relate to the size of the human body.
- ◆ To add visual interest to buildings.

GUIDELINES:

E.2.1 Human-Scale Elements

“Human scale” addresses the relationship between a building and the human body. Generally, buildings attain a good human scale when they feature elements or characteristics that are sized to fit human activities, such as doors, porches, and balconies.

Incorporate a minimum of three human scale building elements into new developments.

Human scale measures include:

- a. Balconies or decks in upper stories, at least one balcony or deck per upper floor on the façades facing streets, provided they are integrated into the architecture of the building.
- b. Bay windows or other window treatments that extend out from the building face;
- c. At least 100 square feet of pedestrian-oriented open space, as described in C.3.1, for each 100 lineal feet of building façade;
- d. First floor individual windows, generally less than 32 square feet per pane and separated from the building by at least a 6” molding;
- e. A porch or covered entry;
- f. Spatially defining building elements, such as a trellis, overhang, canopy, or other element, that defines space which can be occupied by people;
- g. Upper story setbacks, provided one or more of the upper stories are set back from the face of the building a minimum of 6 feet;
- h. Placement of smaller building elements near the entry of pedestrian-oriented street fronts of large buildings (see Figure 27);
- i. Landscaping components that meet the intent of the guidelines; and/or
- j. Other elements that the Director determines meets the intent of this guideline.



Figure 24. An example of balconies that have been integrated into the architecture of the building.

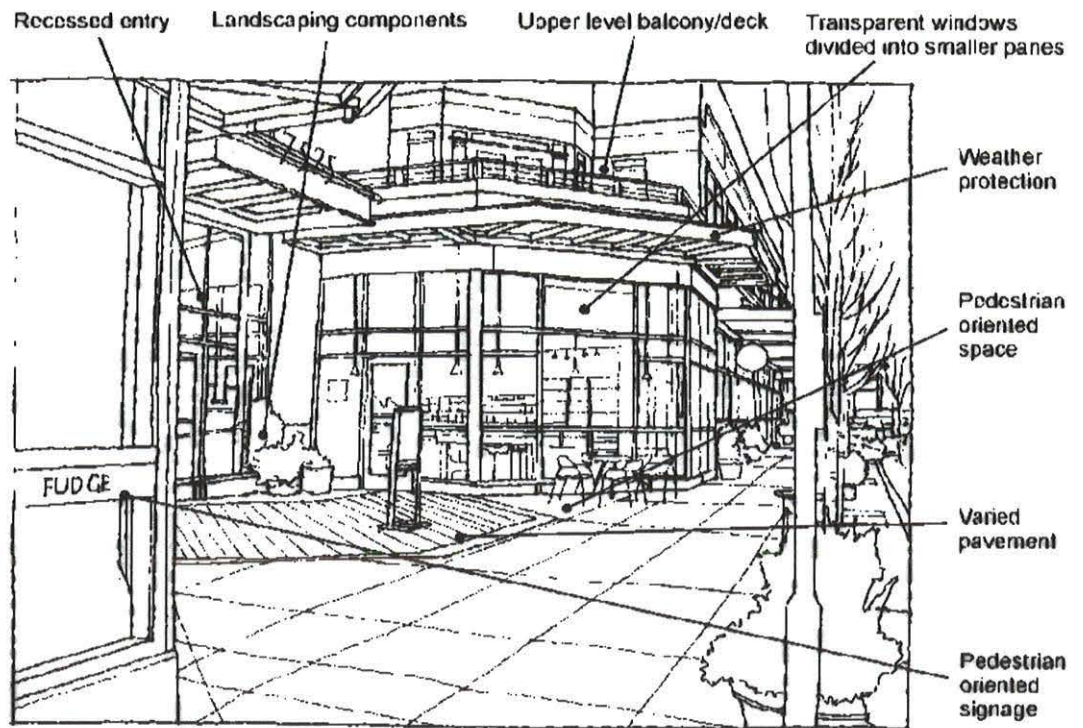
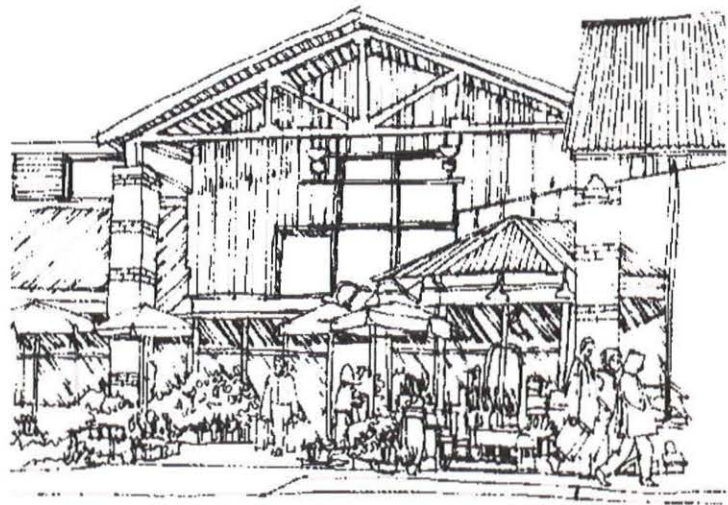


Figure 25. Illustrating a variety of human scale components on a building.



Figure 26. *This mixed-use building incorporates decks, upper level setbacks, trellises, and landscaping to meet human scale guidelines.*



Figures 27. *Examples of arranging smaller building elements near the entry of large buildings.*

E.3 Architectural Scale

INTENT:

- ◆ To encourage architectural scale of development that is compatible with nearby areas as described in the sub area plan.
- ◆ To add visual interest to buildings.

Note:

- **Architectural scale** is the perceived height and bulk of a building relative to that of neighboring buildings. A building has “good architectural scale” if its visual size is relatively similar to its neighbors or consistent with the overall design intent of the area.
- **Modulation** is a stepping back or projecting forward of portions of a building face, within specified intervals of building width and depth, as a means of breaking up the apparent bulk of a structure’s continuous exterior walls.
- **Articulation** is visually breaking up a building façade into intervals by including repetitive features, such as broken rooflines, chimneys, entrances, distinctive window patterns, street trees, and modulation.

