

# AGENDA

## Lynnwood Planning Commission

Thursday, June 9, 2011 — 7:00 pm

City Council Chambers, 19100 – 44<sup>th</sup> Ave. W., Lynnwood WA

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### A. CALL TO ORDER – ROLL CALL

### B. APPROVAL OF MINUTES

None

### C. PUBLIC COMMENTS – on matters not on tonight's agenda for a public hearing.

### D. PRESENTATIONS

#### 1. City Traffic Calming Program

### E. PUBLIC HEARINGS

**1. Revisions to City Center Development Regulations (2011CAM0006).** Amendments to Ordinance No. 2627 (City Center Street Grid Protection Ordinance), Title 21 (Zoning), including (but not limited to) Chapter 21.60 of the Lynnwood Municipal Code (City Center (CC) zones), the City of Lynnwood Zoning Map, and the City Center Design Guidelines. These amendments, if approved, would revise:

- 1) The requirements to dedicate property for grid street and park/plaza purposes;
- 2) Zoning regulations for development/redevelopment of properties in the City Center (including, but not limited to building height, floor area ratios, bulk, street standards, setback and signage);
- 3) City Center design guidelines for site planning and building design; and,
- 4) Zoning Map to identify gateways and prominent intersections.

**2. 2011 Amendments to the City's Comprehensive Plan (2011CPL0001).**

Amendments to the City's Comprehensive Plan for 2011 ("2011 Docket").

**3. Two-Year Docket Cycle Code Amendment (2011CAM0007).** Amendments to LMC Chapter 18.04 to revise the timing for processing amendments to the City's Comprehensive Plan to once every two years and updating that process to comply with changes to state law.

### F. WORK SESSIONS

**1. Self-Storage Code Amendment (2011CAM0002).** Amendments to LMC Title 21 regarding zones in which self-storage and similar land uses will be permitted.

### G. OTHER BUSINESS

### H. COUNCIL LIAISON REPORT

### I. DIRECTOR'S REPORT

### J. COMMISSIONERS' COMMENTS

### K. ADJOURNMENT

*The public is invited to attend and participate in this public meeting. Parking and meeting rooms are accessible to persons with disabilities. Upon reasonable notice to the City Clerk's office (425) 670-5161, the City will make reasonable effort to accommodate those who need special assistance to attend this meeting.*

**Lynnwood Planning Commission  
Meeting of June 9, 2011**

**Staff Report**

**Agenda Item: E-1**

Proposed Development Regulations Related to the City Center

- Public Hearing
- Informal Public Meeting
- Work Session
- Business
- Information
- Miscellaneous

Lynnwood Economic Development Dept.

**ACTION**

Conduct a public hearing. Following the public hearing, make a recommendation on the proposed code and design guideline amendments to the City Council.

**BACKGROUND**

In 2005, the City of Lynnwood adopted the City Center Sub-Area Plan (Plan) along with implementing zoning regulations and design guidelines. The Plan is available online at: <http://www.lynnwoodeconomicdevelopment.org/CityCenter.ashx>

The Plan is consistent with the goals and policy statements of the Growth Management Act, PSRC Vision 2020/2040, the Lynnwood Comprehensive Plan, the Lynnwood Economic Development Action Plan, and the Lynnwood Community Vision. The goals and policy statements include: accommodate projected residential and employment growth in a manner preventing encroachment into single family residential neighborhoods; providing a high density development pattern that is supportive of transit; providing for new housing opportunities in proximity to new employment opportunities; enhance the City's economy and sense of place; and create a "downtown" that contributes to a regional identify for Lynnwood. In 2005, the City adopted the City Center Zoning Code and design guidelines.

In adopting the Plan, regulations and guidelines, it was recognized that additional studies would be needed to facilitate the achievement of Plan objectives. Through 2010, additional studies authorized by City Council were completed to provide information regarding City Center infrastructure needs and further refinement of implementation measures, thereby moving towards a key objective which is the adoption of a planned action designation (by ordinance) for redevelopment of the City Center consistent with the Subarea Plan.

In addition to completing studies for City Center implementation, market conditions have changed since the City Center zoning and design guidelines were adopted. Therefore, clarification and updates to the documents are recommended.

Since 2010, an inter-departmental working group (departments of Public Works, Parks, Recreation and Cultural Arts, Community Development, Economic Development, and assistance from the Fire Department) has discussed the information in the studies, reviewed their conclusions, and identified code/guideline amendments and capital improvements to further implement the Plan. Included in the code amendments are revisions to the City Zoning Code (Title 21) and City Center Design Guidelines.

The following public meetings regarding the recommendations have been held in 2011:

On March 14, 2011: City Council adopted Ordinance No. 2885 as an interim development regulation amending Ordinance No. 2627 (passed July 10, 2006). The effect of this ordinance is to remove certain proposed street segments from the street grid protection ordinance and remove references to specific planned locations for public parks/plazas in the City Center zones from the zoning regulations. This ordinance increases flexibility in City Center regulations to implement the Plan.

On April 28, 2011: A public informational meeting was held to introduce proposed code amendments prior to the Planning Commission meeting. Business and property owners within the City Center Zone were mailed notice of the public meeting as well as information was posted on the website, legal notice was published and notices were posted in public buildings.

On April 28, 2011: Planning Commission received an overview of the proposed City Center code amendments at a work session.

On May 9, 2011: The Lynnwood City Council held a public hearing on Ordinance No. 2885 regarding proposed grid streets within the City Center (described above). Business and property owners within the City Center Zone were mailed notice of the public meeting as well as information posted on the website, legal notice was published and notices were posted in public buildings. The City Council made no changes to Ordinance No. 2885.

On May 12, 2011: Planning Commission held a work session on the proposed amendments. Specific proposed amendments to the Zoning Code and City Center Design Guidelines were provided at this meeting.

On May 16, 2011: City Council received an overview of the proposed City Center code amendments at a work session.

On May 26, 2011: Planning Commission held a work session for additional discussion on the proposed Zoning Code and City Center Design Guideline amendments with some revisions to the documents from the May 12, 2011 work session.

On June 9, 2011: Planning Commission is holding a Public Hearing for deliberation/action on proposals. Business and property owners within the City Center Zone were mailed notice of the public meeting as well as information was posted on the website, legal notice was published and notices were posted in public buildings.

## **ANALYSIS**

In developing recommended amendments to the City Zoning Code and City Center Design Guidelines, the following factors were considered:

- **State of the Economy:** The proposed amendments are mindful of market conditions the nation has experienced over the past couple of years, which are vastly different from the economic conditions when the Plan was adopted.
- **Study findings:** In adopting the Plan it was anticipated that additional analysis would be prepared to better inform the City of implementation alternatives.
- **Clarity of regulations:** Opportunities to clarify development regulations to increase certainty and predictability for the public and development community were incorporated into the proposed amendments.
- **Flexibility:** Opportunities to enhance flexibility, while still achieving the objectives of the Plan, have been incorporated into the proposed amendments.

- Planned Action Designation: Code amendments were identified to clarify code based mitigation of impacts and/or implementation of Plan concepts supporting the adoption of a Planned Action Designation.

**The proposed recommendations address the following areas:**

- **Grid Street Preservation Ordinance Amendments:**  
To implement the findings of the City Center Street Master Plan by removing the requirement for dedication for planned public streets not required for capacity mitigation. This removes constraints and adds flexibility for development and reduces planned public street infrastructure costs for the City Center by approximately 53%. These amendments make the interim amendments in Ordinance 2885 “permanent”.
- **City Center Design Guideline Amendments:**  
Although the City Center Street Master Plan concluded that the City Center public street network need not be so extensive, it did conclude that vehicular access to development and a network of private pedestrian connection to facilitate non-motorized travel would be appropriate and desirable. Amendments to the City Center Design Guidelines are proposed to create standards for increased pedestrian connectivity through sites in lieu of new public streets. Areas of vehicular access to properties have been identified.

Additional clarification and updating of the Design Guidelines, which are a priority of the Plan includes, but is not limited to creating further definition of the Pedestrian Promenade concept, updating the street classification map, and updating site and building standards.

- **Zoning Code Amendments:**  
Updating and clarification of the Zoning Code, particularly Chapter 21.60 “City Center (CC) Zones”, including but not limited to:
  - Removing defined park locations from the Zoning Code to increase flexibility in implementation consistent with Ord. 2885;
  - Clarification and updates to signage standards;
  - Update to standards and incentives related to height and density including the Floor Area Ratio bonus provisions ;
  - Updates to the street standards;
  - Clarification and updates to prohibited uses; and
  - Clarification and updates to other development standards.

In response to feedback received by Planning Commission at the May 26, 2011 work session and information from the consultant, updates were made to the proposed Zoning Code and Design Guideline Amendments generally relating to (see attached updated documents):

- Removing stand-alone parking structures from prohibited uses
- Increasing basic allowable FAR as of right in the City Center-Core zone from 1.5 to 2.0 for non-residential uses and from 2.0 to 3.0 for residential uses to incentivize higher allowed densities in the Core.
- Updating the floor area calculation exceptions to include sustainability provisions and service areas.
- Moving prohibited sign types from the Design Guidelines to the Zoning Code.

Also still under review are: the FAR bonus features and amounts in table 21.60.2 (by consultant), and the fire lane requirements by the Fire Department relating to the street standards in table 21.60.4 and in the Streetscape standards in the Design Guidelines.

Revised copies of the summarized changes, ordinances, and Design Guidelines you received at the May 26, 2011 Planning Commission work session are attached for your review.

### **ENVIRONMENTAL REVIEW**

The proposed amendments use the 2004 Final Supplemental Environmental Impact Statement (FSEIS) as the environmental document with the addition of the 2011 FSEIS Addendum (making updates to the 2004 FSEIS). The City's Environmental Review Committee (ERC) approved the 2004 FSEIS with the 2011 Addendum for these proposals.

Copies of the 2011 Addendum and the Notice of Adoption were provided to Planning Commission at the last work session held on May 26, 2011 and are available on the City Center website: <http://www.lynnwoodeconomicdevelopment.org/CityCenter.ashx>

### **NEXT STEPS**

**Thursday, June 23, 2011, if necessary.** Additional Planning Commission deliberation on code amendments, if needed.

The City Council is anticipated to review the Planning Commission's recommendations on the proposed code amendments during June - September 2011. A public hearing by City Council and consideration for adoption of the regulations is being scheduled for late summer - fall 2011.

### **RECOMMENDATION**

Following the public hearing, recommend adoption of the proposed amendments to the zoning regulations and design guidelines for the City Center.

### **ATTACHMENT**

1. Draft Ordinance Amending Ordinance 2627 and Title 21
2. Draft Ordinance Amending the City Zoning Map
3. Draft City Center Design Guidelines
4. Summary of Recommendations

1  
2  
3  
4  
5  
**CITY OF LYNNWOOD**  
**ORDINANCE NO. \_\_\_\_\_**

6 AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON,  
7 AMENDING SECTION 1 AND SECTION 2 OF ORDINANCE NO.  
8 2627, AMENDING LMC SECTIONS 21.02.715, 21.60.075, 21.60.100,  
9 21.60.200, 21.60.300, 21.60.400, 21.60.500, 21.60.600, 21.60.700,  
10 21.60.800, ADDING A NEW SECTION 21.60.450 AND AMENDING  
11 THE CITY CENTER DESIGN GUIDELINES AND PROVIDING FOR  
12 SEVERABILITY, AN EFFECTIVE DATE, AND SUMMARY  
13 PUBLICATION

14 WHEREAS, the City of Lynnwood is a municipal corporation organized under the laws of the  
15 State of Washington; and,

16 WHEREAS, the City Council is authorized by RCW 35A.11.020 to adopt and enforce ordinances  
17 of all kinds relating to municipal affairs and appropriate to the good government of the City; and,

18 WHEREAS, on March 14, 2005, the Lynnwood City Council passed Ordinance No. 2553  
19 adopting the City Center Sub-Area Plan as an amendment to the City of Lynnwood Comprehensive Plan;  
20 and,

21 WHEREAS, on March 14, 2005 the Lynnwood City Council passed Ordinance No. 2554  
22 adopting zoning regulations and design guidelines for the Lynnwood City Center, adding a new chapter to  
23 Lynnwood Municipal Code Title 21; and,

24 WHEREAS, on July 10, 2006, the Lynnwood City Council passed Ordinance No. 2625 amending  
25 Section 21.60.600 of the Lynnwood Municipal Code regarding protection of planned sites of public  
26 streets and parks/plaza in the City Center; and,

27 WHEREAS, on July 10, 2006, the Lynnwood City Council passed Ordinance No. 2627  
28 establishing a street grid protection ordinance for the City Center Ssub-Aarea; and,  
29

30 WHEREAS, the Lynnwood City Center Sub-Area Plan identifies the need for parks/plazas in the  
31 City Center; and,  
32

33 WHEREAS, the City Center Sub-Area Plan identifies the locations of the City Center parks as  
34 general, and not specific, evidenced by statements in the City Center Sub-Area Plan that the location of  
35 the Town Square park in the Core "should be roughly in the center" and CCPS #3 "...These parks and  
36 public spaces, or their spatial or functional equivalent, shall be provided as new development occurs in  
37 the City Center"; and,  
38

39 WHEREAS, the City of Lynnwood zoning code (LMC section 21.60.600 entitled "Design  
40 Review"), provides for specific locations of the City Center parks requiring that development demonstrate  
41 consistency and compatibility with the planned location of City Center parks and plazas, the location of  
42 which are described in detail in that section (21.60.600); and,  
43

44 WHEREAS, the City Center Sub-Area Plan identifies the need for a finer City Center street grid  
45 system in the City Center to break down superblocks and encourage a more pedestrian friendly  
46 environment; and,  
47

48 WHEREAS, the City Center Street Grid Protection Ordinance (Ordinance No. 2627) establishes a  
49 regulatory mechanism to require the dedication of public right of way to implement a finer City Center  
50 grid street system and to also provide for the acquisition of public right-of-way for streets that will serve  
51 to mitigate City Center transportation impacts; and,  
52

53 WHEREAS, since the adoption of the City Center Sub-Area Plan the City of Lynnwood has  
54 conducted studies (“Lynnwood City Center Access Study” Pertee Engineering., September 2007 and  
55 “Lynnwood City Center Street Master Plan” David Evans and Associates, Inc., December 2009) to  
56 further analyze the City Center Street system and, the optimal location of the proposed street grid, to  
57 refine the transportation network and to identify improvement needs for the City Center with specific  
58 attention to analysis of the secondary street network and transportation improvements necessary to  
59 mitigate transportation impacts; and,  
60

61 WHEREAS, the Lynnwood City Center Street Master Plan concluded that two new secondary  
62 streets (42<sup>nd</sup> Avenue W. and 194<sup>th</sup> Street SW extension) were “system improvements”, both needed to  
63 mitigate capacity within the City Center, and that the remainder of the new secondary streets (e.g. 41<sup>st</sup>  
64 Avenue W. 43<sup>rd</sup> Avenue W. etc.) are identified as “project improvements” and are not necessary to  
65 mitigate transportation capacity needs for the City Center; and,  
66

67 WHEREAS, based on the conclusions of the above referenced studies, the City finds that the  
68 current street grid regulation (Ordinance No. 2627) is more comprehensive and encumbering than  
69 necessary to achieve the purpose of ensuring transportation mitigation than what was originally  
70 envisioned when the City Center Plan was adopted; and,  
71

72 WHEREAS, with the passage of time since the adoption of the City Center zoning code,  
73 amendments to the code have been identified to better implement the intent of the City Center Sub-Area  
74 Plan; and,  
75

76 WHEREAS, factors influencing the preparation of amendments to City Center development  
77 regulations include recognition of the need to be responsive to the change in market conditions brought on  
78 by the “Great Recession” by offering more flexibility, findings of studies conducted since the time of the  
79 adoption of the City Center Sub-Area Plan, and the identification of opportunities to increase code clarity  
80 and predictability of the regulations; and,  
81

82 WHEREAS, the City Council finds that there are sufficient reasons to take action to ensure that  
83 the zoning ordinance and other implementing development regulations provide the level of predictability,  
84 certainty and consistency needed for redevelopment of the City Center by all property owners, businesses,  
85 citizens; and,  
86

87 WHEREAS, based on these findings, it is appropriate to amend the City of Lynnwood zoning  
88 code, City Center Design Guidelines, and Ordinance No. 2627; and,  
89

90 WHEREAS, the City Council finds that it is in the interest of the public health, safety and welfare  
91 to adopt this ordinance, now therefore,

92 THE CITY COUNCIL OF THE CITY OF LYNNWOOD, WASHINGTON, DO ORDAIN AS  
93 FOLLOWS:

94 **Section 1.** Section 1 of Ordinance No. 2627 adopted by the Lynnwood City Council on July 10, 2006, is  
95 hereby amended as follows:  
96

97 “Section 1. The following new streets shall be located in City Center Sub-Area:  
98

99 The proposed new streets in the City Center would follow centerlines defined  
100 approximately as follows. Such streets may be built with the centerline deviating up to

35 feet to either side of these descriptions, to take best advantage of physical conditions in the field and to coordinate with legal parcel boundaries. The true alignment of the centerline of each route would run generally parallel to existing 44<sup>th</sup> Avenue W or existing 196<sup>th</sup> Street SW, to the extent practical.

~~41<sup>st</sup> Avenue W would run in a straight line generally aligned parallel to existing 44<sup>th</sup> Avenue W, from existing Alderwood Mall Boulevard to proposed 195<sup>th</sup> Street SW, approximately 360 feet north of the centerline of existing 196<sup>th</sup> Street SW. The centerline would cross existing 196<sup>th</sup> Street SW approximately 990 feet east of the centerline of existing 44<sup>th</sup> Avenue W. This street would not continue north of proposed 195<sup>th</sup> Street SW.~~

42<sup>nd</sup> Avenue W would run in a straight line generally aligned parallel to existing 44<sup>th</sup> Avenue W, from existing 200<sup>th</sup> Street SW to existing 194<sup>th</sup> Place SW. The centerline would cross existing 194<sup>th</sup> Street SW approximately 680 feet east of the centerline of existing 44<sup>th</sup> Avenue W.

~~42<sup>nd</sup> Avenue W Extension would continue southerly from Alderwood Mall Boulevard, curving southwesterly to reach 44<sup>th</sup> Avenue W in the alignment of proposed 201<sup>st</sup> Street SW. This route is more specifically described as follows. Beginning at the centerline of Alderwood Mall Boulevard, 42<sup>nd</sup> Avenue W Extension would proceed southward, following along an arc concave to the northwest of radius approximately 250 feet through 50 degrees of arc for a distance of 218 feet, then continue southwesterly on a tangent line for 235 feet, then follow along an arc concave to the northwest of radius approximately 250 feet through 40 degrees of arc for a distance of 174 feet, then follow the alignment of proposed 201<sup>st</sup> Street westward for approximately 250 feet to intersect with existing 44<sup>th</sup> Avenue W. The centerline of proposed 201<sup>st</sup> Street SW at 44<sup>th</sup> Avenue W would be located approximately 417 feet south of the centerline of existing Alderwood Mall Boulevard.~~

~~43<sup>rd</sup> Avenue W would run in a straight line generally aligned parallel to existing 44<sup>th</sup> Avenue W, from existing Alderwood Mall Boulevard to existing 194<sup>th</sup> Place SW. The centerline would cross existing 194<sup>th</sup> Street SW 260 feet east of the centerline of existing 44<sup>th</sup> Avenue W.~~

~~45<sup>th</sup> Avenue W would run in a straight line generally aligned parallel to existing 44<sup>th</sup> Avenue W, from existing 200<sup>th</sup> Street SW to existing 194<sup>th</sup> Street SW. The centerline would cross existing 194<sup>th</sup> Street SW 384 feet west of the centerline of existing 44<sup>th</sup> Avenue W.~~

~~191<sup>st</sup> Street SW would run in a straight line generally aligned east-west, from existing 33<sup>rd</sup> Avenue W to existing 36<sup>th</sup> Avenue W. The centerline would cross existing 36<sup>th</sup> Avenue W 1021 feet south of the centerline of existing 188<sup>th</sup> Street SW.~~

194<sup>th</sup> Street SW Extension would follow a meandering line proceeding from a point of beginning located on the centerline of existing 194<sup>th</sup> Street SW approximately 140 feet west of the centerline of existing 40<sup>th</sup> Avenue W, then bearing generally east-northeasterly to existing 36<sup>th</sup> Avenue W, crossing existing 36<sup>th</sup> Avenue W approximately 220 feet north of the point of beginning. From the centerline of 36<sup>th</sup> Avenue W the route would continue east-southeasterly approximately 78 feet, then east approximately 956 feet to the centerline of existing 33<sup>rd</sup> Avenue W, meeting existing 33<sup>rd</sup> Avenue W approximately 220 feet north of the point of beginning.

195<sup>th</sup> Street SW would run in a straight line generally aligned parallel to existing 196<sup>th</sup> Street SW, from existing 40<sup>th</sup> Avenue W to proposed 45<sup>th</sup> Avenue W. The centerline

156 ~~would cross existing 44<sup>th</sup> Avenue W 360 feet north of the centerline of existing 196<sup>th</sup>~~  
157 ~~Street SW.~~

158  
159 ~~197<sup>th</sup> Street SW would run in a straight line generally aligned parallel to existing 196<sup>th</sup>~~  
160 ~~Street SW, from existing 40<sup>th</sup> Avenue W to existing 44th Avenue W. The centerline~~  
161 ~~would cross existing 44<sup>th</sup> Avenue W 257 feet south of the centerline of existing 196<sup>th</sup>~~  
162 ~~Street SW.~~

163  
164 ~~198<sup>th</sup> Street SW would be extended west of 44<sup>th</sup> Avenue W to proposed 45<sup>th</sup> Avenue W,~~  
165 ~~a distance of approximately 384 feet.~~

166  
167 ~~199<sup>th</sup> Street SW would run in a straight line generally aligned parallel to existing 196<sup>th</sup>~~  
168 ~~Street SW, from existing 40<sup>th</sup> Avenue W to existing 44th Avenue W. The centerline~~  
169 ~~would cross existing 44<sup>th</sup> Avenue W 925 feet south of the centerline of existing 196<sup>th</sup>~~  
170 ~~Street SW.~~

171  
172 **Section 2.** Section 2 of Ordinance No. 2627 adopted by the Lynnwood City Council on July 10, 2006, is  
173 hereby amended as follows

174  
175 “Section 2. All development shall dedicate Right of Way for streets designated herein, and  
176 shall be a width in accordance with the adopted City Center Sub-Area plan or as approved by  
177 the Public Works Director. The Public Works Director shall also have the authority to waive  
178 the requirement for Right of Way dedication for the streets designated herein and/or approve  
179 modified alignments if the Public Works Director finds that such waiver or modification does  
180 not impact the functions for those streets. For purposes of this ordinance, the term  
181 "development" shall include subdivisions, short subdivisions, planned unit developments,  
182 binding site plans and design review approvals.”

183  
184 **Section 3.** LMC Section 21.02.715 is hereby amended as follows,

185  
186 21.02.715 Sign, roof.

187 “Roof sign” means a business sign erected upon or above a roof or in cases where a parapet is  
188 present, above the parapet of a building. This definition does not apply to signs attached to  
189 parapets or walls which are at a point six (6) feet in height or less above the roof deck.

190 **Section 4.** LMC Section 21.60.075 is hereby amended as follows,

191 **21.60.075 Relationship to rest of title.**

192 The regulations in this chapter, together with the applicable regulations in the rest of LMC Title  
193 21 and other titles of the Lynnwood Municipal Code, shall govern development and use of  
194 property in the city center zones districts. Where the regulations of this chapter conflict with or  
195 vary from regulations in other chapters or titles, the regulations in this chapter shall control.

196  
197 A. Exceptions. The following chapters of this code shall not apply in the city center:

198 1. Chapter 21.06 LMC;

199 2. Chapter 21.12 LMC;

200 3. Chapter 21.14 LMC.

201 **Section 5.** LMC Section 21.60.100 is hereby amended as follows,

202 21.60.100 Definitions.

203  
204 The following definitions shall only be applicable to the City Center zones.

206 ~~“Canopy” means a cover over a sidewalk, providing protection from rain, that is constructed of~~  
207 ~~permanent materials. The height shall range between eight feet and 12 feet, and it shall be a minimum of~~  
208 ~~six feet in width.~~

209 A. “City center” means the land area designated on the official zoning map ~~comprised of the~~ a city  
210 center ~~zones~~ district.

211 B. “Donation to Public Park Fund” shall mean a voluntary contribution from the developer to a dedicated  
212 City fund established specifically for the purpose of acquiring and development of public park land to  
213 serve new development and growth consistent with the City Center Sub-Area Plan. The voluntary  
214 contribution shall be executed by an agreement acceptable to the City.

215 C. “Floor area ratio” means the amount of floor area within a building as a multiple of the lot area.

216 D. “New development” means new buildings or structures, or horizontal or vertical expansions of existing  
217 buildings or structures, that are subject to the design review requirements/process of LMC Chapter 21.25.  
218 Remodels of existing buildings that do not expand existing square footage and within existing building  
219 footprints shall not constitute “new development”.

220 E. “Occupiable Space” means spaces designed to host humans for activities such as retail uses, office  
221 uses, residential, walk-in businesses (arcades, art galleries, museums, and the like), personal service shops  
222 or customer serving offices (such as banks, barber and beauty shops, travel agencies, printing/copying  
223 stores, and dry cleaners), office uses, restaurant uses, entertainment uses, and places of assembly, or  
224 amenities for principal uses (such as fitness centers, lobbies, restrooms, laundry rooms, back of house  
225 operations but not strictly mechanical rooms) unlike strict mechanical rooms, structured parking and self-  
226 service storage facilities (mini-storage).

227 ~~“Green roof” means a roof designed with principles of environmental sustainability, involving the use of~~  
228 ~~vegetation and storm water collection and cleaning. It may or may not be accessible.~~

229 F. “Parking, below grade” means any portion of a structure containing parking that is located below the  
230 average finished grade around a building.

231 G. “Parking, structured” means parking contained within an enclosed building, designed to appear like it  
232 is part of the larger building complex.

233 H. “Promenade” means the pedestrian way identified in the City Center Sub-Area Plan that may be  
234 located either in the street (public) or on private property (private). Portions of the promenade on private  
235 property may be privately owned (Promenade Walkway), constructed and maintained, and shall be open  
236 to the public by an easement agreement acceptable to the City.

237 ~~“Public art” means any form of painting, mural, mosaic, sculpture, or other work of art, so long as it can~~  
238 ~~be appraised as a work of art and its value as such documented. It must be displayed on the exterior of a~~  
239 ~~building, at or near the pedestrian entrance or on a public plaza.~~

240 I. “Public plaza” means an open space that is accessible to the public at all times, predominantly open to  
241 the sky, and for use principally by people, as opposed to merely a setting for the building. It must abut  
242 and be within three feet in elevation of a sidewalk, and at least 10 percent of the area shall be planted with  
243 trees and other vegetation. There must be ~~Public plazas shall provide penetration of sunlight and feature~~  
244 pedestrian amenities such as seating and pedestrian scale, lighting, and penetration of sunlight.

245 J. “Story” means the portion of a building included between the upper surface of the floor and the upper  
246 surface of the floor or roof next above, measured as the vertical distance from top to top of two successive  
247 tiers of beams or finished floor surfaces and for the topmost story, from the top of the floor finish to the  
248 top of the ceiling joists or, where there is not a ceiling, to the top of the roof rafters.

249 K. “Street level retail” means uses providing goods and services, ~~including food and drink~~, adjacent to,  
250 visible from, and accessible from the sidewalk: ~~including any pedestrian-oriented use, such as retail~~  
251 stores, groceries, drug stores, shoe repair shops, dry cleaners, floral shops, beauty and barber shops,  
252 department stores, apparel shops, art galleries, travel agencies, restaurants, theaters, public offices,  
253 libraries and other businesses that are intended to be pedestrian-attracting or pedestrian-generating in  
254 nature (as determined by the community development director).

