



LYNNWOOD
WASHINGTON

ORDINANCE NO. 3326

AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, RELATING TO LANDSCAPING REQUIREMENTS; ADDING A NEW CHAPTER 21.08 TO THE LYNNWOOD MUNICIPAL CODE; AMENDING LMC 21.06.200, 21.12.200C.1, 21.18.710D, 21.43.210, 21.46.111, 21.46.200, 21.46.210, 21.46.212, 21.48.210, 21.50.210, 21.54.200, 21.57.400D, AND 21.62.400; REPEALING LMC 21.04.310, 21.42.201.G, 21.43.220, 21.44.201, 21.44.220, 21.46.212, 21.46.220, 21.48.220, 21.50.220, 21.54.230, 21.54.240, 21.61.450, 21.61.460, 21.61.470, 21.61.480, 21.62.450.C AND D, AND 21.62.500; AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND SUMMARY PUBLICATION.

WHEREAS, under Chapters 35A.11 and 35A.63 RCW, the City Council of the City of Lynnwood has the authority to adopt ordinances relating to the use of real property located within the City; and

WHEREAS, landscaping consisting of trees and other vegetation is an important element of the City's physical environment; and

WHEREAS, the City's Comprehensive Plan emphasizes the provision of landscaping between incompatible uses and internal to developments, recognizes the value of the tree canopy, and promotes the preservation of existing trees; and

WHEREAS, vegetation and tree landscaping can enhance the character of the community and promote the public health and general welfare; and

WHEREAS, on September 19, 2018, notice of the proposed code amendments contained in this Ordinance was sent to the Washington State Department of Commerce in accordance with RCW 36.70A.106; and

WHEREAS, on October 3, 2018, the Community Development Director, acting as Lynnwood's State Environmental Policy Act (SEPA) Responsible Official, issued a threshold determination for this draft ordinance; and

WHEREAS, on January 24, 2019, the Lynnwood Planning Commission held a public hearing on the proposed amendments to the Lynnwood Municipal Code stated in this Ordinance, and all persons wishing to be heard were heard; and

41 WHEREAS, following the public testimony portion of the public hearing, the Planning Commission
42 deliberated on the draft legislation and by regular motion voted to recommend that the Lynnwood City
43 Council adopt the amendments to the Lynnwood Municipal Code as provided herein; and
44

45 WHEREAS, on February 25, 2019, the City Council held a public hearing on the proposed to the
46 Lynnwood Municipal Code, and all person wishing to be heard were heard; and
47

48 WHEREAS, the City Council after due consideration finds that the provisions of this Ordinance are
49 consistent with and implement the City’s Comprehensive Plan, are consistent with applicable state law,
50 and are to the best interest of the public health, safety and general welfare;
51

52 NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LYNNWOOD DOES ORDAIN AS FOLLOWS:
53

54 **Section 1.** Upon consideration of the provisions of this Ordinance, the City Council finds that the new
55 code and amendments contained herein are: a) consistent with the comprehensive plan; and b)
56 substantially related to the public health, safety, or welfare; and c) not contrary to the best interest of the
57 citizens and property owners of the city of Lynnwood.
58

59 **Section 2. New Chapter.** A new Chapter 21.08 is hereby added to the Lynnwood Municipal Code, to be
60 titled “Landscaping” and to read as follows:
61

62 **21.08.050 Purpose.**

63 Landscaping consisting of trees and other vegetation is an important element of the City of Lynnwood’s
64 physical environment. The Lynnwood Comprehensive Plan emphasizes landscaping between
65 incompatible uses and internal to projects, and recognizes the value of the tree canopy and preserving
66 existing trees. Vegetation and tree landscapes can enhance the character of the community and
67 support public health, safety, and welfare. Landscaped areas contribute to Lynnwood’s quality of life by:

- 68 A. Minimizing the adverse impacts of land disturbing activities and impervious surfaces including,
69 but not limited to, storm water runoff, soil erosion, land instability, and sedimentation and
70 pollution of waterways, reducing the public and private costs for storm water management.
- 71 B. Improving air quality by absorbing pollutants, mitigating the urban heat island effect,
72 assimilating the greenhouse gas carbon dioxide and generating oxygen, and decreasing the
73 impacts of climate change.
- 74 C. Reducing the impacts of noise pollution from roadways.
- 75 D. Helping protect property during severe weather events and moderating temperatures in
76 summer and winter months.
- 77 E. Providing visual interest and relief in the form of landscaped grounds and buffers.
- 78 F. Providing habitat and cover for bird, insect, and other wildlife species.
- 79 G. Improving the wellness of residents and livability of the City by providing visually pleasing
80 natural areas and greenery.
- 81 H. Enhancing property values and contributing to the area’s natural beauty and aesthetic
82 character.
83

- 84 **21.08.100 Definitions.**
- 85 **A. Buffer.** “Buffer” means an area of land landscaped, using trees, berms, or walls to visually shield
86 or obscure one abutting or nearby structure or use from another.
- 87 **B. Caliper Size.** “Caliper Size” means the thickness of a tree trunk measured in inches from six
88 inches above grade.
- 89 **C. Critical Root Zone.** “Critical Root Zone,” sometimes also called the Root Protection Zone (RPZ)
90 means a circle on the ground corresponding to the dripline of the tree.
- 91 **D. Diameter at Breast Height (DBH).**
92 “Diameter at Breast Height” has the same meaning as in LMC 17.15.040, as now existing or as amended
93 hereafter.
- 94 **E. General Site Area.** “General Site Area” means all areas of a site not devoted to other
95 landscaping requirements of this chapter or hard surfaces such as parking lot pavement, pedestrian
96 walkways, or driveways and structures or other structural site improvements.
- 97 **F. Groundcover.** “Groundcover” is grass or other low-growing, spreading plants that hug the
98 ground.
- 99 **G. Hedge.** “Hedge” means a fence or boundary formed by closely growing shrubs.
- 100 **H. Invasive Species.** “Invasive Species” means a species of plant that is non-native to the
101 ecosystem under consideration and whose introduction causes or is likely to cause economic or
102 environmental harm or harm to human health. Most, but not all invasive species are listed in the
103 Washington State Noxious Weed Control Board in their Noxious Weed List or subsequent document.
- 104 **I. Multi-Aisle, Parking Lot.** “Multi-aisle” means a parking lot that has more than one drive aisle to
105 access parking spaces that are either parallel, perpendicular, or angled parking spaces.
- 106 **J. Naturally Vegetated Area.** “Naturally Vegetated Area” means an area of land without formal
107 landscaping, comprised of a group of trees including a mix of tree, shrub, and groundcover species and
108 ages.
- 109 **K. Nonliving Groundcover.** “Nonliving Groundcover” means any material not living such as rock or
110 gravel, driftwood, bark, wood chips, but not including paving such as installed or broken up concrete or
111 asphalt.
- 112 **L. Outdoor Display Area.** “Outdoor Display Area” means merchandise viewing areas commonly
113 walkable by customers. Examples include plant nurseries, lumberyards, landscaping centers, ceramic pot
114 sales, or garden supplies. This definition does not include auto dealerships.
- 115 **M. Parking Lot.** “Parking Lot,” also known as a Vehicle Use Area, means an off-street facility for
116 temporary parking or storage of motor vehicles that includes paved parking spaces, drives, and aisles for
117 maneuvering, and providing access for ingress and egress of automobiles. This definition excludes access
118 drives not containing parking spaces.
- 119 **N. Parking Structure.** “Parking Structure” means a structure or portion thereof composed of one
120 or more levels or floors used exclusively for the parking or storage of motor vehicles. A parking structure
121 may be totally below grade (as in an underground parking garage) or either partially or totally above
122 grade with those levels being either open or enclosed.

- 123 **O. Qualified Landscape Professional.** A “Qualified Landscape Professional” means a horticultural
 124 specialist, an International Society of Arboriculture (ISA) certified arborist, ISA certified arborist with
 125 Tree Risk Assessment Qualification (TRAQ), or Washington-State licensed landscape architect.
- 126 **P. Recommended Tree.** “Recommended Tree” means a tree species listed under the Tree List
 127 section in the Tree Preservation and Protection Guidelines for the City of Lynnwood and that is not a
 128 tree species listed in the subsection Trees Not Recommended in those Guidelines.
- 129 **Q. Service Yards.** “Service Yards” are areas used or intended for routine maintenance or repair of
 130 equipment, machinery, or vehicles not in service.
- 131 **R. Shade Tree.** “Shade Tree” means a tree that is large at maturity and grown primarily to produce
 132 shade such as oak, planetree, elm, maple, beech, and tulip trees.
- 133 **S. Shrub.** “Shrub” means a woody plant less than eight feet in height that produces multiple shoots
 134 or stems arising near the ground or narrow trunk. For example, arbor vitae is a shrub and not
 135 groundcover or a tree.
- 136 **T. Significant Tree.** “Significant Tree” has the same meaning as in LMC 17.15.080, as now existing
 137 or as amended hereafter.
- 138 **U. Single Aisle Double Loaded, Parking Lot.** “Single Aisle Double Loaded” parking lots means a
 139 parking lot with one drive aisle to access parking spaces and parking spaces on both sides of the drive
 140 aisle; either parallel, perpendicular, or angled parking spaces.
- 141 **V. Storage Yards.** “Storage Yards” means areas used or intended for the storage of materials,
 142 goods, vehicles, or equipment not in service.
- 143 **W. Tree.** “Tree” has the same meaning as in LMC 17.15.040, as now existing or as amended
 144 hereafter.
- 145 **X. Vision-Obscuring Fence.** “Vision-Obscuring Fence” means a solid one-inch-thick board (nominal
 146 dimensional standards) fence. One made of brick, rock or masonry materials may be substituted for a
 147 board fence.

148 **21.08.150 Organization of this chapter.**

- 21.08.050 Purpose
- 21.08.100 Definitions
- 21.08.150 Organization of this Chapter
- 21.08.200 Applicability
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 - B. General plant standards
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 - A. Purpose
 - B. Surface parking lot frontage strip and service area strip landscaping
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 - C. Planned Regional Center (PRC) Outdoor Display Screening

149

150 **21.08.200 Applicability.**

151 The landscaping requirements in this chapter apply to all properties except single-family residential
 152 properties; provided, that where applicable, the City Center Zone(s) City Center Design Guidelines
 153 landscape provisions supersede the landscape requirements of this chapter.

154

155 A. The requirements of this chapter apply to all parts of a site not devoted to hard surfaces such as
 156 parking lot pavement, pedestrian walkways, or driveways and structures or other structural site
 157 improvements. Properties may have any of the following areas that require landscaping in accordance
 158 with this chapter:

- 159 1. General site area.
- 160 2. Parking lot areas as follows:
 - 161 a. Parking lot street frontage.
 - 162 b. Parking lot interior.
- 163 3. Parking structure areas as follows:
 - 164 a. Parking structure frontage.
- 165 4. Buffer areas.
- 166 5. Special streetscape landscaping.

167

168 B. When Requirements Apply. The requirements of this chapter apply to all multiple-family,
 169 commercial, industrial properties and developments in the city, excluding single-family residential
 170 development proposals and proposals in the City Center zone, as stated below:

- 171 1. All landscaping requirements apply to:
 - 172 a. Any new development or redevelopment subject to a project design review land use
 173 application approval in Title 21 LMC.
 - 174 b. Projects that increase the gross floor area of any structure by at least 50 percent of
 175 the existing gross floor area of the structure.
- 176 2. Buffer landscaping only is required for:

- 177 a. Projects that increase the gross floor area of any structure by at least 10 percent of
178 the existing gross floor area of the structure if the increase is added on the elevation closest
179 to a landscaped buffer.
- 180 3. All landscaping requirements apply to the respective area (parking area frontage, interior, or
181 buffer areas) where:
- 182 a. Replacement or newly installed landscaping greater than 200 square feet of
183 cumulative area.
- 184 4. All parking lot landscaping requirements apply to:
- 185 a. Projects that replace existing paved parking lot surface with new paving by greater
186 than 50 percent of existing paved surface area. Landscaping requirements only apply within
187 the limits of disturbance of the replaced paved surface.
- 188 b. Projects that add additional parking lot paved surface area of at least 25 percent of
189 existing parking lot paved surface area. Landscaping requirements apply within the area of
190 the additional parking lot paved surface and from the edge of the paved surface to the
191 nearest property lines.
- 192 c. Resurfacing or restriping a parking lot does not constitute replacing paved surface
193 area.

194 **21.08.250 Landscape Applications, Installation, and Maintenance Standards.**

196 A. Application Procedures.

- 197 1. The landscaping application shall be submitted to the community development department
198 either with the development proposal application, if any, or as an independent application if the
199 landscaping requirements are triggered by the thresholds above (LMC 21.08.200). The submittal
200 requirements are listed on the Landscaping Application Sheet and include a landscape plan.
- 201 a. All landscape plans must bear the seal or signature of a qualified landscape professional.
- 202 2. Fee. With the application, the applicant shall submit a fee. The fee for a landscaping
203 application is set forth as Miscellaneous Plan Review in Chapter 3.104 LMC. If the application is
204 part of a Project Design Review (PDR) application, the fee shall be determined per the PDR
205 chapter of the LMC (LMC 21.25.115). The application will not be accepted unless it is accompanied
206 by the required fee.

207

208 B. Installation, Irrigation, Maintenance, and Bonding.

- 209 1. Installation Prior to Occupancy. All landscaping that fulfills the city code requirements must
210 be installed prior to occupancy of any structure located on the same site. If, due to extreme
211 weather conditions or some unforeseen emergency, all required landscaping cannot be installed
212 prior to occupancy, then a cash deposit, guarantee account, or bond (the cost of installation may
213 be included in the construction maintenance bond per LMC 13.40.110) must be provided to the
214 city as financial security to guarantee installation of the remaining landscaping, as provided in LMC
215 21.04.920.