GUIDELINES:

E.3.1 Scale of Large Buildings

- a. All new buildings over three stories or over 5,000 square feet in gross building footprint or with facades longer than 100 feet measured horizontally shall provide at least three modulation and/or articulation features as described below along any façade that is visible from a street, residential zone or pedestrian walkway, and have entries at intervals of no more than 60 feet:
 - (1) Horizontal building modulation. The depth of the modulation shall be at least 2 feet when tied to a change in the roofline and at least 5 feet in other situations. Balconies may be used to qualify for this option, provided they have a floor area of at least 40 square feet, are integrated with the architecture of the building, and project at least 2 feet from the building façade.



Figure28. This building uses modulation to increase its interest and human scale.

- (2) Modulated roof line. Buildings may qualify for this option by modulating the roof line of all façades visible from a street, park, or pedestrian walkway per the following standards:
 - (a) For flat roofs or façades with a horizontal fascia or parapet, change the roofline so that no unmodulated segment of roof exceeds 60 feet. Minimum vertical dimension of roof line modulation is the greater of 2 feet or 0.1 multiplied by the wall height (finish grade to top of wall);
 - (b) For gable, hipped, or shed roofs, a slope of at least 3 feet vertical to 12 feet horizontal; or
 - (c) Other roof forms such as arched, vaulted, dormer, or saw-toothed may satisfy this design standard if the individual segments of the roof with no change in slope or discontinuity are less than 60 feet in width (measured horizontally).
- (3) Repeating distinctive window patterns at intervals less than the articulation interval.
- (4) Providing a porch, patio, deck, or covered entry for each articulation interval.
- (5) Changing the roofline by alternating dormers, stepped roofs, gables, or other roof elements to reinforce the modulation or articulation interval.
- (6) Changing materials with a change in building plane.
- (7) Providing lighting fixtures, trellises, trees, or other landscape features within each interval.

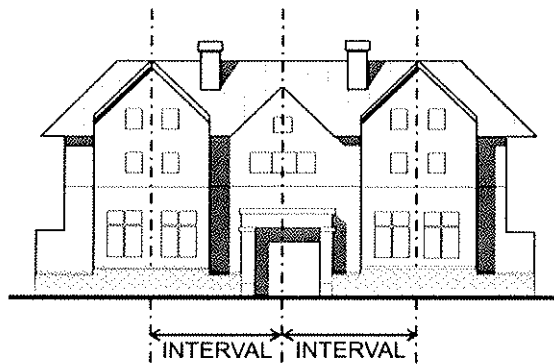


Figure 29. Building articulation.

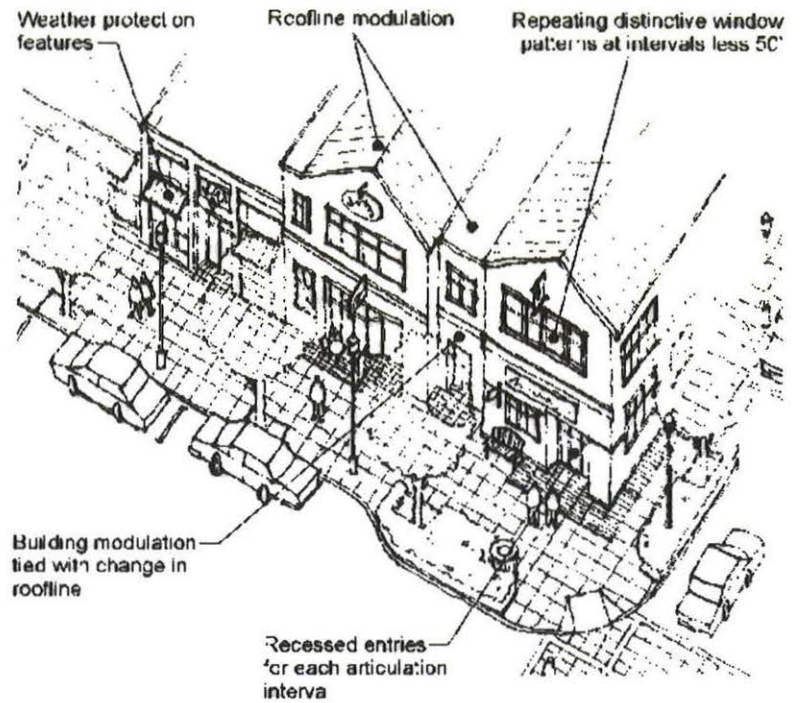


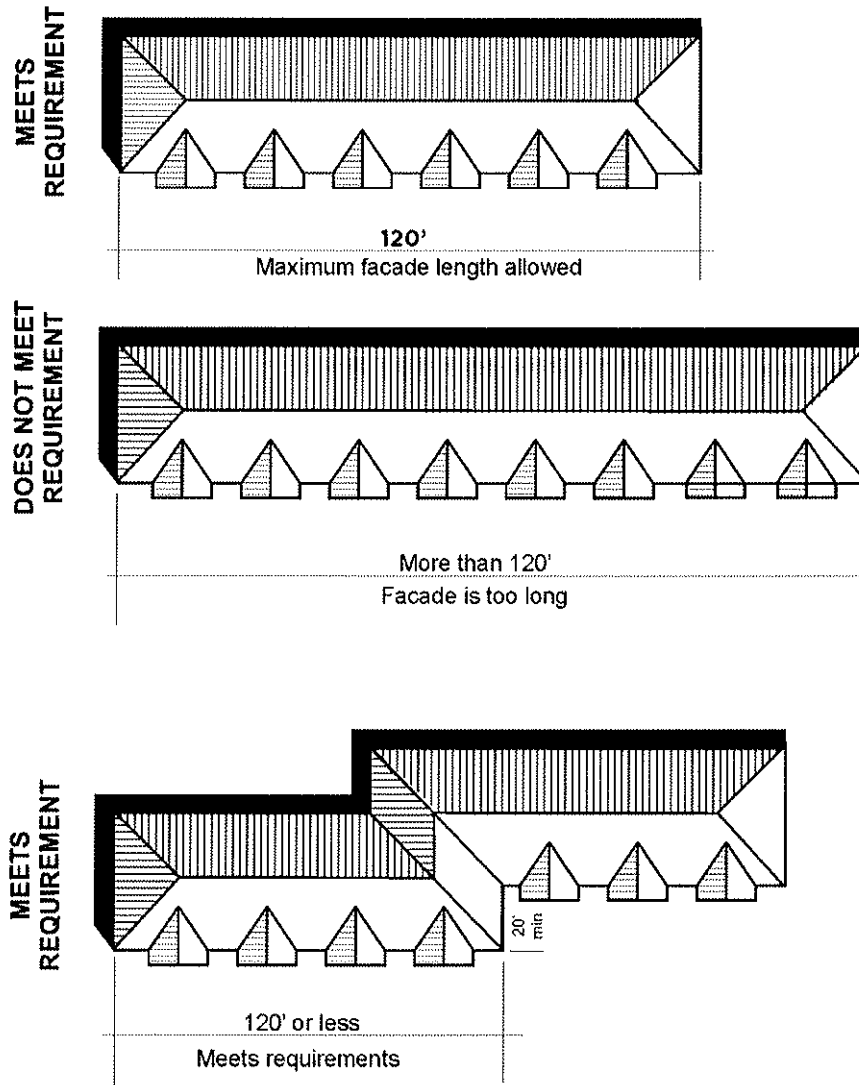
Figure 30. These buildings illustrate a combination of horizontal building modulation, roofline modulation, and building articulation to reduce the architectural scale and provide visual interest.