255 ~~“Water feature” means a fountain, cascade, stream, fall, pond of water, or combination thereof, that serves~~  
256 ~~as a focal point. It must be located outside of a building and be publicly visible and accessible. It must be~~  
257 ~~active during daylight hours.~~

258 **Section 6.** LMC Section 21.60.200 is hereby amended as follows,

259 **21.60.200 District Zones established and described.**

- 260 A. City Center – Core (CC-C). This ~~districtzone~~ is envisioned to have the highest intensity uses,  
261 especially office buildings, residences, and hotels contained within high-rise buildings. Shops and  
262 restaurants would be located along key streets, particularly ~~the~~ principal pedestrian corridor,  
263 referred to as the “Promenade” in the City Center Sub-Area Plan. A major public open space  
264 would anchor the ~~districtzone~~. Over time, parking would be increasingly located within  
265 structures. The convention center is ~~planned-located in~~for the northeast corner of this ~~districtzone~~.  
266 B. City Center – West (CC-W). This ~~districtzone~~ is envisioned to have a mixture of higher density  
267 housing, retail and restaurants, and some office buildings contained within mid-rise buildings. A  
268 public open space would anchor the ~~districtzone~~. Over time, parking would be increasingly found  
269 within structures.  
270 C. City Center – North (CC-N). This ~~districtzone~~ is envisioned to have a mixture of mid-rise office  
271 buildings and retail,  
272 Over time, parking would be increasingly found within structures, with a  
273 relatively small amount of housing. Parking would largely be on the surface, but over time, some  
parking may be within structures.

274 **Section 7.** LMC Section 21.60.300 is hereby amended as follows,

275 21.60.300 Use limitations.

276 All uses shall be allowed in the city center ~~districts~~zones unless specifically prohibited below.

- 277  
278 A. Prohibited in all city center ~~districts~~zones:
- 279 1. Adult establishments;
  - 280 2. Billboards;
  - 281 3. Industrial uses (excluding management, research and development, and sales operations);
  - 282 4. Outdoor storage or display of materials and equipment (except during construction);
  - 283 5. ~~Repair of vehicles, unless entirely within a building; Auto-oriented uses, including:~~
    - 284 a. Vehicle washing;
    - 285 b. Drive-throughs, including drive-up windows and drive up kiosks;
    - 286 c. Vehicle Repair;
    - 287 d. Battery Exchange Station (Electric Vehicles);
    - 288 e. Battery Charging Station (Electric Vehicle), Level 1, Level 2 or Level 3, (unless  
289 contained within an enclosed parking structure or attached to the exterior of a  
290 building containing a principal use.);
    - 291 f. Gasoline service stations;
    - 292 g. Rental-Car agencies with outdoor fleet;
    - 293 h. Outdoor sales of boats, vehicles, or equipment.
  - 294 6. Sewage treatment plants;
  - 295 7. Work release facilities;
  - 296 8. Wrecking yards;
  - 297 9. Secure community transition facilities;
  - 298 10. Uses not fully contained within a building except;
    - 299 a. Accessory outdoor dining;
    - 300 b. Accessory outdoor display of merchandise up to a maximum of 200 square feet and  
301 where the display only occurs during business hours;
    - 302 c. Temporary special events;
    - 303 d. Accessory outdoor recreation areas up to 10 percent of the ground floor building area
  - 304 11. Self-service storage facilities (also known as mini-storage) consisting of more than 20% of  
305 the building’s total gross floor area.
  - 306 12. Warehouses.
  - 307 13. Any other uses similar to those listed above or any other use determined by the community  
308 development director to be inconsistent with the intent of city center districts as described in this  
309 chapter and the Ceity eCenter Ssub-Aarea Pplan.
  - 310 B. Additionally prohibited in the city center – core district (CC-C) (allowed in other districts):
  - 311 1. Vehicle washing, unless located within a building or parking structure;

- 312 2. Drive through businesses, unless located within a building or parking structure;  
313 3. Gasoline service stations;  
314 4. Mini-storage on the street level;  
315 5. Outdoor sales of boats, vehicles, or equipment.  
316 BC. Additionally prohibited in the portion of the city center – core district zone (CC-C) that is north of  
317 194th St. SW:

- 318 1. Multiple-family residential.  
319 C. Ground floor principal uses in all City Center Zones shall be Occupiable Space.  
320 1. Exception. Parking may occupy the ground floor of a building; provided that, the parking does not  
321 occupy ground floor space facing a street frontage. In such instances, that portion of the building facing  
322 the street shall still consist of occupiable space.  
323 D. For buildings that directly front the Promenade Street (Public) (198th St. SW between 46<sup>th</sup> Ave. West  
324 and 40<sup>th</sup> Ave. West) and for buildings that surround a public park that abuts the Promenade Street  
325 (Public), no less than 40 percent of the lineal frontage of any building shall be Street Level Retail uses.

326 **Section 8.** LMC Section 21.60.400 is hereby amended as follows,

327 **21.60.400 Basic development standards.**

328 **A. Height.**

329 **1. Minimum Building Height.**

- 330 a. New Development: Three Stories at no less than 30 feet total. This requirement shall not  
331 apply to uses which are predominantly characterized by being places of public assembly  
332 featuring auditoriums or meeting facilities including but not limited to religious institutions,  
333 movie or performing arts theaters, symphony halls, and convention facilities.  
334 b. Expansion of existing structures: Permitted subject to non-conforming building regulations in  
335 LMC 21.60.700.C.

336 **2. Maximum Building Height**

- 337 a. In the City Center – Core (CC-C) zone, the maximum building height shall be 350 feet,  
338 except as follows:  
339 i. From the centerline of 196th St. SW north 360 feet, the maximum building height of any  
340 portion of a building shall be 240 feet.  
341 ii. From 360 feet north of the centerline of 196th St. SW and beyond, the maximum  
342 building height of any portion of a building shall be 130 feet.  
343 iii. The maximum height of any portion of a building 150 feet or less from a residential zone  
344 shall be 35 feet.  
345 b. In the City Center – West (CC-W) and City Center – North (N) zones, the maximum building  
346 height shall be 140 feet, except as follows:  
347 i. The maximum height of any portion of a building 150 feet or less from a residential zone  
348 shall be 35 feet.

349 3. Mechanical penthouses, stair/elevator overruns, and antennas may be excluded from building height  
350 calculation, provided they are no more than 20 feet above the roof deck.

351 4. Building height may be increased by up to 20 percent only to be used as a non-habitable, architectural  
352 roofline element. This allowance does not apply within 150 feet from a residential zone or in the city  
353 center – core zone (CC-C) where the maximum height is less than 350 feet.

354 **B. Setbacks**

355 **1. From Streets:**

- 356 a) Buildings shall be located at the back of sidewalks (e.g. at the front lot line(s)) that abut  
357 streets, except as permitted otherwise in this chapter and in the Design Guidelines.  
358 b) Buildings may be setback from the street for the purpose of providing public plazas as a FAR  
359 bonus feature and as required by the City Center Design Guidelines. The public plaza may  
360

365 exceed the minimum open space/public plaza size requirement. No more than 30% of any  
 366 building frontage per street shall be setback from the sidewalk for use as a Public Plaza.  
 367 c) Along Boulevard streets, buildings may be setback up to 12 feet from the property line to  
 368 provide public plazas meeting all provisions of Open Space/Public Plazas in the City Center  
 369 Design Guidelines. This allowed setback on Boulevards is in addition to the area allowed for  
 370 setbacks in LMC 21.60.400 B.1.b.  
 371 d) Buildings may be setback at intersection corners for providing public plazas.

372 2. Side: None required.

373 3. Rear: None required.

374  
 375 AC. Floor Area Ratio.  
 376 1. Basic Allowable Floor Area Ratio. The basic floor area ratio (FAR) of buildings in the city center shall  
 377 be limited as shown in Table 21.60.1. The bonuses are described in subsection (AC)(2) of this section.  
 378 See also subsection (DC) of this section.

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Table 21.60.1: Floor Area Ratio (FAR)

| District | Basic Allowable "As of Right" |             | Basic Allowable with Bonuses |             |
|----------|-------------------------------|-------------|------------------------------|-------------|
|          | Nonresidential                | Residential | Nonresidential               | Residential |
| CC-C     | 0.5                           | 1.0         | 8.0                          | 10.0        |
| CC-W     | 0.5                           | 1.0         | 3.0                          | 5.0         |
| CC-N     | 0.5                           | 1.0         | 3.0                          | 5.0         |

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| <b>Table 21.60.1: Floor Area Ratio (FAR)</b>                               |                       |                 |             |             |
|--|-----------------------|-----------------|-------------|-------------|
| <b>Basic Allowable/Maximum FAR</b>   |                       | <b>District</b> |             |             |
|  |                       | <b>CC-C</b>     | <b>CC-W</b> | <b>CC-N</b> |
| <u>Basic Allowable "As of Right" for Existing Nonconforming Structures</u> | <u>Nonresidential</u> | <u>0.5</u>      | <u>0.5</u>  | <u>0.5</u>  |
|  | <u>Residential</u>    | <u>1.0</u>      | <u>1.0</u>  | <u>1.0</u>  |
| <u>Basic Allowable FAR "As of Right" for New Development</u>               | <u>Nonresidential</u> | <u>2.0</u>      | <u>2.0</u>  | <u>2.0</u>  |
|  | <u>Residential</u>    | <u>3.0</u>      | <u>3.0</u>  | <u>3.0</u>  |
| <u>Maximum with Bonuses</u>  | <u>Nonresidential</u> | <u>8.0</u>      | <u>3.0</u>  | <u>3.0</u>  |
|  | <u>Residential</u>    | <u>10.0</u>     | <u>5.0</u>  | <u>5.0</u>  |

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Notes:

- 385 a. Floor area is measured to the inside face of exterior walls.
- 386 b. The following non-principal uses shall be excluded from floor area calculation:
- 387 • Space underground (e.g. basements) below grade;
  - 388 • Space dedicated to parking;
  - 389 • Mechanical spaces;
  - 390 • Floor Area devoted to Rainwater collection;
  - 391 • Floor Area devoted to Greywater collection/storage/distribution;
  - 392 • Floor Area devoted to Waste recovery/separation;
  - 393 • Floor Area devoted to Bicycle storage facilities;
  - 394 • Floor Area devoted to Service areas
  - 395 • Elevator and stair shafts;
  - 396 • Lobbies and common spaces, including atriums;

- 397 c. The following shall be excluded from floor area calculation:  
 398     • Space used for any as a FAR bonus feature (see Table 21.60.2).  
 399 d. Land area for the Promenade Walkway shall be included in determining the basic allowable FAR.  
 400 e. b.-Allowable FAR for nonresidential and residential uses shall may be added together for the respective  
 401 use types within a mixed-use residential project, to provide for a combined FAR total.  
 402 f. e.-Hotels shall be considered nonresidential for the purpose of this chart.  
 403  
 404 2. FAR Bonus. The FAR at a property may be increased above the amount permitted “as of right” shown  
 405 in Table 21.60.1 by including any of the features listed in Table 21.60.2 into development of the property.  
 406

Table 21.60.2: Bonus Features Allowing Increased Floor Area Ratio

| Feature             | Additional Floor Area for Each Feature                                     |
|---------------------|--|
| Street level retail | 100 sq. ft. of floor area for each linear foot of retail frontage          |
| Public plaza        | 5 sq. ft. of floor area for each sq. ft. of plaza                          |
| Canopy              | 4 sq. ft. of floor area for each sq. ft. of canopy                         |
| Public art          | 10 sq. ft. of floor area for each \$100.00 of valuation                    |
| Water feature       | 10 sq. ft. of floor area for each \$100.00 of valuation                    |
| Structured parking  | 0.5 sq. ft. of floor area for each sq. ft. of required parking above grade |
| Below grade parking | 1 sq. ft. of floor area for each sq. ft. of required parking below grade   |
| Green roof          | 2 sq. ft. of floor area for each sq. ft. of green roof                     |
| Residential use     | 2 sq. ft. of floor area for each sq. ft. of residential                    |

407

**Table 21.60.2: Bonus Features Allowing Increased Floor Area Ratio**

| <u>Bonus Features</u>                                  | <u>Feature Requirements</u>   | <u>Additional Floor Area for Each Feature</u>  |
|--|---|--|
| <u>LEED Gold or Similar Certification Elements</u>     | <u>Checklist stamped by the project architect illustrating LEED Gold or similar certification elements have been incorporated into project.</u>   | <u>25 percent increase in total floor area for meeting LEED Gold Certification standards (or similar) or above</u>     |
| <u>LEED Platinum or Similar Certification Elements</u> | <u>Checklist stamped by the project architect illustrating LEED Platinum or similar certification elements have been incorporated into project.</u>   | <u>40 percent increase in total floor area for meeting LEED Platinum Certification standards (or similar) or above</u> |
| <u>Office Use Above the Ground Floor</u>               |   | <u>2 sq. ft. of floor area for each sq. ft. of office use above the ground floor</u>                                   |
| <u>Parking, underground</u>                            |   | <u>2 sq. ft. of floor area for each sq. ft. of parking below grade</u>   |
| <u>Parking, structured</u>                             | <u>Construction in conformance with the City Center Design Guidelines</u>   | <u>1 sq. ft. of floor area for each sq. ft. of structured parking above grade</u>                                      |
| <u>Promenade Walkway</u>                               | <u>Construction of the Promenade Walkway in conformance with the City Center Design Guidelines. (Access easement dedication to the public must be recorded with approved maintenance provisions).</u> | <u>20 sq. ft of floor area for each sq. ft. of Promenade</u>   |

|   |  |  |
|---|--|--|
| <u>Public Plaza</u>                                     | <u>Buildings may be setback from designated pedestrian-oriented/primary frontage street for the purpose of providing public plazas subject to the Design Guidelines. No more than 30% of any building fronting a public street shall be setback from the sidewalk for the use of Public Plaza unless approved by the Community Development Director for providing additional solar access in conjunction with the Promenade Walkway.</u> | <u>5 sq. ft. of floor area for each sq. ft. of plaza above the amount required by the City Center Design Guidelines.</u> |
| <u>Residential Use (single purpose building)</u>        | <u>Residential development granted as bonus square footage cannot be used to achieve additional square foot bonus.</u>   | <u>2 sq. ft. of floor area for each sq. ft. of residential use</u>   |
| <u>Residential Use in Vertically Mixed-Use Building</u> | <u>Residential development granted as bonus square footage cannot be used to achieve additional square foot bonus.</u>   | <u>4 sq. ft. of floor area for each sq. ft. of residential use if the development is vertical mixed-use.</u>             |
| <u>Street Level Retail</u>                              | <u>See definition (LMC Section 21.60.100(L))</u>   | <u>200 sq. ft. of floor area for each linear foot of retail frontage</u>   |
| <u>Donation to Public Park Fund</u>                     | <u>See definition (LMC Section 21.60.100(M))</u>   | <u>20 sq. ft per \$100 contributed to Public Park Fund</u>   |

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3. Change of Use and Continuation of Bonus.

a. FAR bonuses granted based on the use of the building (e.g. office use, residential use, Street Level Retail) and use of an area (e.g. Promenade Walkway or public plaza) shall be acknowledged in a document recorded in a form acceptable to the City with the Snohomish County Auditor's Office. The document shall also reflect the requirement in subsection LMC 21.60.400 (3)(b) below.

b. If a business, ~~or activity,~~ or feature that supported a FAR bonus under this section is terminated, that use shall either be replaced by another use or feature of the same type (as listed in Table 21.60.2) or by another use that qualifies for an equal (or greater) FAR bonus. Alternatively and only in the case of a bonused use terminating, the property owner may request approval of a substitute method to qualify for the FAR bonus. Such substitution shall be subject to the approval of the community development director, who shall approve the substitution if he/she finds that the proposed substitution complies with this section and chapter.

~~B. Building Height. The height of buildings in the city center shall be limited as shown in Map CC-1 at the end of this chapter.~~

~~C.D. Parking Ratios. Notwithstanding Chapter 21.18 LMC, off-street parking shall be provided in conformance with Table 21.60.3 and the regulations in this subsection.~~

**Table 21.60.3: Required Off-Street Parking**

| Use Type   | Minimum   | Maximum                        |
|--|---|--------------------------------|
| <u>Retail, Personal services and Offices serving customers on site</u> | <u>3 stalls/1,000 Gross Floor Area (gfa) nsf*</u> | <u>4 stalls/1,000 gfa nsf*</u> |
| <u>Offices, not serving customers on site.</u>                         | <u>2 stalls/1,000 gfa nsf*</u>                    | <u>4 stalls/1,000 gfa nsf*</u> |

|   |   |  |
|---|---|--|
| Residential   | 0.5 stall per unit  | 3 per unit   |
| Senior housing  | 0.25 stall per unit   | 1 per unit   |
| Restaurant  | 1 stall per 4 seats   | 2 stalls per 4 seats   |
| <u>Hotels, Motels or Other Overnight Accommodations</u> | <u>1 stall per room, plus additional parking in accordance with this table for other businesses or facilities associated with the hotel or motel.</u> | <u>1.5 stalls per room plus, additional parking in accordance with this table for other businesses or facilities associated with the hotel or motel.</u> |
| <u>Institutional uses</u>                               | <u>Same as Required in LMC Table 21.18.03</u>   | <u>Same as Required in LMC Table 21.18.03 (Minimum and maximum and therefore the same.)</u>  |
| <u>Places of Assembly</u>                               | <u>Same as Required in LMC Table 21.18.06</u>   | <u>Same as Required in LMC Table 21.18.06 (Minimum and maximum and therefore the same.)</u>  |
| <u>Entertainment/Recreational Activities</u>            | <u>Same as Required in LMC Table 21.18.07</u>   | <u>Same as Required in LMC Table 21.18.07 (Minimum and maximum and therefore the same.)</u>  |
| <u>Other uses</u>                                       | <u>Same as Required in LMC Table 21.18.11</u>   | <u>Same as Required in LMC Table 21.18.11 (Minimum and maximum and therefore the same.)</u>  |
| *nsf = net square feet                                  |   |  |

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Notes:

1. Parking requirements for permitted uses not listed in Table 21.60.3 shall be determined by a study of parking demand for that use.
2. Uses sharing a common parking facility that is accessible to all respective uses may reduce the required number of stalls by 40 percent.
3. Parking may be located off-site, so long as it is within 1,000 feet of the property (measured along public sidewalks or walkways), is connected to the property by sidewalks or walkways, and is tied to the site by a contractual agreement that is filed with the city and deed of record at the county.
4. All developments with more than 50 parking spaces shall provide a minimum of one dedicated and signed carpool/vanpool space. All developments with more than 100 parking spaces shall provide a minimum of two dedicated and signed carpool/vanpool spaces.
54. The community development director may allow ratios higher than the maximums allowed if a parking demand study for a particular development indicates that additional parking is needed and a parking demand management program would not be effective.

E. Bicycle Facilities.

1. All non-residential developments providing 20 or more parking stalls, shall be required to provide at least one bicycle stall for every 20 vehicular parking stalls, up to a maximum of 20 bicycle stall. Bicycle stalls may be storage lockers or bicycle racks/stands.
2. Bicycle stalls shall be located within 100 feet of a building entrance and shall be designed to allow either a bicycle frame or wheels to be locked to a structure attached to the pavement or to a structure. It is not necessary for all on-site bicycle stalls to be located in one central location. Bicycle stalls may be located within vehicular parking areas.

453 3. One indoor bicycle stall shall be provided for every four dwelling units in multifamily residential  
454 uses, with the exception of specialized senior housing, unless individual garages are provided for every  
455 unit. The director may reduce the number of bicycle stalls if indoor storage is available to residents.  
456

457 **F. Service Areas.**

458 1. Exterior service areas shall not be located within 30 feet of a residential-zoned property. Service  
459 areas include but are not limited to: loading docks, trash dumpsters, compactors, refuse and recycling  
460 areas, and mechanical equipment areas. All external trash, recycling, and storage areas are required to be  
461 enclosed with a solid structure with a minimum height of seven feet and a roof. Enclosures shall be  
462 constructed of materials that match or complement the exterior materials of primary building(s) and shall  
463 not be constructed of wood or chain link (with or without slats).  
464

465 **Section 9.** A new section LMC 21.60.450 entitled “Signs in the City Center” is hereby adopted as  
466 follows,  
467

468 **LMC 21.60.450 Signs in the City Center**

469 In addition to the requirements of LMC Chapter 21.16, the following sign requirements shall  
470 apply in the City Center Zones.  
471

472 A. The following signs are prohibited in the City Center zones, in addition to those signs  
473 prohibited by LMC 21.16.220.

474 1. Cabinet signs (wall, monument and ground signs only).

475 2. Electronic Changing Message Signs and Changeable Letter Signs, except for  
476 entertainment, places of assembly, and institutional uses with an occupancy load of 200  
477 persons or greater and public transportation uses.

478 3. Pole signs or freestanding signs except for city sponsored directional or informational  
479 signage or Monument signs allowed per LMC 21.60.450 A.4.

480 4. Monument signs, except along Boulevards with a maximum height of 8 feet.

481 5. Roof signs.

482 B. Neon signs are permitted, however outlining buildings or portions of buildings in neon is  
483 prohibited.

484 C. Window signs (signs located on the inside of a window so as to be easily and readily viewed  
485 from outside the window) may occupy up to 20 percent of the area of the window.  
486

487  
488 **Section 10.** LMC Section 21.60.500 is hereby amended as follows,  
489

490 **21.60.500 Street types**

491 Notwithstanding LMC Title 19 and other adopted street standards, development and redevelopment of  
492 streets in the city center shall comply with Table 21.60.4 entitled Street Standards. the following  
493 paragraphs:

494 ~~A. Boulevards. These are the principal arterial streets serving the city center and connecting it to~~  
495 ~~other parts of the community. They are connected to the regional highway system. While they can~~  
496 ~~be visually pleasing and allow for safe and convenient pedestrian movement, their primary~~  
497 ~~purpose is to move vehicular traffic. Developments along boulevards exhibit an emphasis on~~  
498 ~~planting more so than retail storefronts.~~  
499

| <b><u>Boulevards: Standards</u></b> |   |
|-------------------------------------|---|
| <b>Street:</b>                      | 5—7 travel lanes with left turn restrictions, except at intersections |
| <b>Sidewalks:</b>                   | 12 feet wide, including 5 foot wide planting zone along curb          |
| <b>Street trees:</b>                | 30—35 feet on center, minimum of 2-inch cal.                          |
| <b>Building line:</b>               | 5—15 feet from back of sidewalk                                       |

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B. ~~Pedestrian Streets.~~ These streets accommodate both vehicles and pedestrians, but provide greater accommodations for people. Vehicles move at a relatively slow speed. Sidewalks are very wide, on-street parking is present, and vegetation is emphasized. Pedestrian-oriented street furnishings are also present.

| <b>Pedestrian Streets: Standards</b> |  |
|--------------------------------------|--|
| Street:                              | 2—3 travel lanes, with left turn restrictions, except at intersections |
| Sidewalks:                           | 14—16 feet wide, including a 5-foot wide planting zone along curb      |
| Street trees:                        | 25 feet on center, minimum of 3-inch cal.                              |
| Building line:                       | Locate buildings at back of sidewalk, except for public spaces         |
| Curb cut limitations:                | 200-foot minimum separation or from intersection                       |
| Street furnishings:                  | Pedestrian-sealed lighting, seating, waste cans, art                   |

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C. ~~Other Streets.~~ These streets serve to break up the super blocks into smaller increments and to provide for vehicular access to development. They are visually pleasing and speeds and volumes are relatively low.

| <b>Other Streets: Standards</b> |  |
|---------------------------------|--|
| Street:                         | 2—3 travel lanes, on-street parking is present                     |
| Sidewalks:                      | 12 feet wide, including a 5-foot wide planting zone along the curb |
| Street trees:                   | 25—30 feet on center, minimum of 2-inch cal.                       |

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**Table 21.60.4: Street Standards**

| <b><u>Design Standards</u></b>   | <b><u>Boulevard</u></b>   | <b><u>Collector Arterial</u></b>  | <b><u>Grid Street</u></b>  | <b><u>Promenade (Public) Street</u></b>  |
|----------------------------------|---|---|--|--|
| <b><u>Streets</u></b>            | 44 <sup>th</sup> Ave W,<br>200 <sup>th</sup> St SW/AMB,<br>196 <sup>th</sup> Street SW, 36 <sup>th</sup><br>Ave W   | 194 <sup>th</sup> St SW,<br>40 <sup>th</sup> Ave W  | 42 <sup>nd</sup> Ave W   | 198 <sup>th</sup> St SW (east of<br>46 <sup>th</sup> and west of 40 <sup>th</sup> )                              |
| <b><u>Right of Way Width</u></b> | 200 <sup>th</sup> : 5 Lanes: 99 feet<br>200 <sup>th</sup> : 6 Lanes: 110 feet<br>200 <sup>th</sup> : 7 Lanes: 121 feet<br>196 <sup>th</sup> : 7 Lanes: 111 feet<br>44 <sup>th</sup> : 7 Lanes: 111 feet<br>44 <sup>th</sup> : 8 Lanes: 122 feet | 194 <sup>th</sup> : 2 Lanes with on-<br>street parking: 73 feet<br>40 <sup>th</sup> : 3 Lanes without on-<br>street parking: 76 feet  | 2 Lanes with on-street<br>parking: 77 feet   | 2 Lanes with on-street<br>parking: 77 feet   |
| <b><u>Parking Lane</u></b>       | No Parking  | 194 <sup>th</sup> St. SW: Both sides,<br>8 feet wide<br>40 <sup>th</sup> Ave W:<br>No Parking   | Both sides:<br>8 feet wide   | Both sides:<br>8 feet wide   |
| <b><u>Sidewalks</u></b>          | Both sides,<br>12 feet wide, including<br>5-foot wide zone for<br>tree wells along the<br>curb<br>(Plus 6" curb)  | Both sides,<br>194 <sup>th</sup> St. SW: 12 feet<br>wide, including 5-foot<br>wide zone for tree wells<br>along the curb<br>40 <sup>th</sup> Ave. W.: 16 feet<br>wide, including 5-foot<br>wide zone for tree wells<br>along the curb<br>(Plus 6" curb) | Both sides,<br>16 feet wide, including<br>5-foot wide zone for<br>tree wells along the<br>curb<br>(Plus 6" curb) | Both sides,<br>16 feet wide, including<br>5-foot wide zone for<br>tree wells along the<br>curb<br>(Plus 6" curb) |

|   |   |   |   |   |
|---|---|---|---|---|
| <u>Curb and Gutter</u>                                    | <u>Both sides;<br/>6" Raised</u>  | <u>Both sides;<br/>6" Raised</u>  | <u>Both sides;<br/>6" Raised or flat</u>  | <u>Both sides;<br/>6" Raised or flat</u>  |
| <u>Travel Lanes and<br/>Turning Lanes<br/>(maximum #)</u> | <u>5-8</u>  | <u>194<sup>th</sup> St. SW: 2<br/>40<sup>th</sup> Ave. W: 3</u>   | <u>2</u>  | <u>2</u>  |
| <u>Travel Lane<br/>Width</u>                              | <u>11-12 feet</u>   | <u>11 feet</u>  | <u>14 feet</u>  | <u>14 feet</u>  |
| <u>Bicycle Travel<br/>Lane</u>                            | <u>44<sup>th</sup> Ave W., 196<sup>th</sup> St.<br/>SW., and 36<sup>th</sup> Ave W.:<br/>No bicycle travel lane<br/>200th St. SW: 5-foot<br/>on-street bicycle lanes<br/>(both sides)</u> | <u>5-foot on-street bicycle<br/>lanes (both sides)</u>  | <u>No separate on-street<br/>bike lane. Incorporate<br/>sharrows in traffic lane<br/>of street section</u>      | <u>No separate on-street<br/>bike lane. Incorporate<br/>sharrows in traffic lane<br/>of street section</u>      |
| <u>Intersection Curb</u>                                  | <u>35-foot radius with no<br/>curb bulb extension<br/>along boulevard</u>   | <u>35-foot radius at<br/>boulevard;<br/>25-foot radius at all other<br/>with 6-foot curb bulb<br/>extension</u> | <u>35-foot radius at<br/>boulevard;<br/>25-foot radius at all<br/>other with 6-foot curb<br/>bulb extension</u> | <u>35-foot radius at<br/>boulevard;<br/>25-foot radius at all<br/>other with 6-foot curb<br/>bulb extension</u> |
| <u>Raised Landscape<br/>Median (width)</u>                | <u>6 feet in left turn pocket<br/>areas; 18 feet at all<br/>other areas</u>   | <u>None</u>   | <u>None</u>   | <u>None</u>   |