217 2. Landscaping in Right-of-Way. Property owners who install landscaping on portions of right-
218 of-way not covered by impervious surfaces must provide the city with a written release of liability
219 for damages which may be incurred to the planting area from any public use of the right-of-way
220 and must indemnify the city against any injuries occurring within that portion of right-of-way so
221 utilized. Such release and indemnity shall be subject to approval by the city attorney. If acquisition
222 of a portion of the private property for the purpose of a public right-of-way creates a
223 nonconformance, the nonconformance shall be regulated per LMC 21.12.500.

224 3. Irrigation, Maintenance, and Bonding.

225 a. Irrigation Plan. The landscape plan shall include an irrigation plan. Irrigation must be
226 appropriate to the type of landscaping installed and be engineered to use as little water as
227 necessary for plant survival and healthy growth. Any existing naturally landscaped portions
228 of the site must not be irrigated. Irrigation systems shall meet the following requirements:

229 i. All irrigation systems shall include an automatic controller with an overriding rain
230 sensor switch to turn off irrigation during rainfall events.

231 ii. The irrigation plan shall show zones, connecting nozzles, distribution valves, irrigation
232 lines, sprinkler heads or drip lines, and timer location, as well as other information
233 integral to the proposed irrigation system.

234 iii. Landscape plans that use xeriscaping methods (per LMC 21.08.300.I) do not require
235 permanent irrigation systems in the areas using drought-tolerant plants. However
236 temporary drip irrigation systems may be necessary for establishing plants. The
237 irrigation plan must show the temporary irrigation system(s) and include details on
238 when the temporary system will be removed.

239 iv. Landscape plans must provide adequate watering of the newly installed trees for a
240 minimum of three years.

241 b. Whenever landscaping is required to be installed according to Title 21 of this code the
242 plant material shall be regularly maintained and kept in a healthy condition by the property
243 owner or their agent in accordance with this chapter and approved development plans in
244 perpetuity or until a new landscape plan is submitted and approved by the City.

245 c. Maintenance must include regular weeding, removal of litter from landscaped areas, and
246 repair or replanting so that the landscaping continues to comply with requirements and/or
247 approved development plans.

248 d. Xeriscaping shall be maintained as shown on the approved site plan, and all dry landscape
249 materials shall follow industry standards of fire prevention, upkeep, and preventative
250 maintenance.

251 d. The construction bond must include calculations for the cost of maintenance and
252 replacement of damaged or destroyed landscaping during construction. Bonded landscaping
253 must include all proposed landscaping (and retained existing landscaping per LMC
254 21.08.300H in the development plans approved by the City. Monitoring and enforcement of
255 landscaping conditions of approval must follow LMC 21.04.920.

256

- 257 C. Exceptions
258 1. Applicant Request. The applicant may request a reduction to a required landscape buffer.
259 The request must be made in writing and must describe fully the reduction and the basis for the
260 request. The fee for processing a request may be found under LMC 3.104.210 – Title 21 fees and
261 charges. The applicant or person(s) requesting the buffer reduction may request a reduction if
262 they can prove that due to the intensity of existing or proposed landscaping, change in topography
263 between properties, use of the properties along the abutting property line, or other
264 characteristics of the abutting properties, a reduced buffer width or deviation from the landscape
265 code requirements will provide adequate separation and screening between properties. The
266 person(s) requesting the buffer reduction bear the burden of proof that the reduced buffer will
267 provide adequate separation and screening between properties.
- 268 a. At least 28 calendar days prior to acting on a request for buffer reduction, notice of
269 the request must be mailed to the owners of all properties that abut the site of the
270 proposed reduction. Content of the notice shall include: (1) The date of the reduction
271 request; (2) the date the landscape application was submitted (if already submitted); (3) the
272 date of the issuance of the notice of reduction request; (4) a description of the requested
273 reduction; (5) a list of other project permits in the application (if any); (6) a list of any studies
274 required for reviewing the project (if any); (7) a list of other permits that may be required
275 for the project, to the extent known by the city (if any); (8) a listing of any existing
276 environmental documents that evaluate the proposed reduction (if any); (9) the location of
277 where the application and any other supporting documents may be reviewed; (10) the date
278 comments must be received by the city; and (11) contact information for submitting
279 comments. Action on a request may not be taken until this noticing period has expired.
- 280 b. Anyone may appeal a determination regarding an exception by the director under this
281 subsection by filing a written statement of the reason(s) for the appeal with the community
282 development department. Such an appeal shall be processed pursuant to the Process II
283 procedures in Chapter 1.35 LMC.

284
285 D. Nonconforming Uses. Proposals for properties with nonconforming uses and sites must meet
286 the landscaping requirements under Chapter 21.12 LMC for alteration or improvement of
287 nonconforming structures and site.

288
289 **21.08.300 General Landscaping Standards.**

- 290 A. General Site Preparation.
- 291 1. Compacted Soil. During site preparation soil must be loosened or uncompacted in landscape
292 areas where necessary due to compaction. Soil must be uncompacted, at minimum, down to 24
293 inches below surface grade in any landscape buffer, street frontage, or parking lot landscaping
294 areas. Depth of soil that is loosened or uncompacted may be less if recommended by the qualified
295 landscape professional. Where necessary soil amendments may be added from a verified source.

296 2. Root Barriers. Trees planted within 10 feet of a public street, sidewalk, paved trail, or
297 walkway must be a deep-rooted species and must be separated from hardscapes by a root barrier
298 to prevent physical damage to public improvements.

299 3. Alternative Root Diversion. Alternative root diversion and barrier techniques will be
300 considered if the applicant states the root diversion method on the landscape plans and provides
301 a letter and any exhibits from the qualified landscape professional explaining how the method
302 achieves the desired outcome.

303
304 B. General Plant Standards (Groundcover, Shrubs, and Trees).

305 1. Plant Selection. Plants must be appropriate for the Puget Sound lowland region. Permitted
306 plants and trees are allowed as described below.

307 a. Prohibited Plants. Plants listed by the Washington State Noxious Weed Control Board
308 in their Noxious Weed List or subsequent document, or commonly known as invasive
309 species, are prohibited from being planted in the city.

310 b. Permitted Plants. Landscaping materials installed shall include species native to the
311 Puget Sound lowland region of the Pacific Northwest or noninvasive species that have
312 adapted to the climactic conditions of the region. Drought tolerant or drought resistant
313 vegetation is preferred.

314 2. Plant Variety. Plant material should include a variety of seasonal colors, forms, and textures
315 that contrast or complement each other with a mixture of evergreen and deciduous trees, shrubs,
316 and groundcover and low-maintenance perennials. Preference must be given to plant material
317 which can be maintained in its natural form without pruning over material requiring regular
318 pruning or plants pruned into artificial shapes. Continuous expanses of uniform landscape
319 treatment along an entire street front should be avoided.

320
321 C. General Tree Standards.

322 1. Trees must be selected from the city's Tree Preservation and Protection Guidelines and
323 meet the following standards:

324 a. A mixture of deciduous and evergreen trees must be planted in all landscaped areas of
325 a site with exceptions noted in the specific landscaping sections of this chapter.

326 b. Trees must be suitable to the site and if applicable, provide adequate screening
327 throughout the entire life of the tree.

328 c. Deciduous and evergreen trees must be a minimum of 8 feet in height and have a
329 caliper size of at least 2 inches at time of planting.

330 d. Trees must be planted so that when they reach maturity, there will be a minimum of
331 10 feet of clearance on-center between trees.

332 e. Tree selection within all landscape areas, including street trees, must comply with
333 Snohomish PUD utility requirements, other existing utilities (stormwater, water, and
334 wastewater conveyance systems), lighting, existing and proposed signage, adjacent trees,
335 existing natural features, tree root growth, solar access, planting area width, and overall
336 height of selected trees at maturity.

- 337 f. Trees must be arranged to promote energy conservation wherever practical: This
 338 includes using deciduous trees on the south and west sides of buildings to provide shade
 339 from summer sun and evergreen trees on the north side of buildings to dissipate effects of
 340 winter wind and rain.
- 341 g. Tree branches must be trimmed to provide a minimum of 6 feet of clearance
 342 measured from the ground to the branch to prevent sight and pedestrian obstructions. Tree
 343 branches must be trimmed to provide 8 feet of clearance when overhanging vehicular use
 344 areas.
- 345 h. If more than 10 trees are required to be installed, no more than 40 percent of the new
 346 trees may be of a single species. This applies to the new trees to be planted, not to the
 347 existing trees on the site.
- 348 i. The specific number of trees required for a landscaped area on a site may be found
 349 under the respective section of this chapter.
- 350 j. Trees may be planted in linear rows, staggered rows, or clustered. However, all trees
 351 shall be planted a minimum of 5 feet on-center from back of public sidewalk edge.
- 352 2. In several sections of this chapter, a specific number of trees are required per linear feet of
 353 landscape area. Trees are categorized in the City's Tree Preservation and Protection Guidelines
 354 into three types: Small, Medium, and Large. If an applicant desires to use a combination of types,
 355 the applicant must first calculate how many small trees would be required by this chapter. Small
 356 trees may be substituted for medium or large trees and large or medium trees may be substituted
 357 for small trees according to the table below:

358 **Table 21.08.01 – Tree Substitution Table**

Number of Small Trees	Substitution
2	1 Large Tree
1.5	1 Medium Tree

- 359
- 360 D. General Shrub and Groundcover Standards.
- 361 1. Groundcover. All areas of exposed earth not covered by trees or other plants must have
 362 living groundcover installed unless otherwise permitted.
- 363 2. Motorist Visibility. In driveway and roadway sight triangles and parking lot frontage strips,
 364 shrubs and groundcover must be composed of low evergreen shrubs or a mix of evergreen and
 365 non-evergreen shrubs with a maximum growth height of 3 feet.
- 366 3. Nonliving Groundcover. Nonliving groundcover (non-compacted, unless a functional part of
 367 a LID system) may not be used as living groundcover substitutes. However, up to 3 percent of the
 368 site's entire landscaped area may be landscaped with nonliving groundcover. Nonliving
 369 groundcover may not be installed within 3 feet of pedestrian walkways.
- 370 4. Landscape Areas Abutting Parking Stalls. If curbing or wheel stops are installed along an
 371 edge of a parking space that abuts a landscaped area, ground cover or plants may be installed
 372 adjacent to the stall. Otherwise a minimum area of 2 feet from the pavement edge shall be free of
 373 plants or shrubs. Grasses or groundcover may be planted in this area.
- 374

- 375 E. General Fence and Hedge Standards.
- 376 1. Vision-Obscuring Fences and Hedges. Fences are required in several landscaping types
- 377 described in this chapter. The standards for fences and hedges must meet any applicable
- 378 requirements in Chapter 21.10 LMC.
- 379 a. Exceptions. The following exceptions apply:
- 380 i. Height of fences or shrub hedges must be limited to maximum 6-foot height in buffer
- 381 landscape and frontage landscape areas.
- 382 ii. Where a fence is required or used to meet site-obscuring purposes, a new fence shall
- 383 not be required in those cases where a fence already exists which meets the intent of
- 384 this section. However, if the existing fence is ever removed, demolished or partially
- 385 destroyed, then the owner of the property shall be required to replace the fence at
- 386 that time in accordance with the requirements of this code.
- 387 iii. In those cases where the slope of the land is such that the location of a fence required
- 388 by this code is impractical or ineffective in satisfying the intent of this section, the
- 389 community development director may, at his discretion, permit a location which more
- 390 adequately satisfies the intent of this section.
- 391
- 392 F. General Pedestrian Walkway and Sight Triangle Standards.
- 393 1. Pedestrian connections and walkways may traverse landscaped areas. All areas of a
- 394 landscape buffer strip must be landscaped except where occupied by a pedestrian sidewalk, path,
- 395 or vehicular driveway.
- 396 2. Pedestrian connections are encouraged across landscaped areas to connect multi-family and
- 397 single-family residential zones, to commercial zones, and between commercial zones, for ease of
- 398 resident access to grocery, retail, and other commercial businesses. Such pedestrian connections
- 399 must be no wider than 5 feet.
- 400
- 401 G. Low Impact Development (LID) Facilities and Landscaping.
- 402 1. The City encourages landscaping to utilize low-impact development (LID) practices where
- 403 feasible. Applicants that incorporate these features may count them towards required landscaping
- 404 and tree planting requirements.
- 405 2. LID Facilities. Areas of vegetation planted in storm water LID facilities (except for
- 406 permanently flooded or ponded areas) and for which there is a city-approved maintenance plan,
- 407 as prescribed in the city's Engineering Design Standards Manual, may count towards:
- 408 a. The minimum landscape coverage areas per the landscaping requirements outlined in
- 409 the zone's appropriate design standards; or
- 410 b. The minimum landscaped area required in the buffer landscaping strip as per this
- 411 chapter; or
- 412 c. The minimum parking lot or parking structure buffer landscaping strip pursuant to
- 413 LMC 21.08.350.
- 414

- 415 H. Existing Natural Vegetation Preservation.
- 416 1. Existing naturally vegetated areas may be retained and count towards landscaping
- 417 standards based on location of the naturally vegetated area, species of trees, diameter at breast
- 418 height of trees, and types of existing understory plantings.
- 419 a. The existing naturally vegetated area must meet or exceed the minimum number of
- 420 trees (in any combination of large, medium, or small from the Lynnwood Tree Preservation
- 421 Guidelines) that would otherwise be required for buffer landscaping.
- 422 b. Any invasive or noxious weed plant species as described in LMC 21.08.300B or
- 423 diseased, dead, or dying trees must be removed prior to installation of supplemental
- 424 plantings.
- 425 c. Supplemental plantings. The City may require the applicant to plant trees, shrubs, and
- 426 groundcover according to the requirements of this section to supplement existing
- 427 vegetation and provide adequate buffer between properties.
- 428 d. An identified critical area buffer that encroaches into or overlaps the site's required
- 429 general site landscaping area or landscape buffer area may be counted where it overlaps the
- 430 area required to be covered by general landscaping or buffer landscaping requirements.
- 431 e. Protection techniques. The applicant must use the protection techniques described in
- 432 LMC 17.15.160(B) to ensure protection of existing trees and soil on construction sites.
- 433 2. The existing naturally vegetated area must be delineated on the landscaping plan and must
- 434 meet the following criteria:
- 435 a. For general site landscaping areas and buffers, credit for existing natural areas must
- 436 be based on the existing trees in the naturally vegetated area. The number of new trees
- 437 required may be reduced by 2 for every 1 existing tree preserved in the existing natural
- 438 area.
- 439 b. In order for existing trees to be counted they must be listed in the City Recommended
- 440 Tree List and have a minimum diameter at breast height (DBH) of 8 inches.
- 441 c. Trees listed in the table "Trees Not Recommended" in the Lynnwood Tree
- 442 Preservation Guidelines shall not be credited towards the required number of trees for a
- 443 general or buffer landscape area.
- 444 d. Existing trees less with a DBH of than 8 inches shall not count towards credit for
- 445 landscaping but must not be removed unless tree health is assessed in accordance with part
- 446 e., below.
- 447 e. Existing tree health must be assessed by a ISA certified arborist with Tree Risk
- 448 Assessment Qualification (TRAQ). Only healthy trees must be shown for preservation on the
- 449 landscape plan. Diseased, dying, dead, or overcrowded trees too closely spaced for
- 450 adequate tree health, must be marked for removal on the plan by the qualified landscape
- 451 professional, licensed arborist or horticulturalist.
- 452 f. Existing trees that meet the required DBH in the naturally landscaped areas shall be
- 453 identified on the landscape plan and listed in a table showing DBH, species, and health
- 454 status on the landscape plan.
- 455 g. At least 75 percent of the ground surface of the naturally landscaped area must be
- 456 covered with existing natural, living, vegetated groundcover, shrubs, or plants.