Figure 31. This Kirkland development uses a variety of roof forms and heights, different weather protection features, changing building materials and colors, and a modest amount of horizontal building modulation to reduce the overall architectural scale into smaller “storefront” components.

- b. The maximum façade -length (the façade includes the apparent length of the structure facing the street and includes required modulation) of buildings visible from a street, public open space, or pedestrian-oriented space is 120 feet.

- c. Buildings exceeding 120 feet in length along the street front shall be divided by an offset modulation of the exterior wall, so that the maximum length of any single façade is no more than 120 feet (see Figure 33). Such offset modulation must be at least 20 feet or deeper and extend through all floors (the first floor will be exempted if it includes a pedestrian-oriented façade). The off set modulation may also be accomplished by gaps, indents, or extensions out from the front façade of at least 20 feet.



This buildings exceeding 120 feet in length along the street front, but is divided by a 20-foot wide *modulation* of the exterior wall, so that the maximum length of a particular *façade* is 120 feet or less. Such *modulation* must be at least 20 feet or deeper and extend through all floors (ground floors are exempt if they feature a *pedestrian-oriented façade*).

Figure 32. Illustrating maximum façade lengths

E.4 Pedestrian-Oriented Facades and Weather Protection

INTENT:

- ◆ To create a safe, attractive, welcoming pedestrian environment.
- ◆ To enhance retail activity.

GUIDELINES:

E.4.1 Pedestrian-Oriented Facades

Where pedestrian-oriented facades are required, (See B1.1, B1.2) the building shall provide the following:

- a. Transparent window areas, window displays, or a combination of sculptural, mosaic, or bas-relief artwork and transparent window areas or window displays over at least 75 percent of the ground floor facade between 2 feet and 8 feet above grade.

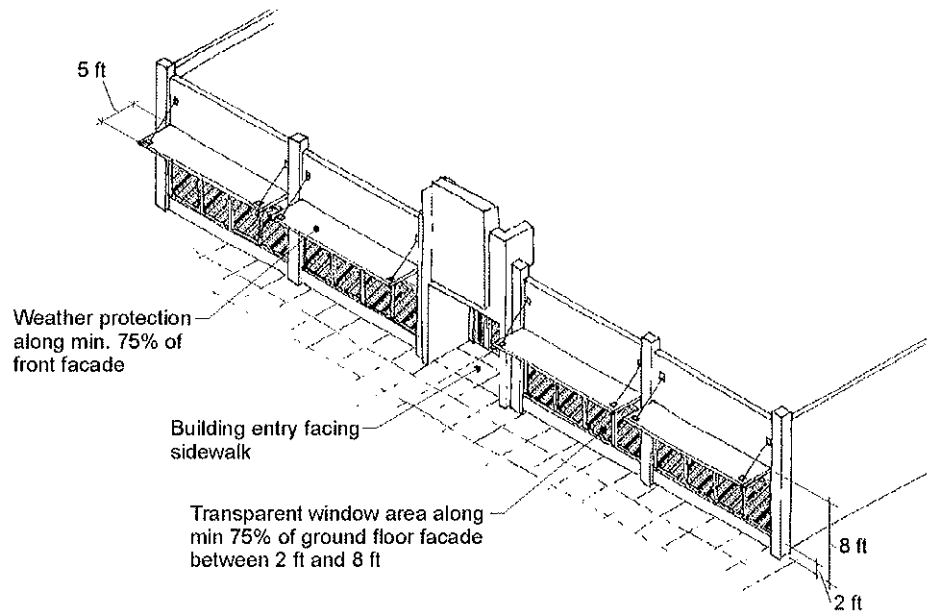


Figure 33. An example of a pedestrian-oriented facade.

- b. A primary building entry facing the street front. (See Section E.9 for entry enhancement requirements.)
- c. Weather protection at least 5 feet wide over at least 75 percent of the front facade.

E.4.2 Pedestrian Weather Protection

In addition to weather protection along pedestrian-oriented facades (see E.4.1), provide pedestrian weather protection in public spaces such as transit stops, along walkways, building entries, along display windows, specifically:

- a. Weather protection at least 5 feet deep shall be provided over all primary building, individual business, and individual residence entries. This may include a recessed entry, canopy, porch, marquee, or building overhang.



Figure 34. Provide weather protection over building entries.

- b. Canopies, awnings, or other similar weather protection features shall not be higher than 15 feet above the ground elevation at the highest point or lower than 8 feet at the lowest point.