- 514  
515 Notes:  
516 A. Refer to City Center Design Guidelines for access requirements.  
517 B. The Public Works Director shall have the authority to administratively modify the street standards  
518 in Table 21.60.4 above if the Public Works Director finds that such modification does not impact  
519 the functions for those streets.  
520

521 **Section 11.** LMC Section 21.60.600 is hereby amended as follows,

522 **21.60.600 Design review.**

- 523 A. Design Guidelines for ~~Nonresidential~~ Nonresidential Uses. The following structures and parking facilities  
524 permitted in the city center ~~district~~ district zones shall comply with Lynnwood city center design  
525 guidelines (which are adopted by this reference as if fully set forth herein) and receive approval  
526 pursuant to Chapter 21.25 LMC, unless otherwise specified in this chapter: for proposals in these  
527 ~~district~~ district zones, the citywide design guidelines shall be replaced with the city center design  
528 guidelines.  
529 1. Construction of any ~~nonresidential~~ nonresidential structure or building with a gross floor area of more than  
530 1,000 square feet.  
531 2. Construction of any parking lot and/or parking structure with 20 or more stalls or paved  
532 parking area of 5,400 square feet or more.  
533 3. Construction of any multiple-family residential structure.  
534 B. Supersede. Applicable Lynnwood city center design guidelines shall supersede any development  
535 standards and requirements of this title and other titles of this code that may conflict, unless  
536 otherwise specified in this chapter.  
537 C. Gateways and Prominent Intersections. See city of Lynnwood zoning map to identify  
538 development project sites within a gateway or prominent intersection location. Such sites shall be  
539 subject to applicable gateway and/or prominent intersection design guidelines in the Lynnwood  
540 city center design guidelines. If any portion of a project site lies within a gateway or prominent  
541 intersection location, then the entire project shall comply with the applicable design guidelines.  
542 D. Compliance with Sub-~~a~~ a Area Plan and Related Documents. For determining compliance with the  
543 comprehensive plan (that includes the Ccity Center Sub-~~a~~ a Area Plan), as required by LMC  
544 21.25.145(B)(2), an application for approval of structures and facilities under this section shall:  
545 1. Demonstrate consistency and compatibility with the following locations and design of public  
546 streets and parks/plazas:

- 547 a. ~~Planned location and design of streets, as shown in the street protection ordinance, as~~  
 548 ~~amended.~~  
 549 b. ~~Planned location of public parks/plazas, as follows:~~  
 550 i. ~~Town Square (Core District. The rectangular parcel formed by the existing right of way~~  
 551 ~~of 198th St. S.W. and the future rights of way of 42nd Ave. W., 199th St. S.W., and 43rd~~  
 552 ~~Ave. W., as those streets are described in Ordinance No. 2627, also known as the street~~  
 553 ~~protection ordinance.~~  
 554 ii. ~~West End Square. Starting at the intersection of the eastern right of way line of 44th Ave.~~  
 555 ~~W. and the southern right of way line of 198th St. S.W., then west a distance of 480 feet~~  
 556 ~~to the eastern boundary of the square (true starting point), then south a distance of 200~~  
 557 ~~feet to the southeast corner of the square, then west a distance of 210 feet (southwest~~  
 558 ~~corner), then north a distance of 460 feet (northwest corner), then east a distance of 210~~  
 559 ~~feet (northeast corner), then south to the true starting point.~~  
 560 iii. ~~North End Park/Plaza. Starting at the southwest corner of Snohomish County Tax Lot~~  
 561 ~~Parcel No. 00 3726 002 008 05, then generally east along the south boundary of this~~  
 562 ~~parcel a distance of 320 feet, then generally north and perpendicular to the south property~~  
 563 ~~line a distance of 235 feet to the north boundary of this parcel, then west along the north~~  
 564 ~~boundary of this parcel to the northwest corner of this parcel (300 feet), then generally~~  
 565 ~~south along the west boundary of this parcel to the starting point.~~  
 566 iv. ~~West End North Park/Plaza. The rectangular parcel formed by the existing right of way~~  
 567 ~~of 194th St. S.W. and 44th Ave. W. and the future rights of way of 195th St. S.W. and~~  
 568 ~~45th Ave. W., as those streets are described in Ordinance No. 2627, also known as the~~  
 569 ~~street protection ordinance.~~  
 570 Where any locations and designs in subsections (D)(1)(a) and (b) of this section conflict  
 571 with the eCity Ceenter Ssub-aArea Pplan, such locations and designs shall supersede the  
 572 conflicting provisions of the Ceity Ceenter Ssub-Aarea Pplan.  
 573 2. ~~Locate "retail frontage land uses" along the portion of the Promenade, as depicted and~~  
 574 ~~described in the city center subarea plan, that is south of 196th St. S.W. and also around~~  
 575 ~~public parks/plazas that abut the Promenade. "Retail frontage land uses" in this case includes~~  
 576 ~~any pedestrian-oriented use, such as retail stores, groceries, drug stores, shoe repair shops,~~  
 577 ~~cleaning establishments, floral shops, beauty and barber shops, department stores, apparel~~  
 578 ~~shops, art galleries, travel agencies, restaurants, theaters, public offices, libraries and other~~  
 579 ~~businesses that are intended to be pedestrian-attracting or pedestrian-generating in nature (as~~  
 580 ~~determined by the community development director).~~

581 **Section 12.** LMC Section 21.60.700 is hereby amended as follows,

582 **21.60.700 Nonconforming structures, sites, signs, and uses.**

583 It is expected that much development within the city center will be as a result of renovations and  
 584 expansions as much as entirely new development, especially in the years before 2015 or 2020. It is  
 585 not the intent of the city to discourage such development, as new investment should enhance the  
 586 image and appeal of the city center. However, it is also necessary to ensure that all forms of  
 587 development contribute positively to the character and quality of the area. The general principle to be  
 588 applied is that changes to nonconforming conditions should not increase the degree of the  
 589 nonconformity, but rather move the site and its uses and buildings towards greater conformity. Given  
 590 the location and configuration of current buildings, application of all design standards may not be  
 591 possible or practical; however, every effort should be made to comply with such standards for the  
 592 portions of sites and buildings in proximity to the alterations being made. This section supersedes  
 593 Chapter 21.12 LMC.

- 594 A. Nonconforming Uses. A relatively small number of land uses have been identified that are  
 595 determined to not comport with the long-term vision for the city center. Therefore, they are not  
 596 permitted.  
 597 Any such uses legally existing at the time of the adoption of the ordinance codified in this chapter  
 598 shall be considered "legal nonconforming uses." Such uses are not permitted to expand. Exterior  
 599 landscaping, facade improvements, or interior upgrades are permitted.

- 600 B. Nonconforming Sites. Throughout the city center, there are many properties where site  
601 development existing at the time of the adoption of the ordinance codified in this chapter does not  
602 comply with the site design standards and guidelines in this chapter. Certain types of minor  
603 changes to existing site development would not trigger compliance with the development  
604 standards and design guidelines in this chapter, such as re-stripping of stalls, ~~and new or altered~~  
605 ~~signage~~ or lighting or renovation of landscaping. Any other site improvements, exterior  
606 renovation or expansion of floor area or building footprints, ~~however~~, shall incorporate site  
607 design features that bring the site more into compliance with the standards of the City Center  
608 Design Guidelines regardless of whether or not the site improvements, renovation, and/or  
609 expansion triggers the design review process requirement per LMC 21.60.600.
- 610 C. Nonconforming Buildings. Throughout the city center, there are many buildings and other  
611 structures existing at the adoption of the ordinance codified in this chapter that do not comply  
612 with the building standards and guidelines in this chapter. All expansion of building footprints,  
613 floor area or exterior renovation of such buildings and structures shall incorporate design  
614 standards that bring the site and building more into compliance with the City Center Design  
615 Guidelines regardless of whether or not the expansion triggers the design review process  
616 requirement per LMC 21.60.600. ~~Expansion or major renovation of such structures shall trigger~~  
617 ~~compliance with both site design and building design standards. Compliance with standards~~  
618 ~~should be localized to the area of the building being altered.~~ Particular emphasis should be given  
619 to the provision of pedestrian amenities oriented towards the streets. Compliance with  
620 standards should be localized to the area of the building being altered. Particular emphasis ~~should~~  
621 shall be given to the provision of pedestrian amenities oriented towards the streets. For example,  
622 if a building is expanded towards the street, elements such as parking lot landscaping and  
623 pedestrian connections to the sidewalk are expected to be accomplished.
- 624 D. Signs. Throughout the city center, there are many signs existing at the adoption of the ordinance  
625 codified in this chapter that do not comply with the sign requirements of this Title. Non-  
626 conforming signs faces may be replaced. Non-conforming Pole sign, Roof sign, and Monument  
627 sign structures, frames or supports may only be replaced if they are more conforming and are able  
628 to be located in the same location.
- 629 E.D. Alternative Process for Compliance. The community development director may approve a plan  
630 and design for alteration of a nonconforming site or building that does not fully comply with the  
631 requirements of subsections (B) and (C) of this section if the director finds that the alternative  
632 plan and design provides overall a greater degree of compliance with the principle of this section  
633 (as stated above). (Ord. 2554 § 10, 2005)

634 **Section 13.** LMC Section 21.60.800 is hereby amended as follows,

635 **21.60.800 Maximum amount of development in city center.**

636 In no case shall the total amount of development (including all land uses) in the city center exceed 9.1  
637 million square feet. (Ord. 2554 § 11, 2005)

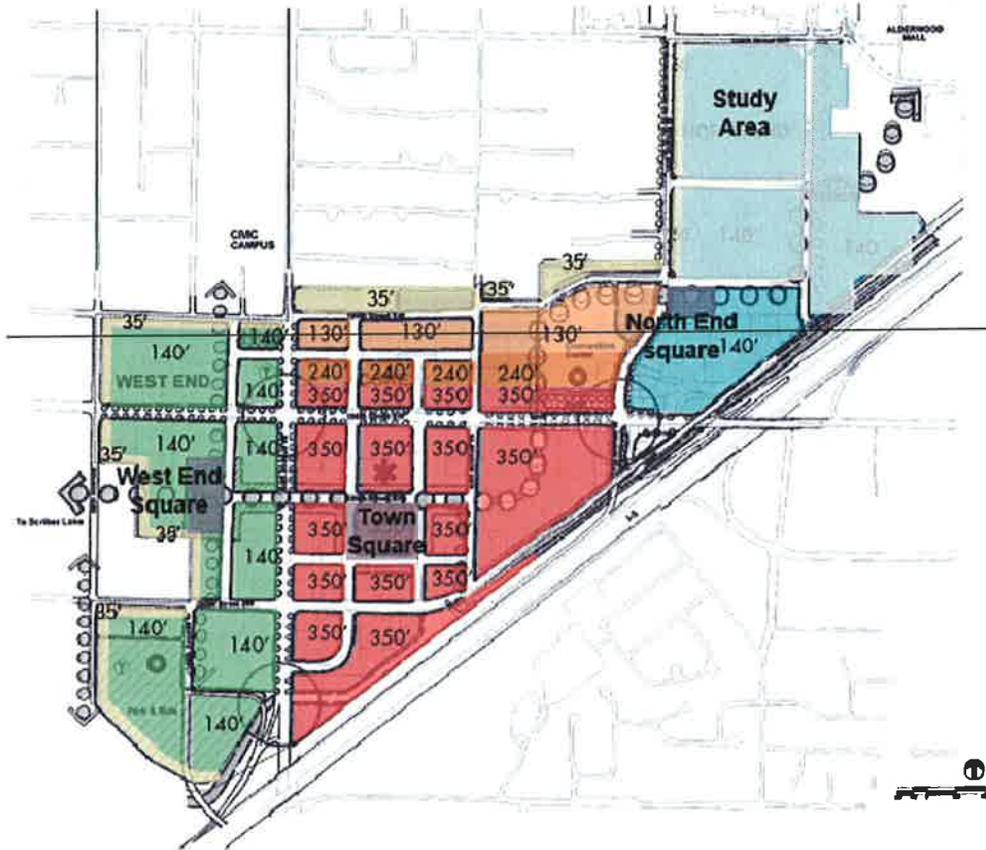
638  
639  
640 **Map CC-1**  
641  
642

# Building Height Map

Note: maximum heights listed do not include allowance for unoccupied architectural features

## Legend

- West End
- Core
- North End
- Minimized Area  
(may be within 150' of single or multiple family zone)



City of Lynnwood

October 20, 2001

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### Notes to Map CC-1:

1. Mechanical penthouses, stair/elevator overruns, and antennas may be excluded from building height calculation, provided they are no more than 20 feet above the roof deck.
2. Building height may be increased by up to 20 percent if the top is designed as a nonhabitable, architectural element. This allowance does not apply in the city center—core district (CC-C) where the maximum height is less than 350 feet.
3. The maximum height of any portion of a building lying within 150 feet of a residential district shall be 35 feet.  
(Ord. 2554 § 6, 2005)

**Section 14.** The Lynnwood City Center Design Guidelines is hereby amended as provided for in Exhibit “A”, attached to this ordinance and incorporated herein by reference.

659 **Section 15.** If any section, sentence, clause or phrase of this ordinance should be held to be invalid or  
660 unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect  
661 the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

662 **Section 16.** This ordinance or a summary thereof consisting of the title shall be published in the official  
663 newspaper of the City, and shall take effect and be in full force five (5) days after publication.

664 PASSED BY THE CITY COUNCIL, the \_\_\_\_\_ day of \_\_\_\_\_, 2011.

665

666

APPROVED:

667

668

669

670

\_\_\_\_\_  
Don Gough, Mayor

671

672 ATTEST/AUTHENTICATED:

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\_\_\_\_\_  
Lorenzo Hines

678

Finance Director

679

680 APPROVED AS TO FORM:

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682

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\_\_\_\_\_  
Rosemary Larson

686

City Attorney

687

688

689 FILED WITH ADMINISTRATIVE SERVICES: \_\_\_\_\_

690 PASSED BY THE CITY COUNCIL: \_\_\_\_\_

691 PUBLISHED: \_\_\_\_\_

692 EFFECTIVE DATE: \_\_\_\_\_

693 ORDINANCE NUMBER: \_\_\_\_\_

694

695  
696 On the \_\_\_\_\_ day of \_\_\_\_\_, 2011, the City Council of the City of Lynnwood, Washington,  
697 passed Ordinance No. \_\_\_\_\_. A summary of the content of said ordinance, consisting of the title,  
698 provides as follows:

699  
700 AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, .  
701 \_\_\_\_\_  
702 \_\_\_\_\_  
703 \_\_\_\_\_

704  
705 The full text of this Ordinance will be mailed upon request.

706  
707 DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2011.  
708

709  
710 \_\_\_\_\_  
711 LORENZO HINES, FINANCE DIRECTOR

712

713

714

715

716

717

# EXHIBIT A

718

719

## Amendments to Lynnwood City Center Design Guidelines

720

721



40 WHEREAS, Lynnwood Municipal Code section 21.60.600 C addresses gateways and  
41 prominent intersections and states,

42  
43 “C. Gateways and Prominent Intersections. See city of Lynnwood zoning map to identify  
44 development project sites within a gateway or prominent intersection location. Such sites  
45 shall be subject to applicable gateway and/or prominent intersection design guidelines in  
46 the Lynnwood city center design guidelines. If any portion of a project site lies within a  
47 gateway or prominent intersection location, then the entire project shall comply with the  
48 applicable design guidelines.”

49  
50 WHEREAS, after due deliberation the City Council of the City of Lynnwood has  
51 determined to amend the official zoning map of the City of Lynnwood by adding Gateway and  
52 prominent intersection locations in the City Center; and,

53  
54 WHEREAS, the proposal was transmitted to State agencies for State agency review in  
55 accordance with RCW 36.70A.106; and,

56  
57 WHEREAS, on \_\_\_\_\_, 2011, the City of Lynnwood Planning Commission held a  
58 duly noticed public hearing to take testimony on the proposed ordinance on and, following the  
59 public hearing, made a recommendation to the Lynnwood City Council; and,

60  
61 WHEREAS, on \_\_\_\_\_, 2011 the City of Lynnwood City Council held a duly  
62 noticed public hearing to take testimony on the proposed ordinance; now therefore

63  
64 WHEREAS, the City Council finds that it is in the interest of the public health, safety and  
65 welfare to adopt this ordinance, now therefore,

66 THE CITY COUNCIL OF THE CITY OF LYNNWOOD, WASHINGTON, DO  
67 ORDAIN AS FOLLOWS:

68 **Section 1.** The official zoning map of the City of Lynnwood is hereby amended to  
69 identify the location of gateways and prominent intersections as provided for in Exhibit “A”,  
70 attached to this ordinance and incorporated herein by reference.

71  
72 **Section 2.** If any section, sentence, clause or phrase of this ordinance should be held to  
73 be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or  
74 unconstitutionality shall not affect the validity or constitutionality of any other section, sentence,  
75 clause or phrase of this ordinance.

76  
77 **Section 3.** This ordinance or a summary thereof consisting of the title shall be published  
78 in the official newspaper of the City, and shall take effect and be in full force five (5) days after  
79 publication.

80

81 PASSED BY THE CITY COUNCIL, the \_\_\_\_\_ day of \_\_\_\_\_, 2011 and approved  
82 by the Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

83  
84 APPROVED:

85  
86  
87 \_\_\_\_\_  
88 Don Gough  
89 Mayor

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91  
92 ATTEST/AUTHENTICATED:

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95  
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97 \_\_\_\_\_  
98 Lorenzo Hines  
99 Finance Director

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101 APPROVED AS TO FORM:

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103  
104  
105 \_\_\_\_\_  
106 Rosemary Larson  
107 City Attorney

108 FILED WITH ADMINISTRATIVE SERVICES: \_\_\_\_\_  
109 PASSED BY THE CITY COUNCIL: \_\_\_\_\_  
110 PUBLISHED: \_\_\_\_\_  
111 EFFECTIVE DATE: \_\_\_\_\_  
112 ORDINANCE NUMBER: \_\_\_\_\_

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# EXHIBIT A

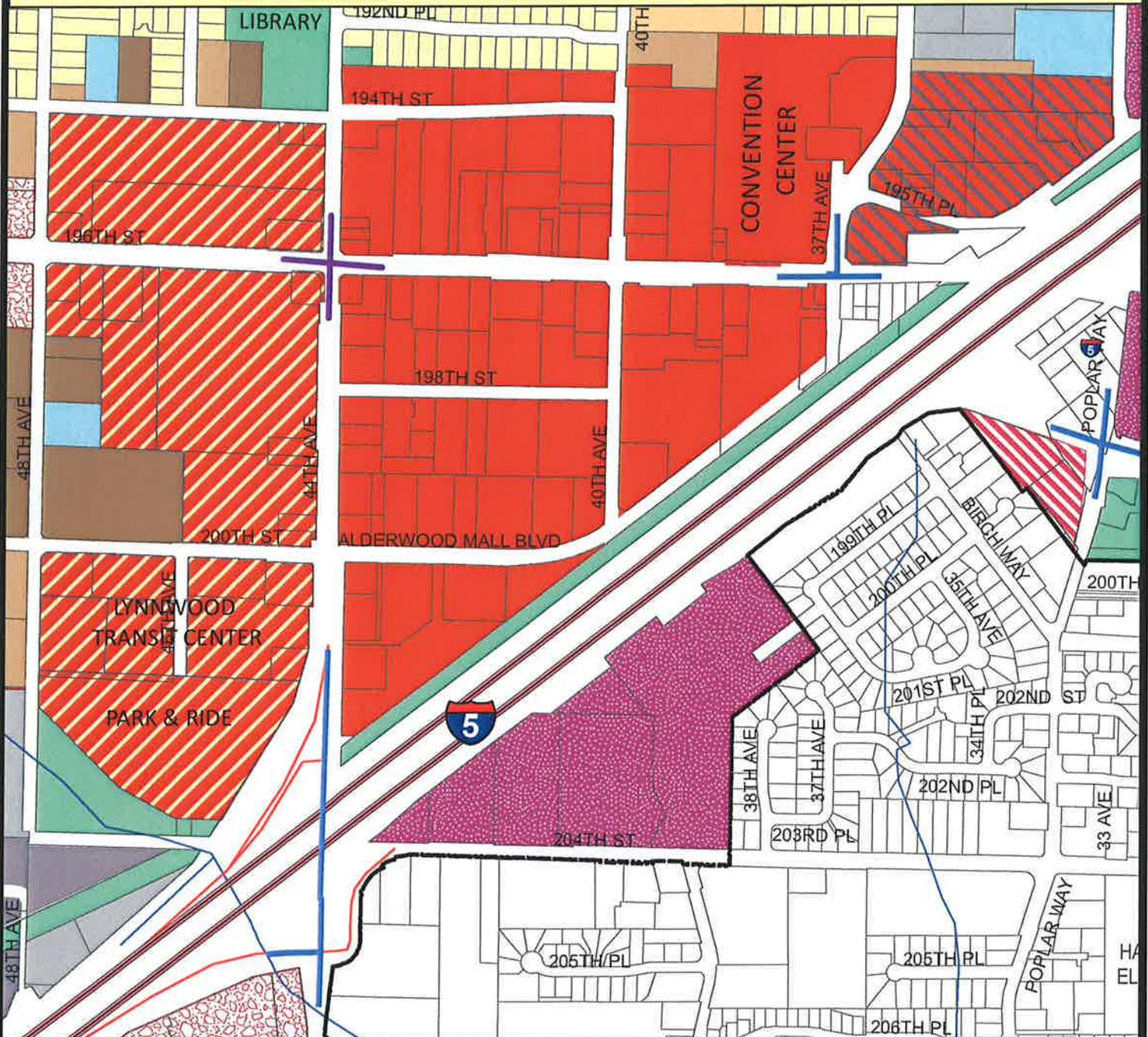
## ZONING MAP AMENDMENT

### Gateways and Prominent Intersection Locations

# Current Zoning

## Proposed Gateway & Prominent Intersection Locations

Effective through ordinance #2878.  
Effective date is 04/14/2011  
Originally adopted on 10/26/1992, ordinance #1920.  
Created by the City of Lynnwood  
Community Development Department  
GIS\GISCurrentMaps\NewMaps\Zoning\_2878



### CURRENT ZONING

**Residential**

- RS8 - Residential 8400 Sq Ft
- RS7 - Residential 7200 Sq Ft
- RS4 - Residential 4000 Sq Ft
- MHP - Mobile Home Park
- RML - Multiple Residential Low Density
- RMM - Multiple Residential Medium Density
- RMH - Multiple Residential High Density

**Commercial**

- B1 - Community Business
- B2 - Limited Business
- B3 - Neighborhood Business
- B4 - Restricted Business
- CG - General Commercial
- PCD - Planned Commercial Development
- PRC - Planned Regional Center

**Other**

- BTP - Business/Technical Park
- LI - Light Industrial
- P1 - Public
- PUD - Planned Unit Development
- MU - Mixed Use
- CDM - College District Mixed Use
- CC-C - City Center Core
- CC-W - City Center West
- CC-N - City Center North

College District Overlay

Lynnwood City Limits

**Intersection Guidelines (ord #2388)**

Gateway Prominent

**Highway 99 Overlay (ord #2852)**

Interim Zone Effective 10/25/2009 through 4/25/2011



Note 1: Per section 17.02.250 and Chapter 17.10 of the Lynnwood Municipal Code (LMC), a property shall be subject to additional restrictions if it is located in an environmentally sensitive or critical area. For the location of these areas please see the Environmentally Sensitive Areas map and consult LMC Chapter 17.10.

Note 2: Streets, lots, and plats on this map are maintained by the Snohomish County GIS Department and may not be current.



# CITY CENTER

## Design Guidelines

#

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# INTRODUCTION

---

The provisions of this document shall apply to all development and redevelopment within the Lynnwood City Center. The degree to which each standard applies to a development or redevelopment project shall be evaluated on a case by case basis in an effort to achieve an overall design that meets the purpose and intent of the City Center Design Guidelines. These guidelines are intended to carry out the Comprehensive Plan for the City of Lynnwood with respect to the Planning and Urban Design Principles of the City Center Sub-Area Plan, including:

#

- Scale of streets and streetscapes in order to provide a strong visual character and to encourage pedestrian activity;
- Create an array of public spaces;
- Present a distinctive skyline for the City Center; and
- Encourage new high density development to display quality and character through materials and architectural expression.

#

Each standard includes examples and illustrations of ways in which the intent of the standard can be achieved. The graphic images are meant to be examples, and are not the only acceptable means towards accomplishing the intent of the standards. Applicants and project designers are encouraged to consider designs, styles, and techniques not pictured in the examples that fulfill the intent of the design standard.

#

Some of the guidelines contained in this document use the word “shall” while others use the word “should”.

Regardless of which term is used, each guideline must be addressed by an applicant. The City will expect to see how the design of a project has responded to every one of the guidelines.

The “shall” statements, with such wording, are absolutely mandatory and offer relatively little flexibility unless choices are provided within the statement itself. All projects must include these elements as described.

However, guidelines that use the word “should” are meant to be applied with some flexibility. They indicate that the City is open to design features that are equal to, or better than, that stated - so long as the intent is satisfied. The applicant assumes the burden of proof to demonstrate how a proposed design meets this test and determination will be made by the Community Development Director.

Figure 1:



CITY CENTER

# **SITE DESIGN STANDARDS**

## Curb Cuts & Access Control

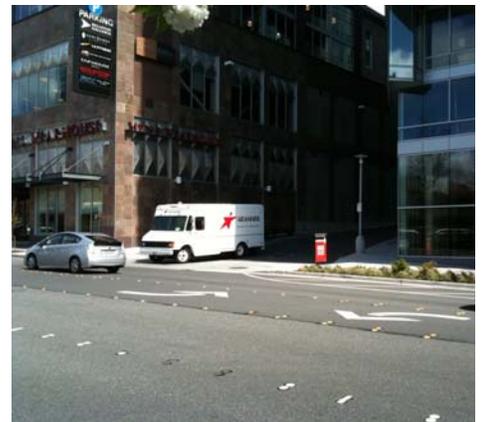
### INTENT

To ensure that curb cuts do not detract from the continuity and safety of sidewalks.

### GUIDELINES

Access control within the city center shall comply with the City of Lynnwood Access Control Policy except as amended as follows:

1. Curb cuts shall be no wider than 30 feet.
2. Curb cuts shall be no closer together than 200 feet, unless the dimension of a property's frontage precludes such spacing.
3. Curb cuts shall not be located along the Promenade Street, unless no other access to a property is available.
4. Curb cuts along Boulevards shall be located a minimum of 150 feet from signalized intersections, 100 feet from unsignalized intersections. For all other city center streets, curb cuts shall be located a minimum of 75 feet from an intersection. Left turn restrictions shall be imposed at curb cuts that do not meet these criteria.
5. Curb cuts shall be located within Driveway Access Zones (see Figure 1) and shall be consolidated and shared through access agreements, where possible.
6. Curb cuts are not required to be setback from property line.



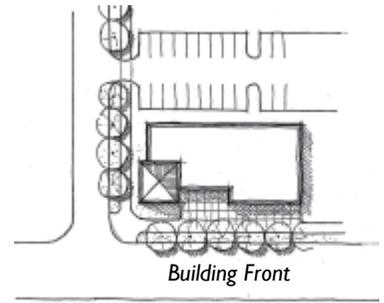
# Surface Parking Lot Location

## INTENT

To ensure that surface parking lots are not the dominant element within the City Center and to create a pedestrian-friendly environment.

## GUIDELINES

1. Along the Promenade Street (198<sup>th</sup> Street SW), surface parking shall be located to the rear of a building. No surface parking shall be adjacent to the street.
2. Along any public street other than the Promenade Street surface parking shall be located to the rear of a building., but may be located to the side of a building if the building abuts a street and the parking is not located at any intersection. Parking lots shall not be located at intersections or within 150 feet of any intersection.
3. Project sites larger than one acre with surface parking shall submit a conceptual plan for the future placement of parking into structures or underground facilities.



*Parking is located behind the buildings, not between the building and the street nor at the intersection*

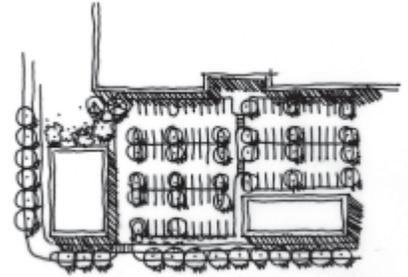
## Interior Parking Lot & Site Landscaping

### INTENT

To diminish the visual effect of surface parking and to contribute to the amount of vegetation in the City Center.