457 h. The licensed arborist or horticulturalist must identify the existing groundcover, shrubs,
458 or plants and show the various areas of predominant groundcover on the landscape plans
459 using differentiating fill patterns. Identified species of the predominant groundcover must
460 be included in the table. Estimated coverage area of the groundcover, shrubs, or plants
461 must be totaled and expressed as a percentage of the entire ground surface area of the
462 naturally vegetated area.

463 3. The community development director or designee may approve a natural vegetated area
464 with fewer trees or less groundcover than required; provided, that if it is a buffer area, the natural
465 vegetation must provide the same amount of buffering between zones or a parking area and
466 adjacent property, as required in this chapter.

467

468 I. Xeriscaping. Xeriscaping is a process by which sound horticultural, landscaping, and efficient water-
469 using principles come together to provide an attractive, but low-maintenance, and low-water using
470 landscape. Xeriscaping styles can be quite variable depending on the suitability of low-water use plants
471 for the regions' climate.

472 1. Xeriscaping shall meet the following four principles:

473 a. Good Design. Design should be based on careful selection of low-water-use plants or
474 drought-tolerant plants;

475 b. Soil Improvement. Improvements including the addition of manure, compost, or other
476 organic materials which can be amended into the soil should be used;

477 c. Limited Lawn Areas. Minimizing high-water use grass areas results in minimal lawn
478 maintenance; and

479 d. Efficient Water Use. Drip irrigation systems are preferred. Water between 12:00
480 midnight and 6:00 a.m. to lower the evaporation rate of water.

481 2. Low water use varieties of turf must be used. High water use turf must be limited to no
482 more than twenty-five percent of the landscaped area and remaining landscaped area must be of
483 low water or drought resistant turf varieties, groundcover, native grasses, shrubs, or trees.

484 3. Plants and trees selected for low water use shall be well-suited to the climate, soils, and
485 topographic conditions of the site and must be low water use plants once established.

486 4. Low water use or drought resistant trees appropriate to the Puget Sound lowland region of
487 the Pacific Northwest must be selected (use the Lynnwood Tree Preservation and Protection
488 Guidelines or the Washington State University (WSU) hardy plants for waterwise landscapes list
489 for guidance).

490 5. Plants with similar water use requirements must be grouped together in distinct hydrozones
491 and be irrigated with appropriate levels of water.

492 6. Up to 6 inches of mulch may be used in limited areas around young plants to assist them
493 with gaining root structure while they establish themselves.

494 7. Plants and trees with a variety of textures, colors, and profiles must be used to create visual
495 interest.

496

497 **21.08.350 Parking Area Landscaping Standards.**

498 A. Purpose. The parking area landscaping standards in this section explain the zones, location, and
 499 amount of landscaping required for parking lots, service yards, parking structures, and outdoor display
 500 areas.

501 B. Surface Parking Lot Frontage Strip, Service Area Strip, and Outdoor Display Area Landscaping.

502 1. For properties containing a surface parking lot, service area, or outdoor display area, a
 503 landscaping strip must be installed as required by the following Table 21.08.02:
 504

505

506 **Table 21.08.02:**

507 **Required Parking Lot Frontage, Service Area and Outdoor Display Area Landscaping**

Zone(s)	Location of Parking Lot, Service Area or Outdoor Display Area	Type of Parking Lot, Service Area or Outdoor Display Area	Landscape Strip Required
Surface Parking Lot: All zones except: Light Industrial (LI), Business and Technical Park (BTP), or Commercial-Residential (CR)	Between building and right-of-way.	Single aisle, double-loaded parking lot between building and any right-of-way.	A
		Multi-aisle parking lot between building and any right-of-way.	B
Surface Parking Lot: Business and Technical Park (BTP) or Light Industrial (LI)	Anywhere on-site, unless completely surrounded by buildings and not viewable from the right-of-way.	All parking lots.	A
Surface Parking Lot: Commercial-Residential (CR)	Between building and right-of-way.	All parking lots.	B
Service or storage yards in any zone.	Anywhere on-site	All service or storage yards	SERV
Outdoor display areas in PRC zone	Anywhere on-site	All outdoor display areas	OUTDOOR

508

509 2. The requirements for the type of landscape strip required in Table 21.08.02 are detailed in
 510 the following Table 21.08.03:
 511

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Table 21.08.03: Parking Lot Frontage, Service Yard, and Outdoor Storage Area Landscape Strips

Type	Location	Minimum width	Minimum number of trees per linear feet of frontage	Minimum number of shrubs or fence requirements
A	Between property line abutting the right-of-way and parking lot.	10 ft	1 Small tree per 15 linear ft; 1 Medium tree per 22 linear ft	2 per 20 sf
B	Between property line abutting the right-of-way and parking lot.	15 ft	1 Small tree per 15 linear ft; 1 Medium tree per 22 linear ft	2 per 20 sf
SERV (Service Yard)	Any area between service yard and right-of-way.	Entire area between service yard and ROW	One row of trees 10 ft on center	Solid vision obscuring fence or hedge minimum 4 feet (mature) height and max 6 feet. Locate at edge of service yard.
OUTDOOR (Outdoor Display Area)	Anywhere on-site	5 ft along any side. 10 ft along entire street frontage if applicable	One row of trees Min 6ft tall at planting 15 ft on center	Vision-obscuring fence max 6 ft high at edge of outdoor display area.

515

516 3. Trees may be located in abutting street Right-of-Way if they comply with Citywide Design
517 Guidelines and are approved by Public Works.

518 4. Walls. An optional continuous masonry wall 3-feet in height above the ground directly
519 below it may be added to a frontage landscape strip. The wall must be placed abutting the parking
520 lot edge. The wall must include decorative masonry patterns, brick, stone, or cast stone and
521 decorative bands of masonry such as soldier course of brick or multicolored stone. The wall may
522 include wrought iron or wood details such as lattice work that extend an additional 2 feet in
523 height above the wall.

524

525 C. Parking Lot Interior Landscaping.

526 1. Landscaping within the interior of a surface parking lot area is intended to reduce the visual
527 blight that large, unbroken areas of pavement create, increase stormwater absorption, and reduce
528 the urban heat island effect. For surface parking lot interior landscaping types, the following
529 standards shall apply to all zones except the Highway 99 Mixed Use zone (HMU):

530 a. Interior landscaping areas shall be at least 25 square feet in area and at least 3 feet
531 wide.

532 b. No parking stall shall be located more than 45 feet from a landscaped area.

- 533 c. All interior landscaping must be located between parking stalls or at the end of striped
 534 parking columns.
 535 d. Interior landscaped islands or peninsulas must be surrounded on at least three sides by
 536 parking lot surface.
 537 e. Where feasible, bioswales or stormwater low impact development (LID) techniques may
 538 be installed in the planting islands, peninsulas, or areas.
- 539 2. Parking Lot Interior Landscaping. The amount of landscaping per parking space must be
 540 installed and maintained within the interior of a surface parking lot per the following Table
 541 21.08.04. The following Table 21.08.04 applies to all non-single family residential uses in
 542 residential zones, and to all uses in a multifamily residential, commercial, and industrial zones with
 543 the exception of the Highway 99 Mixed Use zone:
 544

545 **21.08.04 Parking Lot Interior Landscaping Requirements**

546

547

Parking Spaces Proposed	Interior Landscaping Required (square feet)	
	Interior landscaping per space	If providing more than minimum required parking (unless located in the rear yard and not abutting a right-of-way – then smaller values in column to the left apply)
Less than 10	0	8
11 - 48	28	32
49 - 100	32	38
101 and more	38	44

- 548
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- 550
- 551 3. Highway 99 Mixed Use Zone Parking Lot Interior Landscaping. The amount of landscaping
 552 per parking space must be installed and maintained within the interior of a surface parking lot for
 553 Highway 99 Mixed Use zoned properties per the following Table 21.08.05:
 554

555 **21.08.05 Highway 99 Mixed Use Zone**
 556 **Parking Lot Interior Landscaping Requirements**

557

558

Parking spaces proposed	Interior Landscaping Required per Space (square feet)	
	Interior landscaping per space	If providing more than minimum required parking (unless located in the rear yard and not abutting a right-of-way – then smaller values in column to the left apply)
Less than 10	0	8
10 - 30	20	25
31 or more	25	32

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4. Trees for Parking Lot Interior Landscaping. The number of trees required within the parking lot (excluding any frontage or buffer strip tree requirements) must be calculated per the following Table 21.08.06:

21.08.06 Parking Lot Interior Landscaping Tree Requirements

Zone	Number of Trees
All zones except: Highway 99 Mixed Use and Commercial-Residential Zone	1 Large Tree per 7 Parking Spaces 1 Medium Tree per 4 Parking Spaces 1 Small Tree per 3 Parking Spaces At least 50% shall be Medium or Large trees.
Highway 99 Mixed Use (HMU) Zone	1 Large Tree per 6 Parking Spaces 1 Medium Tree per 3 Parking Spaces 1 Small Tree per 2 Parking Spaces At least 50% shall be Medium or Large trees.
Commercial-Residential Zone (CR)	1 Tree per 6 Parking Spaces At least 50% shall be Medium or Large trees.

5. Expanding Parking Lots.
 a. When an applicant proposes to expand an existing parking lot, the amount of interior landscaping per parking space must be based on the total amount of parking provided after expansion.

Example:

Existing parking spaces:	10 spaces
	+
<u>Additional parking spaces proposed:</u>	<u>15 spaces</u>
Total size of expanded parking lot =	25 spaces
Interior landscaping per space (not HMU) =	28 sf

b. The amount of interior landscaping required shall be multiplied by the number of new spaces proposed. The result is the number of square feet of landscaping to be provided only in the new, expanded parking lot area. Interior landscaping within the existing parking lot shall not count toward the interior landscaping required by the proposed parking.

Example:

Additional parking spaces proposed:	15 spaces
	X
<u>Interior landscaping per space (not HMU):</u>	<u>28 sf</u>
Interior landscaping required in new parking area =	420 sf

- 591 D. Parking Structure Landscape Strip Requirements.
 592 1. Landscaping must be installed and maintained at ground level on all sides of a parking
 593 structure as stated in the following Table 21.08.07:
 594

595 **Table 21.08.07 Parking Structure Parking Strip Types**
 596

Parking Structure's Zone	Minimum width abutting ROW	Minimum width abutting private street, access easement, or driveway	Minimum width abutting other sides of Parking Structure	Minimum number of Trees	Groundcover
Parking Structure in any Zone except for ACC or CC Zones	25 feet	15 feet	10 feet	1 Large Tree per 30 linear feet; 1 Medium per 22 linear feet; 1 Small per 15 linear feet of landscaped area. May be clustered or evenly spaced.	3 feet max mature height shrubs. Remainder planted with vegetative groundcover.
Parking Structure in ACC Zone	10 feet	15 feet	10 feet	1 Small, Medium, or Large Tree per 150 square feet of landscaped area. May be clustered or evenly spaced.	3 feet max mature height shrubs. Remainder planted with vegetative groundcover.
Parking garage in a CC zone	Parking structures fully screened in accordance with the City Center Design Guidelines are not required to provide landscape strip buffers abutting ROW or streets, easements, or driveways. If a Parking Structure does not meet these standards the Parking Structure shall comply with requirements for Parking Structures in the ACC zone.				