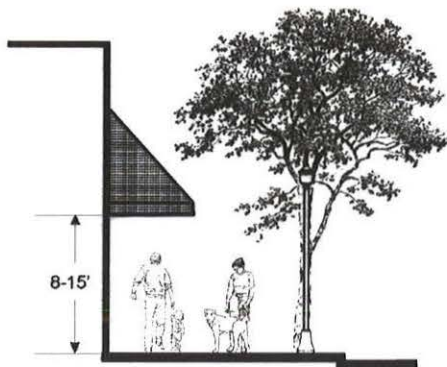


Figure 35. Height standards for weather protection features.

- c. The color, material, and configuration of the pedestrian coverings shall be as complementary to the colors and materials used in the building. Coverings with visible corrugated metal or corrugated fiberglass are not permitted unless approved by the Director. Fabric and rigid metal awnings are acceptable if they meet the applicable standards. All lettering, color and graphics on pedestrian coverings must conform to the City's Sign Code and these guidelines.

- d. Multi-tenant retail buildings shall use a variety of weather protection features to emphasize individual storefronts and reduce the architectural scale of the building. Figure 36 provides examples.



Figure 36. The continuous canopy on top is monotonous and deemphasizes individual storefronts. The bottom example provides a variety of weather protection features and represents a more desirable example.

E.5 Building Corners

INTENT:

- ◆ To create visual interest and increased activity at public street corners.

GUIDELINES:

E.5.1 Building Corners

Architecturally accentuate building corners at street intersections. All new buildings located within 15 feet of a property line at the intersection of Highway 99 right-of-way with other rights-of-way shall employ two or more of the following design elements or treatments to the building corner facing the intersection:

- a. A corner entrance to courtyard, building lobby, atrium, or pedestrian walkway.
- b. Bay window or turret.
- c. Roof deck or balconies on upper stories.
- d. Building core setback "notch" or curved façade surfaces.
- e. Sculpture or artwork, either bas-relief, figurative, or distinctive use of materials.
- f. Change of materials.
- g. Corner windows.
- h. Special lighting.
- i. Special treatment of the pedestrian weather protection canopy at the corner of the building; and/or
- j. Other similar treatment or element approved by the Director

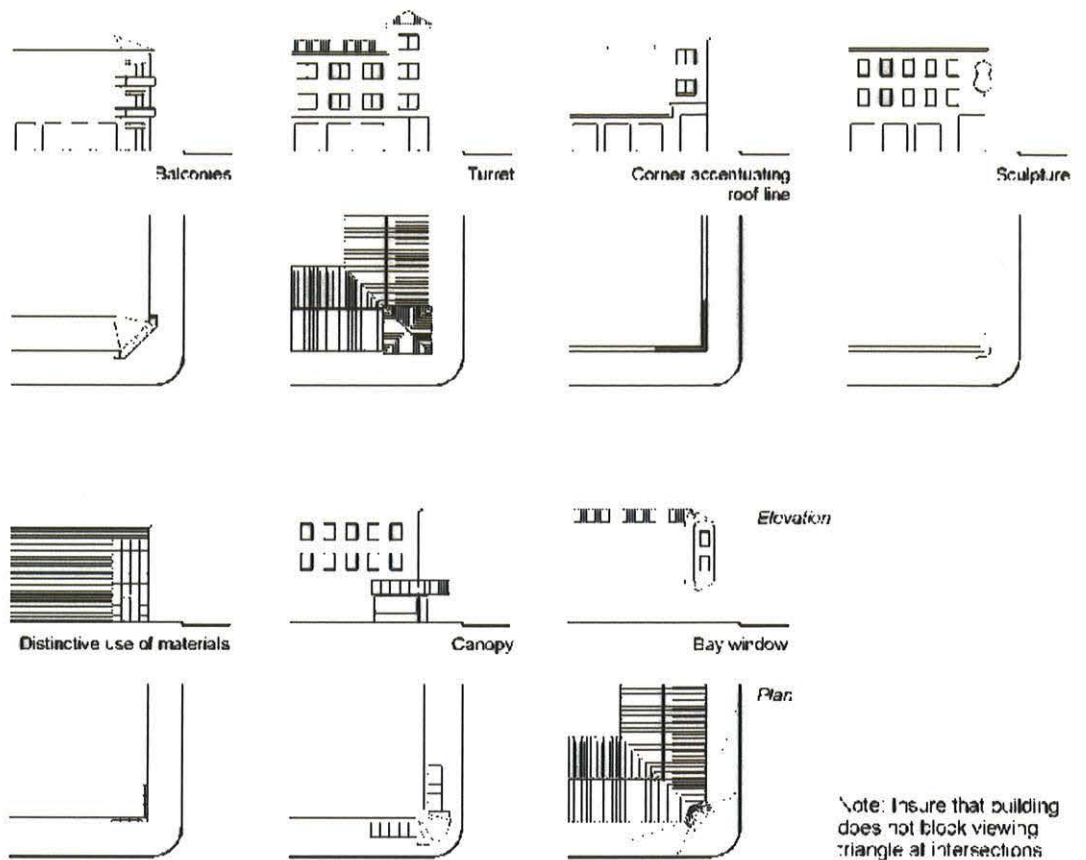


Figure 37. Corner building treatments.



Figure 38. To emphasize its street corner location, this building uses a cropped corner, change in building materials, decorative façade elements, and a modulated roofline.

E.6 Building Design Details

INTENT:

- ◆ To ensure that buildings have design interest at all observable distances.
- ◆ To enhance the character and identity of the Highway 99 Mixed-Use zone.
- ◆ To enhance the pedestrian environment.
- ◆ To encourage creativity in the design of storefronts.

GUIDELINES:

E.6.1 Design Details

- a. All new buildings and individual storefronts that face a public sidewalk, park, pedestrian open space or pedestrian walkway shall include on the façades at least three of the following design features:
 - (1) Distinctive rooflines, such as an ornamental molding, entablature, frieze, or other roofline device visible from the ground level. If the roofline decoration is in the form of a linear molding or board, then the molding or board must be at least 8" wide.
 - (2) Special treatment of windows and doors, other than standard metal molding/framing details, around all ground floor windows and doors, decorative glazing, or door designs.
 - (3) Decorative light fixtures with a diffuse visible light source or unusual fixture.
 - (4) Decorative building materials, such as decorative masonry, shingle, brick, or stone.
 - (5) Individualized patterns or continuous details, such as, decorative moldings, brackets, trim or lattice work, ceramic tile, stone, glass block, carrera glass, or similar materials.