### GUIDELINES

1. Surface parking lot landscaping shall reinforce pedestrian and vehicular circulation, including:
  - Parking lot entrances
  - Ends of driving aisles
  - Defining pedestrian connection/walkways through parking lots.
2. Landscape areas next to a pedestrian connection/walkway shall be maintained and plant material selected to maintain a clear zone, except for tree trunks between 3 and 8 feet from ground level.
3. A setback shall be provided that allows space for all trees and shrubs where vehicle overhang extends into landscape areas.
4. The number of trees required in the interior landscape area in parking lots shall be dependant upon the location of the parking lot in relation to the building and public right-of-way:
  - Where the parking lot is located to the side of the building and is visible from the public right-of-way, one tree for every four spaces shall be provided (1:4).
  - Where the parking lot is located behind the building and is not visible from the public right-of-way, one tree for every eight spaces shall be provided (1:8).
5. Drought tolerant plants and/or plants native to the Pacific Northwest should be used. Temporary irrigation for plant establishment shall be provided.
6. All landscaped areas should be designed to minimize stormwater run-off by utilizing bioswales, rain gardens, filtration strips and other facilities where appropriate.
7. Pedestrian connection/walkways meeting provisions of that guideline may traverse required landscape areas.
8. A landscape maintenance plan, identifying maintenance tasks and schedules, shall be submitted to the City for review.



# Parking Lot Screening

## INTENT

To soften the impact of surface parking on the streetscape.

## GUIDELINES

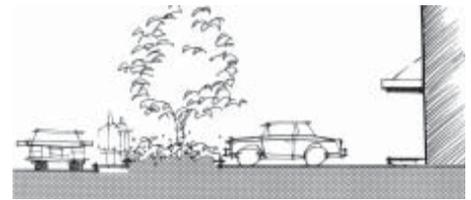
1. Parking lots that abut the public right-of-way and/or adjacent developments shall be screened with one or a combination of the following treatments:

- Low walls made of concrete, masonry, or other similar material and not exceeding a maximum height of 3 feet.
- Raised planter walls planted with a minimum of 50% evergreen plant materials not to exceed a total height of 3 feet, including the plant material planted on top.
- Landscape planting consisting of 50% evergreen plants and shrubs, and evergreen groundcovers.

3. Walls and raised planters shall not exceed a maximum height of 3 feet, unless all of the following are provided:

- Screen treatment does not create a safety hazard.
- Portion of treatment that is above 3 feet in height is a minimum of 75% transparent (i.e. see-through metal railing or other similar treatment).

4. The use of chain link fencing, wood fencing, razor ribbon, barbed wire, or similar shall be prohibited.



## Streetscape

## INTENT

To produce a streetscape that is safe, convenient, comfortable and appealing for people on foot and to help frame the streets with vegetation.

## GUIDELINES

1. Sidewalks, on-street parking and street trees shall be provided in accordance with the descriptions associated with each street type:

### **Boulevard (public):**

- *Sidewalks* (both sides of street): 12 feet wide, including 5 foot wide zone for tree wells along the curb plus 6" curb
- *On Street Parallel Parking*: None
- *Street trees*: Per City Center streetscape program, 35 feet on center, minimum of 2" caliper at time of planting

### **Promenade Street (public, 198<sup>th</sup> St SW):**

- *Sidewalks* (both sides) 16 feet wide, including a 5 foot wide zone for tree wells along the curb plus 6" curb
- *On Street Parallel Parking*: Both sides 8 feet wide
- *Street trees*: Per City Center streetscape program, 25 feet on center, minimum of 3" caliper at time of planting

### **Collector Arterial and Grid Street (public):**

- *Sidewalks on 194<sup>th</sup> St. SW* (both sides): 12 feet wide, including a 5 foot wide zone for tree wells along the curb plus 6" curb
- *Sidewalks on 40<sup>th</sup> and 42<sup>nd</sup> Ave. W* (both sides): 16 feet wide, including a 5 foot wide zone for tree wells along the curb plus 6" curb
- *On Street Parallel Parking*: Both sides 8 feet wide, except no parking along 40<sup>th</sup> Ave W.

*Street trees*: Per City Center streetscape program, 25 feet on center, minimum of 2" caliper at time of planting

### **Vehicular Connection (private):**

- *On Street Parallel or Angled Parking*: Optional, may be one or both sides of vehicular connection

2. Sidewalks shall be cast in place concrete with broom finish and scoring every 4 feet and shining around dummy joints and regular joints. Alternative sidewalk design concepts may be provided per the City Center streetscape program or may be approved by Community Development Director.

3. Tree planting pits shall be covered by ADA compliant decorative cast iron tree grates per City Center streetscape program. An electrical outlet shall be provided for street tree lighting.

4. Pedestrian scale decorative street lighting, no taller than 15 feet shall be provided at regular intervals. The proposed lighting support shall have banner arms or basket hooks. Lighting design should comply with the Illuminating Engineering Society of North America's Recommended Practices and Design Guidelines, latest editions.

5. Cabinets and structures for traffic signals, utility connections and the like shall be located within the tree well zone between the curb and sidewalk.



6. At least four types of the pedestrian amenities listed below shall be included for each 100 lineal feet of public street frontage. Sites with less than 100 feet of frontage shall provide two amenities. The amenities shall be located where they best integrate with other site amenities. The amenities may be combined with guidelines for open space/public plazas and LMC provisions for area along the property frontage. If the amenities already exist along the property's frontage, they may satisfy the requirement. Amenities include:

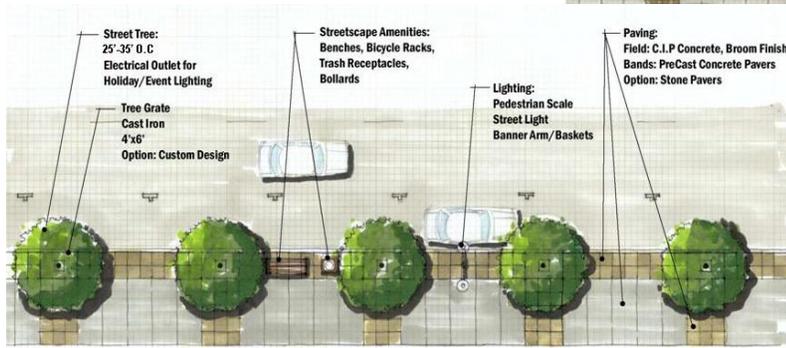
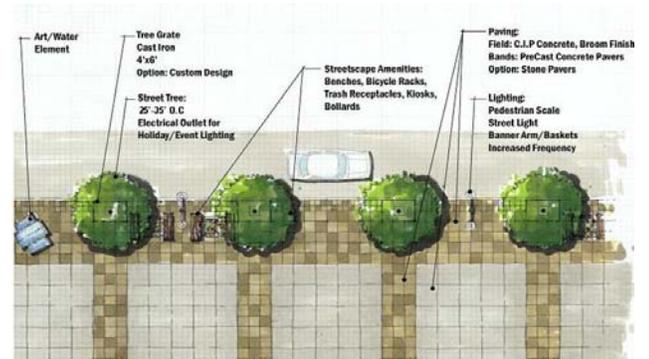
- Seating
- Trash receptacles
- Decorative paving patterns
- Planting beds, hanging flower baskets, large potted plants, and/or other landscaping and watering system if needed;
- Informational kiosks;
- Public Art;
- Decorative bicycle racks;
- Other methods may be proposed that meet the intent of this guideline



7. Transit shelters should not be considered as merely utilitarian structures but should convey a strong design identity and incorporate features such as artwork.

8. Pedestrian areas should be designed with CPTED standards.

## Conceptual Streetscape Design Features



*CITY CENTER* **SITE DESIGN**

## Site Lighting

**INTENT**

To ensure that lighting contributes to the character of the site, provides pedestrian scale interest and security throughout the site and does not disturb adjacent developments and residences.

**GUIDELINES**

1. Lighting shall be provided throughout the site to provide a safe and comfortable atmosphere.
2. Design of the lighting should complement other lighting elements used throughout and surrounding the site, such as pedestrian pathway lighting, light fixtures on the buildings and in the public right-of-way.
3. All lighting should be shielded from the sky and adjacent properties and structures, either through exterior shields or through optics within the fixture.
4. The use of accent lighting is encouraged but should be combined with functional lighting to highlight special focal points such as building/site entrances, public art and special landscape features.
5. Lighting used should contribute to and integrate with the overall character of the site architecture or other site features.
6. Lighting used in parking lots shall not exceed a maximum of 30 feet in height. Pedestrian scale lighting shall be a maximum of 15 feet in height.
7. Lighting design should comply with the Illuminating Engineering Society of North America’s Recommended Practices and Design Guidelines, latest editions, for each applicable lighting type (i.e. Parking Lot, Walkways, etc.).



# Pedestrian Connections / Walkways

**INTENT**

To ensure that the City Center is conducive to pedestrian circulation.

## GUIDELINES

1. **Walkways Connecting Building Entrances to Nearest Public Sidewalk.** All major building entrances shall be connected with the nearest public sidewalk by a walkway that is a minimum of 10 feet wide and is separated from any adjacent parking stalls by a planting bed a minimum of 3 feet wide. (Buildings set to the back of the sidewalk automatically meet this standard.)
2. **Walkways Through Surface Parking Lots.** A walkway shall be provided through any surface parking lot with more than 30 stalls. Such walkways shall be a minimum of 8 feet wide and separated from any adjacent parking stalls by a planting bed at least 3 feet wide.
3. **Walkways Connecting Parcels.** Walkways a minimum of 10 feet wide shall be provided that allow pedestrians to connect to all adjacent properties. These walkways shall connect to public sidewalks between the boundaries of the Driveway Access Zones (Figure 1).
4. **Promenade Walkway.** The Promenade walkway shall extend east and north from the 198<sup>th</sup> Street SW Promenade Street (public) at 40<sup>th</sup> Avenue W. to connect to 194<sup>th</sup> Street SW as depicted by Figure 1 for the Promenade Connection and Promenade Access Zones. The Promenade Walkway shall be a minimum of 16 feet average width. Properties located between the Promenade Access Zones shall demonstrate the provision of the Promenade Walkway through the site, connecting to and from other parcels to create a linear or meandering path as conceptually depicted in Figure 1 and will be determined through the project design review process. The Promenade Walkway shall not be adjacent to or follow the public right of way until it meets 194<sup>th</sup> Street SW as an objective of this connection is provide pedestrian connectivity centrally through a large block. The primary objective of the Promenade Connection shall be the pedestrian experience and connectivity; however vehicular access is permitted subject to standards for Vehicular Connections and Community Development Director approval. The Promenade Walkway is eligible for bonus floor area ratio per LMC 21.60.400
4. Walkways constructed prior to development occurring on adjacent properties shall stub-out the walkway at the property line, thereby setting the connection location for future redevelopment.
5. Uniform pedestrian scale lighting shall be provided along the length of the walkway on an individual parcel.
6. Walkways if not raised sidewalks shall use special decorative paving such as decorative concrete, or pavers (not exposed aggregate) to



distinguish them from vehicular drive aisles.

7. At least three types of pedestrian amenities shall be provided in every 100 lineal feet of walkway, such as: seating, trash receptacles, potted plants or landscape features, artwork, and water features. Other amenities may be proposed that meet the intent of this guideline.
8. The applicant shall submit a plan for the walkway to include a description of all landscaping; lighting; street furniture; color and materials; relationship to building frontage; specific location of the walkway on the site and connection to other parcels, and the relationship to and coordination with any plaza.
9. The entire walkway should be open and available to the public 24 hours a day. Temporary closures will be allowed for maintenance purposes.
10. The property owners of Walkways Connecting Parcels shall execute a legally binding access agreement providing that the walkway is subject to a right of pedestrian use and access by the public. The agreement shall be in form and substance acceptable to the city attorney and be recorded with Snohomish County. The obligations under the agreement shall run with the land. At the end of 50 years from the date the agreement is signed, the agreement will be reviewed by the city and the agreement shall continue or change in accordance with the then-existing public need for pedestrian use and public access for subsequent 50-year terms.
11. Pedestrian areas should be designed with CPTED standards.



# Vehicular Connections

## INTENT

To allow private vehicular connections through blocks between public streets in coordination with pedestrian connections / walkways, with pedestrian safety and experience as the priority.

## GUIDELINES

1. Vehicular connections shall meet the standards of Pedestrian Connections, with vehicular service as secondary function and design.
2. When allowed, vehicular connections shall be a maximum of two lanes, with a 10 feet wide lane width or as needed per the building and/or fire code.
3. No parking other than parallel or angled parking shall be allowed on vehicular connections. Parallel parking may be located on one or both sides of the vehicular connection and shall be 8 feet in width per side. Angled parking may be on only one side of the vehicular connection.
4. Pedestrians shall be protected from vehicles by sidewalk or by use of design elements such as decorative protective bollards or large potted plants. Use of traffic calming features should also be incorporated, including but not limited to curb extensions, speed tables, textured pavement, decorative pavers, and mini-roundabouts. Raised or flat cement concrete curb or curb and gutter are required on both sides of vehicular connections. Decorative storm drain covers should be provided. In areas with flat curb, appropriate storm drainage features are required.



## Bicycle Facilities

### INTENT

To provide bicycle stalls, storage and facilities and support reducing demand for parking.

### GUIDELINES

1. All bicycle stalls shall be located in secure locations that do not impede pedestrian or vehicular flow and shall be well lit for nighttime use.
2. Design of the outdoor bicycle stalls shall compliment other pedestrian features and design of the building(s) and not be merely utilitarian structures.



## Open Space/Public Plazas

### INTENT

To provide a variety of public spaces in association with individual buildings, so that, over time, there are numerous choices for gathering, meeting friends and associates, and enjoying good weather.

### GUIDELINES

1. Every new building shall provide open space in an amount at least equal to 1% of the sum of the square feet of building area and the square feet of site area. This requirement may be combined with the Promenade Walkway and/or Community Gateways and Prominent Intersection guidelines to meet both requirements.
2. Open Space/Public Plazas shall be located where it is visible and accessible from either a public sidewalk or a pedestrian connection.
3. Open Space/Public Plazas shall include at least four types of the following features coordinated with amenities provided in walkways on the same site:
  - Benches. Ledges are also acceptable, as long as they are 15" to 18" in height.
  - Planting, including specimen trees, shrubs and seasonal plantings. Plantings may be potted or in other decorative housings.
  - Pedestrian scaled lighting
  - Public Art
  - Water feature(s)
  - Where open space abuts storefronts, accommodate accessory outdoor dining/seating
  - Trellis and/or shelter
  - 
  - Other methods may be proposed that meet the intent of this guideline
4. Between 65% and 90% of the area of the space shall be hardsurfaced.
5. All features provided shall be durable materials designed for outdoor public use.
6. Pedestrian areas should be designed with CPTED standards.



## Community Gateways and Prominent Intersections

### INTENT

To mark key intersections within and around the edges of the City Center.

### GUIDELINES

1. Special features shall be provided at the corner of sites abutting or adjacent to the Gateways or Prominent Intersections (see Citywide Zoning Map for locations). Three or more of the following features shall be included:

- Seasonal plantings
- Specimen tree(s).
- Public Art
- Monument
- Open space / plaza
- Special landscape treatment
- Water feature
- Unique pedestrian-scale lighting
- Special paving
- Other methods may be proposed that meet the intent of this guideline

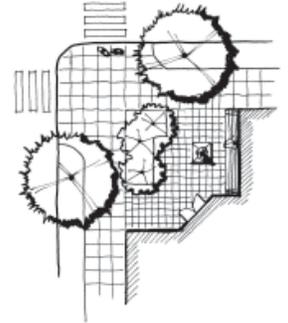
2. Gateway or Prominent Intersection features may also be combined with the Open Space/Public Plazas to meet both requirements.

3. Corners of buildings at Community Gateways and Prominent Intersections may be setback from the property line to provide public plazas per Open Space / Public Plaza guidelines.

4. Features used shall be oriented towards both pedestrians and vehicles along the street right-of-way.

5. Features used shall not block vehicular sight distance requirements.

6. Pedestrian areas should be designed with CPTED standards.



CITY CENTER

**BUILDING  
DESIGN  
STANDARDS**

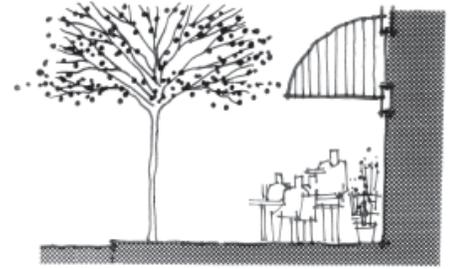
## Building / Sidewalk Relationship

### INTENT

To ensure that buildings within the City Center frame and enliven the streets and sidewalks.

### GUIDELINES

1. Within the City Center, buildings shall be oriented to the adjacent street or public park rather than to a parking lot or structure. Buildings shall directly abut the back of the sidewalk (be located at the property line adjacent to the public right of way). The façade nearest the sidewalk shall incorporate windows, entrances, canopies and other features (see other guidelines which address these elements.)
2. Buildings may be set back from the sidewalk for the purpose of providing articulation of a building façade, and/or usable public space that are primarily hardscaped.
3. Setting full floor building facades up to the street may be accomplished through base building area that extends out to the sidewalk, not necessarily the full height of the building.
4. Design of buildings should avoid, where possible, requiring a fire lane between the building and the street.



# Street-Facing Entrances

## INTENT

To reinforce pedestrian activity and orientation and enhance liveliness of streets through building design.

## GUIDELINES

1. Entrances to buildings shall be visible from the street and oriented toward the sidewalk so that pedestrian access is clear and convenient.
2. Entrances shall be given a visually distinct architectural expression by two or more of the following elements:
  - Prominent door and windows
  - Taller bay(s)
  - Projecting canopy
  - Slightly recessed facade
  - Set behind a forecourt
  - Portico with distinctive roof form



*CITY CENTER* **BUILDING DESIGN**

# Street Level Transparency

## INTENT

To ensure that sidewalks are lined with activities and visibility for pedestrians.

## GUIDELINES

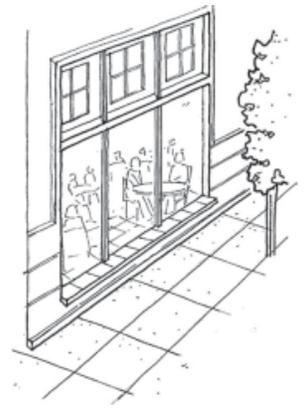
1. The ground level facades of buildings that are oriented to particular streets and the Promenade Walkway shall have transparent windows between an average of 2 feet and 10 feet above grade, starting no higher than 3 feet from grade, according to the following:

- Along the Promenade Street and Promenade Walkway a minimum of 60% transparency
- Along Boulevards, Collector Arterials, and the Grid Street: a minimum of 40% transparency

Along Vehicular & Pedestrian Connections: a minimum of 20% transparency

2. To qualify as transparent, windows shall not be mirrored glass or dark tinted glass.

3. Where transparency is not required, the façade shall comply with the guideline entitled "Treating Blank Walls."



## Weather Protection

### INTENT

To provide pedestrians with cover from rainfall with durable and aesthetically pleasing canopies thereby making the experience of walking during inclement weather more pleasant.

### GUIDELINES

1. Buildings that abut sidewalks and walkways shall provide canopies with a minimum width of 6 feet over the sidewalk to provide weather protection along at least 75% of the frontage. Canopies shall be a minimum of 8 feet above the sidewalk or roadway.
2. Canopies may be constructed of glass and/or steel. Wood, fabric and plastic awnings may not be used to meet this guideline.
3. Overhead, pedestrian-oriented signs may be hung from canopies.
4. Café table umbrellas are permitted where outdoor dining tables are permitted, but shall not replace provisions of this section.



# Ground Level Details

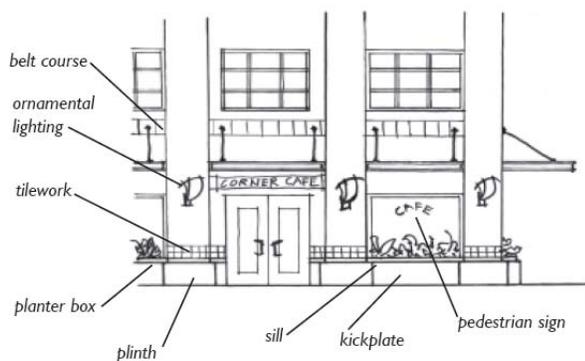
## INTENT

To emphasize the importance of the sidewalk level as a place of activity and visual interest.

## GUIDELINES

1. Ground-floor, street-facing façades of commercial and mixed used buildings along the Promenade Street (198<sup>th</sup> Street SW) and Promenade Connection shall incorporate at least six (6) types of the following elements, while buildings along Boulevards, Collector Arterials, and Grid Street, shall include at least four (4) types of the following elements:

- lighting or hanging baskets supported by ornamental brackets.
- medallions.
- belt courses.
- plinths for columns.
- shallow recesses.
- awnings.
- cornice.
- pilasters.
- kickplate for storefront window.
- projecting sills.
- tilework.
- pedestrian scale sign(s) painted on windows.
- planter box.
- Other methods may be proposed that meet the intent of this guideline



CITY CENTER **BUILDING DESIGN**

# Treating Blank Walls

## INTENT

To ensure that situations in which glass windows are not practical, there are still features that add visual interest and variety to the streetscape.

### GUIDELINES

1. Where windows are not provided on walls (or portions of walls) longer than 30 feet which face streets or are visible from the street at least four of the following types of elements shall be incorporated:

- decorative masonry (but not plain concrete block)
- concrete or masonry plinth at base of wall
- belt courses of a different texture, material and/or color
- projecting cornice
- projecting metal canopy
- decorative tilework
- trellis containing planting
- medallions
- opaque or translucent glass windows
- artwork
- vertical articulation
- lighting fixtures
- architectural recesses
- Other methods may be proposed that meet the intent of this guideline

2. On the Promenade Street (198<sup>th</sup> Street SW) and the Pedestrian Walkway where windows are not provided, no more than 10 feet unembellished surface shall be allowed.



## Roof and Architectural Expression

### INTENT

To create a skyline and built environment that is visually interesting.

### GUIDELINES

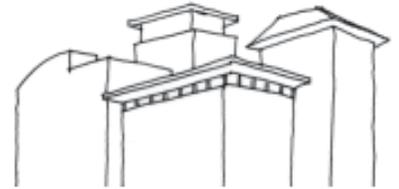
1. Buildings between 40 feet and 140 feet in height should incorporate features that create a visually distinctive roof form. The following are examples

of such features:

- Terraced Step Backs, **8 feet or greater on average**
- Pitched Roof Elements
- Projecting Cornice Elements
- Trellises along the Parapet
- Geometric Forms (dome, pyramid, etc.)
- Change of materials or color on top floor

Note:

Step backs need not be located on all sides, but should be enough to create a distinct “top” to the building. Alternatively, a top may be created by another architectural device such as an overhang, geometric form, or decorative architectural feature.



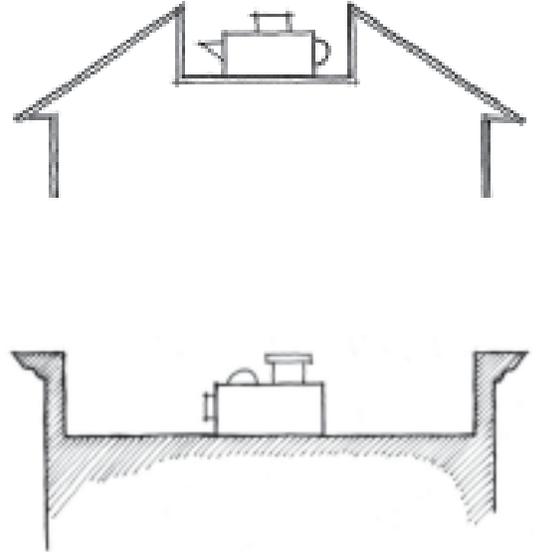
## Mechanical Screening

### INTENT

To conceal, to the greatest extent possible, equipment, dishes and other appurtenances located on the roofs of buildings or alternatively, to integrate them into the architecture.

### GUIDELINES

1. All mechanical equipment located on or near the roof shall be contained within opaque parapet walls or placed behind (or within) roof forms. Plywood walls or chain-link fencing with slats are not acceptable forms of screening. Screening methods shall be integrated into the architectural design of the building.
2. Efforts shall be made to locate communication equipment so that it is not visible from nearby streets. Equipment shall be concealed behind parapet walls if possible.



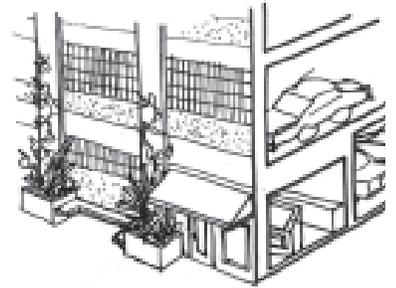
## Screening of Parking Structures

### INTENT

To reduce the visual impact of structured parking located above grade.

### GUIDELINES

- Street-facing facades of parking levels shall be treated to appear more like floors, rather than open slabs with visible cars and ceiling lights. This may be accomplished by two or more types of the following methods:
  - Square openings, rather than horizontal
  - Planting designed to grow on the façade
  - Louvers
  - Expanded metal panels
  - Decorative metal grills
  - Spandrel (opaque) glass
  - Other methods may be proposed that meet the intent of this guideline.
- Free-standing parking structures shall incorporate the above features on portions of the façade above the ground level. At ground level, parking structures shall comply with Guidelines addressing Street Level Uses and Transparency, Weather Protection and Ground Level Details.



## Gateway Locations

### INTENT

To identify and highlight major entrances into the City Center.

### GUIDELINES

1. Within designated Gateway Areas, buildings should incorporate architectural features that are bold and dramatic.

The following is a list of possible features:

- Tower forms at corners
- 
- Large entries
- High bay lobbies
- More intense color
- Accent lighting
- Unusual shapes or forms
- Artwork, such as a sculpture or mural
- Other methods may be proposed that meet the intent of this guideline



CITY CENTER  
**SIGN DESIGN  
STANDARDS**

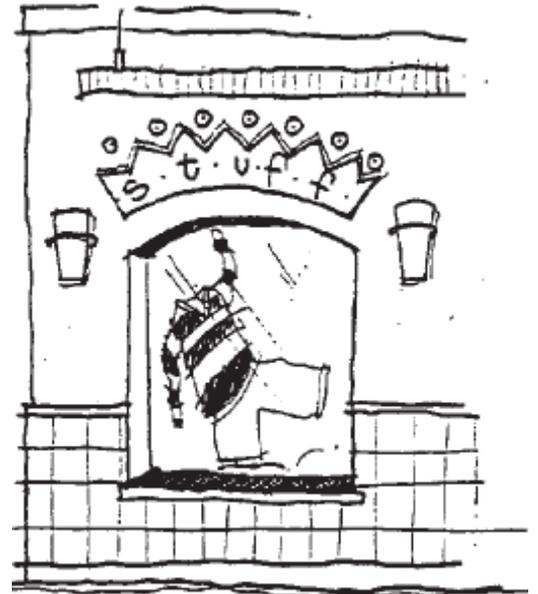
## Sign Types

### INTENT

To ensure that the City Center reinforces pedestrian activity and commerce and to convey an image for the City Center that is urban in nature, rather than a collection of auto-oriented uses.

### GUIDELINES

1. Pole signs shall not be permitted on any street within the City Center. Generally, signs shall be affixed to building facades, but monument signs, not exceeding 8 feet in height, are allowed on Boulevards. The area around the base of such signs shall be landscaped with shrubs and seasonal color.
2. Free-standing signs shall not be permitted along the Promenade Street and Promenade Connection.
3. Roof top signs shall not be permitted within the City Center.



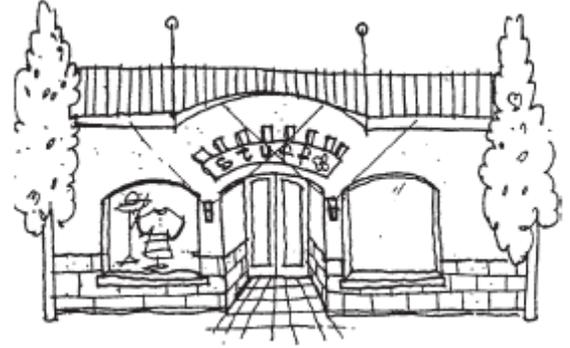
## Integrating Signs with Architecture

### INTENT

To ensure that sign design is considered in the design of buildings and that the design of signs fits with the building they are associated with.

