

CITY OF LYNNWOOD
ORDINANCE NO. 888

AN ORDINANCE AMENDING CHAPTERS 20.16 AND 20.38 OF THE LYNNWOOD MUNICIPAL CODE BY AMENDING THE GENERAL SITESCREEN REQUIREMENTS FOR SIDE AND REAR YARDS.

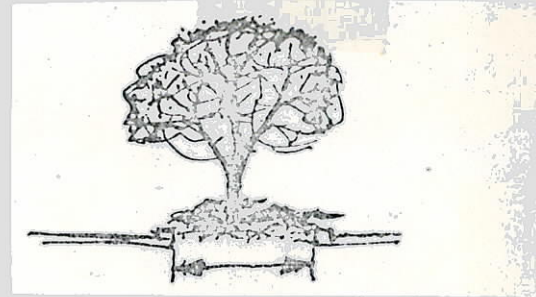
THE CITY COUNCIL OF THE CITY OF LYNNWOOD DO ORDAIN AS FOLLOWS:

SECTION 1. That Section 20.16.080 of the Lynnwood Municipal Code, which reads as follows:

"20.16.080 Landscaping--Minimum standards. (a) The following categories of landscaping provide minimum standards for landscaping criteria as stipulated within this code.

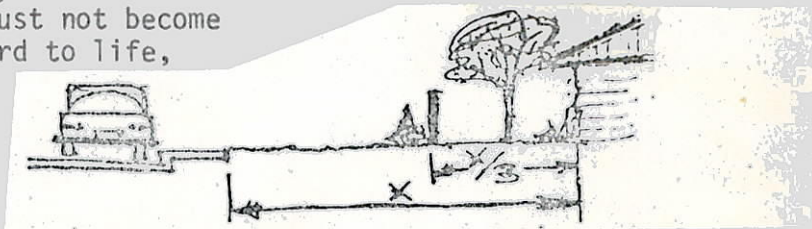
Type I. Ornamental landscaping of low plantings and high plantings.

The minimum height of trees shall be eight feet for evergreen trees and ten feet for all other species. Trees shall be spaced a maximum of twenty-five feet on center with branches eliminated to a height of six feet where necessary to prevent sight obstruction. A mixture of low plantings with a maximum height of thirty inches in bark or decorative rock shall be provided so as to constitute a total ground cover within two years.



Type II. Privacy screening.

Privacy screening is partially concealing, partially open type screen of wood, metal or concrete products which may not extend more than one-third the front or side yard setback distance from the building, but must not become an objectionable sight, or a hazard to life, limb, or public health.



Type III. Low plantings, trees and fencing.

Conifer trees with a minimum height of six feet shall be spaced a minimum of twenty-five feet on center, backed by a six foot fence which forms an effective barrier to sight. The remainder of the planting strip shall be covered with low evergreen plantings so as to constitute a total ground cover within two years.



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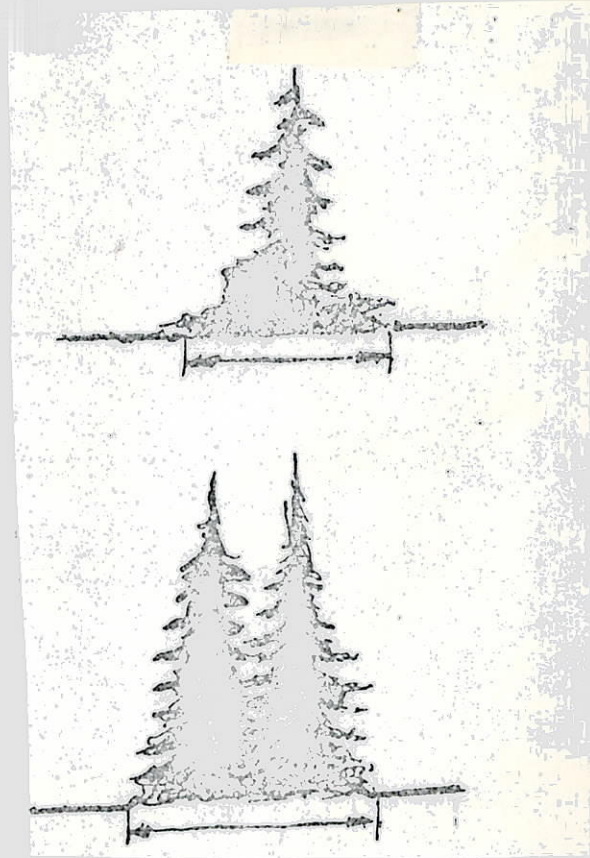
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Type IV. Mixed trees, shrubs and low plantings.