The applicant must submit architectural drawings and material samples for approval.

- (6) Use of a landscaping treatment as part of the building's design, such as planters or wall trellises.

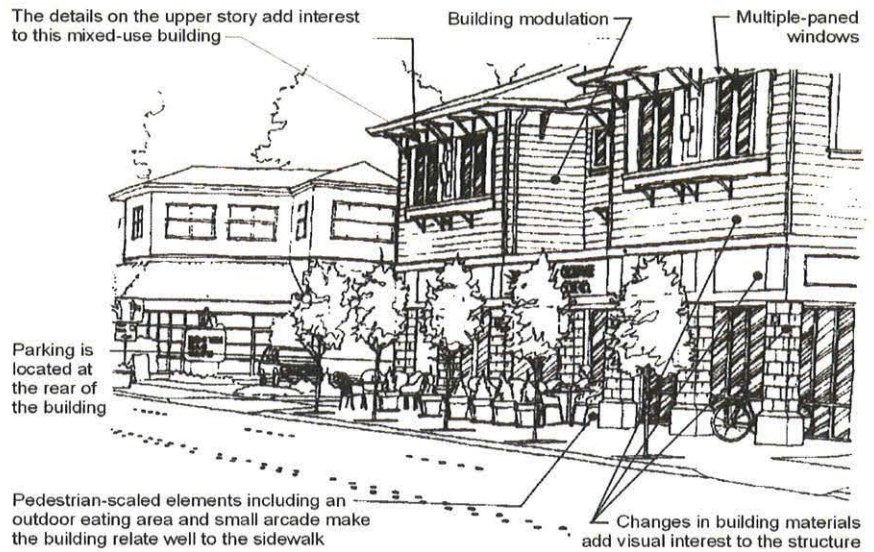


Figure 39. The use of different building materials, window treatments, and roofline brackets adds to the visual interest of this building.

- (7) Decorative or special railings, grill work, or landscape guards.
- (8) Landscaped trellises, canopies, or weather protection.
- (9) Decorative artwork, which may be freestanding or attached to the building and may be in the form of mosaic mural, bas-relief sculpture, light sculpture, water sculpture, fountain, free standing sculpture, art in pavement, or other similar artwork. Painted murals or graphics on signs or awnings do not qualify.
- (10) Sculptural or hand-crafted signs.
- (11) Special building elements, such as pilasters, entablatures, wainscots, canopies, or marquees that exhibit nonstandard designs.
- (12) Other similar features or treatment that satisfies the Intent of the Guidelines as approved by the Director.

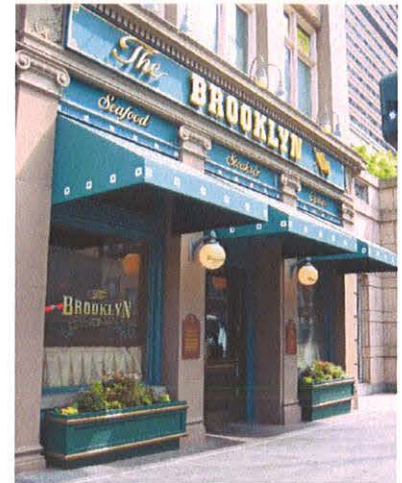


Figure 40. The building provides a number of details that enhance the pedestrian environment, including decorative lighting, planter boxes, decorative awnings, historical plaques, and decorative façade elements.

E.7 Materials

INTENT:

- ◆ To encourage the use of a variety of high-quality compatible materials that will upgrade the visual image of the Highway 99 Mixed-Use zone.

GUIDELINES:

E.7.1 Materials

The following are allowed only with special detailing, as described below:

- a. Metal siding. When used as a siding material over more than 25 percent of a building's façade visible from a public street, walkway, or park, metal siding shall:
 - (1) Have a matte finish in a neutral or earth tone such as buff, gray, beige, tan, cream, white, or a dulled color, such as barn-red, blue-gray, burgundy, ocher, or other color specifically approved by the Director.
 - (2) Include two or more of the following elements:
 - (a) Visible window and door trim painted or finished in a complementary color.
 - (b) Color and edge trim that cover exposed edges of the sheet metal panels.
 - (c) A base of masonry, stone, or other approved permanent material extending up to at least 2 feet above grade that is durable and satisfies the Intent of the Guidelines. (The intent is to provide more durable materials near grade level.)
 - (d) Other detail/color combinations for metal siding approved by the Director, provided design quality and permanence meet the intent of this section.
- b. Concrete block walls. Concrete block construction used on over 25 percent of a building façade visible from a public roadway, walkway, or park must be architecturally treated in one or more of the following ways:
 - (1) Use of textured blocks with surfaces such as split face or grooved.
 - (2) Use of other masonry types, such as brick, glass block, or tile in conjunction with concrete blocks.
 - (3) Use of decorative coursing to break up blank wall areas.
 - (4) Use of matching colored mortar where color is an element of architectural treatment for any of the options above.
 - (5) Other treatment approved by the Director.

- c. Requirements for Exterior Insulation and Finish System (EIFS) and similar troweled finishes:
- (1) To avoid deterioration, EIFS should be trimmed and/or should be sheltered from extreme weather by roof overhangs or other methods.
 - (2) EIFS may only be used in conjunction with other approved building materials.
 - (3) EIFS is prohibited on the first floor of a building.



Figure 41. This storefront effectively combines EIFS and concrete block with wood trim and metal detailing.

- d. Prohibited materials:
- (1) Mirrored glass.
 - (2) Corrugated fiberglass.
 - (3) Chain link fencing (except for temporary purposes such as a construction site).
 - (4) Crushed colored rock or tumbled glass.
 - (5) Wood
 - (6) Any sheet materials, such as wood or metal siding, with exposed edges or unfinished edges, or made of nondurable materials.

E.8 Blank Walls

INTENT:

- ◆ To reduce the visual impact of large, undifferentiated walls.
- ◆ To reduce the apparent size of large walls through the use of various architectural and landscaping treatments.
- ◆ To enhance the character and identity of Lynnwood's commercial areas.
- ◆ To ensure that all visible sides of buildings provide visual interest.