### GUIDELINES

1. The design of buildings and sites shall identify locations and sizes for future signs. Signs shall be in conformance with an overall sign program for the building and project that allows for signage that fits with the architectural character, proportions, and details of the development.



## Creative and Artistic Elements

### INTENT

To encourage businesses to employ graphic symbols, creative elements, lighting and other features to identify their products and services.

### GUIDELINES

1. Signs should be expressive and individualized.
2. Signs should convey the product or service offered by the business in clear, graphic form.
3. Projecting signs, supported by ornamental brackets and oriented to pedestrians are strongly encouraged.
4. Neon may be incorporated into signs in an artful way; however, simply outlining the roof or building in neon tubing shall not be allowed.



June 2, 2011 - Overview of Draft City Center Development Regulation Recommendations for June 9, 2011 Planning Commission  
 - FOR SUMMARY & DISCUSSION PURPOSES ONLY, SEE DRAFT ORDINANCE FOR EXACT LANGUAGE PROPOSED -

| # | Item                                    | Current   | Proposed  | Reason for Change   | Updates from 5/26/11 |
|---|---|---|---|---|----------------------|
| 1 | Ord. 2627 Grid Street Protection        | Interim Ordinance 2885 removes non-capacity grid streets.   | <b>Permanently adopts Interim Ord. 2885, with additional changes integrated through code and design guidelines for streets.</b>   | City Center Street Master Plan concluded that only two proposed Grid Streets (194th St. SW and 42nd Ave. W) are required to mitigate capacity related traffic impacts through the City Center area. It was concluded that there was no longer a need to require dedication of the other planned streets and could be handled with other connectivity standards. |                      |
| 2 | Citywide Sign Code 21.02.715            | “Roof sign” means a business sign erected upon or above a roof or in cases where a parapet is present, parapet of a building. | <b>Update Roof Sign Definition:</b> “Roof sign” means a business sign erected upon or above a roof or in cases where a parapet is present, above the parapet of a building. This definition does not apply to signs attached to parapets or walls which are at a point six (6) feet in height or less above the roof deck.  | Recent request for director determination of roof sign definition in City Center, provides better clarity.  |                      |
| 3 | Chapter 21.60 “Districts” to “Zones”    | Refers to both City Center “Districts” and “Zones”  | <b>Change to City Center “Zones”</b>  | Create consistency of language and correct term.  |                      |
| 4 | 21.60.075 Relationship to rest of title | City Center supersede other regulations: use of term “conflict with”  | <b>Change to “conflict with or vary from”</b>   | Recent pre-development meeting where standards for setback and landscaping were unclear due to another code section also with a superseding clause.   |                      |
| 5 | 21.60.075 Relationship to rest of title | 21.06 LMC requires setback and landscaping provisions for a segment of 194 <sup>th</sup> St SW.                               | <b>Add additional code Chapter exception (21.06 LMC) that does not apply in the City Center.</b>  | To clarify landscaping and setback requirements for a section of 194 <sup>th</sup> St SW.   |                      |
| 6 | 21.60.100 Definitions                   | Canopy  | <b>Remove “Canopy” definition</b>   | Removed from FAR bonus feature list as it is an existing requirement in the Design Guidelines and FAR bonus features changed  |                      |
| 7 | 21.60.100 Definitions                   | None  | <b>Add Definition for FAR bonus feature:</b> “Donation to Public Park Fund” shall mean a voluntary contribution from the developer to a dedicated City fund established specifically for the purpose of acquiring and development of public park land to serve new development and growth consistent with the City Center Sub-Area Plan. The voluntary contribution shall be executed by an agreement | Added term regarding new height & FAR regulations   |                      |

June 2, 2011 - Overview of Draft City Center Development Regulation Recommendations for June 9, 2011 Planning Commission  
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| #  | Item                  | Current      | Proposed   | Reason for Change  | Updates from 5/26/11 |
|----|-----------------------|--------------|--|--|----------------------|
|    |                       |              | acceptable to the City.”   |  |                      |
| 8  | 21.60.100 Definitions | None         | <b>Add “New Development” definition:</b> “New development” means new buildings or structures, or horizontal or vertical expansions of existing buildings or structures that are subject to the design review requirements/process of LMC Chapter 21.25. Remodels of existing buildings that do not expand existing square footage and within existing building footprints shall not constitute “new development”.  | Added term regarding new height & FAR regulations  |                      |
| 9  | 21.60.100 Definitions | None         | <b>Add “Occupiable Space” definition:</b> “Occupiable Space” means spaces designed to host humans for activities such as retail uses, office uses, residential, walk-in businesses (arcades, art galleries, museums, and the like), personal service shops or customer serving offices (such as banks, barber and beauty shops, travel agencies, printing/copying stores, and dry cleaners), office uses, restaurant uses, entertainment uses, and places of assembly, or amenities for principal uses (such as fitness centers, lobbies, restrooms, laundry rooms, back of house operations but not strictly mechanical rooms) unlike strict mechanical rooms, structured parking and self-service storage facilities (mini-storage). | Added term regarding new ground floor use regulation   |                      |
| 10 | 21.60.100 Definitions | Green Roof   | <b>Remove “Green Roof” Definition</b>  | Removed from FAR bonus feature list and replaced with greater sustainability FAR bonuses, of which a green roof could apply towards. |                      |
| 11 | 21.60.100 Definitions | None         | <b>Add “Promenade” definition:</b> “Promenade” means the pedestrian way identified in the City Center Sub-Area Plan that may be located either in the street (public) or on private property (private). Portions of the promenade on private property may be privately owned (Promenade Walkway), constructed and maintained, and shall be open to the public by an easement agreement acceptable to the City.   | Added term regarding new height & FAR regulations  |                      |
| 12 | 21.60.100 Definitions | Public Plaza | <b>Update “Public Plaza” definition:</b> “Public plaza” means an open space that is accessible to the public at all times predominantly open to the sky, and for use principally by  | Create consistency between FAR bonus feature standards and design guidelines   |                      |

June 2, 2011 - Overview of Draft City Center Development Regulation Recommendations for June 9, 2011 Planning Commission  
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|    |                           |   | people, as opposed to merely a setting for the building. Public plazas shall provide penetration of sunlight and feature pedestrian amenities such as seating and pedestrian scale lighting..   |  |                      |
| 13 | 21.60.100 Definitions     | None                                      | <b>Add “Story” definition:</b> “Story” means the portion of a building included between the upper surface of the floor and the upper surface of the floor or roof next above, measured as the vertical distance from top to top of two successive tiers of beams or finished floor surfaces and for the topmost story, from the top of the floor finish to the top of the ceiling joists or, where there is not a ceiling, to the top of the roof rafters.  | Added term regarding new height & FAR regulations  |                      |
| 14 | 21.60.100 Definitions     | Street Level Retail                       | <b>Update Street Level Retail definition:</b> “Street level retail” means uses providing goods and services adjacent to, visible from, and accessible from the sidewalk including any pedestrian-oriented use, such as retail stores, groceries, drug stores, shoe repair shops, dry cleaners, floral shops, beauty and barber shops, department stores, apparel shops, art galleries, travel agencies, restaurants, theaters, public offices, libraries and other businesses that are intended to be pedestrian-attracting or pedestrian-generating in nature (as determined by the community development director). | Consolidated language between Street Level Retail and Retail Frontage Land Uses in current code and differentiated from Occupiable Space for FAR bonus feature regulations |                      |
| 15 | 21.60.100 Definitions     | Water Feature                             | <b>Delete “Water Feature” definition</b>  | Removed from FAR bonus feature list. Option in the Design Guidelines   |                      |
| 16 | 21.60.300 Use Limitations | Auto-Oriented Uses prohibited in the Core | <b>Clarify and update auto-oriented use prohibitions in all CC zones, not just the Core.</b><br>Auto-oriented uses, including:<br>a. Vehicle washing;<br>b. Drive-throughs, including drive-up windows and drive up kiosks;<br>c. Vehicle Repair;<br>d. Battery Exchange Station (Electric Vehicles);<br>e. Battery Charging Station (Electric Vehicle), Level 1, Level 2 or Level 3, (unless contained within an   | Clarification and Plan implementation  |                      |

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|    |                           |  | <p>enclosed parking structure or attached to the exterior of a building containing a principal use.);</p> <p>f. Gasoline service stations;</p> <p>g. Rental-Car agencies with outdoor fleet;</p> <p>h. Outdoor sales of boats, vehicles, or equipment.</p>   |   |  |
| 17 | 21.60.300 Use Limitations | Accessory outdoor uses prohibited  | <p><b>Allow certain accessory uses not contained within a building:</b></p> <p>Uses not fully contained within a building except:</p> <p>a. Accessory outdoor dining;</p> <p>b. Accessory outdoor display of merchandise up to a maximum of 200 square feet and where the display only occurs during business hours;</p> <p>c. Temporary special events;</p> <p>d. Accessory outdoor recreation areas up to 10 percent of the ground floor building area</p> | Public inquiries and staff recommendations consistent with Plan   |  |
| 18 | 21.60.300 Use Limitations | Self-Service storage facilities prohibited in the Core on the ground floor | <p><b>Restrict self-service storage facilities to a specified (accessory) percentage of a building's total gross floor area:</b> Self-service storage facilities (also known as mini-storage) consisting of more than 20% of the building's total gross floor area.</p>  | To accommodate population and employment growth allocations for City Center by allowing for accessory storage needs     |  |
| 19 | 21.60.300 Use Limitations | None   | Removed proposed recommendation for prohibition of standalone project parking structures, not included in 5/20/11 PC draft. SEE ITEM #21 Occupiable Space  | Based on PC recommendation 5/12   | <u>PC recommendation 5/12/11:</u><br>Page 6: Updated draft ordinance to remove standalone parking structures from prohibited uses. |
| 20 | 21.60.300 Use Limitations | None   | <b>Prohibit warehouses</b>   | To clarify prohibition on additional industrial type use  |  |
| 21 | 21.60.300 Use Limitations | None   | <p><b>All CC zones ground floor principal uses shall be Occupiable Space:</b> Ground floor principal uses in all City Center Zones shall be Occupiable Space.</p> <p>1. Exception. Parking may occupy the ground floor of a building; provided that, the parking does not occupy ground floor space facing a street frontage. In such instances, that portion of the building facing the street shall still consist of occupiable space.</p>                 | To provide pedestrian friendly environment and accommodate population and employment growth allocations for City Center |  |
| 22 | 21.60.300                 | Retail frontage land uses are  | <b>Require that a percentage of a building's lineal</b>  | Takes into consideration requirement for  |  |

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|    | Use Limitations                       | required 100% along the 198 <sup>th</sup> Street Promenade and surrounding the public parks and plazas that abut the Promenade            | <b>frontage per lot fronting the Promenade (public-198th St) and buildings surrounding a public park that abuts the Promenade street be Street Level Retail uses.</b> For buildings that directly front the Promenade Street (Public) (198th St. SW between 46 <sup>th</sup> Ave. West and 40 <sup>th</sup> Ave. West) and for buildings that surround a public park that abuts the Promenade Street (Public), no less than 40 percent of the lineal frontage of any building shall be Street Level Retail uses.   | occupiable space on the ground floor and provides additional use flexibility along the promenade while implementing the Plan.  |                      |
| 23 | 21.60.400 Basic Development Standards | Basic Allowable FAR of 0.5 for nonresidential and 1.0 for residential uses  | <b>Minimum Building Height, except for places of public assembly and expansion of existing structures:</b><br>a. New Development: Three Stories at no less than 30 feet total. This requirement shall not apply to uses which are predominantly characterized by being places of public assembly featuring auditoriums or meeting facilities including but not limited to religious institutions, movie or performing arts theaters, symphony halls, and convention facilities.<br>b. Expansion of existing structures: Permitted subject to non-conforming building regulations in LMC 21.60.700.C.   | To require a minimum level of development in the City Center to accommodate population and employment allocations. Consistent with Plan. Minimum height requirements are in effect in other city centers including Bothell, Mountlake Terrace, Mill Creek Town Center, Mercer Island, and Seattle - Pioneer Square/International District. |                      |
| 24 | 21.60.400 Basic Development Standards | Maximum building height in the Core north of 196 <sup>th</sup> steps back 350', 240', 130', and then 35' as a residential district buffer | <b>Remove maximum building height in the Core north of 196<sup>th</sup> of 350' and expand the 240' building height maximum south to 196<sup>th</sup>.</b> . Maximum Building Height a. In the City Center – Core (CC-C) zone, the maximum building height shall be 350 feet, except as follows:<br>i. From the centerline of 196th St. SW north 360 feet, the maximum building height of any portion of a building shall be 240 feet.<br>ii. From 360 feet north of the centerline of 196th St. SW and beyond, the maximum building height of any portion of a building shall be 130 feet.<br>iii. The maximum height of any portion of a building 150 feet or less from a residential zone shall be 35 feet. | Exact locations of height changes on adopted height map needed clarification.. Expansion of 240' height limit to the north side of 196 <sup>th</sup> in the Core protects the residential area to the north and maintains higher heights south of the Boulevard.   |                      |
| 25 | 21.60.400 Basic                       | Building height may be increased by up to 20 percent if the top is  | <b>Architectural roofline element.</b> Building height may be increased by up to 20 percent only to be used as a non-  | Clarification of language and moved from notes to building height map.   |                      |

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|    | Development Standards   | designed as a nonhabitable, architectural element. This allowance does not apply in the city center – core district (CC-C) where the maximum height is less than 350 feet.   | habitable, architectural roofline element. This allowance does not apply within 150 feet from a residential zone or in the city center – core zone (CC-C) where the maximum height is less than 350 feet.  |  |  |
| 26 | 21.60.400 Basic Development Standards and 21.60.500 Street Types and Design Guidelines Building/Sidewalk Relationship | Setbacks:<br>Boulevards: 5-15 ft<br>Pedestrian Streets: Locate buildings at back of sidewalk except public spaces<br>Other Streets: None – (Design guidelines state that buildings will be oriented to the adjacent street rather than to parking and buildings should be set relatively close to the back of the sidewalk if not directly abutting it. Buildings may be set back for public space and setting facades close to the street may be accomplished through base structures that extend out to the sidewalk, not the full height of the building. | <b>Update Setbacks with Fire Standards.</b><br>1. From Streets:<br>a) Buildings shall be located at the back of sidewalks (e.g. at the front lot line(s)) that abut streets, except as permitted otherwise in this chapter and in the Design Guidelines.<br>b) Buildings may be setback from the street for the purpose of providing public plazas as a FAR bonus feature and as required by the City Center Design Guidelines. The public plaza may exceed the minimum open space/public plaza size requirement. No more than 30% of any building frontage per street shall be setback from the sidewalk for use as a Public Plaza.<br>c) Along Boulevard streets, buildings may be setback up to 12 feet from the property line to provide public plazas meeting all provisions of Open Space/Public Plazas in the City Center Design Guidelines. This allowed setback on Boulevards is in addition to the area allowed for setbacks in LMC 21.60.400 B.1.b.<br>d) Buildings may be setback at intersection corners for providing public plazas.<br>2. Side: None required.<br>3. Rear: None required. | Clarifies the setback language and allows buildings on Boulevards to come up to the sidewalk or provide a usable pedestrian oriented buffer to the Boulevard to retail as much of the existing max setback as possible while meeting fire regulations <b><u>(setback standards are under review with fire regulation and are subject to change).</u></b> |  |
| 27 | 21.60.400 Basic Development Standards   | Floor Area Ratio<br>Basic Allowed:<br>All districts 0.5 / 1.0<br>Basic Allowed: w/Bonuses:<br>CC-W & N: 3.0 / 5.0<br>CC-C: 8.0 / 10.0  | <b>Added third category for Basic Allowable FAR for new development to increase for 3 story minimum. Bonuses still required above 3 stories. All other FAR basic allowable remain the same.</b><br>Added category: Basic Allowed New Development:<br>All districts 1.5 for non-residential and 2.0 for residential uses.   | Increase of basic allowed FAR for new development to account for height minimum. <b><u>(FAR standards are under review and subject to change).</u></b>   | <u>Recommended by consultant.</u><br>Increased basic allowable FAR in the CC-Core zone (from 1.5 to 2.0 for non-residential and from 2.0 to 3.0 for residential uses) above west and north zones to incentivize higher |

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|    |  |  |   |   | allowed densities in the Core.  |
| 28 | 21.60.400<br>Basic<br>Development<br>Standards | Space used for any bonus feature (see Table 21.60.2).  | <b>Clarified FAR calculation language:</b> Space used as a FAR bonus feature such as Office Use Above the Ground Floor, Street Level Retail use, Parking Underground or Parking Structured, Public Plaza and Residential use (see Table 21.60.2). Land area for the Promenade Walkway shall be included in determining the basic allowable FAR.   | To clarify the exclusion item and provide additional incentive for constructing the Promenade Walkway.  | <u>Recommended by consultant.</u><br>Updated floor area calculation exceptions to include on-site sustainability provisions, service areas and made the Promenade Walkway land area incentive for FAR calculation as separate bullet for clarity.   |
| 29 | 21.60.400<br>Basic<br>Development<br>Standards | Bonus FAR features: Green Roof   | <b>LEED Gold or Platinum Standards:</b> 25 percent increase in total floor area for meeting LEED Gold Certification standards (or similar) or above AND 40 percent increase in total floor area for meeting LEED Platinum Certification standards (or similar) or above. Requires Checklist stamped by the project architect illustrating certification elements have been integrated into the project. | Expand the current “green roof” FAR bonus to provide a FAR incentive for a broader spectrum of sustainability measures.   |   |
| 30 | 21.60.400<br>Basic<br>Development<br>Standards | Bonus FAR features: None.  | <b>Office Use above ground floor:</b> 2 sq. ft. of floor area for each sq. ft. of office use above the ground floor   | Provide an incentive for targeted employment growth   |   |
| 31 | 21.60.400<br>Basic<br>Development<br>Standards | Bonus FAR features:<br>Underground: 1 sq. ft. of floor area for each sq. ft. of required parking below grade<br>Structured Parking: 0.5 sq. ft. of floor area for each sq. ft. of required parking above grade | <b>Increase current bonus amounts for Structured Parking:</b><br>Underground: 2 sq. ft. of floor area for each sq. ft. of parking below grade<br>Structured: 1 sq. ft. of floor area for each sq. ft. of structured parking above grade   | Market study reflected difficulties in market to support structured parking options in the near term due to cost. Structured parking would improve land use in the City Center. | <u>Recommended by consultant.</u><br>Structured Parking:<br>Construction to be in conformance with the City Center Design Guidelines  |
| 32 | 21.60.400<br>Basic<br>Development<br>Standards | Bonus FAR features:<br>Public Plaza: 5 sq. ft. of floor area for each sq. ft. of plaza   | <b>Clarify Public Plaza bonus:</b><br>Clarify Plaza bonus is for amount above required minimum: (Buildings may be setback from the street for the purpose of providing public plazas subject to the Design Guidelines. No more than 30% of any building fronting a public street shall be setback from the sidewalk for the use of Public Plaza.)   | Clarify requirements, provide a maximum   | <u>Recommended by consultant.</u><br>Buildings may be setback from <a href="#">designated pedestrian-oriented/primary frontage street</a> for the purpose of providing public plazas subject to the Design Guidelines. No more than 30% of any building fronting a public street shall be |

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|           |                                       |  |  |   | <p>setback from the sidewalk for the use of Public Plaza <b>unless approved by the Community Development Director for providing additional solar access in conjunction with the Promenade Walkway.</b></p> <p>5 sq. ft. of floor area for each sq. ft. of plaza <b>above the amount required by the City Center Design Guidelines.</b></p> |
| <b>33</b> | 21.60.400 Basic Development Standards | Bonus FAR features: None.  | <b>Add Promenade Walkway bonus.</b> 20 sq. ft of floor area for each sq. ft. of Promenade. (Construction of the Promenade (private) on property in accordance with the City Center Design Guidelines. (Access easement dedication to the public must be recorded with approved maintenance provisions).)   | Incentivize the Promenade Walkway, discussion with property owners.   |  |
| <b>34</b> | 21.60.400 Basic Development Standards | Bonus FAR features: Residential Use: 2 sq. ft. of floor area for each sq. ft. of residential               | Residential Use (single purpose building) bonus remains the same.<br><b>Added: Residential Use in Vertically Mixed-Use Building:</b> 4 sq. ft. of floor area for each sq. ft. of residential use if the development is vertical mixed-use. (Residential development allowed by bonus square footage cannot be used to achieve additional square foot bonus.) | Add an additional FAR bonus for mixed use residential development to provide incentive for targeted population growth |  |
| <b>35</b> | 21.60.400 Basic Development Standards | Bonus FAR features: Street Level Retail: 100 sq. ft. of floor area for each linear foot of retail frontage | <b>Increase bonus amount:</b> 200 sq. ft. of floor area for each linear foot of retail frontage  | To incentivize mixed-use buildings  |  |
| <b>36</b> | 21.60.400 Basic Development Standards | Bonus FAR features: None   | <b>Add Donation to Public Park Fund category</b> to provide incentive for contribution to fund for Public Park. 20 sq. ft per \$100 contributed to Public Park Fund  | To incentivize investment in public infrastructure and amenities.   | <i>PC 5/26/11 NOTES: If this element is adopted, donation should be to a "Parks and Rec Foundation" and be tax deductible.</i>   |

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| 37 | 21.60.400<br>Basic<br>Development<br>Standards | Bonus FAR features:<br>Canopy, Public Art, Water<br>Feature, Green Roof  | <b>Delete FAR bonus items.</b> Canopy, Public Art, Water<br>Feature, Green Roof  | To focus density bonuses on elements that<br>better implement the Plan and to remove<br>inconsistency with required elements and<br>options in Design Guidelines. |                      |
| 38 | 21.60.400<br>Basic<br>Development<br>Standards | Procedures for continuation of<br>FAR bonus if the use allowing<br>for the initial FAR bonus<br>changes to another use over<br>time. No recording required.  | <b>Added recording requirement:</b> FAR bonuses granted<br>based on the use of the building (e.g. office use, residential<br>use, Street Level Retail) and use of an area (e.g. promenade<br>(private) or public plaza) shall be acknowledged in a<br>document recorded in a form acceptable to the City with<br>the Snohomish County Auditor's Office. The document<br>shall also reflect the requirement in subsection LMC<br>21.60.400 (3)(b) below.  | To ensure continuation of bonus features<br>that FAR was granted based upon.  |                      |
| 39 | 21.60.400<br>Basic<br>Development<br>Standards | Parking Requirements:<br>Retail, Office Residential,<br>Senior Housing, and<br>Restaurant uses are listed.<br>Parking Requirements for uses<br>not listed shall be determined<br>by a study of parking demand<br>for that use. | <b>Add parking standards for additional uses:</b><br>- Personal services and Offices serving customers on site<br>- Hotels, Motels or Other Overnight Accommodations<br>- Institutional uses<br>- Places of Assembly<br>- Entertainment/Recreational Activities<br>- Other uses<br><b>Removed reference to Net SF, replaced with Gross floor<br/>area.</b>   | To reduce burden on applicants to study<br>generic uses.<br><br>Net SF is not a term used elsewhere in the<br>code.   |                      |
| 40 | 21.60.400<br>Basic<br>Development<br>Standards | None.  | <b>Add carpool/vanpool space requirement.</b><br>All developments with more than 50 parking spaces shall<br>provide a minimum of one dedicated and signed<br>carpool/vanpool space. All developments with more than<br>100 parking spaces shall provide a minimum of two<br>dedicated and signed carpool/vanpool spaces.   | To encourage Transportation Demand<br>Management strategies and reduce single<br>occupant vehicle trips.  |                      |
| 41 |  |  | <b>Add Bicycle Facilities Requirements:</b><br>1. All non-residential developments providing 20 or more<br>parking stalls, shall be required to provide at least one bicycle<br>stall for every 20 vehicular parking stalls, up to a maximum<br>of 20 bicycle stall. Bicycle stalls may be storage lockers or<br>bicycle racks/stands.<br>2. Bicycle stalls shall be located within 100 feet of a building<br>entrance and shall be designed to allow either a bicycle frame<br>or wheels to be locked to a structure attached to the pavement<br>or to a structure. It is not necessary for all on-site bicycle |   |                      |

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|    |  |  | <p>stalls to be located in one central location. Bicycle stalls may be located within vehicular parking areas.</p> <p>3. One indoor bicycle stall shall be provided for every four dwelling units in multifamily residential uses, with the exception of specialized senior housing, unless individual garages are provided for every unit. The director may reduce the number of bicycle stalls if indoor storage is available to residents.</p>   |   |  |
| 42 | 21.60.400<br>Basic<br>Development<br>Standards | None.  | <p><b>Add requirements for service areas:</b><br/>         Exterior service areas shall not be located within 30 feet of a residential-zoned property. Service areas include but are not limited to: loading docks, trash dumpsters, compactors, refuse and recycling areas, and mechanical equipment areas. All external trash, recycling, and storage areas are required to be enclosed with a solid structure with a minimum height of seven feet and a roof. Enclosures shall be constructed of materials that match or complement the exterior materials of primary building(s) and shall not be constructed of wood or chain link (with or without slats).</p>  | To create standards for service areas.  |  |
| 43 | 21.60.450<br>Signs in the City<br>Center       | None .#B. Neon is currently in Design Guidelines.                              | <p>Move code provisions from design guidelines and updated basic prohibitions.</p> <p>A. The following signs are prohibited in the City Center zones, in addition to those signs prohibited by LMC 21.16.220.</p> <ol style="list-style-type: none"> <li>1. Cabinet signs (wall, monument and ground signs only),</li> <li>2. Electronic Changing Message Signs and Changeable Letter Signs, except for entertainment, places of assembly, and institutional uses with an occupancy load of 200 persons or greater and public transportation uses.</li> </ol> <p>B. Neon signs are permitted, however outlining buildings or portions of buildings in neon is prohibited.</p> <p>C. Window signs (signs located on the inside of a window so as to be easily and readily viewed from outside the window) may occupy up to 20 percent of the area of the window.</p> | <p>To update and clarify certain standards for signage in the City Center until City Center signage standards can be created.</p> <p>*Needed to remove prohibited signs from Design Guidelines and insert into this code section.</p> <p>-pole signs<br/>         -roof signs<br/>         -monument signs, except on boulevards not exceeding 8 feet in height</p> | <p>Removed from Design Guidelines and Added to Code – correct location:</p> <ol style="list-style-type: none"> <li>3. Pole signs or freestanding signs except for city sponsored directional or informational signage or Monument signs allowed per LMC 21.60.450 A.4.</li> <li>4. Monument signs, except along Boulevards with a maximum height of 8 feet.</li> <li>5. Roof signs.</li> </ol> |
| 44 | 21.60.500<br>Street Types                      | Lists basic requirements for Boulevards, Pedestrian Streets and Other Streets. | <p><b>Update and clarify existing and new street classifications:</b> Boulevards, Collector Arterials, Grid Street and Promenade (Public Street. (See Table 21.60.4)</p> <p>This includes</p> <ul style="list-style-type: none"> <li>▪ ROW width</li> <li>▪ Parking Lane</li> </ul>   | To updates and clarify street standards with new street classifications based on Street Master Plan findings and staff recommendations.   |  |