This planting strip shall be designed with a mix of evergreen plants which form an effective sight barrier and total ground coverage within two years. Minimum tree height shall be six feet.

Type V. Wall of trees.

The purpose of this landscaping is to provide a sight, sound and psychological barrier between land uses with a high degree of incompatibility. The living wall shall be composed of conifer trees with such maturity and spacing as to form an effective visual barrier within two years. The trees shall be distributed so they cover the full depth of the designated planting area. Minimum tree height shall be six feet.



(b) All landscaping plans shall bear the seal of a registered landscape architect or signature of a professional nurseryman and be drawn to a scale no less than one inch to twenty feet.

All planting areas that fulfill city code requirements shall be covered by a performance bond, to be released after one full growing season if plants are in a healthy growing condition. The value of the bond shall be based on the estimated actual cost of the landscaping, but not less than an amount equal to thirty cents per square foot of planting area; provided however that the minimum amount of the bond may be reduced from thirty cents per square foot to twenty cents per square foot if a grading permit or building permit application is accompanied by a plan for selective conservation of the existing trees as part of the required landscaping. The minimum requirements of such a conservation plan shall include:

- (1) Outlines of proposed buildings, parking area, and other use areas;
- (2) The location, species, and diameter of all evergreen trees more than ten inches in diameter between four and five feet above ground, and an indication of which are to be saved; or a demarcation on the plan of those parts of the tract which are to remain ungraded and uncleared, or selectively thinned;
- (3) Statements of the manner in which the trees which are to be saved will be protected from damage during construction.

The proposed conservation plan shall be submitted to the planning department and if the plan is approved, the bond required shall be so reduced. The performance covered by the bond shall, in addition to the installation of plants as indicated on the approved landscaping plan, include the preservation of existing vegetation in accordance with the approved plan."

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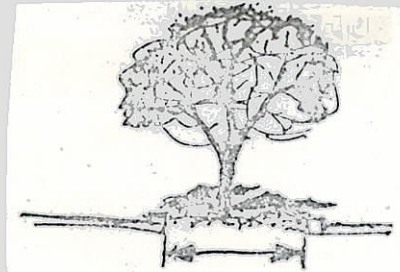
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IS HEREBY REPEALED, REVISED AND AMENDED TO READ AS FOLLOWS:

20.16.080 Plantings--Minimum standards: (a) Where the following types of plantings are required by this title, the minimum standards shall be as stipulated below.

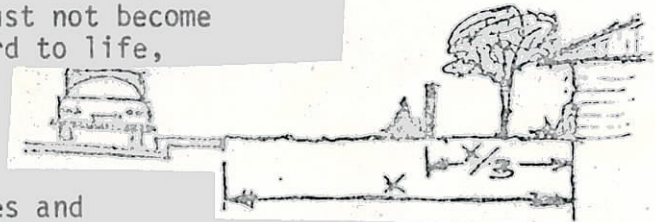
Type I. Ornamental landscaping of low plantings and high plantings.

The minimum height of trees shall be eight feet for evergreen trees and ten feet for all other species. Trees shall be spaced a maximum of twenty-five feet on center with branches eliminated to a height of six feet where necessary to prevent sight obstruction. Low evergreen plantings or a mixture of low evergreen and deciduous plantings with a maximum height of thirty inches, in bark or decorative rock shall be provided so as to achieve 50 percent ground cover within two years.



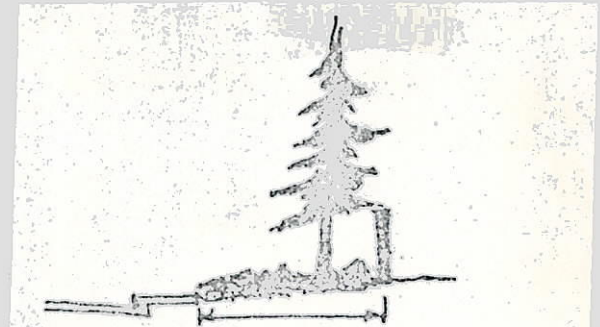
Type II. Privacy screening.

Privacy screening is partially concealing, partially open type screen of wood, metal or concrete products which may not extend more than one-third the front or side yard setback distance from the building, but must not become an objectionable sight, or a hazard to life, limb, or public health.