GUIDELINES:

E.8.1 Blank Walls

All blank walls (see Definitions) within 50 feet of the street, pedestrian walkway, park, or adjacent property, and also visible from that street, pedestrian walkway, park, or adjacent property, shall be treated in one or more of the following measures:

- a. Install a vertical trellis in front of the wall with climbing vines or plant materials. For large blank wall areas, the trellis must be used in conjunction with other treatments described below;
- b. Provide a landscaped planting bed at least 8 feet wide or a raised planter bed at least 2 feet high and 3 feet wide in front of the wall. Plant materials must be able to obscure or screen at least 50 percent of the wall's surface within 4 years;
- c. Provide artwork (mosaic, mural, sculpture, relief, etc.) over at least 50 percent of the blank wall surface; and/or
- d. Other method as approved by the Director. For example, landscaping or other treatments may not be necessary on a wall that employs high quality building materials (such as brick) and provides desirable visual interest.

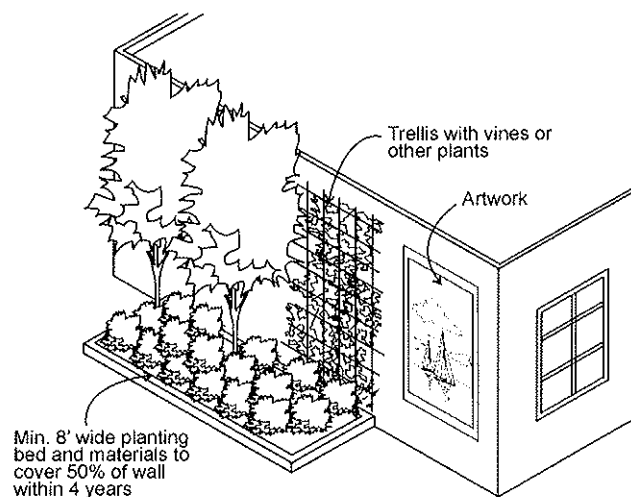


Figure 42. Blank wall treatments.



Figure 43. Terraced planting beds effectively screen a large blank wall.

E.9 Building Entrances

INTENT:

- ◆ To ensure that buildings and businesses are inviting and accessible.
- ◆ To encourage pedestrian activity.

GUIDELINES:

E.9.1 Principal Building Entrances

The principal building entrances (i.e., the building entrance used by commercial customers, residents, or visitors) of all buildings shall feature the following improvements:

- a. Pedestrian covering. Building entrances shall be covered by at least 50 square feet of pedestrian weather protection. Entries may satisfy this requirement by being set back into the building façade.
- b. Lighting. Pedestrian entrances shall be lit to at least four foot-candles as measured on the ground plane for commercial buildings and two foot-candles for residential buildings.
- c. Visibility. Building entrances shall be visible from the roadway and/or major public pedestrian walkway.
- d. Transparency. Entries shall feature glass doors, windows, or glazing (window area) near the door so that the visitor and occupant can view people opening the door from the other side (not required for entries leading directly to a single residential dwelling).
- e. Security. To the extent feasible, entries shall be visible from areas with high pedestrian activity or where residents can view the entry (passive surveillance).
- f. Architectural or artwork enhancements. Building entrances shall be enhanced by one or more of the following measures. Entrances on pedestrian-oriented streets shall feature two of the following measures.
 - (1) Special or ornamental doors, windows, or other architectural elements.
 - (2) Special paving or materials (e.g., decorative tilework).
 - (3) Special architectural lighting.
 - (4) Landscaping.
 - (5) Artwork.
 - (6) Adjacent pedestrian-oriented space.

E.9.2 Secondary Public Access for Commercial Buildings

Businesses that have secondary public access shall comply with the following measures to enhance secondary public access (applies only to entries used by the public):

- a. Weather protection at least 3 feet deep is required over each secondary entry.
- b. A sign may be applied to the awning provided that the sign complies with other regulations and guidelines.
- c. There must be at least two foot-candles illumination on the ground surface.
- d. Two or more of the design elements noted in E.9.1.f above must be incorporated within or adjacent to the secondary entry.



Figure 44 . Examples of secondary public access. Note the planters, window sign, and awning.

E.10 Parking Garage Design

INTENT:

- ◆ To minimize negative visual impacts of parking garages.
- ◆ Use of parking garages over surface parking lots is encouraged

GUIDELINES:

E.10.1 Parking Garage Design

- a. Parking garages must be designed to obscure the view of parked cars at the ground level.
- b. Where the garage wall is built to the sidewalk edge, the façade shall incorporate a combination of artwork, grillwork, mullions, special building material or treatment/design, and/or other treatments as approved by the City that enhance the pedestrian environment. Small setbacks with terraced landscaping elements can be particularly effective in softening the appearance of a parking garage. Use of wood is prohibited
- c. Upper-level parking garages must use articulation treatments that break up the massing of the garage and add visual interest.

See Figures 45 through 47 for example parking garage treatments.



Figure 45. The side of this parking garage includes some storefront retail space (left), decorative grillwork, and a raised brick planter to enhance the pedestrian environment.



Figure 46. This building uses openings on its second level parking area to resemble windows.



Figure 47. Design parking garages to obscure the view of parked cars. Note the landscaping that separates the garage from pedestrians.

E.11 Parapet Walls

INTENT:

- ◆ To insure that portions of parapet walls that extend above the upper edge of the parapet/cornice ("raised parapet wall") complement the design of the façade on which they are located and do not appear out of proportion or scale with that wall or the building

GUIDELINES:

E.11.1 Parapet Walls

The face of raised parapet walls (generally located above building entries) may extend above the upper edge of the parapet wall generally so long as:

- a) the height of the raised parapet does not exceed twice the height of the parapet (measured from the roof deck line)
- b) the width of the raised parapet does not exceed 25% of the length (width) of the building frontage on which it is located,
- c) the raised parapet is structurally integrated into the rest of the building
- d) the appearance of the raised parapet matches or complements the design of the rest of the façade at which it is located.