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|    |   |   | <ul style="list-style-type: none"> <li>▪ Sidewalk width</li> <li>▪ Curb and Gutter</li> <li>▪ Vehicular Travel Lanes</li> <li>▪ Bicycle Travel Lanes</li> <li>▪ Curb radius</li> <li>▪ Medians</li> </ul>  |   |   |
| 45 | 21.60.600<br>Design Review                                    | Demonstrate consistency and compatibility with streets in the street protection ordinance and parks/plazas as described in this section.  | Interim Ordinance No. 2885 removes all but two grid street protections (42 <sup>nd</sup> Ave. W. and 194 <sup>th</sup> St. SW) and removes the stated locations of the parks/plazas from the code.   | <b>Interim Ordinance No. 2885 adopted May 9, 2011</b><br>To implement the findings from the City Center Street Master Plan and implement the Sub-Area plan with flexibility that the plan provides. | Updated per comments from PC 5/26/11 to consolidate into 1 paragraph, removing duplication: Demonstrate consistency and compatibility with the Planned location and design of streets, as shown in the street protection ordinance, as amended. |
| 46 | 21.60.700<br>Non-conforming structures, sites, signs and uses | <p>Sites: Any other exterior renovation or expansion of building footprints, however, shall incorporate site design features that bring the site more into compliance with the standards.</p> <p>Buildings: Expansion or major renovation of such structures shall trigger compliance with both site design and building design standards.</p> <p>Signs: None</p> | <p><b>Clarify language for non-conforming sites.</b> Any other site improvements, exterior renovation or expansion of floor area or building footprints shall incorporate site design features that bring the site more into compliance with the standards of the City Center Design Guidelines regardless of whether or not the site improvements, renovation, and/or expansion triggers the design review process requirement per LMC 21.60.600.</p> <p><b>Clarify language for non-conforming buildings and buildings, deletes the term “Major Renovation”.</b> All expansion of building footprints, floor area or exterior renovation of such buildings and structures shall incorporate design standards that bring the site and building more into compliance with the City Center Design Guidelines regardless of whether or not the expansion triggers the design review process requirement per LMC 21.60.600.</p> <p><b>Add flexibility for non-conforming signage to be replaced with signs that are more conforming.</b> Signs. Throughout the city center, there are many signs existing at the adoption of the ordinance codified in this chapter that do not comply with the sign requirements of this Title. Non-conforming signs faces may be replaced. Non-conforming Pole sign, Roof</p> | To clarify standards for non-conforming sites and buildings and thresholds and increase flexibility for improving signage.  |   |

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|    |   |   | sign, and Monument sign structures, frames or supports may only be replaced if they are more conforming and are able to be located in the same location.  |  |                      |
| 47 | 21.60.800 Building Height Map           | Map shows grid streets prior to Ord. No. 2885, park locations, and undefined building height change north of 196 <sup>th</sup> in the Core.   | <b>Delete map from code. Language inserted in 21.60.400.</b>  | To update and clarify requirements for heights, streets and parks.   |                      |
| 48 | Design Guidelines Street Classification | Street Classifications reflect Major Boulevards, Promenade Street, New Collector Streets, Collector Arterials and are inconsistent with standards LMC 21.60.500 and in the guidelines | <b>Update to Street Classification and Access Map</b> to include revisions to grid streets, stated required park locations, new street classifications and allowed access zones.  | To update and clarify street standards with new street classifications based on Street Master Plan findings and staff recommendations. |                      |
| 49 | Design Guidelines Curb Cuts             | Curb cuts<br>Width: 36 ft<br>Spacing together: 200 ft unless frontage precludes<br>Promenade: Avoid curb cuts along Promenade   | <b>Update and add language for site access standards</b><br>Comply with Citywide Access standards except as follows:<br>Width: 30 ft.<br>Spacing together: 200 ft unless frontage precludes<br>Promenade: Avoid curb cuts along Promenade<br>Spacing from Intersections and locations: See Access Map<br>Setback: No required setbacks from property lines. | To clarify and update access standards based on Street Master Plan findings and staff recommendations.                                 |                      |

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| #  | Item   | Current  | Proposed  | Reason for Change  | Updates from 5/26/11 |
|----|--|--|---|--|----------------------|
| 50 | Design Guidelines<br>Parking Lot<br>Location                 | Provides guidelines for parking lot locations to be at the rear or side of buildings, not at intersections and not between the building or street along designated Pedestrian streets. | <b>Update Parking Lot Location guidelines:</b><br>Along the Promenade, surface parking shall be located to the rear of a building.<br>Along any other public street, parking shall be located to the rear, but may be located to the side if the building abuts a street.<br>Parking shall not be located at or within 150 ft from an intersection.<br>Sites over 1 acre to provide plan for phasing parking into structures over time.   | To clarify and update parking lot location standards and to plan to preserve abilities to structure parking and increase density over time.  |                      |
| 51 | Design Guidelines<br>Interior Parking<br>Lot Landscaping     | Provides guidelines for interior parking lot landscaping standards   | <b>Update and clarify allowed interior parking lot landscaping standards and add standards:</b> for sustainability, pedestrian access, and maintenance plan. Requirements also apply to other site landscaping.   | To clarify and update standards for interior parking lot and site landscaping  |                      |
| 52 | Design Guidelines<br>Streetscape                             | Standards for Boulevards, Pedestrian Streets and Other Streets with minimal detail.  | <b>Update streetscape standards:</b> including but not limited to new street classifications, standards, and additional details for streetscape requirements including sidewalk details, tree wells, lighting, locating utility and signal cabinets, and pedestrian amenities.  | To update, clarify and provide additional streetscape requirements to create consistency.  |                      |
| 53 | Design Guidelines<br>Site Lighting                           | None.  | <b>Add Site Lighting Section:</b> including but not limited to shielding, continuity, and height.   | To clarify standards for site lighting.  |                      |
| 54 | Design Guidelines<br>Pedestrian<br>Connections /<br>Walkways | Minimal standards for connections to public sidewalk, through parking lots, and between adjacent properties.   | <b>Update and add standards for pedestrian connections and promenade,</b> standards for private pedestrian connectivity replacing public <b>grid streets:</b> including but not limited to the following items:<br>1) Walkways to public sidewalks: 10 ft width min<br>2) Walkways through surface parking: 8 ft width min<br>3) Walkways connecting parcels: 10 ft width min<br>4) Promenade Walkway: 16 ft avg width min<br>5) Design Elements<br>6) Submittal of Plan<br>7) Access | Update language to clarify standards for pedestrian connections taking into consideration changes to grid streets proposed. The Promenade - Property owner(s) have expressed concern over lack of clarity on this issue. |                      |
| 55 | Design Guidelines<br>Vehicular<br>Connections                | None.  | <b>Add standards for internal site vehicular connections:</b> that support development of a pedestrian-friendly environment and are flexible for development replacing public grid streets.   | To clarify and update vehicular site access standards based on Street Master Plan findings and staff recommendations.  |                      |

June 2, 2011 - Overview of Draft City Center Development Regulation Recommendations for June 9, 2011 Planning Commission  
 - FOR SUMMARY & DISCUSSION PURPOSES ONLY, SEE DRAFT ORDINANCE FOR EXACT LANGUAGE PROPOSED -

| #  | Item  | Current  | Proposed   | Reason for Change  | Updates from 5/26/11 |
|----|---|--|--|--|----------------------|
| 56 | Design Guidelines<br>Bicycle Facilities                     | None.  | <b>Add standards for bicycle facilities.</b>   | Add standards for bicycle facilities to increase clarity for requirements.   |                      |
| 57 | Design Guidelines<br>Open Space /<br>Public Plaza           | 1% of the sum of the SF of building and site area is required.   | <b>Update standards for open space/public plazas:</b> including increasing the amount of usable hard-surfaced area. Added design to CPTED standards for safety.  | To update standards and create usable public spaces.   |                      |
| 58 | Design Guidelines<br>Community<br>Gateways                  | Provides standards for gateway locations.  | <b>Update the zoning map to reflect gateways and prominent intersection. Update standards for pedestrian-oriented and visibility requirements.</b>   | Currently gateways are referenced to be located on the Citywide Zoning Map, but they are not there. Updating the Zoning Map to reflect the gateways and prominent intersection reflected in the Sub-Area Plan. |                      |
| 59 | Design Guidelines<br>Building /<br>Sidewalk<br>Relationship | SEE #22 ABOVE. Provides guidelines for building location orientation to streets/sidewalks.   | <b>Clarifies and updates building orientation to streets including portions of buildings.</b><br>1) Buildings shall be oriented to the adjacent street or public park and directly abut the back of the sidewalk at the property line<br>2) Buildings may be setback for building façade articulation and/or usable public space<br>3) Buildings may meet this requirement through base structures, not necessarily the full height of the building<br>4) Design of buildings should avoid where possible requiring a fire lane between the building and the street. | Clarifies and updates building/sidewalk relationship language.   |                      |
| 60 | Design Guidelines<br>Street Level Uses<br>and Transparency  | Provides requirements for uses that belong in the code and refers to Promenade Streets, and Other Streets. Transparent windows shall be located between an average of 2 and 10 feet above grade. | <b>Update transparency and delete uses:</b> Remove use requirements as these are stipulated in the code. Update streets with new classifications. Add starting height of transparent windows starting no higher than 3 feet above grade.   | To update street standards, clarify use requirements, and update pedestrian-oriented street transparency standard.   |                      |
| 61 | Design Guidelines<br>Weather<br>Protection                  | Provides requirements for canopies.  | <b>Update canopy requirements:</b> provide a minimum width and height above the sidewalk and clarify standards.  | To clarify and update standards for weather protection.  |                      |
| 62 | Design Guidelines<br>Upper Level<br>Setbacks                | Street-facing facades of buildings should step back...Step backs shall be at least an average of 10 feet.  | Delete.  | Consolidated with Roof & Architectural Expression guideline. To allow design flexibility, not mandated step backs for every building,  |                      |

June 2, 2011 - Overview of Draft City Center Development Regulation Recommendations for June 9, 2011 Planning Commission  
 - FOR SUMMARY & DISCUSSION PURPOSES ONLY, SEE DRAFT ORDINANCE FOR EXACT LANGUAGE PROPOSED -

| #  | Item   | Current  | Proposed  | Reason for Change  | Updates from 5/26/11   |
|----|--|--|---|--|--|
| 63 | Design Guidelines<br>Roof and<br>Architectural<br>Expression | Buildings taller than 250 feet should incorporate step backs on their upper most floors or a top by another architectural feature. | Created guideline for buildings between 40-140 feet to incorporate distinctive roof or architectural forms.<br>Delete requirement for buildings taller than 250 to step back. | To add flexibility for high-rise buildings that do not have a top element, but are still architecturally dramatic. | Added definition for Terraced Step Backs for Roof Expression: 8 feet or greater on average |
| 64 | Design Guidelines<br>Signage                                 | References prior street classification   | Updates street classifications and removes monument signs from other streets.   | To create consistency with other building requirements and street updates.   | Moved prohibited signs from Design Guidelines to the Zoning Code. See #43 above.           |

***Lynnwood Planning Commission***  
**Meeting of June 9, 2011**

**Staff Report**

**Agenda Item:** E-2  
2011 Comprehensive Plan Amendments  
(2011CPL0001)

- Public Hearing
- Informal Public Meeting
- Other Business
- Work Session
- Information
- Miscellaneous

Lynnwood Department of Community Development

**ACTION**

Following the public hearing, the Planning Commission will be asked to make a recommendation on each proposed amendment to the City Council.

**BACKGROUND**

The Municipal Code provides a process for annual consideration of amendments to the City's Comprehensive Plan. Review of these amendments is a major component of the Planning Commission's annual work program.

The Municipal Code provides for two "types" of proposals to amend the Plan: formal amendment applications and suggested amendments. Suggested amendments are ideas or proposals that someone would like the City to consider but, for whatever reason, they do not wish to file a formal application.

**ANALYSIS AND COMMENT**

This year, all Amendments have been initiated by staff (no suggested amendments or private applications were filed). Attachment A lists the proposed 2011 Comprehensive Plan Amendments (note that they are listed in no particular order).

The following paragraphs summarize the proposals. The current versions of all the proposed amendments are on the CD that was distributed with the meeting packet for the May 12 Commission meeting (if you need another copy of the CD, please contact staff).

1. Environmental Resources Element: This Element was adopted as part of the 2000 Update of the Comprehensive Plan and has not been revised since then. The intent of these amendments is to bring the background discussions of environmental issues in the Element up to date. No policy changes are intended. A review of goals and policies would be part of the next major update of the Plan.
2. Capital Facilities (and Utilities) Element: As with the Environmental Resources Element, the intent of this proposal is to update the background information in the Element; no policy changes are proposed.

3. Implementation Element: The revisions to this Element are intended to update discussions of the following topics:
  - a. Annexations (and delete out-of-date policy objectives);
  - b. Timing of the next major update of the Comprehensive Plan; the deadline for completion of the update was not included in the prior version of the amendments (note: the bill extending the deadline to June 30, 2015 has been signed by the Governor.); and
  - c. Linkages between land use designations (in the Plan) and zoning designations.
4. Parks Element Update: The revisions to this Element are the regular annual update of the Parks Element. In particular, discussion of the level of service for park facilities in the City Center would be revised to cross-reference the City Center Subarea Plan; existing text in the Element does not accurately describe the policies in the Subarea Plan.
5. Energy & Sustainability Element: These revisions replace references to a specific date for the next major update of the Plan (which now has changed twice) to a general reference to that update.
6. Land Use Element: This revision updates the table of acreage of land with each future land use designation (Table 1); no policy changes are proposed.

## **ENVIRONMENTAL REVIEW**

The City's Environmental Review Committee has issued a Determination of Non-Significance for this proposal. This determination means that there is no evidence of a probable significant environmental impact from this proposal and so an environmental impact statement is not required.

## **RECOMMENDATION**

Recommend that the City Council approve all proposed amendments.

## **ATTACHMENTS**

- 2011 Docket – Summary Table

## 2011 Comprehensive Plan Amendments

The City of Lynnwood is considering the following amendments to the City's Comprehensive Plan in the annual review of proposed amendments to the Plan for 2011 ("2011 Docket").

| <b>No.</b> | <b>Name</b>                     | <b>Location</b> | <b>Summary Description</b>   |
|------------|---------------------------------|-----------------|--|
| 1          | Environmental Resources Element | Citywide        | Update descriptions of environmental issues; no policy impact  |
| 2          | Capital Facilities Element      | Citywide        | Update descriptions of current capital facilities and utility services; no policy impact.  |
| 3          | Implementation Element          | Citywide        | Update land use – zoning consistency table, schedule for docket process and schedule for major Plan update.  |
| 4          | Parks Element Update            | Citywide        | 1. Annual update – no policy impact.<br>2. Delete discussion of level-of-service for parks/plazas in City Center and reference LOS in City Center Subarea Plan |
| 5          | Energy & Sustainability Element | Citywide        | Clarify timing of full integration of the Element into other Elements of the Plan at "next major update of the Comprehensive Plan."                            |
| 6          | Land Use Element                | Citywide        | Update acreage-by-designation in Table 1; no changes of designations or policy impact  |

***Lynnwood Planning Commission***  
**Meeting of June 9, 2011**

**Staff Report**

**Agenda Item:** E-3  
Two-Year Docket Cycle Code  
Amendment (2011CAM0007)

- Public Hearing
- Informal Public Meeting
- Other Business
- Work Session
- Information
- Miscellaneous

Lynnwood Department of Community Development

**ACTION**

Following the public hearing, make a recommendation to the City Council on this proposed code amendment.

**BACKGROUND**

As part of preparing the 2011-12 City Budget, staff reviewed existing operations and identified opportunities to reduce operating costs. One idea for reducing costs in the Comprehensive Planning program is to change processing amendments to the City's Comprehensive Plan ("Docket") from an every-year activity to an every-other-year activity. This change was included in the budget for the Community Development Department.

**RELEVANT LEGAL CITATIONS**

RCW 36.70A.130(2)(a) states, in relevant part that agencies planning under the Growth Management Act (GMA) must adopt a schedule,

"whereby updates, proposed amendments, or revisions of the comprehensive plan are considered by the governing body of the county or city no more frequently than once every year."

LMC Chapter 18.04 and the Implementation Element of the Comprehensive Plan state the schedule for considering updates and amendments to the Comprehensive Plan.

**ANALYSIS AND COMMENT**

This code amendment (and a concurrent amendment to the Implementation Element in this year's Docket) would establish a two-year cycle for Comprehensive Plan Amendments. If approved, this schedule would schedule processing of the Docket in odd-numbered years, as during even-numbered years, much of the City Council agenda

time is taken up by consideration of a new (two-year) budget. A draft ordinance is attached.

Other than this change, the Docket process would continue to operate as it has in the past. Applications for and suggested amendments would be due on March 1<sup>st</sup> of the Docket-year (2011, 2013, 2015, etc.), followed by creation of a Proposed Amendment List (if necessary) in April-May, review and recommendation by the Planning Commission (May-July) and action by the City Council (August-September).

In preparing the draft ordinance, staff identified additional minor changes that are needed to comply with recent changes to GMA.

## **ENVIRONMENTAL REVIEW**

The City's Environmental Review Committee has issued a Determination of Non-Significance for this proposal. This determination means that there is no evidence of a probable significant environmental impact from this proposal and so an environmental impact statement is not required.

## **RECOMMENDATION**

Recommend that the City Council approve this code amendment.

## **ATTACHMENTS**

- Draft Ordinance

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CITY OF LYNNWOOD  
ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, REVISING THE TIMING FOR PROCESSING OF AMENDMENTS TO THE CITY’S COMPREHENSIVE PLAN TO ONCE EVERY TWO YEARS, UPDATING THAT PROCESS TO COMPLY WITH RECENT AMENDMENTS TO STATE LAW, AMENDING CHAPTER 18.04 OF THE LYNNWOOD MUNICIPAL CODE AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND SUMMARY PUBLICATION.

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WHEREAS, the City of Lynnwood conducts its comprehensive planning program pursuant to the Growth Management Act (GMA) of the State of Washington; and

WHEREAS, RCW Section 36.70A.130 of the GMA allows a city to amend its Comprehensive Plan no more often than once a year; and

WHEREAS, the City of Lynnwood has considered amendments to the Comprehensive Plan on an annual basis since 1995, and

WHEREAS, Chapter 18.04 states the regulations for processing proposed and suggested amendments to the Comprehensive Plan on an annual basis; and

WHEREAS, staffing reductions associated with the current City revenue shortfall have reduced the staff hours available to the City’s Comprehensive Planning program; and

WHEREAS, the City Council has determined that it is in the City’s best interest to provide for review of amendments to the Comprehensive Plan every two years; and

WHEREAS, RCW Section 36.70A.130 has been amended in recent years, and the City’s Comprehensive Plan amendment process should be made consistent with those amendments.

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

1 Section 1. Amendment: Section 18.04.020 of the Lynnwood Municipal Code is hereby  
2 revised to read as follows:

3 **18.04.020 Annual Amendment Process.**

4 Except as provided in LMC 18.04.030:

- 5 A. Proposals for amendments of the comprehensive plan shall be considered by  
6 the city council no more frequently than once every two years and specifically  
7 in years when the city council is not considering a new biennial budget under  
8 LMC 2.72, except that updates of the Comprehensive Plan, as required by  
9 RCW Section 36.70A.130 (5), shall be considered during the calendar year in  
10 which completion of the update is required;
- 11 B. Proposals for plan amendments shall be considered concurrently so that the  
12 cumulative effect of various proposals can be ascertained; and,
- 13 C. Proposals may be considered at separate meetings or hearings, so long as the  
14 final action taken considers the cumulative effect of all the proposed  
15 amendments to the plan.

16 Section 2. Amendment: Section 18.04.030 of the Lynnwood Municipal Code is revised  
17 to read as follows:

18 **18.04.030 Exception to annual amendment**

19 In addition to the annual amendment process, the city council may amend the  
20 comprehensive plan in any of the ~~following~~ circumstances stated in RCW  
21 Section 36.70A.130 (2)(a) and (b):

- 22 ~~A. Resolution of an emergency condition or situation that involves public health, safety~~  
23 ~~or welfare; and when adherence to the annual amendment process would be further~~  
24 ~~detrimental to public health, safety or welfare.~~
- 25 ~~B. Initial adoption of an identified subarea plan designed to comply with the Growth~~  
26 ~~Management Act and to be consistent with the city's comprehensive plan.~~
- 27 ~~C. Adoption of comprehensive plan designation(s) associated with an annexation and~~  
28 ~~intended to take effect upon annexation, or other date specific.~~
- 29 ~~D. Resolution of decision by an administrative agency, or court of competent~~  
30 ~~jurisdiction.~~

31 Determination of an exception to the annual amendment process shall be made by the city  
32 council after recommendation by the planning commission. Proposed comprehensive  
33 plan amendments which are reviewed outside the annual amendment process shall be  
34 processed according to LMC 18.04.050, 18.04.060, and 18.04.070.

1 Section 3. Amendment: Section 18.04.040 of the Lynnwood Municipal Code is revised  
2 to read as follows:

3 **18.04.040 Preparation of the proposed amendment list (PAL).**

4 A. Annual List of Suggested Amendments. The community development director shall  
5 compile and maintain for public review an annual list of suggested amendments to the  
6 comprehensive plan or subarea plans that are citywide in nature and that are not for  
7 personal gain, project-related or site-specific.

8 B. Public Participation Process – Suggested Amendments.

9 1. The annual amendment process shall generally follow the citizen involvement  
10 program contained in the introduction element of the comprehensive plan and  
11 shall provide for early and continuous public involvement with broad  
12 dissemination of proposals and alternatives, opportunity for written comments,  
13 public meetings after effective notice, provisions for open discussion,  
14 communication programs, information services, and consideration and response to  
15 public comments.

16 2. The deadline for receipt of suggested plan amendments shall be 5:00 p.m. on  
17 ~~April~~March 1st of each year, or the nearest next working day if ~~April~~March 1st  
18 falls on a weekend.

19 3. General public notice shall be given at least 60 days prior to the application  
20 deadline to inform the public of the annual plan amendment process, the deadline  
21 for plan amendment suggestions and applications and how to obtain additional  
22 information.

23 C. Planning Commission and City Council Review – Suggested Amendments.

24 1. ~~Immediately f~~Following the ~~April~~March 1st deadline for suggested amendments, the  
25 director of community development shall recommend a list of suggested  
26 amendments for inclusion on the proposed amendments list for processing. The  
27 director shall base the recommendation on a preliminary evaluation of the need,  
28 urgency, and appropriateness of the suggested plan amendments, and the criteria  
29 set forth in the implementation element of the comprehensive plan.

30 2. The director's recommendation, and a brief description of each suggested plan  
31 amendment, shall be forwarded to the planning commission for review and  
32 consideration. The planning commission shall hold a public hearing to accept  
33 public comments on any or all of the suggested amendments and to consider any  
34 additional suggestions for inclusion on the proposed amendments list that may be  
35 offered. The planning commission's recommended proposed amendments list  
36 shall then be finalized and forwarded to the city council. The commission shall  
37 base its recommendations on its preliminary evaluation of the need, urgency and  
38 appropriateness of the suggested plan amendments, and the criteria set forth in the  
39 implementation element of the comprehensive plan.



1  
2 On the \_<sup>th</sup> day of \_\_\_\_\_, 2011, the City Council of the City of Lynnwood,  
3 Washington, passed Ordinance No. 2824. A summary of the content of said ordinance,  
4 consisting of the title, provides as follows:  
5

6  
7 AN ORDINANCE OF THE CITY OF LYNNWOOD,  
8 WASHINGTON, REVISING THE TIMING FOR PROCESSING  
9 OF AMENDMENTS TO THE CITY'S COMPREHENSIVE  
10 PLAN TO ONCE EVERY TWO YEARS, AMENDING  
11 CHAPTER 18.04 OF THE LYNNWOOD MUNICIPAL CODE  
12 AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE  
13 DATE AND SUMMARY PUBLICATION.

14  
15 The full text of this Ordinance will be mailed upon request.  
16

17 DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2011.  
18  
19

20  
21 \_\_\_\_\_  
22 LORENZO HINES, JR., FINANCE DIRECTOR  
23  
24

**Lynnwood Planning Commission**  
**Meeting of June 9, 2011**

**Staff Report**

**Agenda Item:** F-1  
Self Storage Code Amendment  
(2011CAM0002)

- Public Hearing
- Informal Public Meeting
- Work Session
- Other Business
- Information
- Miscellaneous

Lynnwood Dept. of Community Development — John Bowler

**Action**

Discussion only, at this work session.

**Background**

Self-service storage facilities, also known as “mini-storage” or “mini-warehouses”, are currently permitted as such in the BTP zone and in the City Center zones except that in the CC-C zone they may not be at street level\*. However in 2009, in the case of *General Stor-Age vs. City of Lynnwood Community Development Dept. the Snohomish Co.* Superior Court ruled that a self-service storage facility was a “Business and Professional Services” (LMC 21.46.100: Table 21.46.02) and could be located in the Community Business (B-1) zone where such are allowed. The court’s ruling was specific to the B-1 zone, but “Business Services” are a permitted use in all commercial zones, and so the court’s ruling could allow self-service storage in all commercial zones.

There are three existing self-service storage facilities (SSSFs) in Lynnwood:

Public Storage – 5200 180<sup>th</sup> St. SW – 55,700 s.f. - 1980

Shurgard – 18926 Highway 99 – 59,900 s.f. - 1979

Shurgard – 4600 196<sup>th</sup> St. SW – 90,200 s.f. – 1980

There four more in the potential annexation area.

All are what is referred to in the industry as “second generation” facilities of a type many people are familiar. They are, essentially single-story buildings with a row of roll-up garage doors in a fenced, secure enclosure. The buildings are not typically climate controlled. They may include outdoor storage areas (for boats, RVs, etc) and may have living quarters for a facility manager/watchperson on-site.

**Relevant Legal Citations**

*General Stor-Age, LLC vs. City of Lynnwood Dept. of Community Development*

\* Proposed amendments to the City Center zone regulations, and proposed new zones and regulations for the Highway 99 corridor may change where they are allowed, but these amendments are still in draft form.

Snohomish Co. Superior Court No. 09-2-04337-8

LMC 21.50.100 allows “mini-warehouses” in the BTP zone.

LMC 21.60.300 allows all uses “unless specifically prohibited” in the CC zones.

LMC 21.60.300(B)(5) specifically prohibits “mini-storage on the street level” in the CC-C zone.

2011CAM0004 proposes changes to the City Center regulations which may affect SSSFs.

2009CAM0001 proposes new zoning regulations for the Highway 99 corridor which may also affect SSSFs.

### **Analysis and Comment**

Exhibit 1 is a proposed zoning code amendment which provides a definition for self-service storage facilities (SSSFs), clarifies what is meant by the term “business services” and eliminates discrepancies in how the zoning code refers to SSSFs. These amendments respond directly to the Superior Court decision.

However, while the staff was considering these changes, the city received inquiries about the possibility of placing facilities of this type in non-industrial areas, some of which may be adjacent to residential areas. The self-service storage industry and the nature of SSSFs have changed a great deal over the last decade or so. Those changes raise the possibility of considering revisions to the zoning code both with respect to where they may be allowed and what restrictions the City should impose on them. Exhibit 2 is a preliminary draft of some zoning code changes which the staff believes would be necessary if the city were to consider allowing SSSFs in commercial zones. (The proposed ordinance and amendment in Exhibit 2 are draft and for discussion only. The staff is interested in receiving the Planning Commission’s input and ideas regarding these proposed amendments and especially concerning what zones the City might allow self-service storage facilities in and what use and design restrictions should be placed on them if they are allowed.)

New SSSFs built in communities near Lynnwood in the last few years are what the industry refers to as “fourth generation” facilities. They are typically multi-story, secure buildings, climate controlled and professionally managed. Exhibit 3 is a marketing piece for a Florida SSSF, but on the bottom of the second page is an outline of the evolution of SSSFs.

Mr. James Pontak, a local developer specializing in SSSFs has provided graphics of some new SSSFs (Exhibit 4). However like all such developments they can be well done or poorly done. Exhibit 5 shows pictures of some other recently built self-service storage facilities in King and Snohomish Counties.

Most jurisdictions, including most in the vicinity of Lynnwood, have few if any regulations pertaining specifically to SSSFs; typically the only mention of SSSFs is a line item in a use matrix, and possibly a definition. Exhibit 6 is from the Snohomish Co. code and this is all the SCC has to say. This approach is quite typical, especially if the jurisdiction restricts SSSFs to industrial zones. However staff found a number of

jurisdictions with a more in-depth approach. Exhibit 7 includes excerpts from some of the more creative municipal codes staff found.

|                   |  |
|-------------------|--|
| Snohomish Co.     | Planned Commercial, General Commercial, Industrial Park, Business Park, Light Industry, Heavy Industry |
| Edmonds           | Prohibited   |
| Mountlake Terrace | Not specifically listed or mentioned   |
| Mukilteo          | Industrial zones only  |
| Shoreline         | Permitted in Industrial zones; may be permitted as part of a mixed use project                         |
| Bothell           | Community Business, General Commercial, Light Industrial   |
| Bellevue          | Light Industrial, General Commercial   |
| Federal Way       | Allowed in Industrial Zones & in BN zones with specific limitations (see Exhibit 7)                    |
| Seattle           | Allowed with CUP in mixed use zones.   |
| Portland, OR      | Permitted in industrial zones and in some commercial zones with special regulations (see Exhibit 7)    |
| Somerville, MA    | SSSFs must be made so they can be converted to other uses e.g. offices or apartments.                  |

**Policy Questions:**

- Should the City allow SSSFs in other than industrial zones? If so, in what zones should self-service storage facilities be permitted? Staff is considering:
  - In CG zones as a permitted (P) use
  - In B1 and B3 zones with a CUP or possibly with administrative approval.
- should an SSSF be only in conjunction with an otherwise allowed use e.g. on the ground floor or as part of a mixed use development?
- Should the City allow truck/trailer rental sale of packaging supplies etc. as an accessory use in some zones?
- Should the City allow accessory outdoor storage in some zones?
- Should the standards in Exhibit 2 be code requirements or should they be added to the Design Guidelines? Existing permitting processes allow more flexibility in the application of Design Guidelines than for code requirements.