597

598 **21.08.400 Buffer Area Landscaping Standards.**

- 599 A. A landscape buffer is required to screen development on the property from uses and
 600 development on abutting properties, in accordance with this section.
 601
 602 B. Location. When a landscape buffer is required it shall be placed at the property line; provided,
 603 that a buffer is not required when the properties are separated by a right-of-way.
 604 1. If a site's property line abuts more than one adjoining zoning designation, the applicant
 605 must provide a gradual transition between the different required buffer types. The transition must
 606 be complete at the start of the larger buffer or the larger buffer may be used in lieu of the smaller
 607 buffer for the entire length of landscaped buffer area.
 608
 609 C. Landscape Buffer Size. The landscape buffer types, listed in the first column of Table 21.08.09
 610 below, are used in Table 21.08.08 below (Low, Medium, High). The landscape buffer is required when a
 611 zoned property abuts a differently zoned property as explained by the table below:
 612

613
614

Table 21.08.08: Location and Type of Required Landscape Buffer

Zone of the Subject Property		Zone Abutting the Subject Property					
		RS	RM	NC	PCD	CR	P-1
Residential Zones	Single Family– Non-Residential Uses Only (RS)	Medium	-	-	-	-	-
	Multi-Family Low and Medium (RML & RMM)	Medium	-	-	-	-	-
	Multi-Family High (RMH)	Medium	-	-	-	-	-
Commercial Zones	Alderwood City Center (ACC)	-	-	-	-	-	-
	Neighborhood Commercial (NC)	Medium	Medium	-	-	-	Medium
	General Commercial (CG)	High	Medium	-	-	-	Medium
	Planned Commercial Development (PCD)	High	Medium	-	-	-	Medium
	Planned Regional Center (PRC)	High	Medium	-	-	-	Medium
Mixed Use Zones	College District Mixed Use (CDM)	-	Medium	-	-	-	-
	Commercial Residential (CR)	High	Medium	-	-	-	Medium
	Hwy 99 Mixed Use (HMU)	High	Medium	-	-	-	-
City Center Zones	All City Center Zones (CC-C, CC-W, CC-N)	High	Medium	-	-	-	-
Industrial Zones	Light Industrial (LI)	High	High	Low	Low	Low	Medium
	Business/Tech Park (BTP)	High	High	Low	Low	Low	Medium
Public Zones	Public (P-1)	Medium	-	-	-	-	-

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Notes: (-) indicates no landscaping buffer required.
If a zone is not listed along the top row (Zone Abutting Property Under Development), no landscaping buffer is required.

619 D. Landscape Buffer Types. Where landscape buffer strips are required, one or more of the following
 620 landscape buffer types shall be placed along the entire property line between incompatible uses:

621
 622

Table 21.08.09 Buffer Strip Types

Buffer Type	Width	Trees	Plants & Groundcover	Fence or other barrier
Low (L)	5 ft	1 Small per 15 lineal feet	Mix of natural groundcover that provides 100% cover. Shrubs of any height.	6-foot vision-obscuring fence or Row of shrubs reaching 3ft max.
Medium (M)	10 ft	1 Large per 30 lineal feet. 1 Medium tree per 22 lineal feet. 1 small per 15 lineal feet.	Mix of natural groundcover that provides 75% cover. Shrubs of any height. Mulch or woodchips on rest of area.	6-foot vision-obscuring fence or Row of shrubs reaching 3ft max.
High (H)	20 ft	1 Large per 30 lineal feet. 1 Medium per 22 lineal feet.	Mix of natural groundcover that provides 75% cover. Shrubs of any height. Mulch or woodchips on rest of area.	6-foot vision-obscuring fence or Row of shrubs reaching 3ft max or Berm (see below)
Berm in lieu of buffer. (3 to 4 feet in height, grade no steeper than 2:1)	20 ft	1 Large per 30 lineal feet 1 Medium per 22 lineal feet May be planted in a row or staggered on the slope closest to the property line.	Mix of natural groundcover that provides 100% cover. Shrubs of any height.	Fence not required. A row of shrubs to ensure a 6ft total height from surrounding grade.

623

624 **21.08.450 Special Landscaping Standards.**

625 Several zones have additional landscaping requirements in addition to the general landscaping
 626 standards contained in this chapter. These requirements are detailed below:

627 A. Auto-Oriented Uses Landscaping in the Planned Regional Center Zone.

628 a. Site screening standards and special street frontage landscaping requirements may
 629 be found in LMC 21.48.111B.

630

631 B. Swift Station Off-Street Parking and Landscaping.

632 1. In calculating and applying the parking stall requirements of Chapter 21.18 LMC and
 633 landscaping requirements of this chapter, the parking stalls and landscaping that have been or are
 634 replaced by a transit station and related improvements of the Snohomish County Public
 635 Transportation Benefit Area (dba Community Transit), also known as a Swift BRT station, pursuant

636 to the development agreement between the city and Community Transit dated August 20, 2008,
 637 or any subsequent agreements, shall be included within the calculation and application of such
 638 requirements. The replacement of a portion of a parking stall shall be deemed to be a
 639 replacement of the entire parking stall. In any application for a building or other permit for
 640 construction of such transit station and related improvements, Community Transit shall provide
 641 photographs of the parking stalls and landscaping that will be replaced by the transit station and
 642 related improvements, or such other evidence of the parking stalls and landscaping that is
 643 acceptable to the director.

644
 645 C. Planned Regional Center (PRC) Outdoor Display Screening. Screening shall be installed around any
 646 outdoor display areas permitted in the Planned Regional Center (PRC) zone. Screening shall meet the
 647 requirements stated in Table 21.08.10 below.

648 **Table 21.08.10: Planned Regional Center (PRC) Zone Outdoor Display Screening**

649

Location	Buffer Width	Shrubs and Groundcover	Fence	Notes
Side or Rear of property (behind front façade) Around entire outdoor display area.	5 feet	Evergreen groundcover covering 100% of buffer. Evergreen shrubs minimum height 6ft at maturity, spaced maximum 5 feet on center.	6-foot vision-obscuring fence	
Front of property (forward of front façade)	10 feet	Mix of evergreen groundcover covering 100% of buffer. Low evergreen shrubs: 3-foot height maximum. Staggered and spaced 18 inches on center.	None required	Interior Landscaping: 5% of display area surface shall include landscaped islands. Light fixtures may be placed in landscaped islands.

651

652

653 **Section 3. Amendment.** The title of Chapter 21.06 LMC is amended to “Special Street Frontage
 654 Requirements.”

655

656 **Section 4. Amendment.** The heading of LMC 21.06.200 is amended to “Special Street Frontage
 657 Landscaping Plans.”

658

659 **Section 5. Amendment.** The text of LMC 21.06.200D.4 is hereby amended to read as follows:

660

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

663

a. Kinnikinnick;

664

~~b.ii. Ivy;~~

665

~~eb.~~ Common Wintercreeper;

666

~~ec.~~ Cotoneaster ‘Lowfast,’ ‘Dammeri’;

667

~~ed.~~ Creeping Mahonia;

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~~fe.~~ Juniper ‘Shore Juniper,’ ‘Blue Carpet Juniper,’ ‘Shimpaku,’ ‘Tam.’

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Section 6. Amendment. LMC 21.06.200E.4 is hereby amended to read as follows:

E. North and South Sides of 196th Street SW from I-5 East to the City Limits.

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

- a. Kinnikinnick;
- ~~b. Ivy;~~
- ~~c. b. Common Wintercreeper.~~

Section 7. Amendment. LMC 21.12.200C.1 is hereby amended to read as follows:

C. Alteration or Improvement of Nonconforming Structures and Sites. No existing nonconforming structure or site as described in LMC 21.12.400 occupied by a nonconforming use as defined in this section shall be altered or improvements made to it, except at such time the use is changed to a use permitted in the zone where the structure or site occurs. Such changes of use and improvements may be made if the following provisions are met:

1. If the value of improvements to the structure within 36 consecutive months where a nonconforming-to-conforming change of use is to occur does not exceed 10 percent of the assessed or appraised value of the structure, whichever is greater, then the following shall apply:

- a. No increase in floor area or dwelling units is permitted.
- b. Interior remodels or exterior alterations such as canopies, terraces, roof overhangs, or covers over walkways that do not increase floor area are permitted. Such exterior alterations which extend into required setback yards shall not project beyond the property line; and in no case shall project more than six feet from the subject structure, or extend toward a public street or more restrictive zone more than 50 percent of the required setback.
- c. Height of the existing building may not be further increased beyond the height limitation in the respective zone.
- d. One hundred percent of parking requirement shall be provided. Pre-existing paved stalls and aisles striped at 90 percent of current dimensional standards may be counted as required parking.
- e. All parking including pre-existing paved and striped stalls shall meet current landscaping requirements specified in the respective zone.
- f. All required site-screening and fencing and refuse and recycling collection areas shall be provided. However, if the available width, due to the location of an existing building, fire lane, service lane, or paved parking is less than the required width of the site-screening, the applicant shall provide a type of landscaping strip or buffer that is closest to the available width for the type of buffer or strip required in Chapter 21.08. one type narrower than required for a conforming site. must be site-screened by a fence on the property line and, if possible, by mixed trees, shrubs, and low plantings (one row of evergreen conifer trees, 10 feet on center, minimum six feet tall, with groundcover) or site-screening evergreen hedge

710 (spacing to be such that plants will form a dense hedge within five years, minimum plant
711 height shall be four feet) landscaping.
712 g. The proposal shall install landscaping per LMC 21.08 At least 50 percent of the front yard
713 shall be landscaped per LMC 21.50.210, and meet street frontage landscaping plans per
714 Chapter 21.06 LMC if they apply.
715 h. All signs shall conform to the sign regulations of Chapter 21.16 LMC, except those allowed
716 to remain pursuant to state law.

717
718 **Section 8. Amendment.** LMC 21.18.710D is hereby amended to read as follows:

719 D. Ground Floor.

720 1. Vehicle Access. No parking structure entry/exit driveway shall have more than three lanes unless
721 exceptional traffic conditions or congestion require an additional drive lane. In no case shall the
722 number of lanes exceed four.

723 ~~2. Landscaping.~~

724 ~~a. Landscaping shall be installed and maintained at ground level on all sides of a parking structure~~
725 ~~(exceptions: designated “pedestrian-oriented street” frontages (see below) and locations~~
726 ~~where the distance between the structure and an adjoining building is less than 20 feet).~~

727 ~~b. On any side of a parking structure that faces a street, a planting area at least 25 feet wide shall~~
728 ~~be provided. This requirement may be reduced on a one-to-one basis by the width of any other~~
729 ~~required landscaping areas between the parking structure and the street if the ground floor of~~
730 ~~the parking structure meets the design requirements for ground floor walls in the commercial~~
731 ~~district building design section of the Lynnwood citywide design guidelines.~~

732 ~~c. Planting along streets for which a landscaping plan has been approved (Chapter 21.06 LMC)~~
733 ~~shall conform to the approved plan.~~

734 ~~d. Along other sides of the structure, planting shall include:~~

735 ~~i. A planting area at least 10 feet wide adjacent to the side of the structure and a planting area~~
736 ~~at least 15 feet wide adjacent to the street frontage;~~

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

739 ~~iii. Shrubs and groundcover in the remainder of the planting area so that all exposed ground~~
740 ~~shall be covered within five years;~~

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

744 ~~3. 2. Street Frontage. The design and use of portions of the ground floor of a parking structure that~~
745 ~~have frontage on a public or private street (but not including an alley) shall comply with the~~
746 ~~following requirements:~~

747 ~~a. Designated Pedestrian-Oriented Streets.~~

748 ~~i. Where a parking structure is directly adjacent to a street designated a “pedestrian-oriented~~
749 ~~street,” the portion of the structure that fronts on the designated street shall be designed to~~
750 ~~provide occupiable space for commercial uses that generate substantial foot traffic, such as~~

- 751 retail businesses, walk-in businesses (arcades, art galleries, museums, and the like) and
752 personal service shops (such as banks, barber and beauty shops, travel agencies,
753 printing/copying stores, and dry cleaners).
- 754 ii. Exceptions to this requirement shall be allowed for entry/exit driveways and pedestrian
755 egress/ingress to/from the structure.
- 756 b. Other Streets.
- 757 i. a. Where a parking structure is directly adjacent to a street not designated as a “pedestrian-
758 oriented street,” parking may be located along the street frontage; provided, that the parking
759 structure is set back from the street a minimum of 25 feet.
- 760 ii. b. The 25-foot setback shall be landscaped as required by LMC 21.08.400 A subsection (D)(2)
761 of this section.
- 762 4. 3. Pedestrian Connections. The design of pedestrian connections or pathways from a parking
763 structure to the building(s) for which it provides parking shall clearly delineate and separate the
764 pedestrian way from travel areas for vehicles.

765
766 **Section 9. Amendment.** LMC 21.43.210 is hereby amended to read as follows:

767 **21.43.210 Additional development standards.**

768 A. Parking Requirements. Parking requirements for the residential zones are as provided in Chapter
769 21.18 LMC.

770 1. Tandem Parking in Multiple-Family Zones. In the RML, RMM, and RMH zones, 10 percent of the
771 required parking may be in tandem parking; provided, that the area in which the tandem parking
772 is located is designated on an approved site plan and that they are assigned by the management;
773 or, 10 percent of the parking stalls required may be located in a separate parking lot utilized only
774 for recreation vehicles, provided the area does not encroach on front, side, and rear yard
775 setbacks.

776 2. Carports in Multiple-Family Zones. Open carports (i.e., roofed or covered, but without walls or
777 other side enclosure) sheltering parking stalls required by and meeting the standards of
778 Chapter 21.18 LMC, and canopies or covered walkways leading from carports or other parking
779 areas to building entrances (provided the walkway is paved), shall not be included in determining
780 lot coverage under this section. This exemption does not apply to any enclosed or walled area
781 (such as, but not limited to, outdoor storage areas whether or not they are part of a carport
782 building or structure). Carports must be no more than 15 feet above the parking surface and must
783 meet setbacks and other development standards of the applicable zone.

784 ~~3. Landscaping in Parking Areas in the Multiple-Family Zones.~~

785 a. Purpose. The purpose of these landscaping provisions is:

- 786 i. To break up the visual blight created by large expanses of barren asphalt which
787 make up a typical parking lot;
- 788 ii. To encourage the preservation of mature evergreens and other large trees which
789 are presently located on most of the potential multiple-family housing sites in this
790 city;
- 791 iii. To provide an opportunity for the development of a pleasing visual environment in
792 the multiple-family housing zones of this city from the viewpoint of the local resident

793 and visitor passing through the zones (a purpose of this section) as well as from the
794 viewpoint of the multiple-family housing dweller (a purpose of the multiple-family
795 housing developer);
796 iv. To ensure the preservation of land values in multiple-family housing zones by
797 creating and ensuring an environmental quality which is most compatible with the
798 development of this land; and
799 v. To provide adequate control over the application of landscaping standards so that
800 these objectives are accomplished in the most effective manner and to avoid the
801 abuse of these intentions by placing the described landscaping in remote parts of the
802 site or in recreational areas where they bear no relationship to these objectives.