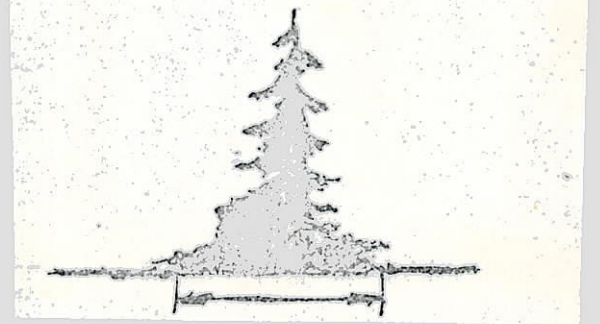
Type III. Low plantings, trees and fencing.

Evergreen conifer trees with a minimum height of six feet shall be spaced a maximum of fifteen feet on center, backed by a six foot fence which forms an effective barrier to sight. The remainder of the planting strip shall be promptly planted with low evergreen plantings which will mature to a total ground cover within five years.



Type IV. Mixed trees, shrubs and low plantings.

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



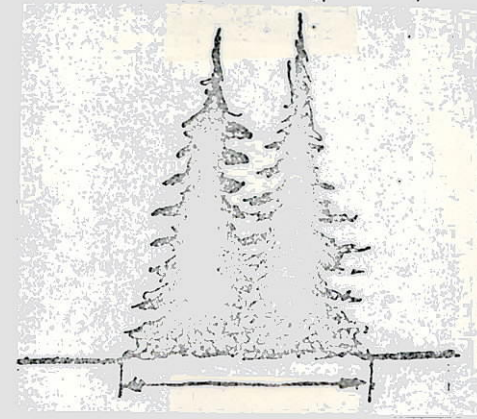
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Type V. Wall of trees.

The purpose of this landscaping is to provide a sight, sound and psychological barrier between zones with a high degree of incompatibility. This planting strip shall consist of two rows of evergreen conifer trees. The trees shall be staggered and spaced a maximum of 10 feet on center, so as to form an effective visual barrier within five years. The minimum tree height shall be six feet.



Type VI. Sight screening evergreen hedge.

The purpose of this landscaping is to provide a sight, sound and psychological barrier between zones with some degree of incompatibility. The spacing of plants shall be such that they will form a dense hedge within five years. Minimum plant height shall be four (4) feet.



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

(c) All planting areas that fulfill city code requirements shall be covered by a performance bond, to be released after one full growing season if plants are in a healthy growing condition. The value of the bond shall be based on the estimated actual cost of the landscaping, but not less than an amount equal to thirty cents per square foot of planting area; provided however that the minimum amount of the bond may be reduced from thirty cents per square foot to twenty cents per square foot if a grading permit or building permit application is accompanied by a plan for selective conservation of the existing trees as part of the required landscaping. The minimum requirements of such a conservation plan shall include:

(1) Outlines of proposed buildings, parking area, and other use areas;

(2) The location, species, and diameter of all evergreen trees more than ten inches in diameter between four and five feet above ground, and an indication of which are to be saved; or a demarcation on the plan of those parts of the tract which are to remain ungraded and uncleared, or selectively thinned;

(3) Statements of the manner in which the trees which are to be saved will be protected from damage during construction.

(d) The proposed conservation plan shall be submitted to the planning department and if the plan is approved, the bond required shall be so reduced. The performance bond shall, in addition to the installation of plants as indicated on the approved landscaping plan, include the preservation of existing vegetation in accordance with the approved plan.

SECTION 2. That Sections 20.16.090(a), (b), (c), (d), (e), (f), (g), (h), (i), (j) and (k) of the Lynnwood Municipal Code, which read as follows:

"(a) RML and P-1 districts adjacent to RS: Type IV planting strip ten (10) feet in width;

(b) RMHR adjacent to RMH and RMM: Type IV planting strip, five feet in width;

(c) RMHR adjacent to RML: Type IV planting strip, ten feet in width;

(d) RMM, RMH and RMHR adjacent to RS: Type IV planting strip, ten feet in width;

(e) Business, commercial and shopping center districts adjacent to RM and P-1: Type IV planting strip, ten feet in width with a four foot sight obstructing fence in the center;

(f) Business, commercial, shopping center and industrial districts adjacent to RS: Type V planting strip, twenty feet in width with a six foot fence along the nonresidential side of the planting strip;