**Factors to Consider**

- Impact on neighboring uses:
  - low vehicle traffic generation (Exhibit 8) and not in peak hours

- low foot traffic/activity generation – so SSSFs may not be appropriate in areas where this kind of activity is desired. See e.g. Exhibit 6 (Portland). Also the City of Seattle prohibits SSSFs on the street level in some cases.
- Economic development:
  - SSSFs generate neither sales tax nor significant employment
  - Building Recycling: Because of their flexibility SSSFs are often built in existing vacant commercial or industrial buildings. Reuse of existing buildings may not be subject to Design Review.
- Outdoor storage: many SSSFs have outdoor storage areas for boats, RVs, shipping containers, etc. Should outdoor storage areas be allowed in any commercial zone?
- Site & Building Design Issues:

An SSSF built anywhere in the City would have to comply with the Lynnwood City Wide Design Guidelines. However, to an extent the Design Guidelines were written with office and retail type development in mind and there are certain aspects of SSSF design they do not consider.

  - Upper floor transparency
  - Blank & opaque walls especially on upper stories
  - Entrances
  - Colors:
  - Materials

The staff has proposed some standards in the draft ordinance for discussion.
- Site security – fencing. Office and retail building are rarely fenced, but SSSFs often are and even multi-story ones sometimes are.

**Recommendation:**

Discuss proposals and give direction to staff.

# Preliminary Draft For Discussion Only

CITY OF LYNNWOOD

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, AMENDING LYNNWOOD MUNICIPAL CODE CHAPTERS 21.02, 21.18, 21.59 AND 21.60 RELATING TO SELF-SERVICE STORAGE FACILITIES, 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, pursuant to Lynnwood Municipal Code Title 21 Zoning, “business services” and “professional services” are permitted uses in a number of zoning districts, including (but not limited to) the Restricted Business (B-4), Neighborhood Business (B-3); Limited Business (B-2), Community Business (B-1), Planned Commercial Development (PCD), Planned Regional Shopping Center (PRC), City Center (CC), General Commercial (CG), Commercial-Residential (CR) and College District Mixed Use (CDM) zones; and

WHEREAS, since at least 1994 when the City updated the zoning code to comply with the Growth Management Act, the City has considered that the terms “mini-warehouse,” “mini-storage,” and “self-service storage” did not fall within the meaning of the terms “business services” or “business and professional services,” and therefore these uses were not permitted uses in the above listed zones simply because “business services” or “business and professional services” are a permitted use in those zones; and

WHEREAS, in March 2010 the Snohomish County Superior Court in the case of *General Stor-Age, LLC vs. City of Lynnwood Department of Community Development* (No. 09-2-04337-8) held that the City erred in interpreting the law, and that as a matter of law under the Lynnwood Municipal Code, self-storage and mini-storage are outright permitted uses as “Business and Professional Services not otherwise mentioned”; and

WHEREAS, to preserve the integrity of the City’s zoning code and the related Comprehensive Plan land use designations, the City should preclude the construction and operation of “mini-warehouses,” “mini-storage,” and “self-service storage” facilities in the Restricted Business (B-4), Neighborhood Business (B-3), Limited Business (B-2), Community Business (B-1), Planned Commercial Development (PCD), Planned Regional Shopping Center (PRC), General Commercial (CG), Commercial Residential (CR), and College District Mixed Use (CDM) zones; and

WHEREAS, self-service storage facilities are incompatible with the goals of the Lynnwood City Center Plan and should be prohibited in the City Center-Core (CC-C), City Center-North (CC-N), City Center-West (CC-w) zones; and

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Exhibit /

# Preliminary Draft For Discussion Only

1 WHEREAS, on the \_\_\_\_\_ day of \_\_\_\_\_, 2011, the Lynnwood Planning Commission  
2 held a public hearing on proposed amendments to the Lynnwood Municipal Code relating to self-  
3 service storage facilities and the definition of business and professional services; following which the  
4 Planning Commission voted to forward a recommendation that the Lynnwood City Council adopt the  
5 amendments to the Lynnwood Municipal Code as proposed by the staff; and  
6

7 WHEREAS, the City Council has determined that it is in the best interest of the City and  
8 necessary for the protection of public health, safety, property and peace including the land use  
9 policies embodied in the City of Lynnwood Comprehensive Plan and zoning code to amend the  
10 Lynnwood Municipal Code in order to address these issues and to clarify the meaning and intent of  
11 the affected sections of the Lynnwood Municipal Code; now, therefore  
12

13 THE CITY COUNCIL OF THE CITY OF LYNNWOOD, WASHINGTON, DO ORDAIN  
14 AS FOLLOWS:

15  
16 Section 1. Findings. The recitals above are adopted as findings that support passage of this ordinance.  
17

18 Section 2. Amendment. Chapter 21.02 of the Lynnwood Municipal Code is amended as follows:  
19

20 21.02.~~192~~191 Business park and technical park.  
21

#### 22 21.02.192 Business Services.

23 "Business services" are businesses primarily engaged in providing administrative support  
24 services to other business on a fee or contract basis, such as (but not limited to) advertising,  
25 mailing, copying, printing and binding; personnel and employment services; accounting,  
26 bookkeeping, tax preparation; management and professional consulting; office equipment rental,  
27 maintenance and repairs; travel agencies and similar services. Business services under this  
28 definition are characterized by their ability to locate in (and typically being found in), ordinary  
29 office or retail space, and by not requiring physical facilities or configurations not ordinarily  
30 found in office or retail buildings such as extensive storage or warehouse space, classrooms,  
31 laboratories, manufacturing space, special material handling facilities, etc.  
32

#### 33 21.02.584 Professional Offices

34 "Professional offices" means offices buildings or office space within mixed-use buildings  
35 designed and intended maintained and used as a places of business and professional practice for  
36 conducted by persons and businesses engaged in professional services as defined by this Title. ~~the~~  
37 ~~healing arts of human being such as doctors and dentists ( but wherein no overnight care for~~  
38 ~~patients is given) and by engineers, attorneys, architects, accountants and other persons providing~~  
39 ~~services utilizing training in and a knowledge of mental disciplines as distinguished from training~~  
40 ~~in occupations requiring skill or manual dexterity or the handling of commodities.~~  
41 (Ord. 2020 § 2, 1994; Ord. 190 Art. IV § 416, 1964)  
42

#### 43 21.02.586 Professional Services.

44 "Professional services" are services provided by persons engaged in the healing arts of human  
45 beings, such as doctors and dentists, and by engineers, attorneys, architects, accountants and  
46 other persons providing services utilizing training in and knowledge of mental disciplines as  
47 distinguished from training in occupations requiring manual skills, dexterity, or the handling of  
48 commodities.

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## **21.02.658 Self-Service Storage Facility.**

"Self service storage facility" means a building, group of buildings or other facility having compartments, rooms, spaces, containers or other type of units which are individually leased, rented, sold or otherwise contracted for by customers for the storage of personal or business goods or property, and where the facility owner/operator has limited access to the units or liability for goods stored. For purposes of this title, the term self-service storage facility shall be considered synonymous with self-storage warehouse, self-storage facility, mini-warehouse or mini-storage.

## **21.02.803 Warehouse.**

"Warehouse" means a structure, room, or rooms for the storage of merchandise or commodities. The term "warehouse" does not refer to "self-service storage facilities."

**Section 3: Amendment.** Chapter 21.18 of the Lynnwood Municipal Code is amended as follows:

## **21.18.800 Capacity Requirements.**

Off-street parking shall be provided in accord with the following tables:

**Table 21.18.10**

| <b>Industrial Uses</b>  | <b>Number of Parking Stalls Required</b>                                |
|---|---|
| Apparel Manufacturing   | One per 350 SF GFA  |
| Baking, Bottling and Canning Establishments   | One per 600 SF GFA  |
| Engraving   | One per 350 SF GFA  |
| Machinery Repair without Sales  | One per 200 SF GFA, whichever is greater                                |
| Manufacturing and Assembly Businesses, and Other Light Industrial including research and testing but not apparel, printing and related business | One per 600 SF GFA  |
| Printing or Publishing Business   | One per 350 SF GFA  |
| Self-Service Storage Facilities ( <del>Mini-Warehouses</del> )  | One per 60 storage units, or one per 3,000 SF GFA, whichever is greater |
| Warehouses ( <u>not including self-service storage facilities</u> )   | One per employee or two per 3,000 SF GFA, whichever is greater          |

**Section 4: Amendment.** Chapter 2.50 of the Lynnwood Municipal Code is amended as follows:

## **21.50.100 Uses allowed in the industrial zones.**

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**Table 21.50.01**

| Use   | BTP | LI |
|---|-----|----|
| Accessory Greenhouses   | AC* | —  |
| Assembly of Wood, Light Metal, Glass, Electronic, Electrical or Plastic Parts or Components which are extruded, stamped, manufactured, shaped, or prepared elsewhere, not precluding minor processes such as cutting, drilling, soldering, or minor welding | P   | P  |
| Athletic Clubs containing such facilities as handball, racquetball, tennis, and basketball courts, swimming pools, and exercise rooms   | P   | P  |
| Auditoriums   | —   | P  |
| Auto Wrecking Yards   | —   | C  |
| Automotive and Machinery Repairing and Storage  | —   | P  |
| Banks and Other Financial Institutions  | C   | —  |
| Barber Shops and Beauty Parlors   | AC* | —  |
| Biotechnology (except manufacturing pharmaceuticals)  | P   | P  |
| Blacksmithing, Welding, and Metal Fabricating Shops   | —   | P  |
| Bookstores, News Stands, and Stationery Stores  | AC* | —  |
| Bottling and Packaging Plants   | C   | —  |
| Building Material Yards   | —   | P  |
| Business and Professional Offices including offices of a clerical or administrative nature  | P   | P  |
| Business Services and Office Supplies   | P   | —  |
| Cabinet, Millwork, or Wood Prefabrication Operations  | C   | P  |
| Child Day Care (e.g., day care for children of employees or of patrons)   | —   | AC |
| Contractor's Offices, Shops, and Indoor Storage   | P   | P  |
| Contractor's Offices, Shops, and Storage Yards  | —   | P  |
| Employees' Cafeterias   | AC  | P  |
| Florist Shops   | AC* | —  |
| Food and Dry Goods Distribution Operations  | P   | P  |
| Food and Dry Goods Processing and Packaging   | C   | P  |
| Freight Warehouse Terminals   | C   | P  |
| Furniture Manufacture and Repair Shops  | C   | P  |
| Wireless Communications Facility less than 300 feet from residential zones (as measured from the wireless communications support structure to the property line of the nearest residentially zoned parcel) <sup>+</sup>                                     | C   | C  |
| Wireless Communications Facility 300 feet or more from residential zones (as measured from the wireless communications support structure to the property line of the nearest  | P   | P  |

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|   |              |              |
|---|--------------|--------------|
| residentially zoned parcel)   |              |              |
| Wireless Communications Facility, Attached  | P            | P            |
| Gift Shops  | AC*          | -            |
| Indoor and/or Outdoor Tennis Courts, Racquet Clubs, and Handball Courts   | C            | -            |
| Research and Development  | P            | P            |
| Laundry and Dry Cleaning Plants   | -            | P            |
| Manufacturing, Rebuilding or Repairing Nonmetal Products  | -            | P            |
| Manufacturing Pharmaceuticals   | -            | C            |
| Mass Transit Storage and Maintenance Facilities   | -            | C            |
| <del>Mini-warehouses</del>  | <del>P</del> | <del>-</del> |
| Municipal Services  | P            | P            |
| Park and Pool Lots  | C            | P            |
| Pharmacies in conjunction with medical, dental, optical, and chiropractic clinics   | AC           | -            |
| Plant Nurseries   | AC*          | -            |
| Printing, Publishing and Binding  | P            | -            |
| Printing Plants   | -            | P            |
| Public Utility Facilities   | C            | -            |
| Recycling Collection Centers  | -            | C            |
| Repair Shops for Household Appliances   | AC*          | -            |
| Residences for Watchmen or Custodians   | -            | P            |
| Restaurants providing on-premises service   | AC*          | -            |
| Retail Lumber Yards   | -            | P            |
| <u>Self-Service Storage Facilities</u>  | <u>P</u>     | <u>P</u>     |
| Universities, Colleges, Schools, including preschools, commercial schools, such as dancing, music, trade, etc.  | P            | -            |
| Veterinary Clinics and Veterinary Hospitals <sup>+</sup>  | C            | -            |
| Warehouses ( <del>except mini-warehouses</del> not including self-service storage facilities)   | P            | P            |
| Wholesale trade (i.e., wholesale stores)  | P            | P            |
| Wholesale trade (i.e., wholesale stores) with retailing confined exclusively to products which are manufactured, packaged, repacked, reloaded or otherwise processed on the same premises | C            | P            |
| Wood, Coal and Oil Fuel Yards   | -            | P            |

- 1
- 2 +See LMC 21.50.110.
- 3 Key:
- 4 P = Use is permitted as a primary use.

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- 1 C = The use may be permitted through issuance of a conditional use permit.  
2 AC = Use is permitted as an accessory conditional use and must be related to the principal  
3 use of the tenant space or property.  
4 AC\* = These accessory conditional uses may occupy no more than 25 percent of the floor  
5 area.  
6 - = Use is prohibited.  
7 (Ord. 2490 § 5, 2004; Ord. 2441 § 16, 2003; Ord. 2065 § 9, 1995; Ord. 2052 § 2, 1995; Ord.  
8 2020 § 21, 1994; Ord. 1879 §§ 7, 8, 1992; Ord. 1766 § 8, 1990; Ord. 1648 § 3, 1988; Ord.  
9 1575 § 4, 1987; Ord. 1465 § 3, 1985; Ord. 1458 § 7, 1985; Ord. 1445 §§ 4, 5, 1985; Ord.  
10 1430 §§ 1, 2, 1985; Ord. 1361 § 2, 1983; Ord. 1347 § 1, 1983; Ord. 1182 §§ 1, 2, 1981; Ord.  
11 1119 §§ 5, 6, 1980; Ord. 1036 § 2, 1979; Ord. 991 §§ 1, 2, 1978; Ord. 964 § 1, 1978; Ord.  
12 748 § 1, 1974; Ord. 407 § 2, 1968).

13  
14 Section 5 Amendment. Chapter 21.60 of the Lynnwood Municipal Code is amended as follows:

## 15 16 **21.60.300 Use Limitation**

17 All uses shall be allowed in the city center districts unless specifically prohibited below.

### 18 A. Prohibited in all city center districts:

- 19 1. Adult establishments;  
20 2. Billboards;  
21 3. Industrial uses (excluding management, research and development and sales  
22 operations);  
23 4. Outdoor storage or display of materials and equipment (except during construction);  
24 5. Repair of vehicles, unless entirely within a building;  
25 6. Self-service storage facilities;  
26 7. Sewage treatment plants;  
27 8. Work release facilities;  
28 9. Wrecking yards;  
29 10. Secure community transition facilities;  
30 11. Uses not fully contained within a building;  
31 12. Warehouses  
32 13. Any other uses similar to those listed above or any other use determined by the  
33 Community Development Director to be inconsistent with the intent of the city center  
34 districts as described by this chapter and the city center subarea plan.

### 35 B. Additionally prohibited in the city center-core (CC-C) district (allowed in other districts):

- 36 1. Vehicle washing, unless located within a building or parking structure;  
37 2. Drive-through businesses, unless located within a building or parking structure;  
38 3. Gasoline service stations  
39 4. ~~Mini-storage on the street level;~~  
40 5. Outdoor sales of boats, vehicles or equipment.

### 41 C. Additionally prohibited in the portion of the city center – core (CC-C) that is north of 42 194<sup>th</sup> St. NW

- 43 1. Multiple family residential. (Ord. 2554 § 5, 2005)  
44

45 Section 6: If any section, sentence, clause or phrase of this ordinance should be held to be invalid or  
46 unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not  
47 affect the validity or constitutionality of any other section, sentence, clause or phrase of this  
48 ordinance.

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1  
2 Section 7: This ordinance or a summary thereof consisting of the title shall be published in the  
3 official newspaper of the City, and shall take effect and be in full force five (5) days after publication.  
4

5 PASSED BY THE CITY COUNCIL, the \_\_\_\_\_ day of \_\_\_\_\_, 2011.  
6

7 APPROVED:  
8

9  
10 \_\_\_\_\_  
11 Don Gough, Mayor  
12

13 ATTEST/AUTHENTICATED:  
14

15  
16  
17 \_\_\_\_\_  
18 Pat Dugan  
19 Interim Finance Director  
20

21 APPROVED AS TO FORM:  
22

23  
24  
25 \_\_\_\_\_  
26 Rosemary Larson  
27 City Attorney  
28

29  
30 FILED WITH ADMINISTRATIVE SERVICES: \_\_\_\_\_

31 PASSED BY THE CITY COUNCIL: \_\_\_\_\_

32 PUBLISHED: \_\_\_\_\_

33 EFFECTIVE DATE: \_\_\_\_\_

34 ORDINANCE NUMBER: \_\_\_\_\_  
35

36 On the \_\_\_\_\_ day of \_\_\_\_\_, 2011, the City Council of the City of Lynnwood,  
37 Washington, passed Ordinance No. \_\_\_\_\_. A summary of the content of said ordinance, consisting  
38 of the title, provides as follows:  
39

40 AN ORDINANCE OF THE CITY OF LYNNWOOD,  
41 WASHINGTON, AMENDING LYNNWOOD MUNICIPAL CODE  
42 CHAPTERS 21.02, 21.18, 21.50 AND 21.60 RELATING TO  
43 SELF-SERVICE STORAGE FACILITIES, AND PROVIDING  
44 FOR SEVERABILITY, AN EFFECTIVE DATE AND SUMMARY  
45 PUBLICATION.  
46

47 The full text of this Ordinance will be mailed upon request.  
48

# Preliminary Draft For Discussion Only

1  
2  
3  
4

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

**DRAFT**

## **Limitations on Uses - Self-Service Storage Facilities**

### **A. General:**

Self-service storage facilities have characteristics in common with both commercial uses and industrial uses. This section provides regulations so that self-service storage facilities can be appropriately sited in certain commercial zones while maintaining the desired character and function of those zones. In general, self-service storage facilities are similar to commercial uses in that they provide a service to residential and business uses. The visual character of their development is often more similar to industrial buildings and the low activity level they generate does not contribute to the vitality of a commercial area compared to other commercial uses.

### **B. Use Regulations:**

#### **1. Where Permitted:**

*FOR DISCUSSION.*

#### **2. Permitted Activities:**

The only activities permitted in a storage unit shall be the rental of storage units and the pickup and deposit of goods and/or property in dead storage. Storage units shall not be used for activities such as, but not limited to:

- a) Residences, offices, workshops, studios, or hobby or rehearsal areas;
- b) Manufacturing, fabrication, or processing of goods, service or repair of vehicles, engines, appliances or other electrical equipment, or for any other industrial activity;
- c) Conducting retail sales of any kind including garage or estate sales or auctions or to conduct any other commercial activity;
- d) Storage of flammable, perishable or hazardous materials or for the keeping of animals.

#### **3. Accessory Uses:**

Other uses on the site, such as the rental of trucks, trailers or moving equipment, installation of trailer hitches, or the sale of boxes or packing materials, must meet the use and development standards of the zone in which it is located.

#### **4. Outdoor Storage Prohibited:**

All property stored at a self-service storage facility in commercial zone shall be stored entirely within enclosed buildings. No outdoor storage of boats, RVs, vehicles or storage in or storage of shipping containers is permitted.

### **C. Development Standards**

All development standards of the base zone apply unless the standard is superseded by regulations in this section.

#### **1. Storage Units:**

- a) All storage units must gain access from the interior of the building(s) or site – no unit doors may face the street or be visible from off the property.
- b) The maximum size of individual storage units is 500 square feet.

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**PRELIMINARY DRAFT DISCUSSION PAPER - FOR DISCUSSION PURPOSES ONLY**

Exhibit 2

**DRAFT**

c) Electrical service to storage areas shall be for lighting and climate control only. No electrical outlets are permitted inside individual storage units. Lighting fixtures must be of a secure design that will not allow tapping the fixtures for other purposes.

**2. Design Review:**

Design review shall be required for all new construction and expansions of self-service storage buildings to ensure the development has a high quality design and is appropriate to the desired character of the zone it is located in and the adjacent neighborhood. All self-service storage facilities shall meet all the requirements of Title 21.25 (Design Review) of this code and in addition shall meet all the requirements of sub-section D. of this Section.

**D. Design Standards:**

**1. Colors:** Bright primary colors shall not be allowed on buildings regardless of corporate standards or preferences.

**2. Fences and Walls:** Fences and walls including entry gates shall be constructed of high quality materials and shall be compatible with the design and materials of the building(s) and site. The Design Guidelines for walls and fences shall apply to all self-service storage facilities and the following requirements shall also apply:

- a. Decorative metal or wrought iron fences are preferred.
- b. Chain-link (hurricane) fences, barbed or razor wire fences, and walls made of precast concrete blocks are prohibited.
- c. Fences or walls are not allowed between the main or front building on the site, and the street.
- d. Street-front landscape areas required by the Design Guidelines or elsewhere in this code shall not be fenced.

**3. Ground and Upper Floor Facades:**

Ground and upper floor facades for self-service storage facility buildings in commercial zones shall meet the following requirements:

- a. The ground floor transparency requirements of the Commercial Districts Design Guidelines shall also apply to each floor above the ground floor of a self-service storage facility building that is visible from a street or from a residentially zoned area.
- b. The ground floor on rear or side facades facing residential areas do not have to meet this requirement if they are effectively screened from view from the street or nearby residential uses by a transition or landscape strip.
- c. The design guidelines requirements for treating blank walls and for opaque walls in the design shall apply to the upper floors of self-service storage buildings.

**4. Street Entrance**

All Self-Service Storage Facilities in commercial zones must have a pedestrian entrance facing the street.

- a. This entrance shall be considered the “main” or “principal” entrance to the building for purposes of the Design Guidelines or other sections of this Chapter

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even if the majority of customers using the building enter through loading docks, or doors or other side or rear entrances.

b. This entrance must meet the Design Guideline Prominent Entrance requirements.

### **5. Materials**

Self-service storage facility buildings must be surfaced in high-quality materials. Unfaced concrete block, painted masonry, tilt-up and pre-cast concrete panels and prefabricated metal sheets are prohibited. Prefabricated buildings are not allowed.

**6. Design Departures:** In addition to the requirements for design departures in LMC 21.25, the Director must find that the requested design departure will not cause the development or the use to be inconsistent with the desired character of the zone in which it is located or have negative impacts on surrounding uses.

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**DRAFT**

Friday, May 27, 2011

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**A History of Self Storage**

Personal storage has existed from earliest of times. While on a trip to Xian China, Buz Victor, the founder of the Self-Storage Association, saw where the Chinese people stored their belongings in clay pots in public underground storage pits as far back as 6,000 years ago. John Yelland, one of the first self-storage pioneers in California, noted that when British banking institutions were asked to safeguard valuables for clients embarking on extended voyages, the bankers would seek space from the moving (drayage) companies. These drayage companies procured storage space in primitive lofts, which were a little better than stables. In the 1850s, the original moving and storage pioneers such as Bekins, devised the first warehouse specifically constructed for household goods and treasured personal items. Minneapolis Van Lines and Weimer Storage in Elizabeth, New Jersey were moving and storage companies that offered personal storage during the 1920s. Arthur Trachte, of Trachte Building Systems, built interconnected metal garages for "cars without homes" in 1928. Typically in these examples, the operator or landlord had responsibility for the items being stored. When a landlord or "warehouseman" takes "care, custody, and control," it creates a bailment arrangement with the customer, and the liability falls upon the warehouseman.

The switch to "self-storage" as we know it today, was started in the mid 1960s by the early pioneers such as Russ Williams and Bob Munn in Odessa, Texas. It was not until 1972 that Public Storage built their first facility in El Cajon, California. Extra Space Storage developed its first self-storage facility in 1977 in Montana.

Williams and his stepson Munn built the first self-storage facility in Texas called "A-1 U-Store-It U-Lock-It U-Carry the Key" in Odessa. Russ Williams worked his entire life in the oil industry, and in the 1960s he owned an oil industry service company. Russ and Bob were both avid fishermen, and they needed extra space to store both their boats and their oil field equipment. Other firms in the oil industry also needed to have quick access public

storage and extra space for their equipment in the event of an emergency.

By the 1970's there was a general need to change the name from "warehouses" due to zoning and potential liability problems. Prudential Insurance provided partnerships with financing for these public storage facilities and creating extra space with the requirement that the facilities were to be smaller in size (100 to 250 units) and generally one facility to each market area. At this early stage in self-storage, Prudential was not sure of how well the concept would be received by the public. Now, with over 52,000 facilities throughout the United States, we know that Russ Williams' original concept of self-storage buildings has caught on.

Here in Florida James LaBonte the developer of Tropical Storage built his first 80,000 square foot public storage facility providing extra space with partner Felix Granados in 1974. This first facility was located in Miami at 4800 SW 72<sup>nd</sup> Ave in Miami and was called "Mini Stor-it". The property is still owned by his original partners' son Felix Granados Jr. Since then LaBonte has assembled nine private equity groups, and a strategic partnership with the public company Extra Space Storage, to develop over one million square feet of self storage. These projects include the two branded flags, "The Store Room" and "Tropical Storage."

From address:

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The term "self storage" is short for "self-service storage", and was originally known as "mini storage" or "mini warehouse" (archaic). Self storage facilities lease space to individuals, usually storing household goods, or to small businesses, usually storing excess inventory or archived records. The rented spaces, known as "units", are secured by the tenant's own lock and key. Facility operators do not have casual access to the contents of the space unlike a professional warehouseman. A self storage operator never takes possession, care, custody or control of the contents of the storage rental space unless a lien is imposed as provided in self storage laws for non-payment of rent. Self storage facility operators usually provide computer-controlled access to rental space areas and many use security cameras

From the first self service drive up out door bay projects to today's ultra-modern limited access air conditioned facilities we have seen an industry respond to and evolve around the needs of the customer. The following descriptions of public storage provides both a timeline and a perspective on how the industry has changed since the 1960's in providing extra space for storage to the public.

**First generation** public storage projects and mini-warehouses were all outdoor bays and were used for general storage, hobbyist, RV and auto repairs and other miscellaneous users. These projects typically offer no security other than the roll up garage door and are one story in height. Managers were primarily property caretakers not property renters.

**Second generation** public storage projects and mini-warehouses are generally secured with perimeter fencing and a security gate limiting access. These projects usually have on-site management offices and an on-site manager apartment. Although these buildings primarily consist of outdoor bays, they are generally pure storage, and do not permit the hobbyist or other operating businesses. Some of these projects may have some limited inside air-conditioned spaces which were conversions from the original all outdoor bay construction. These projects are typically one story in height but may have a small two story addition for the air conditioned portion or managers

apartment.

**Third generation** public storage projects. These projects are generally secured with a perimeter wall or fencing and a security gate limiting access. These projects have on-site management offices and usually have on-site manager residences. These projects are typically designed as storage projects with both inside air conditioned spaces and outdoor storage. Projects may be one story or multi story. These differ from the second generation projects in that the air conditioned portion of the property was well thought out and built with the initial project design. This type of design is still being built today.