Signs may be located on these raised parapet walls

F. Lighting

F.1 Site Lighting

INTENT:

- ◆ To encourage the use of lighting as an integral design component to enhance buildings, landscaping, or other site features.
- ◆ To increase night sky visibility and to reduce the general illumination of the sky.
- ◆ To reduce horizontal light glare and vertical light trespass from a development onto adjacent parcels and natural features.
- ◆ To use lighting in conjunction with other security methods to increase site safety.
- ◆ To prevent the use of lighting for advertising purposes.

GUIDELINES:

F.1.1 Site Lighting Levels

- a. All publicly accessible areas shall be lighted with average minimum and maximum levels as follows:
 - (1) Minimum (for low or non-pedestrian and vehicular traffic areas) of 0.5 foot candles;
 - (2) Moderate (for moderate or high volume pedestrian areas) of 1-2 foot candles; and
 - (3) Maximum (for high volume pedestrian areas and building entries) of 4 foot candles.
- b. Lighting shall be provided at consistent levels, with gradual transitions between maximum and minimum levels of lighting and between lit areas and unlit areas. Highly contrasting pools of light and dark areas shall be avoided.

F.1.2 Light Quality and Shielding

- a. Parking area lighting fixtures shall be full cut-off, dark sky rated and mounted no more than 25 feet above the ground, with lower fixtures preferable so as to maintain a human scale.
- b. All fixtures over 15 feet in height shall be fitted with a full cut-off shield.

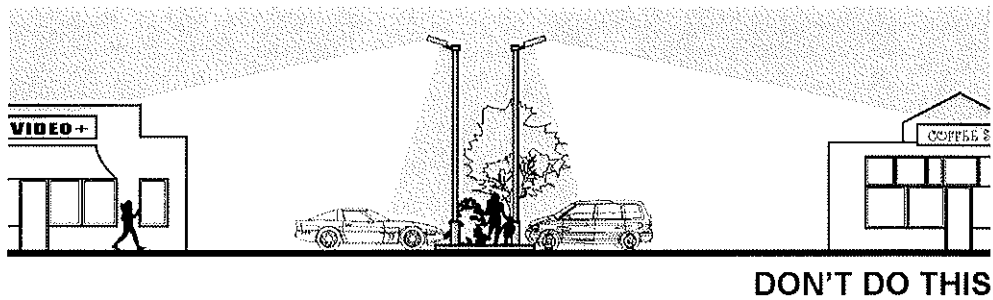
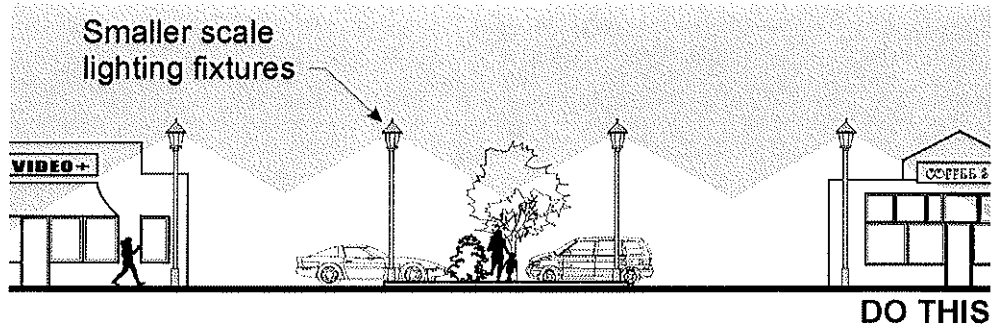


Figure 48. Acceptable and unacceptable parking area lighting.

- c. Pedestrian-scaled lighting (light fixtures no taller than 15 feet) is encouraged in areas of pedestrian activity.
- d. Maximum site lighting measured at the property lines is 0.5 foot candles. All building lights shall be directed onto the building itself and/or the ground immediately adjacent to it. The light emissions shall not be visible above the roofline of the building.

G. Definitions

Architectural scale is the perceived height and bulk of a building relative to that of neighboring buildings. A building has “good architectural scale” if its visual size is relatively similar to its neighbors.

Art, Artwork. A device, element, or feature whose primary purpose is to express, enhance, or illustrate aesthetic quality, feeling, physical entity, idea, local condition, historical or mythical happening, or cultural or social value. Examples of artwork include sculpture, bas-relief sculpture, mural, or unique specially crafted lighting, furniture, pavement, landscaping, or architectural treatment that is intended primarily, but not necessarily exclusively, for aesthetic purpose. Signs, upon approval by the Director, may be considered artwork provided they exhibit an exceptionally high level of craftsmanship, special material, or construction, and include decorative devices or design elements that are not necessary to convey information about the business or product. Signs that are primarily names or logos are not considered art.

Articulation. Visually breaking up a building façade into intervals by including repetitive features, such as broken rooflines, chimneys, entrances, distinctive window patterns, street trees, and modulation.

Balcony. An outdoor space built as an above-ground platform projecting from the wall of a building and enclosed by a parapet or railing.

Bas-relief. A sculptural carving, embossing, or casting that projects very little from the background.

Bay Window. A window that protrudes from the main exterior wall. Typically, the bay contains a surface which lies parallel to the exterior wall, and two surfaces which extend perpendicularly or diagonally out from the exterior wall. To qualify as a bay, the bay must contain a window pane which extends at least 60 percent of the length and 35 percent of the height of the surface of the bay which lies parallel to the exterior wall. There need not be windows in the surface which extend out from the exterior wall.

Blank Walls. Walls subject to "blank wall" requirements meet the following criteria:

- Any wall or portion of a wall that has a surface area of 400 square feet of vertical surface without a window, door, or building modulation or other architectural feature.
- Any ground level wall surface or section of a wall over 4 feet in height at ground level that is longer than 30 feet as measured horizontally without having a ground level window or door lying wholly or in part within that 30-foot section.

Courtyard. A landscaped space enclosed on at least three sides by a single structure.

Curb Cut. A depression in the curb for the purpose of accommodating a driveway that provides vehicular access between private property and the street.

Deck. A roofless outdoor space built as an above-ground platform projecting from the wall of a building and connected to the ground by structural supports.