803 b. Planting at Street Frontages. Development sites with parking areas located only between
804 the sides of buildings opposite the street and interior property lines shall provide a 10-foot-
805 wide planting area along the entire street frontage, except for driveways, walkways and
806 other pedestrian spaces. Development sites with single-aisle, double-loaded parking areas
807 located between buildings and the street right-of-way, parking areas between buildings or
808 parking areas between buildings and the closest side property line shall provide a 15-foot-
809 wide planting area along the entire street frontage with the same above exceptions.
810 Development sites with multi-aisle parking areas located between buildings and the street
811 right-of-way shall provide a 20-foot-wide planting area along the entire street frontage with
812 the same above exceptions. Planting shall consist of ornamental landscaping of low
813 plantings and high plantings. The minimum height of trees shall be eight feet for evergreen
814 trees and 10 feet for all other species. Trees shall be spaced a maximum of 25 feet on center
815 with branches eliminated to a height of six feet where necessary to prevent sight
816 obstruction. The required trees in this planting area may be located within the adjacent
817 street right-of-way as long as they comply with Lynnwood Citywide Design Guidelines, as
818 adopted by reference in LMC 21.25.145(B)(3), and are approved by the public works
819 department.

820 Low evergreen plantings or a mixture of low evergreen and deciduous plantings with a
821 maximum height of 30 inches, in bark or decorative rock, shall be provided so as to achieve
822 50 percent groundcover within two years.

823 The location and width of the planting area may be modified in accordance with the
824 following provisions: that up to five feet of the 10-foot total required may be installed in
825 portions of city right-of-way which are not covered by impervious surfaces or, in the case of
826 right-of-way which is not fully improved, are not projected to be covered by impervious
827 surfaces upon full improvement.

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

833 d. Planting Coverage. Ten percent of parking areas located between buildings and interior
834 property lines, and single-aisle, double-loaded parking areas located between buildings and

835 the street; and 15 percent of multi-aisle parking areas located between buildings and street
836 shall be in landscaping (exclusive of landscaping on the street frontage and required
837 landscape buffers); provided, that:

838 i. No landscaping area shall be less than 100 square feet in area or less than five feet
839 in width;

840 ii. No parking stall shall be located more than 45 feet from a landscaped area. The
841 planning commission may approve landscaping plans involving alternatives to this
842 specification for individual properties if it finds that the alternative plans would be
843 more effective in meeting the above stated purposes of this section; and

844 iii. All landscaping must be located between parking stalls or between parking stalls
845 and the property lines. Landscaping which occurs between parking stalls and multiple-
846 family housing or between parking stalls and multiple-family housing recreation areas
847 shall not be considered in the satisfaction of these landscaping requirements.

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

850 f. Landscaping Adjacent to Parking Stalls. Where landscaping areas which fulfill city standards are
851 adjoined by angular or perpendicular parking stalls, landscaping in the form of groundcover
852 materials or plants may be installed in that portion of any parking stall which will be ahead of the
853 wheels and adjacent to the landscaped area; provided, that curbing or wheel stops are installed in
854 a position which will protect the plants from damage. Such landscaping shall not be construed to
855 be part of the percentage of landscaped area required by this chapter nor a reduction of the
856 parking stall.

857 g. Additional Landscaping Along Specified Streets. Along streets where it may be desirable and
858 feasible to obtain a higher degree of continuity in landscaping from property to property than is
859 provided for here, the city council, upon recommendation by the planning commission, may
860 designate specific street frontage landscaping plans for those streets. See Chapter 21.06 LMC.

861
862 B. Fences and Hedges. Fence and hedge regulations for the residential zones are provided in Chapter
863 21.10 LMC.

864 C. B. Building Height in RMH Zones. The front, rear, and side yard setbacks of any building that exceeds a
865 height of 45 feet shall be increased by one foot for each one foot that the building exceeds a height of
866 45 feet.

867
868 D. C. Pre-Existing Subdivisions. Any lot described on a plat duly recorded in the land records of
869 Snohomish County prior to January 1, 1970, may be used for a one-family dwelling if the lot dimensions
870 and area are in conformance with LMC 21.12.300, and the buildings to be located thereon conform to all
871 other standards of the residential zone within which the lot is located.

872
873 **Section 10. Amendment.** LMC 21.46.111 is hereby amended to read as follows:

874 **21.46.111 Limitations on uses – Auto-oriented uses.**

875 A. Automobile Agencies. New car automobile sales and display room buildings and the repair and
876 servicing necessary to the business are permitted as an indoor use.

877 B. Full-Service, Self-Service Stations, and Gas Stations. These uses are permitted only by means of a
878 conditional use permit. All full-service, self-service, and gas stations shall be developed in accordance
879 with the following regulations:

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

893 2. Development Standards. In addition to any applicable development standards and Lynnwood
894 Citywide Design Guidelines, as adopted by reference in LMC 21.25.145(B)(3), development of full-
895 service stations, self-service stations, and gas stations, and convenience stores when combined
896 with any of these stations, shall comply with the following standards:

897 a. Minimum Street Frontage. One hundred fifty feet of frontage is necessary for street
898 frontages which have two accesses. This figure can be reduced appropriately if the number
899 of curb cuts is also reduced.

900 b. Minimum Lot Area. As provided for the applicable zone.

901 c. Minimum Setbacks for Buildings and Canopies. Minimum setbacks for buildings as
902 provided for the applicable zone. However, canopies shall be set back a minimum of 20 feet
903 from public street right-of-way.

904 d. Site-Screening Standards for Side Yard and Rear Yard. As ~~provided~~ required in Chapter
905 21.08 LMC. ~~for the applicable zone.~~

906 e. Off-Street Parking and Landscaping. Same as Chapter 21.08 ~~21.18~~ LMC except that a 20-
907 foot-wide landscaping strip shall be required along the street frontage. This 20-foot
908 landscaping strip is in lieu of the five percent landscaping required in the interior of the
909 parking area. This requirement shall supersede applicable design guidelines. However, when
910 the service stations described in subsection (B)(2) of this section are contained within
911 buildings located closer to the street than fuel pump islands, canopies and parking areas,
912 then a 15-foot-wide street frontage landscape strip shall be required.

913 f. Street Standards. All public rights-of-way shall be fully improved to the center of the street
914 with paving, curb, gutter, and sidewalk to city standards.

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

917 h. Separation between Parking and Pump Island. Where there are parking stalls backing up
918 to pump islands, the minimum distance between pump islands and off-street parking shall
919 be 40 feet from the end of the stall to the pump island.

920 i. Signs. See LMC 21.16.310 for sign regulations.

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

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

928 l. Building Height and Maximum Lot Coverage and Interior Yard Setbacks. As provided for the
929 applicable zone.

930 3. Operation, Supervision, and Maintenance Restrictions.

931 a. Services rendered, and products stored on the premises and sold there shall be limited in
932 accordance with the activities included in the definitions of LMC 21.02.267, 21.02.375,
933 21.02.660 and 21.02.661, as approved by conditional use permit.

934 b. Operation of a rental agency or sale lot for automobiles, trucks, trailers or other
935 equipment or other business accessory to the operation of a full-service station, self-service
936 station, and gas station, shall require a separate occupancy permit and business license.
937 These uses would only be allowed as an accessory use if they are permitted in that zone as a
938 separate use. The application for the occupancy permit and a business license shall be
939 accompanied by a site plan, and any vehicle or equipment involved shall be stored or parked
940 in areas defined on the site plan and shall be kept in a neat and orderly manner. The
941 development for the accessory use shall meet all applicable city regulations.

942 c. All buildings, grounds, and landscaping shall be kept in a constant state of repair and
943 maintenance. Upon failure to do so, the city shall require repair or replanting as per LMC
944 21.08.250H 21.04.310. ~~Landscape maintenance shall also comply with applicable Lynnwood
945 Citywide Design Guidelines, as adopted by reference in LMC 21.25.145(B)(3).~~

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

949 e. When a convenience store is combined with a full-service station, self-service station or
950 gas station, dispensing of fuel shall be subject to electronic control (within arm's reach) of a
951 qualified attendant.

952 f. Amusement devices as defined by LMC 5.60.030(A) are not permitted in conjunction with
953 the uses allowed by this subsection.

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

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

961 i. Wrecked or dismantled vehicles shall not be stored out-of-doors for more than 24 hours.

962 4. Motor Vehicle and Pedestrian Separation between the Public Sidewalk and the Convenience
963 Store. When a convenience store is combined with an automobile service station, self-service
964 station and/or gas station, design considerations shall be implemented to minimize pedestrian
965 conflicts with vehicular traffic such as but not limited to brick pavers, signs, raised sidewalks,
966 striping, or a combination of the above.

967 5. Effects of Change of Use. The addition of a convenience store to an automobile service station,
968 self-service station or gas station would constitute a change in use and would require complete
969 compliance with Chapter 21.12 LMC.

970 6. General Criteria for Approval. In addition to the criteria found in Chapter 21.24 LMC, no
971 conditional use permit for the uses mentioned in this subsection shall be approved unless:

972 a. The proposal meets the International Fire Code and International Building Code;

973 b. The proposal meets the standards of this chapter and this title; and

974 c. The proposal meets all other applicable city and governmental regulations.

975 Exceptions. There shall not be any relaxation of development standards as provided for in LMC
976 21.24.100. Any exceptions to these standards shall be subject to the variance criteria as found in
977 Chapter 21.26 LMC. However, the hearing examiner may consider these criteria as part of the
978 conditional use permit process, instead of a separate variance application.

979 7. Park and Pool Lots. Park and pool lots may be permitted by a conditional use permit. In
980 considering such a conditional use, the hearing examiner shall review all impacts upon the
981 surrounding neighborhood, including but not limited to traffic, location, displacement of required
982 stalls, ingress and egress, signs, and illumination. The applicant must submit a site plan with the
983 property boundaries and the location of all buildings with their respective floor areas designated
984 on the drawing. The available parking stalls to be used for a park and pool lot must be designated
985 on the submitted site plan. Drawings depicting the proposed signs should also accompany the
986 applications.

987

988 **Section 11. Amendment.** Table 21.46.14 in LMC 21.46.200 is hereby amended to read as follows:

Table 21.46.14
Minimum Standards

	NC	PCD	CG
Area (unless adjacent to similar zoned land)	none	none	none
Maximum Area	none	none	none
Front Yard			

**Table 21.46.14
Minimum Standards**

	NC	PCD	CG
Located on a principal arterial	15 ft.	15 ft.	15 ft.
Located on all other streets	15 ft.	15 ft.	15 ft.
Side Yard – Street			
Located on a principal arterial	15 ft.	15 ft.	15 ft.
Located on all other streets	15 ft.	15 ft.	15 ft.
Side Yard	none*	none*	none*
Rear Yard	none*	none*	none*
Maximum Building Height	35 ft.†	none	none
Maximum Lot Coverage	35%	none	35%

989 Key:

990 * Except where adjoining a residential zone; see LMC 21.46.220 and 21.46.230.

991 + Multifamily is permitted at three stories or 45 feet (whichever is less) on parcels
 992 that have a minimum of one acre in size, subject to standards and procedures
 993 established in Chapter 21.43 LMC for the multiple residential medium-density
 994 zone (RMM). See Figure 21.46.1 for specific permitted locations.

995

996 **Section 12. Amendment.** LMC 21.46.210 is hereby amended to read as follows:

997 **21.46.210 Additional development standards.**

998 ~~A. Site-Screening Standards for Outdoor Displays and Outdoor Storage Areas. Any indoor displays or~~
 999 ~~outdoor storage which are permitted in commercial zones, and which are not affected by the standards~~
 1000 ~~of LMC 21.46.220, shall be enclosed within a site-screening fence of sufficient height to effectively~~
 1001 ~~screen the outdoor display or storage from view, and not less than six feet high in any case, set back five~~
 1002 ~~feet from the property line. The outer five feet shall be landscaped with evergreen conifer trees with a~~
 1003 ~~minimum height of six feet spaced a maximum of 15 feet on center and low evergreen plantings which~~
 1004 ~~will mature to a total groundcover within five years; provided, however, that where these requirements~~
 1005 ~~do not apply because the principal use of a property involves the display of merchandise for view from~~
 1006 ~~the streets, the display area shall be improved as a parking lot (except for paving where the nature of~~
 1007 ~~the merchandise makes paving impractical) with a 10-foot planting strip along the entire street frontage,~~
 1008 ~~as per subsection (B)(2) of this section. Display areas shall be segregated from the required customer~~

1009 parking so that there is always sufficient customer parking to meet the minimum requirements of this
1010 code.

1011 A. Parking.

1012 1. Capacity Requirements. For calculating the required number of parking stalls see
1013 Chapter 21.18 LMC.

1014 2. Landscaping in Parking Areas.

1015 a. Purpose. The purpose of these landscaping provisions is:

1016 i. To break up the visual blight created by large expanses of barren asphalt which make
1017 up a typical parking lot;

1018 ii. To encourage the preservation of mature evergreens and other large trees which are
1019 presently located on most undeveloped sites in this city;

1020 iii. To ensure the preservation of land values in commercial zones by creating and
1021 ensuring an environmental quality which complements the commercial objectives of
1022 the respective land.