(g) Industrial adjacent to business, commercial, shopping center, and public and semipublic districts: Type III or Type IV planting strip ten feet in width, with a six foot fence in the center or on the industrial side of the planting strip;

(h) Industrial adjacent to RM: Type V planting strip, twenty feet in width, with a six foot fence in the center or on the industrial side of the planting strip;

(i) Mobile home parks shall conform to the sightscreening provisions contained in Title 22;

(j) RM adjacent to business, commercial and industrial: Type IV planting strip, ten feet in width;

(k) Where a permanent fence is not required by the above standards, a temporary sight-obscuring fence six feet high shall be installed and maintained until the plants have become firmly established, have survived for at least one year and provide adequate sight obstruction to a height of six feet along the entire use district boundary where the sightscreening is required. The fence shall be located on the side of the most restrictive zoning."

ARE HEREBY REPEALED, REVISED AND AMENDED TO READ AS FOLLOWS:

(a) RML, RMM, RMH, RMHR and P-1 districts adjacent to RS: Type IV planting strip ten feet in width, with a permanent six foot sight obscuring fence on the property line;

(b) Business, commercial and shopping center districts adjacent to RM and P-1: Type IV or Type VI planting strip, ten feet in width, with a permanent six foot sight obscuring fence on the property line;

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(c) Business, commercial, shopping center and industrial districts adjacent to RS: Type V planting strip, twenty feet in width, with a permanent six foot sight obscuring fence on the property line;

(d) Industrial adjacent to public and semipublic districts: Type VI planting strip ten feet in width, with a permanent six foot sight obscuring fence on the property line;

(e) Industrial adjacent to RM: Type V planting strip, twenty feet in width, with a permanent six foot sight obscuring fence on the property line;

(f) Mobile home parks shall conform to the sightscreening provisions contained in Title 22;

(g) RM adjacent to business, commercial and industrial: Type IV or Type VI planting strip, ten feet in width, with a permanent six foot sight obscuring fence on the property line;

(h) Industrial adjacent to all business and commercial districts (except general commercial and shopping center districts): Type VI planting strip five feet in width with a permanent six foot sight obscuring fence on the property line;

(i) For the purposes of this title a sight obscuring fence shall mean a solid 1" thick board (nominal dimensional standards) fence. One made of brick, rock or masonry materials may be substituted for a board fence;

(j) Where a fence is required by the above standards, no fence will be required in those cases where a fence already exists which meets the intent of this ordinance. However, if the existing fence is ever removed, demolished or partially destroyed, then the owner of the property first being required by this ordinance to provide the necessary fence will be responsible for replacing the fence.

SECTION 3. Section 20.16.090 of the Lynnwood Municipal Code is hereby amended by adding the following:

20.16.090(m) In those cases where the slope of the land is such that the location of a fence required by the above standards is impractical or ineffective in satisfying the intent of this ordinance, the Planning Director, may at his discretion permit a location which more adequately satisfies the intent of this ordinance.

SECTION 4. That Section 20.38.035(d) of the Lynnwood Municipal Code, which reads as follows:

"(d) Type III landscaping, without the fence, shall be the minimum standards for side yard setbacks. Provided, however, landscaping on side yard setbacks between street right-of-way and service buildings or storage yards shall conform to the standards of Type V as set forth in Section 20.16.080 of this title except for driveways."

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IS HEREBY REPEALED, REVISED AND AMENDED TO READ AS FOLLOWS:

(d) Screening on side-yard setbacks between street right-of-way and service buildings or storage yards shall conform to the standards of Type IV or Type VI as set forth in Section 20.16.080 of this title except for driveways. The Board of Adjustment may permit a variance to substitute lawn or low plantings in those cases where the improvements to the main property have been so constructed that all of the aesthetic standards and objectives of the landscaping requirements have been satisfied and the Board of Adjustment finds that the use of the plantings would be an unnecessary and/or duplicitous expense resulting in hardship to the applicant.

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

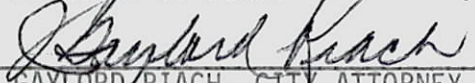
PASSED this 27th day of December, 1976, and signed in authentication of its passage this 27th day of December, 1976.


M. J. HRDLICKA, MAYOR

ATTEST:


R. W. NOACK, CITY CLERK

APPROVED AS TO FORM:


J. GAYLORD RIACH, CITY ATTORNEY

CODE AMENDMENT 76-CA-10
GENERAL SITESCREEN REVISIONS

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