Designated Side Street. The following are designated side streets: 148th Street SW, 156th Street SW, 176th Street SW, 188th Street SW, 196th Street SW, 200th Street SW, and 208th Street SW.

Director. The Community Development Director or his or her designee.

Exterior Insulation and Finish System (EIFS): EIFS is an exterior wall cladding that utilizes rigid insulation boards on the exterior of the wall sheathing with a plaster appearance exterior skin.

Façade. Any portion of an exterior elevation of a building extending from the grade of the building to the top of the parapet wall or eaves, for the entire width of the building elevation.

Feasible. For the purpose of these guidelines, an action or element is “feasible” if it can be accomplished within standard construction and development practices, as determined by the Director. Generally, an action or element is considered infeasible only if it is physically impossible or if it substantially alters the intent of the project. An element or action may be considered feasible even if it raises the cost of that aspect or element of the project.

Frontage. As used in the code, frontage refers to the length of a property line along a street.

Front Yard. The area between the street and the nearest building façade.

Horizontal Modulation. Refers to upper level building step backs. For example, this could include a building where two floors of the building front directly on the sidewalk, but the third floor is set back a distance from the front façade, and thus it may not even be visible from the sidewalk and portions of the street below.

Landscaping. An area is considered to be landscaped if it is:

- Planted with vegetation in the form of hardy trees, shrubs, or grass or evergreen ground cover maintained in good condition.
- Occupied by sculptures, fountains or pools, benches, or other outdoor furnishings.
- Occupied by such recreational facilities as playground equipment, swimming pools, game courts, etc.

Major Exterior Remodel. A proposed improvement to any existing building structure or property that changes the exterior appearance of the property and meets either of the criteria below:

- Estimated value of construction exceeds 50 percent of the value of the existing built facilities as determined by the City’s building valuation procedure.
- Construction includes an addition to extension of an existing building that increases gross floor area by 1,000 sq. ft.

Minor Exterior Remodel. Any improvement that changes the visual appearance or exterior configuration of a building structure or property, and which has a value less than 50 percent of the existing built facilities as determined by the City’s building valuation procedure. Painting and restorative maintenance are not considered minor remodels.

Modulation. In the Guidelines, modulation is a stepping back or projecting forward of portions of a building face within specified intervals of building width and depth, as a means of breaking up the apparent bulk of a structure's continuous exterior walls.

Pedestrian-Oriented Building Façades. Ground floor façades which employ at least one of the following characteristics:

- Transparent window areas or window displays along at least 75 percent of the ground floor façade. The window area must cover the area between 2 feet and 8 feet above the sidewalk or walkway surface.
- A combination of sculptural, mosaic, or bas-relief artwork, and transparent window areas or window displays (as described above) over at least 75 percent of the ground floor façade.

Pedestrian-Oriented (Open) Space. An area between a building and a street, access road, or along a pedestrian path which promotes visual and pedestrian access onto the site and which provides pedestrian-oriented amenities and landscaping to enhance the public's use of the space for passive activities such as resting, reading, picnicking, etc.

Pedestrian-Oriented Use (or Business). A commercial enterprise whose customers commonly arrive by foot; or whose signage, advertising, window display, and entryways are oriented toward pedestrian traffic. Pedestrian-oriented businesses may include restaurants, retail shops, personal service businesses, travel services, banks (except drive-through windows), and similar establishments.

Scale, Architectural. The perceived relative height and bulk of a building relative to that of neighboring buildings. A building's apparent height and bulk may be reduced by modulating façades.

Scale, Human. The perceived size of a building relative to a human being. A building is considered to have "good" human scale if there is an expression of human activity or use that indicates the building's size. For example, traditionally sized doors, windows, and balconies are elements that respond to the size of the human body, so these elements in a building indicate a building's overall size.

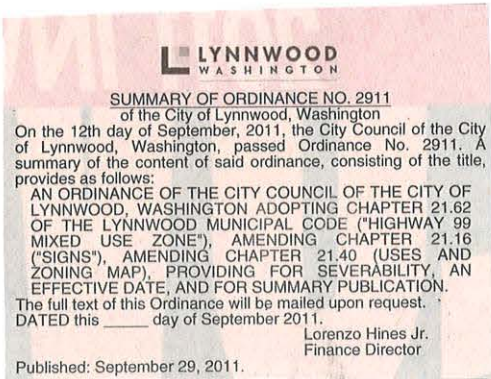
Streetscape. The streetscape is the visual character of a street as determined by various elements such as structures, greenery, open space, views, etc.

Vertical Modulation. A stepping back or projecting forward vertical walls of a building face, within specified intervals of building width and depth, as a means of breaking up the apparent bulk of a structure's continuous exterior walls.

Affidavit of Publication

STATE OF WASHINGTON,
COUNTY OF SNOHOMISH

} S.S.



The undersigned, being first duly sworn on oath deposes and says that she is Principal Clerk of THE HERALD, a daily newspaper printed and published in the City of Everett, County of Snohomish, and State of Washington; that said newspaper is a newspaper of general circulation in said County and State; that said newspaper has been approved as a legal newspaper by order of the Superior Court of Snohomish County and that the notice

Summary of Ordinance _____

No. 2911 _____

City of Lynnwood _____

a printed copy of which is hereunto attached, was published in said newspaper proper and not in supplement form, in the regular and entire edition of said paper on the following days and times, namely:

September 29, 2011 _____

and that said newspaper was regularly distributed to its subscribers during all of said period.

Jody Droll

Principal Clerk

Subscribed and sworn to before me this _____

day of September, 2011

Kimberly A. Helthe

Notary Public in and for the State of Washington, residing at Everett, Snohomish County.





PO BOX 930 • EVERETT WA 98206-0930 • 425-339-3000

If Questions Call:
Jody Knoblich (425) 339-3089
Legals@Heraldnet.com

City of Lynnwood

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SUMMARY OF ORDINANCE NO. 2911 of the City of Lynnwood, Washington On the 12th day of September, 2011, the City Council of the City of Lynnwood, Washington, passed Ordinance No. 2911. A summary of the content of said ordinance, consisting of the title, provides as follows AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LYNNWOOD, WASHINGTON ADOPTING CHAPTER 21.62 OF THE LYNNWOOD

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