1023 b. Planting at Street Frontages. Development sites with parking areas located only between
1024 the sides of buildings and interior property lines shall provide a 10-foot wide planting area
1025 along the entire street frontage, except for driveways, walkways and other pedestrian
1026 spaces. Development sites with single-aisle, double-loaded parking areas located between
1027 buildings and the street right-of-way shall provide a 15-foot wide planting area along the
1028 entire street frontage with the same above exceptions. Development sites with multi-aisle
1029 parking areas located between buildings and the street right-of-way shall provide a 20-foot-
1030 wide planting area along the street frontage with the same above exceptions. Planting shall
1031 consist of ornamental landscaping of low plantings and high plantings. The minimum height
1032 of trees shall be eight feet for evergreen trees and 10 feet for all other species. Trees shall be
1033 spaced a maximum of 25 feet on center with branches eliminated to a height of six feet
1034 where necessary to prevent sight obstruction. The required trees in this planting area may
1035 be located within the adjacent street right-of-way as long as they comply with Lynnwood
1036 Citywide Design Guidelines as adopted by reference in LMC 21.25.145(B)(3), and are
1037 approved by the public works department. Low evergreen plantings, or a mixture of low
1038 evergreen and deciduous plantings with a maximum height of 30 inches, shall be provided so
1039 as to achieve 50 percent groundcover within two years.

1040 The location and width of the planting area may be modified in accordance with the
1041 following provisions: that up to five feet of the 10-foot total required may be installed in
1042 portions of city right-of-way which are not covered by impervious surfaces or, in the case of
1043 right-of-way which is not fully improved, and not projected to be covered by impervious
1044 surfaces upon full improvement.

1045 c. Landscaping in Right-of-Way. Property owners who install landscaping on portions of right-
1046 of-way not covered by impervious surfaces shall provide the city with a written release of
1047 liability for damages which may be incurred to the planting area from any public use of the
1048 right-of-way and an indemnity to the city against any injuries occurring within that portion of
1049 right-of-way so utilized.

1050 d. Coverage. Five percent of the parking areas located on the sides and rear of buildings and
1051 interior property lines; 10 percent of parking areas between building and single aisle,
1052 double-loading parking areas located between buildings and the street; and 15 percent of
1053 multi-aisle parking areas located between buildings and streets shall be in landscaping
1054 (exclusive of landscaping on the street frontage and required landscape buffers); provided,
1055 that:
1056 i. No landscaping area shall be less than 25 square feet in area or less than three feet in
1057 width;
1058 ii. No parking stall shall be located more than 45 feet from a landscaped area; and
1059 iii. All landscaping must be located between parking stalls, at the end of parking
1060 columns, or between parking stalls and the property lines.
1061 e. Landscaping Adjacent to Parking Stalls. Where landscaping areas which fulfill city
1062 standards are adjoined by angular or perpendicular parking stalls, landscaping in the form of
1063 ground cover materials or plants may be installed in that portion of any parking stall which
1064 will be ahead of the wheels and adjacent to the landscaped area; provided, that curbing or
1065 wheel stops are installed in a position which will protect the plants from damage. Such
1066 landscaping shall not be construed to be part of the percentage of landscaped area required
1067 by this chapter nor a reduction of the parking stall.
1068 f. Additional Landscaping along Specified Streets. Along streets where it may be desirable
1069 and feasible to obtain a higher degree of continuity in landscaping from property to property
1070 than is provided for here, the city council, upon recommendation by the planning
1071 commission, may designate specific street frontage landscaping plans for those streets.

1072
1073 **Section 13. Amendment.** Section 21.46.212 is hereby repealed.

1074 **~~21.46.212 Swift Station off street parking and landscaping.~~**

1075 In calculating and applying the parking stall and landscaping requirements of this title, the parking stalls
1076 and landscaping that are replaced by a transit station and related improvements of the Snohomish
1077 County Public Transportation Benefit Area dba Community Transit, also known as a Swift BRT station,
1078 pursuant to the development agreement between the City and Community Transit dated August 20,
1079 2008, shall be included within the calculation and application of such requirements. The replacement of
1080 a portion of a parking stall shall be deemed to be a replacement of the entire parking stall. In any
1081 application for a building or other permit for construction of such transit station and related
1082 improvements, Community Transit shall provide photographs of the parking stalls and landscaping that
1083 will be replaced by the transit station and related improvements, or such other evidence of the parking
1084 stalls and landscaping that is acceptable to the community development director.

1085
1086 **Section 14. Amendment.** Section 21.48.210 is hereby amended to read as follows:

1087 **21.48.210 Additional development standards**

1088 A. Site Screening Standards for Outdoor Displays and Outdoor Storage Areas. Any outdoor displays or
1089 outdoor storage permitted in this zone, and which are not affected by the standards of LMC 21.48.220,
1090 shall be enclosed within a site screening fence of sufficient height to effectively screen the outdoor

1091 display or storage from view, and not less than six feet high in any case, set back five feet from the
1092 property line. The outer five feet shall be landscaped with evergreen conifer trees with a minimum
1093 height of six feet at planting spaced a maximum of 15 feet on center and low evergreen plantings which
1094 will mature to a total groundcover within five years; provided, however, that where these requirements
1095 do not apply because the principal use of a property involves the display of merchandise for view from
1096 the streets, the display area shall be improved as a parking lot (except for paving where the nature of
1097 the merchandise makes paving impractical) with a 10-foot planting strip along the entire street frontage,
1098 as per subsection (B)(3)(b) of this section. Display areas shall be segregated from the required customer
1099 parking so that there is always sufficient customer parking to meet the minimum parking requirements
1100 of this code.

1101 A. Parking.

1102 1. Required Number of Stalls. See Chapter 21.18 LMC, with the exception of residential parking
1103 below.

1104 2. Residential parking shall have a minimum of one and a maximum of one and one-half spaces
1105 per dwelling units or as determined by the community development director based upon data
1106 submitted by the applicant.

1107 3. Landscaping in Parking Areas.

1108 a. Purpose. The purpose of these landscaping provisions is:

1109 i. To break up the visual blight created by large expanses of barren asphalt which make
1110 up a typical parking lot;

1111 ii. To encourage the preservation of mature evergreens and other large trees which are
1112 presently located on most undeveloped sites in this city;

1113 iii. To insure the preservation of land values in commercial zones by creating and
1114 insuring an environmental quality which complements the commercial objectives of the
1115 respective land.

1116 b. Planting at Street Frontages. Development sites with parking areas located only between
1117 the sides of the building and interior property lines shall provide a 10-foot wide planting
1118 area along the entire street frontage, except for driveways, walkways and other pedestrian
1119 spaces. Development sites within single-aisle, double-loaded parking areas located between
1120 buildings and the street right-of-way shall provide a 15-foot wide planting area along the
1121 entire street frontage with the same above exceptions. Development sites with multi-aisle
1122 parking areas located between buildings and the street right-of-way shall provide a 20-foot-
1123 wide planting area along the entire street frontage with the same above exceptions.

1124 Exception: At a regional shopping center developed or redeveloped after April 13, 2002, with
1125 a gross leaseable floor area of 1,140,000 square feet or greater, the minimum width of the
1126 street frontage landscape area shall be 10 feet, with the same above exceptions.

1127 Plantings shall consist of ornamental landscaping of low plantings and high plantings. The
1128 minimum height of trees shall be eight feet for evergreen trees and 10 feet for all other
1129 species. Trees shall be spaced a maximum of 25 feet on center with branches eliminated to a
1130 height of six feet where necessary to prevent sight obstruction. The required trees in this
1131 planting area may be located within the adjacent street right-of-way as long as they comply
1132 with Lynnwood Citywide Design Guidelines, as adopted by reference in LMC 21.25.145(B)(3),

1133 and are approved by the public works department. Low evergreen plantings, or a mixture of
1134 low evergreen and deciduous plantings with a maximum height of 30 inches, shall be
1135 provided so as to achieve 50 percent groundcover within two years. This landscaping plan
1136 (providing for coordination of the landscaping throughout the PRSC zone) shall be submitted
1137 and approved prior to the issuing of the first building permit.

1138 The location and width of the planting area may be modified in accordance with the
1139 following provisions: that up to five feet of the total width required may be installed in
1140 portions of city right-of-way which are not covered by impervious surfaces or, in the case of
1141 right-of-way which is not fully improved, are not projected to be covered by impervious
1142 surfaces upon full improvement.

1143 c. Landscaping in Right-of-Way. Property owners who install landscaping on portions of right-
1144 of-way not covered by impervious surfaces shall provide the city with a written release of
1145 liability for damages which may be incurred to the planting area from any public use of the
1146 right-of-way and an indemnity to the city against any injuries occurring within that portion of
1147 right-of-way so utilized.

1148 d. Coverage. Five percent of the parking areas located on the sides and rear of buildings and
1149 interior property lines; 10 percent of parking areas between buildings and single-aisle,
1150 double-loading parking areas located between buildings and the street; and 15 percent of
1151 multi-aisle parking areas located between buildings and street shall be in landscaping
1152 (exclusive of landscaping on the street frontages and required landscape buffers) except that
1153 at a regional shopping center developed or redeveloped after April 13, 2002, with a gross
1154 leaseable area of 1,140,000 square feet or greater, all open parking areas shall have a
1155 minimum landscape coverage of eight percent; provided, that:

1156 i. No landscaping areas shall be less than 25 feet square feet in area or less than three
1157 feet in width;

1158 ii. No parking stall shall be located more than 45 feet from a landscaped area; and

1159 iii. All landscaping must be located between parking stalls, at the end of parking
1160 columns, or between parking stalls and the property lines.

1161 e. Landscaping Adjacent to Parking Stalls. Where landscaping areas which fulfill city
1162 standards are adjoined by angular or perpendicular parking stalls, landscaping in the form of
1163 groundcover materials or plants may be installed in that portion of any parking stall which
1164 will be ahead of the wheels and adjacent to the landscaped area; provided, that curbing or
1165 wheel stops are installed in a position which will protect the plants from damage. Such
1166 landscaping shall not be construed to be part of the percentage of landscaped area required
1167 by this chapter nor a reduction of the parking stall.

1168 f. Additional Landscaping along Specified Streets. Along streets where it may be desirable
1169 and feasible to obtain a higher degree of continuity in landscaping from property to property
1170 than is provided for here, the city council, upon recommendation by the planning
1171 commission, may designate specific street frontage landscaping plans for those streets. See
1172 Chapter 21.06 LMC.

1173

1174 B. Fences and Hedges. Fences and hedge regulations are as provided in Chapter 21.10 LMC.

1175 **Section 15. Amendment.** Section 21.50.210 is hereby amended to read as follows:

1176 **21.50.210 Additional development standards.**

1177 A. Building Height.

1178 1. BTP Zone. For buildings taller than three stories, the floor area to lot area ratio (FAR) shall not
1179 exceed 0.4, unless specifically allowed by conditional use permit approval. In connection with any
1180 such conditional use permit approval, the applicant shall demonstrate that the additional floor area
1181 will not adversely impact traffic flow and volumes on the public streets, as compared to other
1182 existing or anticipated developments on other properties in the same zone and vicinity.

1183 2. LI Zone. The community development director may authorize an increase in maximum building
1184 height not to exceed eight feet in height from the floor of the roof when the applicant demonstrates
1185 conformance with the general intent of the chapter.

1186

1187 B. Setbacks for Fences. Fences, walls and hedges up to six feet in height may be located in any portion of
1188 an industrial-zoned lot as long as the fence is not located within intersection and driveway sight distance
1189 triangles, does not obstruct driver and pedestrian visibility, and complies with applicable Lynnwood
1190 Citywide Design Guidelines, as adopted by reference in LMC 21.25.145(B)(3).

1191

1192 ~~C. Landscaping Requirements for Sites in the Light Industrial Zone.~~

1193 ~~1. On a transitional site, at least 50 percent of the front yard area shall be landscaped which may~~
1194 ~~include landscaping requirements in parking lots.~~

1195 ~~2. On a general site, at least 25 percent of the front yard area shall be landscaped which may include~~
1196 ~~landscaping requirements in parking lots.~~

1197 ~~3. Where interior property lines of a site being developed are not affected by other landscaping~~
1198 ~~standards and are not adjoined by building, trees shall be planted inside and along the property line~~
1199 ~~with a spacing of 40 feet or less between the trees.~~

1200

1201 D. Parking Requirements.

1202 1. Required Number of Stalls. Requirements for parking are provided in Chapter 21.18 LMC.

1203 ~~2. Landscaping in Parking Areas:~~

1204 ~~a. Planting at Street Frontages:~~

1205 ~~i. Development sites without parking areas along the street frontage shall provide a 10-foot~~
1206 ~~wide planting area along the entire street frontage, except for driveways, walkways and~~
1207 ~~other pedestrian spaces.~~

1208 ~~ii. Development sites with single-aisle, double-loaded parking areas located between buildings~~
1209 ~~and the street right-of-way shall provide a 15-foot wide planting area along the entire street~~
1210 ~~frontage with the same above exceptions.~~

1211 ~~iii. Development sites with multi-aisle parking areas located between buildings and the street~~
1212 ~~right-of-way shall provide a 20-foot wide planting area along the entire street frontage with~~
1213 ~~the same above exceptions.~~

1214 ~~iv. Plantings at street frontages shall consist of ornamental landscaping of low plantings and~~
1215 ~~high plantings. The minimum height of trees shall be eight feet for evergreen trees and 10~~

1216 feet for all other species. Trees shall be spaced a maximum of 25 feet on center with
1217 branches eliminated to a height of six feet where necessary to prevent sight obstruction.
1218 The required trees in this planting area may be located within the adjacent street right-of-
1219 way as long as the trees comply with Lynnwood Citywide Design Guidelines, as adopted by
1220 reference in LMC 21.25.145(B)(3) and are approved by the public works department. Low
1221 evergreen plantings, or a mixture of low evergreen and deciduous plantings with a
1222 maximum height of 30 inches, shall be provided so as to achieve 50 percent groundcover
1223 within two years.

1224 b. At transitional sites in the BTP zone, the landscaping requirement along zoning boundaries
1225 which occur along streets may be counted to fulfill front yard parking lot landscaping; provided
1226 the building is located no closer to the street than the minimum allowable setback.

1227 c. Landscaping in Right-of-Way. Additional plantings may be placed within the street right-of-way
1228 as authorized by the public works department.

1229 d. Coverage. Ten percent of the parking areas located between buildings or between buildings and
1230 interior property lines, and single-aisle, double-loading parking areas between buildings and the
1231 street; and 15 percent of multi-aisle parking areas located between buildings and street shall be
1232 in landscaping (exclusive of landscaping on street frontage and required landscape buffers);
1233 provided, that:

1234 i. No landscaping area shall be less than 100 square feet in area or less than five feet in width;

1235 ii. No parking stall shall be located more than 45 feet from a landscaped area; and

1236 iii. All landscaping must be located between parking stalls or between parking stalls and the
1237 property lines.

1238 e. Landscaping Adjacent to Parking Stalls. Where landscaping areas which fulfill city standards are
1239 adjoined by angular or perpendicular parking stalls, landscaping in the form of groundcover
1240 materials or plants may be installed in that portion of any parking stall which will be ahead of the
1241 wheels and adjacent to the landscaped area; provided, that curbing or wheel stops are installed in
1242 a position which will protect the plants from damage. Such landscaping shall not be construed to
1243 be part of the percentage of landscaped area required by this chapter nor a reduction of the
1244 parking stall.

1245 f. Additional Landscaping Along Specified Streets. Along streets where it may be desirable and
1246 feasible to obtain a higher degree of continuity in landscaping from property to property than is
1247 provided for here, the city council, upon recommendation by the planning commission, may
1248 designate specific street frontage landscaping plans for those streets. See Chapter 21.06 LMC.

1249
1250 E. C. Surface Water Management. Each industrial area shall have adequate facilities for management of
1251 surface water.

1252 F. Screening of Service Yards. Service yards shall be site-screened so that a visual barrier is established
1253 between the storage yard and local streets and arterials.

1254 Screening shall be installed on side yard setbacks between street right-of-way and service buildings or
1255 storage yards (except for driveways). It shall consist of either:

- 1256 1. One row of evergreen conifer trees, spaced a maximum of 10 feet on center. Minimum tree height
 1257 shall be six feet. The remainder of the planting strip shall be planted with low evergreen plantings
 1258 which will mature to a total groundcover within five years; or
 1259 2. A site screening evergreen hedge that provides a sight, sound, and psychological barrier between
 1260 zones with some degree of incompatibility. The spacing of plants shall be such that they will form a
 1261 dense hedge within five years. Minimum plant height shall be four feet at time of planting.

1262
 1263 ~~G.~~ D. Development Standards – Cooperative Programs. In the BTP zone, cooperative development of
 1264 adjacent properties is encouraged. LMC 21.46.900(D) provides incentives which should be considered
 1265 when contemplating development, particularly the development of relatively small properties.

1266
 1267 **Section 16. Amendment.** LMC 21.54.200 is hereby amended to read as follows:

1268 **21.54.200 Area and dimensional standards.**

1269 The standards in this section shall apply to all structures and nonstructural uses in this zone. No building,
 1270 structure or land shall be established, erected, enlarged or structurally altered, except in conformance
 1271 with these standards and Chapter 21.14 LMC.

1272 A. Table of Standards.

Table 21.54.1 – Development Standards

Site Planning	
Minimum lot area per dwelling unit	2,000 sq. ft.
Minimum setback abutting a street	0 ft.
Maximum setback abutting a street	25 ft. ¹
Minimum setback abutting another property	10 ft. ²
Maximum building height	no limit ³
Corner lot – Minimum area of landscaped area at intersection ⁴	500 sq. ft.
Minimum pedestrian area at building entries	200 sq. ft.

Minimum setback from any residential zone	25 ft.
Maximum lot coverage	70 percent
Parking Area	
Minimum size of landscaped area within 100 ft. of street	25 sq. ft.
Minimum width of landscaped area	5 ft.
Minimum number of trees in landscaped area within 100 ft. of street	1 per 6 parking spaces*
Minimum number of trees in landscaped area more than 100 ft. from street	1 per 8 parking spaces*
Landscaping	
Minimum width of landscaping adjoining a street	15 ft. ^{5*}
Planting of street trees	30 ft. on center

1273 * This standard shall supersede any applicable Lynnwood Citywide Design Guidelines
1274 that may conflict.

1275
1276

B. Notes.

1277 1. a. Up to 50 percent of a building fronting a street may be set back up to 50 feet to accommodate
1278 plazas, courtyards, prominent entranceways or other frontage modulation. The areas within
1279 such additional setbacks are subject to the same landscaping, street furnishing, etc., guidelines
1280 otherwise required.

1281 b. Single story, single tenant buildings greater than 100,000 square feet in gross floor area may be
1282 exempt from the 25-foot maximum setback requirement if all of the following are met:
1283 i. A pedestrian park or plaza shall be provided at a size at least equivalent to five percent of the
1284 gross floor area of the building(s). The open space shall be in addition to that required under the
1285 design review process required by LMC 21.54.150.
1286 ii. A minimum five-foot-wide pedestrian corridor shall be provided from the main building
1287 entrance to abutting parcels with multifamily residential development.

1288 iii. Parking spaces exceeding the minimum capacity requirements required by Chapter 21.18 LMC
1289 shall be provided in a parking structure that may be above or below ground (i.e., shall not be
1290 surface parking). Such structure may serve multiple buildings and users.

1291 ~~2. See also required buffers in LMC 21.54.240.~~

1292 ~~3.~~ 2. Any portion of a building or structure with a height greater than 35 feet shall be set back from all
1293 property lines a minimum of one foot for every two feet in height above 35 feet.

1294 ~~4. Landscaped area may include pedestrian pathway connecting development to crosswalk(s).~~

1295 ~~5. Where a building is set back less than 15 feet from the street, the entire building setback (if any)
1296 shall be landscaped, not including pedestrian circulation areas and pathways.~~

1297

1298 C. Additional Standards.

1299 1. Any surface parking lot that is more than 130 feet in any dimension shall have marked
1300 pedestrian walkways leading to adjacent building entries, subject to approval by the community
1301 development director.

1302 2. Special paving shall be installed and maintained at all driveways and other points of access for
1303 vehicles to/from a public street. "Special paving" shall include, but is not limited to, bomanite,
1304 stamped or colored concrete, and concrete pavers.

1305

1306 **Section 17. Amendment.** LMC 21.57.400D is hereby amended to read as follows:

1307 D. Other Limitations and Standards.

1308 1. The college district mixed use (CDM) zone is considered a "commercial" zone and subject to
1309 applicable limitations on uses and other development standards, contained in Chapter 21.46 LMC,
1310 Commercial Zones, and not contained in this chapter.

1311 2. Tandem parking may be used to meet residential parking requirements, providing both spaces
1312 are assigned to the same dwelling. Tandem parking will not be approved for nonresidential
1313 applications.

1314 3. Parking lot design and related landscaping shall be in accordance with LMC 21.08. ~~21.46.210(B)~~
1315 ~~(parking lot development standards for commercial zones)~~. Off-street parking, whether in surface
1316 lots or structures, shall be located beside or behind buildings, and prohibited between buildings
1317 and streets, with the exception of master-planned parking on the EdCC campus.

1318 4. Signage shall comply with LMC 21.16.310 (commercial signage requirements). The following
1319 types are prohibited within the CDM zone, with the exception of commercially zoned properties
1320 fronting 196th Street SW and 64th Avenue W:

1321 a. Freestanding signs, other than ground signs;

1322 b. Pole signs; and

1323 c. Roof signs.

1324 5. The location and design of trash and recycling facilities shall comply with the requirements of
1325 LMC 21.46.900 (refuse and recycling collection areas and enclosures).

1326 6. The provisions of the CDM zone shall prevail in cases of conflict.

1327 ~~7. Transition or Buffer Strips. Transitional or buffer landscaped strips (also referred to as
1328 greenbelts) of which the purpose of the landscaping is to provide a sight, sound, and psychological~~

1329 barrier between zones with a high degree of incompatibility. The transition or buffer strips shall be
 1330 installed in the following situation:

1331 a. Where the side yard or rear yard of a property zoned CDM is adjacent to a property
 1332 zoned multiple-family residential or public and semi-public.

1333 i. The landscaped strip shall be at least 10 feet in width and shall consist of either of
 1334 the following two options:

1335 (A) One row of evergreen conifer trees, spaced a maximum of 10 feet on center.
 1336 Minimum tree height shall be six feet. The remainder of the landscaped strip shall be
 1337 promptly planted with low evergreen plantings which will mature to a total
 1338 groundcover within five years; or

1339 (B) A site-screening evergreen hedge. The spacing of plants shall be such that they will
 1340 form a dense hedge within five years. Minimum plant height shall be four feet.

1341 ii. A permanent six-foot site-screening fence shall be placed at the property line.

1342

1343 **Section 18. Amendment.** LMC 21.62.400 is hereby amended to read as follows:

1344 **21.62.400 Development standards.**

1345 A. Building to Site Relationships. Development shall meet the following standards:

Table 21.62.01

	Development Level		
	1	2	3
	Sites with nonresidential development only and less than 2 acres in size	Sites with nonresidential 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

Table 21.62.01

	Development Level		
	1	2	3
	Sites with nonresidential development only and less than 2 acres in size	Sites with nonresidential 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
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

1346 Notes:

1347 * See LMC 21.62.450 for development adjacent to a residential zone (transitional property lines).

1348 + Applies to residential projects only; setback is from all public rights-of-way, internal circulation
 1349 (vehicle, bicycle, pedestrian), parking areas, or access easements. Alternatively, where vision-obscuring
 1350 glass is installed, the setback may be eliminated.

1351 ++ The minimum number of residential units to qualify for this level shall be calculated using the entire
 1352 project site. Where residential development is part of redevelopment of one or more parcels, this
 1353 calculation shall be based only on the portion of the parcel(s) being redeveloped. Fractional portions of
 1354 a unit are “rounded up” for this calculation.

1355

1356 B. Minimum Size of Structures with Residential Dwelling Units. Residential development is encouraged
 1357 as part of development of parcels in this zone, but it is not required. Where development of one or
 1358 more parcels in this zone includes new residential development, the residential development shall
 1359 comply with the following standard: the minimum height of a structure with residential units shall be
 1360 three stories above grade.

1361 maintained consistent with the regulations in Chapter 21.18 LMC and LMC 21.46.900(D), with the
 1362 following exceptions:

1363 1. New residential development will have a minimum requirement of one parking space per
 1364 dwelling unit. Surface parking is limited to a maximum of two parking spaces per dwelling unit;
 1365 additional parking for residential development shall be located in a parking structure. Tandem
 1366 parking may be used to meet residential parking requirements, provided both spaces are assigned
 1367 to the same dwelling.

1368 2. New multistory commercial development that is not part of a mixed use development with
 1369 residential units at a minimum density of 20 units/acre shall provide at least 50 percent of the
 1370 parking required for upper stories (any story above the first story) in a parking structure.

1371 3. Parking for commercial and other nonresidential uses in a mixed use development with
1372 residential units shall be provided at a minimum rate of three parking spaces per 1,000 square
1373 feet of leasable building area (i.e., not including service corridors, ventilation shafts, sprinkler riser
1374 rooms or the like) dedicated to commercial or nonresidential uses. Parking for institutional uses
1375 and hotels/motels shall be provided as set forth in Chapter 21.18 LMC. See Chapter 21.18 LMC for
1376 allowed reductions in required parking for nonresidential uses. Tandem parking is not permitted
1377 for nonresidential uses.

1378 4. A parking structure may be located either above or below ground, and may either be attached
1379 to a new or existing building or may be freestanding. Parking structures shall meet the
1380 requirements on LMC 21.08, ~~21.18.710~~, with the following provisions applying in lieu of LMC
1381 ~~21.18.710(D)~~:

1382 a. Setback. Parking structures located along streets which are not “designated side streets”
1383 (as defined in the Highway 99 Design Guidelines) shall provide a landscaping area between
1384 the structure and the street which is a minimum of 25 feet wide.

1385 b. Design. The parking structure shall comply with the Highway 99 design guidelines.

1386 c. Vehicle Access. No parking structure entry/exit driveway shall have more than three lanes
1387 unless exceptional traffic conditions or congestion require an additional drive lane. In no
1388 case shall the number of lanes exceed four.

1389 d. Pedestrian Connections. The design of pedestrian connections or pathways from a parking
1390 structure to the building(s) for which it provides parking shall clearly delineate and separate
1391 the pedestrian way from travel areas for vehicles.

1392
1393 ~~D. Landscaping at Parking and Circulation Areas. Landscaping shall be provided within surface parking~~
1394 ~~areas with 10 or more parking stalls for the purpose of providing shade, diminishing the visual impacts~~
1395 ~~of large paved areas, and providing stormwater management where feasible. Landscaping for surface~~
1396 ~~parking areas shall be as follows:~~

1397 ~~1. Residential developments with open parking areas used by or available to all residents (e.g., where~~
1398 ~~parking is provided in a shared parking area, rather than in individual garages) shall provide~~
1399 ~~planting areas at the rate of 20 square feet per parking stall.~~

1400 ~~2. Commercial or institutional developments shall provide landscaping at a rate of:~~

1401 ~~a. Twenty square feet per parking stall when 10 to 30 parking stalls are provided.~~

1402 ~~b. Twenty-five square feet per parking stall when 31 or more parking stalls are provided.~~

1403 ~~3. Trees shall be provided and distributed throughout the parking area at a rate of:~~

1404 ~~a. One tree for every five parking stalls for all development or uses except residential or~~
1405 ~~institutional uses.~~

1406 ~~b. One tree for every 10 parking stalls for residential or institutional development or uses.~~

1407 ~~c. For calculating required trees at parking areas for mixed use developments, separate~~
1408 ~~requirements shall be made for parking assigned/allocated to each type of use shall be added~~
1409 ~~and rounded up to the next whole number of trees.~~

1410 ~~4. The maximum distance between any parking stall and landscaping area shall be no more than 45~~
1411 ~~feet.~~

1412 5. Permanent curbs or structural barriers shall be provided to protect the plantings from vehicle
1413 overhang and curb cuts shall be provided in these barriers to allow surface water to flow into
1414 landscaped areas. A minimum setback of two feet for all shrubs and four feet for all trees shall be
1415 provided where vehicle overhang extends into landscape areas.

1416 6. Additional parking lot landscaping requirements:

1417 a. Drought tolerant plants and/or plants native to the Pacific Northwest shall be provided for a
1418 minimum of 50 percent of the landscaping area.

1419 b. Shrubs shall be planted at a rate of one per 20 square feet of total landscaped area.

1420 c. Landscape areas adjacent to a pedestrian walkway or within the sight triangle at street
1421 intersections or access driveways (see Chapter 21.10 LMC) shall contain plant material chosen to
1422 maintain a clear zone between three and eight feet above ground level.

1423 d. Planting islands or strips shall have a narrow dimension of no less than five feet.

1424 e. All trees shall be chosen from the city-approved tree list. Trees within landscaped areas and
1425 street trees shall be chosen to consider existing and proposed utilities, site lighting, signage,
1426 adjacent trees, natural features, tree root growth, solar access, planting area width, and overall
1427 height at maturity.

1428 f. Groundcover shall provide total coverage of landscaped areas within five years of planting. No
1429 more than five percent of the landscaped area shall be covered with river rock or other
1430 nonliving materials, unless the river rock or other nonliving material is a part of a storm drainage
1431 system.

1432 g. For projects that redevelop more than 50 percent of the area of a development site,
1433 automatic irrigation shall be provided for all new landscaping, unless water for irrigation is
1434 provided by a low impact design system.

1435 h. A landscape maintenance plan shall be provided. The plan shall include, at a minimum, on-
1436 going tasks and schedules for all landscape areas, such as litter pick-up, mowing turf, tree and
1437 shrub pruning, weeding planting beds, removing noxious weeds, sweeping, replacement of dead
1438 or dying plant material, irrigation repair/adjustment, and trimming of hedges.

1439

1440 E. Nonresidential Open Space.

1441 1. New nonresidential development subject to project design review under this chapter and with
1442 at least 20 units/acre of residential development shall include on-site pedestrian-oriented open
1443 space at least equal to one percent of the lot area plus one percent of new nonresidential floor
1444 area. Where pedestrian-oriented facades are required by the design guidelines, the facade(s) shall
1445 be oriented towards the required open area. These requirements are in addition to the open
1446 space required for residential units, if any. The open space may be in the form of wider sidewalks
1447 (beyond the minimum), cafe seating areas, gardens, plazas or play areas.

1448 2. New nonresidential development subject to project design review under this chapter and not
1449 including residential development of 20 units/acre shall include on-site pedestrian-oriented open
1450 space at least equal to two percent of the lot area plus two percent of new nonresidential floor
1451 area. Where pedestrian-oriented facades are required by the design guidelines, the facade(s) shall
1452 be oriented towards the required open area. These requirements are in addition to the open

1453 space required for residential units, if any. The open space may be in the form of wider sidewalks
1454 (beyond the minimum), cafe seating areas, gardens, plazas or play areas.

1455

1456 F. Residential Open Space. All developments with multiple-family dwelling units shall provide
1457 recreational space (for use by residents of the development) equal to at least 10 percent of the building
1458 living area (not counting corridors, lobbies, storage, service space, and similar service areas), as follows
1459 (in mixed use developments, this requirement is in addition to the nonresidential open space required
1460 under subsection (E) of this section):

1461 1. Common open space may be used for all of the required open space. Common open space
1462 includes landscaped courtyards or decks, gardens with pathways, children’s play areas, or other
1463 multipurpose green spaces. In addition:

1464 a. Minimum required setback areas shall not count towards the open space requirement;

1465 b. Minimum required landscaping areas shall not count towards the open space
1466 requirement;

1467 c. Common open spaces shall be a minimum size of 1,000 square feet each with a minimum
1468 dimension of 20 feet on all sides except where the community development director
1469 determines that the proposed space is functional for appropriate active or passive
1470 recreational uses.

1471 2. Individual balconies and patios may be used to meet up to 50 percent of the required open
1472 space. To qualify as open space, balconies/patios must be at least 35 square feet with no
1473 dimension less than five feet.

1474 3. Space at rooftop decks may count for up to 50 percent of the required open space, provided:

1475 a. Space shall be accessible (ADA) to/from all dwelling units;

1476 b. Space shall provide amenities such as seating areas, landscaping, and/or other features
1477 that encourage recreational use;

1478 c. Space shall feature a maximum of 75 percent hard surfacing appropriate to encourage
1479 resident use;

1480 d. Space shall incorporate features that provide for the safety of residents, such as railings,
1481 enclosures and appropriate lighting levels. Lighting shall be of pedestrian scale and shall not
1482 project past the roofline to neighboring properties.

1483 4. Indoor recreational areas may count for up to 50 percent of the required open space only in
1484 mixed use buildings where other forms of open space are less feasible. Indoor areas shall be
1485 designed specifically to serve interior recreational functions.

1486

1487 G. Fences and Retaining Walls.

1488 1. Permitted fences, except as provided below.

1489 a. Fences up to three feet in height are permitted.

1490 b. Fences up to six feet in height are allowed along side and rear property lines (provided
1491 they are not parallel to a public right-of-way) and to enclose allowed service areas, storage
1492 areas, and other spaces.

1493 2. Prohibited Fences.

1494 a. Chain-link fences.

- 1495 b. Electric fences.
1496 c. Barbed wire and razor fencing.
1497 d. Wood fences (manufactured wood products are acceptable).
1498 e. Fencing shall not be installed along principal, collector, or minor arterials, except where
1499 the property owner or applicant demonstrates the fence is necessary for security purposes.
1500 Such fences shall not diminish the pedestrian qualities of the street and shall not encroach
1501 into the "sight triangle" as required by Chapter 21.10 LMC.
1502 3. Retaining Wall Standards. For retaining walls that are visible from a public right-of-way or a
1503 residentially zoned property, no above-ground portion of a retaining wall shall be taller than four
1504 feet in height.

1505
1506 H. Service Areas.

- 1507 1. Exterior service areas shall not be located within 30 feet of a single- or multiple-family
1508 residential-zoned property or of an existing building containing residential units. Service areas
1509 include but are not limited to: loading docks, trash dumpsters, compactors, refuse and recycling
1510 areas, and mechanical equipment areas.
1511 2. All external trash, recycling, and storage areas are required to be enclosed with a solid structure
1512 with a minimum height of seven feet and a roof. However, if the area is not visible from an
1513 adjacent property or public right-of-way, the enclosure does not require a roof. Enclosures shall
1514 be constructed of materials that match or complement the exterior materials of primary
1515 building(s).

1516
1517 I. Street Trees. Street trees shall be provided every 30 feet or less on center or spaced as directed by city
1518 staff. All trees shall be chosen from the city-approved tree list and shall have a minimum two-inch
1519 caliper at planting.

1520
1521 **Section 19. Repealing.** The following sections of the Lynnwood Municipal Code are repealed in their
1522 entirety:

1523 21.04.310, 21.42.201.G, 21.43.220, 21.44.201, 21.44.220, 21.46.212, 21.46.220, 21.48.220,
1524 21.50.220, 21.54.230, 21.54.240, 21.61.450, 21.61.460, 21.61.470, 21.61.480, 21.62.450.C and
1525 D, and 21.62.500.

1526
1527 **Section 20.** If any section, sentence, clause or phrase of this Ordinance should be held to be invalid or
1528 unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect
1529 the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

1530
1531 **Section 21.** This Ordinance, or a summary thereof consisting of the title, shall be published in the official
1532 newspaper of the City, and shall take effect and be in full force five (5) days after publication.

1533 PASSED BY THE CITY COUNCIL, the 25th day of February 2019.
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APPROVED:



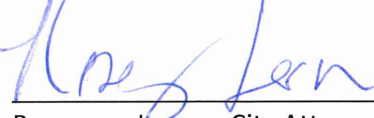
Nicola Smith, Mayor

ATTEST/AUTHENTICATED:



Sonja Springer, Finance Director

APPROVED AS TO FORM:



Rosemary Larson, City Attorney

PASSED BY THE CITY COUNCIL: 02/25/2019
PUBLISHED: 02/28/2019
EFFECTIVE DATE: 03/05/2019
ORDINANCE NUMBER: 3326



On the 25th of February 2019 the City Council of the City of Lynnwood, Washington, passed ordinance 3326. A summary of the content of this ordinance, consisting of the title, provides as follows:

ORDINANCE NO. 3326

AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, RELATING TO LANDSCAPING REQUIREMENTS; ADDING A NEW CHAPTER 21.08 TO THE LYNNWOOD MUNICIPAL CODE; AMENDING LMC 21.06.200, 21.12.200C.1, 21.18.710D, 21.43.210, 21.46.111, 21.46.200, 21.46.210, 21.46.212, 21.48.210, 21.50.210, 21.54.200, 21.57.400D, AND 21.62.400; REPEALING LMC 21.04.310, 21.42.201.G, 21.43.220, 21.44.201, 21.44.220, 21.46.212, 21.46.220, 21.48.220, 21.50.220, 21.54.230, 21.54.240, 21.61.450, 21.61.460, 21.61.470, 21.61.480, 21.62.450.C AND D, AND 21.62.500; AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND SUMMARY PUBLICATION.

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

DATED this 28th day of February 2019.

A handwritten signature in blue ink that reads 'D. Karber'.

Debbie Karber, Deputy City Clerk

Everett Daily Herald

Affidavit of Publication

State of Washington }
County of Snohomish } ss

Dicy Sheppard being first duly sworn, upon oath deposes and says: that he/she is the legal representative of the Everett Daily Herald a daily newspaper. The said newspaper is a legal newspaper by order of the superior court in the county in which it is published and is now and has been for more than six months prior to the date of the first publication of the Notice hereinafter referred to, published in the English language continually as a daily newspaper in Snohomish County, Washington and is and always has been printed in whole or part in the Everett Daily Herald and is of general circulation in said County, and is a legal newspaper, in accordance with the Chapter 99 of the Laws of 1921, as amended by Chapter 213, Laws of 1941, and approved as a legal newspaper by order of the Superior Court of Snohomish County, State of Washington, by order dated June 16, 1941, and that the annexed is a true copy of EDH846458 ORDINANCE 3326-3329 as it was published in the regular and entire issue of said paper and not as a supplement form thereof for a period of 1 issue(s), such publication commencing on 02/28/2019 and ending on 02/28/2019 and that said newspaper was regularly distributed to its subscribers during all of said period.

The amount of the fee for such publication is \$78.76.

Dicy Sheppard

Subscribed and sworn before me on this 28th day of February, 2019.

Diana L. Beaver

Notary Public in and for the State of Washington.

City of Lynnwood - LEGAL ADS | 14127890
DEBBIE KARBER

LYNNWOOD WASHINGTON
CITY OF LYNNWOOD
On the 25th day of February 2019 the City Council of the City of Lynnwood, Washington, passed ordinance 3326, 3327, 3328 and 3329. A summary of the content of these ordinances, consisting of the title, provides as follows:

ORDINANCE 3326
AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, RELATING TO LANDSCAPING REQUIREMENTS; ADDING A NEW CHAPTER 21.08 TO THE LYNNWOOD MUNICIPAL CODE; AMENDING LMC 21.06.200, 21.12.200C.1, 21.18.710D, 21.43.210, 21.46.111, 21.46.200, 21.46.210, 21.46.212, 21.48.210, 21.50.210, 21.54.200, 21.57.400D, AND 21.62.400; REPEALING LMC 21.04.310, 21.42.201.G, 21.43.220, 21.44.201, 21.44.220, 21.46.212, 21.46.220, 21.48.220, 21.50.220, 21.54.230, 21.54.240, 21.61.450, 21.61.460, 21.61.470, 21.61.480, 21.62.450.C AND D, AND 21.62.500; AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND SUMMARY PUBLICATION.

ORDINANCE 3327
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LYNNWOOD, WASHINGTON RELATING TO CLASSIFICATION OF CITY EMPLOYEE POSITIONS; AMENDING EXHIBIT A TO ORDINANCE NUMBER 3242, AS AMENDED BY ORDINANCES NUMBER 3254 AND 3264 AND 3322 AND 3324; AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND SUMMARY PUBLICATION.

ORDINANCE 3328
AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, GRANTING A NON-EXCLUSIVE FRANCHISE TO SEATTLE SMSA LIMITED PARTNERSHIP, A DELAWARE LIMITED PARTNERSHIP, D/B/A VERIZON WIRELESS TO INSTALL, OPERATE, AND MAINTAIN WIRELESS TELECOMMUNICATIONS FACILITIES WITHIN THE CITY; PRESCRIBING RIGHTS, DUTIES, TERMS, AND CONDITIONS WITH RESPECT TO THE FRANCHISE; AND PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE 3329
AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, ESTABLISHING A LINE OF CREDIT AND PROVIDING FOR THE ISSUANCE AND SALE OF A LIMITED TAX GENERAL OBLIGATION BOND IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$5,100,000 TO EVIDENCE THE LINE OF CREDIT TO BE USED TO ACQUIRE PROPERTY FOR A HOMELESS SHELTER FOR YOUTH; AND FIXING THE FORM, COVENANTS AND TERMS OF THE BOND.

The full text of these ordinances will be mailed upon request.
DATED this 28th day of February 2019.
Debbie Karber, Deputy City Clerk
EDH846458
Published: February 28, 2019.