**Fourth generation** public storage projects are limited access multi story air conditioned storage projects. These projects generally have no outdoor bays and all spaces are inside and air conditioned or humidity controlled. These projects are professionally managed and may not have any on-site manager's residence.

**Fifth generation** public storage projects are similar to the fourth generation projects but focus on being built better than code requires are designed with complete sustainability and high energy efficiency. They are environmentally friendly in building design, construction and maintenance of the building after completion. They expand on the storage-oriented business and leverage the real estate based self-storage concept into a customer needs and service focused business. Buildings may provide generator backup and focus on long term storage protection. They are engineered to Category 5 wind loads, surpassing current code requirements. These facilities are limited access multi-story air-conditioned storage projects. The project design generally does not provide for outdoor bays. All spaces are inside, air-conditioned and individually alarmed. Expanded retail and product display areas set these projects apart. These projects are professionally managed and generally do not have an on-site manager's residence. Today managers are professionals with strong sales skills and are highly valued team members.

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## WESCO SELF-STORAGE CENTER

Torrance, California



PHOTOGRAPH BY

LAURENCE WILSON & ASSOCIATES



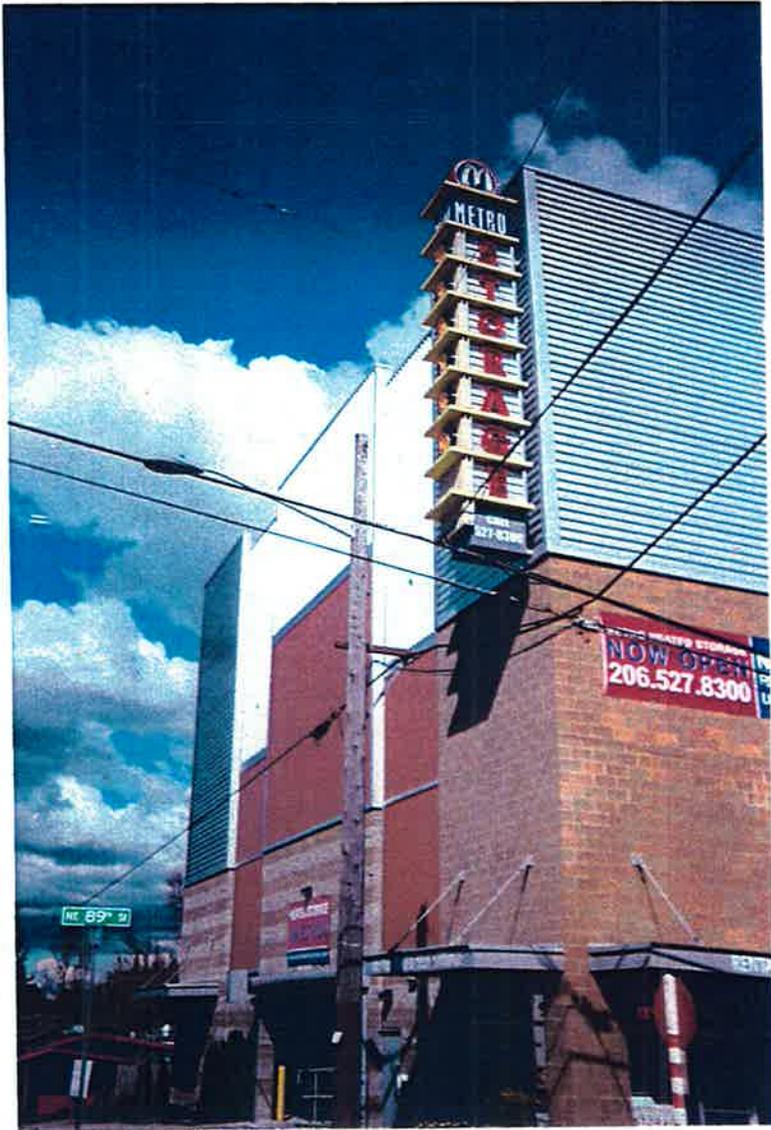
ON LAKE CITY WAY IN SEATTLE



BALUNGER WAY SHORELINE



Highway 99 @ SR 525  
MUKICTEO



METRO STORAGE  
LAKE CITY WAY SEATTLE

### **30.91M.090 Mine hazard areas.**

"Mine hazard areas" means areas underlain by or affected by underground mine workings such as tunnels, air shafts and those areas adjacent to steep slopes produced by open pit mining or quarrying, but excluding any areas where the mine workings have been properly stabilized and closed and made safe consistent with all applicable federal, state and local laws.

(Added Amended Ord. 02-064, Dec. 9, 2002, Eff date Feb. 1, 2003)

### **30.91M.095 Mineral operations.**

"Mineral operations" shall mean activities related to mining including but not limited to extraction, excavation, washing, crushing, stock piling, blasting, processing, transporting and recycling of minerals.

(Added Amended Ord. 05-083, December 21, 2005, Eff date Feb. 1, 2006)

### **30.91M.100 Mineral resource land, designated (Designated mineral resource land).**

"Mineral resource land, designated" ("Designated mineral resource land") means any land designated with the Mineral Resource Overlay (MRO) by the GMA comprehensive plan.

(Added Amended Ord. 02-064, Dec. 9, 2002, Eff date Feb. 1, 2003; Ord. 07-090, Sept. 5, 2007, Eff date Sept. 21, 2007)

### **30.91M.110 Mini self-storage.**

"Mini self-storage" means a building or portion thereof segregated into small storage cubicles used exclusively for the dead storage of excess property. Such term shall not include the conduct of business activities other than rental of storage units of the premises nor outside storage of property. Cubicle rental documents shall be required and shall set forth use restrictions imposed by governmental laws and ordinances.

(Added Amended Ord. 02-064, Dec. 9, 2002, Eff date Feb. 1, 2003)

### **30.91M.120 Mitigation.**

"Mitigation" means:

- (1) Avoiding the impact altogether by not taking a certain action or parts of an action;
- (2) Minimizing impact by limiting the degree or magnitude of the action and its implementation, by using appropriate technology, or by taking affirmative steps to avoid or reduce impacts;
- (3) Rectifying the impact by repairing, rehabilitating or restoring the affected environment;
- (4) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action;
- (5) Compensating for the impact by replacing, enhancing, or providing substitute resources or environments; or
- (6) Monitoring the impact and taking appropriate corrective measures.

(Added Amended Ord. 02-064, Dec. 9, 2002, Eff date Feb. 1, 2003)

### **30.91M.130 Mitigation requirement or impact mitigation requirement.**

"Mitigation requirement" or "impact mitigation requirement" means the adjusted facility requirement cost calculated for a subdivision or development, adjusted for the park and recreation level of service, minus any credit given for facility improvement or land dedication.

| TYPE OF USE  | R9,600 <sup>88</sup> | R8,400 <sup>88</sup> | R7,200 <sup>88</sup> | T | LDMR | MR | NB | PCB | CB              | GC | FS | IP <sup>76</sup> | BP | LI <sup>55,76</sup> | HI <sup>55</sup> | MHP <sup>114</sup> | UC <sup>117</sup> |
|--|----------------------|----------------------|----------------------|---|------|----|----|-----|-----------------|----|----|------------------|----|---------------------|------------------|--------------------|-------------------|
| Hazardous Waste Storage & Treatment Facilities, Onsite <sup>65</sup> |                      |                      |                      |   |      |    | P  | P   | P               | P  | P  | P                | P  | P                   | P                |                    |                   |
| Health and Social Service Facility <sup>90</sup>                     |                      |                      |                      |   |      |    |    |     |                 |    |    |                  |    |                     |                  |                    |                   |
| Level I  | P                    | P                    | P                    | P | P    | P  | P  | P   | P               | P  |    |                  | P  |                     |                  | P                  | P                 |
| Level II <sup>41</sup>   | C                    | C                    | C                    |   | C    | C  | C  | P   | P               | P  |    |                  | P  |                     |                  | C                  | P                 |
| Level III  |                      |                      |                      |   |      | C  | C  | P   | P               | P  |    | P                |    | P                   | P                | C                  | P                 |
| Home Improvement Center  |                      |                      |                      |   |      |    | P  | P   | P <sup>86</sup> | P  |    |                  |    | P                   | P                |                    | P                 |
| Home Occupation <sup>11</sup>  | P                    | P                    | P                    | P | P    | P  | P  |     | P               | P  |    |                  |    |                     |                  | P                  | P                 |
| Hotel/Motel  |                      |                      |                      |   | C    | C  |    | P   | P               | P  | P  |                  |    | P <sup>89</sup>     |                  |                    | P                 |
| Junkyard   |                      |                      |                      |   |      |    |    |     |                 |    |    |                  |    | C <sup>44</sup>     | P <sup>44</sup>  |                    |                   |
| Kennel, <sup>41</sup> Commercial <sup>12</sup>                       | C                    | C                    | C                    |   |      |    |    |     | P               | P  |    | P                | P  | P                   | P                |                    |                   |
| Kennel, <sup>41</sup> Private-Breeding <sup>13</sup>                 | P                    | P                    | P                    |   | P    | P  | P  |     | P               | P  |    | P                | P  | P                   | P                |                    |                   |
| Kennel, <sup>41</sup> Private-Non-Breeding <sup>13</sup>             | P                    | P                    | P                    |   | P    | P  | P  |     | P               | P  |    | P                |    |                     |                  |                    |                   |
| Laboratory   |                      |                      |                      |   |      |    |    |     |                 | P  |    | P                | P  | P                   | P                |                    | P <sup>86</sup>   |
| Library <sup>41</sup>  | C                    | C                    | C                    |   | C    | C  | C  | P   | P               | P  |    | P                | P  | P                   | P                |                    | P                 |
| Licensed Practitioner <sup>29, 41</sup>                              |                      |                      |                      |   | C    | C  | P  | P   | P               | P  |    | P                | P  | P                   | P                |                    | P                 |
| Livestock Auction Facility   |                      |                      |                      |   |      |    |    |     |                 |    |    | P                |    | P                   | P                |                    |                   |
| Locksmith  |                      |                      |                      |   |      |    | P  | P   | P <sup>86</sup> | P  |    | P                | P  | P                   | P                |                    | P                 |
| Lumberyard   |                      |                      |                      |   |      |    |    |     |                 | P  |    | P                | P  | P                   | P                |                    |                   |
| Manufacturing, Heavy <sup>82</sup>                                   |                      |                      |                      |   |      |    |    |     |                 |    |    | P                |    |                     | P                |                    |                   |
| Manufacturing-All Other Forms Not Specifically Listed <sup>83</sup>  |                      |                      |                      |   |      |    |    |     |                 |    |    | P                | P  | P                   | P                |                    |                   |
| Massage Parlor   |                      |                      |                      |   |      |    |    |     | P               | P  |    | P                | P  | P                   | P                |                    | P                 |
| Medical Clinic <sup>29</sup>   |                      |                      |                      |   | C    | C  | P  | P   | P               | P  |    | P                | P  | P                   | P                |                    | P                 |
| Mini Self-Storage  |                      |                      |                      |   |      |    |    | P   |                 | P  |    | P                | P  | P                   | P                |                    |                   |
| Mobile Home Park <sup>38</sup>                                       |                      |                      |                      |   | C    | C  |    |     | C               | C  |    |                  |    |                     |                  | P                  |                   |
| Mobile Home & Travel Trailer Sales                                   |                      |                      |                      |   |      |    |    |     |                 | P  |    | C <sup>36</sup>  |    | P                   | P                |                    |                   |
| Model Hobby Park <sup>75</sup>                                       |                      |                      |                      |   |      |    |    |     |                 |    |    |                  | A  | A                   | A                |                    |                   |
| Model House/Sales Office   | P                    | P                    | P                    | P | P    | P  | P  | P   | P               | P  |    |                  |    |                     |                  |                    | P                 |
| Mortuary   |                      |                      |                      |   | C    | C  |    |     | P               | P  |    | P                | P  | P                   | P                |                    | P                 |

**CHAPTER 33.284  
SELF-SERVICE STORAGE**

## Sections:

- 33.284.010 Purpose
- 33.284.020 Use Regulations
- 33.284.030 Development Standards
- 33.284.040 Design Review
- 33.284.050 Self-Service Storage Design Guidelines

**33.284.010 Purpose**

Self-Service Storage uses have some characteristics in common with both commercial use and industrial uses. This chapter provides regulations so that Self-Service Storage uses can be appropriately sited in either industrial zones or some commercial zones, while maintaining the desired character and function of the specific zones. In general, Self-Service Storage uses are similar to other commercial uses in that they provide a service to residential and business uses. The character of their development is often more similar to industrial buildings and their low activity level does not add to the vitality of a commercial area.

**33.284.020 Use Regulations**

Other uses on the site such as the rental of trucks or moving equipment must meet the use and development standards of the base zone, overlay zone, or plan district.

**33.284.030 Development Standards**

The development standards of the base zone apply unless the standard is superseded by regulations in this section.

- A. Purpose.** The special development standards in the C and EX zones are intended to allow self-service storage facilities to locate on certain sites in these zones where they can be close to the residential and business uses that they serve. At the same time, the development standards direct their location to sites that do not have major frontage on commercial streets. This prevents large sections of the commercial streets from being developed with uses that have extremely low activity levels which detract from the vitality and desired interaction among commercial uses in the area. This also allows them to locate on odd-shaped or infill sites that are difficult to develop for many commercial uses.
- B. Maximum site frontage.** In the C and EX zones, the maximum site frontage along a street is 100 feet. This limitation applies only to sites for the construction of new buildings that are 30 feet or less in height.
- C. Storage areas.** The maximum size of individual storage areas in C and EX zones is 500 square feet.
- D. Internal circulation.** The internal circulation between buildings must be wide enough so that there is a 12-foot wide travel lane for emergency vehicles to pass while tenant's vehicles are parked at their storage areas.

- E. Parking.** For parking requirements see Chapter 33.266, Parking and Loading.

### **33.284.040 Design Review**

- A. Purpose.** Design review is required for new buildings in the C and EX zones to ensure that the development has a high design quality appropriate to the desired character of the zone and to avoid the monotonous look of many industrial-style buildings.
- B. Design review required.** In the C and EX zones, all Self-Service Storage uses to be located in newly constructed buildings must be approved through Design review.
- C. Procedure.** Design review for Self-Service Storage uses is processed through a Type II procedure. However, uses that require design review because of an overlay zone or plan district are processed as provided for in those regulations.
- D. Design review approval criteria.** A design review application will be approved if the review body finds that the applicant has shown that Self-Service Storage design guidelines in 33.284.050 have been met.

### **33.284.050 Self-Service Storage Design Guidelines**

These design guidelines are used to review new Self-Service Storage uses in the C and EX zones. They apply in addition to any design guidelines that apply because of an overlay zone or plan district.

- A. Building and roof design.** The building and roof are designed to be compatible with surrounding development, especially nearby residential uses. Considerations include design elements that break up long, monotonous building or roof lines and elements that are compatible with the desired character of the zone.
- B. Building materials.** The materials used for buildings, roofs, fences and other structures are compatible with the desired character of the zone and are visually pleasing, especially near residential uses.
- C. Street facades.** The design and layout of the street side of the site provides a varied and interesting facade. Considerations include the use of setbacks, building placement, roof design, variations in building walls, fencing, other structural elements, and landscaping.
- D. Landscaping.** The landscaping on the site provides appropriate transition from public to private spaces, separates and buffers the buildings from other uses especially abutting residential uses, and provides visual relief from stark, linear building walls.
- E. Fencing.** Any proposed fencing is designed to be compatible with the desired character of the area and is especially sensitive to abutting residential uses. Use of rolled razor wire is discouraged.
- F. Security.** The perimeter of the site is designed to provide adequate security for both the site and abutting sites. Considerations include fence and wall materials and placement, type and placement of landscaping including thorny plant material and desired visibility or privacy.

**19.215.130 Self-service storage facilities.**

The following uses shall be permitted in the neighborhood business (BN) zone subject to the regulations and notes set forth in this section:

|  |             | USE ZONE CHART  |          |                         |             |  |                                    |  | ZONE<br>BN                    |
|--|-------------|---|----------|-------------------------|-------------|--|------------------------------------|--|-------------------------------|
| USE  | REGULATIONS | DIRECTIONS: FIRST, read down to find use . . . THEN, across for REGULATIONS   |          |                         |             |  |                                    |  | SPECIAL REGULATIONS AND NOTES |
|  |             | Required Review Process   | Lot Size | Minimums Required Yards |             |  | Height of Structure                | Required Parking Spaces  |                               |
|  |             |   |          | Front                   | Side (each) | Rear   |                                    |  |                               |
| Self-service storage facilities  | Process III | 1 acre<br>See note 2  | 25 ft.   | 20 ft.                  | 20 ft.      | 35 ft. above average building elevation.<br><br>See note 4 | Determined on a case-by-case basis | <p><del>1. The hours of operation of self-service storage facilities uses may be limited to reduce impacts on nearby residential areas.</del></p> <p>2. The portion of the subject property that is developed with self-service storage facilities and related site improvements shall be no greater than three acres</p> <p>3. No single building shall contain more than 40,000 gross square feet of building area.</p> <p>4. If any portion of a structure on the subject property is within 100 ft. of a residential zone, then that portion of the structure shall not exceed 30 ft. above average building elevation and the structure shall be set back a minimum of 20 ft. from the property line of the residential zone.</p> <p><del>5. No door openings for any storage unit shall be constructed directly facing any residentially zoned property.</del></p> <p>6. The subject property must be designed so that any on-site vehicle maneuvering space shall be located as far as possible from any residential zone and secondarily, from any public right-of-way.</p> <p>7. Self-service storage facilities may include one accessory living facility.</p> <p>8. On-site parking for one rental truck of no more than 12,000 lbs gross vehicle weight (GVW) shall be permitted. This rental truck shall be for the use of tenants of the self-service storage facility for the moving of personal items to and from the storage units.</p> <p><del>9. No outdoor use, activity, or storage, is permitted associated with self-service storage facilities.</del></p> <p>10. No individual storage stall or locker may exceed 500 sq. ft. of floor area.</p> <p>11. Uses associated with self-service storage facilities are restricted to dead storage only. The following are specifically prohibited:</p> <ul style="list-style-type: none"> <li>a. Commercial, wholesale, or retail sales.</li> <li>b. The service, repair, or fabrication of motor vehicles, boats, trailers, lawn mowers, appliances, or other similar equipment.</li> <li>c. The operation of power tools, spray painting equipment, table saws, lathes, compressors, welding equipment, kilns, or other similar equipment.</li> <li>d. The establishment of a transfer and storage business.</li> <li>e. Any use that is noxious or offensive because of odor, dust, noise, fumes, or vibration.</li> <li>f. Storage of hazardous or toxic materials, and chemicals or explosive substances.</li> </ul> <p>12. For self-service storage facilities, the required landscape areas must be planted with Type I landscaping per FWRC 19.125.050 et seq. of this title when in the side and rear yard, and with Type III landscaping when adjacent to a right-of-way.</p> <p>(Continued)</p> |                               |
| <p>Process I, II, III and IV are described in Chapter 19.55 FWRC, Chapter 19.60 FWRC, Chapter 19.65 FWRC, Chapter 19.70 FWRC respectively.</p> |             | <p>For other information about parking and parking areas, see Chapter 19.130 FWRC.</p> <p>For details of what may exceed this height limit, see FWRC 19.110.050 et. seq.</p> <p>For details regarding required yards, see FWRC 19.125.160 et seq.</p> |          |                         |             |  |                                    |  |                               |

**19.215.130 Self-service storage facilities. (Continued)**

The following uses shall be permitted in the neighborhood business (BN) zone subject to the regulations and notes set forth in this section:

| USE  | USE ZONE CHART  |                         |          |                |      |   |                     | ZONE<br>BN   | SPECIAL REGULATIONS AND NOTES |                         |
|--|---|-------------------------|----------|----------------|------|---|---------------------|--|-------------------------------|-------------------------|
|  | DIRECTIONS: FIRST, read down to find use . . . THEN, across for REGULATIONS |                         |          |                |      |   |                     |  |                               |                         |
|  | REGULATIONS   | Required Review Process | Lot Size | Minimums       |      |   | Height of Structure |  |                               | Required Parking Spaces |
|  |   |                         |          | Required Yards |      |   |                     |  |                               |                         |
| Front  |   |                         |          | Side (each)    | Rear |   |                     |  |                               |                         |
|  |   |                         |          |                |      |   |                     | <p>13. When self-service storage facilities are part of a mixed use development, incorporating one or more of the commercial uses allowed by office/retail use zone chart, FWRC 19.215.010, or entertainment use zone chart, FWRC 19.215.020, then the front yard setback and landscaping requirements shall be the same as for the approved commercial use(s) (if the front yard setback is 0 ft., then no landscaping is required) as long as the following conditions are met:</p> <ul style="list-style-type: none"> <li>a. The commercial uses are located on the ground floor building space fronting on an adjacent right-of-way;</li> <li>b. The commercial ground floor uses must occupy at least 50 percent of the length of the ground floor façade facing a right-of-way. (The rental office associated with self-service storage facilities may be counted toward this commercial space requirement);</li> <li>c. The commercial ground floor uses must also occupy a minimum depth of 15 ft. and a minimum interior height of 13 ft. of commercial space for any single tenant.</li> </ul> <p>14. No maximum lot coverage is established. Instead, the buildable area will be determined by other site development requirements, i.e., required buffers, parking lot landscaping, surface water facilities, etc.</p> <p>15. For community design guidelines that apply to the project, see Chapter 19.115 FWRC.</p> <p>16. For landscaping requirements that apply to the project, see Chapter 19.125 FWRC.</p> <p>17. For sign requirements that apply to the project, see Chapter 19.140 FWRC.</p> <p>18. Refer to Chapter 19.265 FWRC to determine what other provisions of this chapter may apply to the subject property.</p> |                               |                         |
| <p>Process I, II, III and IV are described in Chapter 19.55 FWRC, Chapter 19.60 FWRC, Chapter 19.65 FWRC, Chapter 19.70 FWRC respectively.</p> |   |                         |          |                |      | <p>For other information about parking and parking areas, see Chapter 19.130 FWRC.</p> <p>For details of what may exceed this height limit, see FWRC 19.110.050 et. seq.</p> <p>For details regarding required yards, see FWRC 19.125.160 et seq.</p> |                     |  |                               |                         |

Cyburbia Administrator



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*REFERENCES ARE TO  
 CITY OF BUFFALO, NY  
 MUNI. CODE* →

FWIW:

## 10.307.5 Self-storage facility

## 10.307.5.1 Definition

Self-storage facility: facility where secured areas in a structure are rented to individuals only for short-term storage of household items (excluding vehicles) and other non-hazardous, non-perishable durable goods.

## 10.307.5.2 Permitted locations

Self-storage facilities are permitted by right in the I-1 district.

Self-storage facilities are considered subject to special exception review in the B-2 district, only when the facility is integrated into a larger development such as a retail center. Freestanding self-storage facilities are not permitted in the B-2 district.

## 10.307.5.3 Conditions

Uses not related to the short-term storage of household items and non-hazardous, non-perishable durable goods are prohibited at self-storage facilities. This includes automobile, boat, vehicle and heavy equipment storage; storage of hazardous items, perishable goods or animals; and use as a residence, office, workshop, studio, band rehearsal area or place of business. Electrical service to individual units must be for lighting and climate control only. Electrical outlets must not be provided in individual units.

A dwelling occupied by the owner or on-site manager is permitted as an accessory use to a mini-storage warehouse.

[later]

## 10.409.4 Self-storage facilities

## 10.409.4.1 Architectural theme

Building design must conform to city design standards for commercial uses. Architectural details must relate to an overall architectural theme. Facilities placed near or integrated into a shopping or office center be designed to be consistent with the dominant theme or design of surrounding buildings.

Bright primary colors are prohibited on buildings, regardless of corporate standards or preferences.

All buildings, including storage units, must be surfaced in high quality materials. Smooth-faced concrete block, painted masonry, tilt-up and precast concrete panels, and prefabricated metal panels are prohibited.

Prefabricated buildings are not permitted.

## 10.409.4.2 General architectural requirements

Buildings must include design elements such as columns, ribs or pilasters, piers, quoins, and fenestration patterns to prevent a utilitarian, industrial, warehouse-like appearance.

Buildings  $\geq 30'$  long must include a change in wall plane, recess or reveal every 20' or less.

Maximum building length on the site perimeter is 60'.

Unit doors must be screened or sited so they are not visible from the street or residential properties. Unit doors must not face the street.

Unit doors must be integrated into the overall design theme of the site through color and texture.

## 10.409.4.3 Roof design

Buildings must include a roof pitch of  $\geq 6:12$ , with roofs incorporating a high quality surface such as architectural shingles, seam metal or red tile. Flat roofs are prohibited.

Roofs must include four or more planes, and have overhanging eaves extending  $\geq 1.5'$  (.5 m) past the building wall.

## 10.409.4.4 Landscaping

Landscaping must conform to Unified Development Code landscaping requirements. Landscaping and berming must screen storage buildings from the public right-of-way and adjacent residential zoning districts.

Landscaping outside a perimeter fence must conform to Unified Development Code landscaping requirements. Inside a perimeter fence,  $\geq 10\%$  of the surface area must be a groomed permeable surface (grass, xeriscape ground cover, turf block), with  $\geq 50\%$  of that surface adjacent to the perimeter fence.

One or more canopy trees for every ten units must be provided inside the perimeter fence, with trees placed inside the perimeter fence and at the ends of buildings runs. Shrubbery forming a dense cluster is required at the base of building walls  $\geq 10'$  long without doors.

## 10.409.4.5 Circulation and stacking

≥20% of the units must be accessible to a full sized moving truck.  
 Drive aisles must be ≥24' wide. All drive aisles and unit access points must be surfaced in impervious or permeable pavement.  
 Units and drive aisles must be sited so a vehicle parked at a unit cannot trap another vehicle and prevent it from leaving the facility.  
 Parking spaces must not be located in the street yard.

10.409.4.6 Signs

Attached signs are permitted only on the main office/security building. Signs are prohibited on storage unit buildings.

10.409.4.7 Fencing and screening

Fencing must conform to Unified Development Code fence and wall requirements.  
 Perimeter fencing, security fencing, and entry gates must be constructed of attractive materials that are compatible with the design and materials used throughout the site. Acceptable fencing types include masonry, decorative metal and wrought iron, with regular recesses and centers to break up long stretches, are encouraged. Barbed wire, stockade fencing, cinder block, precast concrete and chain link fencing are prohibited.

10.409.4.8 Outdoor lighting

Lighting must conform to Unified Development Code lighting requirements.  
 Night lighting and security lighting must be sensitively designed to ensure no off-site glare is directed to neighboring parcels and that the overall intensity of the site lighting is not excessive. Excessive night security lighting is discouraged, and other security measures should be considered.  
 Building mounted sconces must be used instead of freestanding light poles wherever possible.  
 When a mini-storage facility is adjacent to a residential zone, pole mounted lights must be turned off between 9:00 PM and 6:00 AM.

*Growth for growth's sake is the ideology of the cancer cell. – Edward Abbey*



#7

**NHPlanner**

Forums Administrator & Gallery Moderator



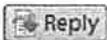
Registered: Apr 1996  
 Location: New Hampshire  
 Posts: 7,117

From APA's *Planners Dictionary*:

**self-service storage facility** (See also storage)

- A building or group of buildings divided into separate compartments used to meet the temporary storage needs of small businesses, apartment dwellers, and other residential uses; and may include refrigerated facilities. (Prince William County, Va.)
- A building or group of buildings consisting of individual, self-contained units leased to individuals, organizations, or businesses for self-service storage of personal property. (Fort Wayne, Ind.)
- A building used for the storage of personal property where individual owners control individual storage spaces. (Clearwater, Fla.)
- A facility used only for the storing of household and personal property (no commercial storage) with no commercial transactions permitted other than the rental of the storage units. (Pima County, Ariz.)
- A structure containing separate storage spaces, which may be of various sizes, leased or rented on an individual basis. (Santa Monica, Calif.)
- A building or group of buildings of a controlled-access and fenced compound that contains varying sizes of individual, compartmentalized, and controlled-access stalls or lockers for the storage of customers' goods or wares. (Santa Rosa, Calif.)

*"Growth is inevitable and desirable, but destruction of community character is not. The question is not whether your part of the world is going to change. The question is how." -- Edward T. McMahon, The Conservation Fund*



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**CITY OF SOMERVILLE**  
**ORDINANCE NO. \_\_\_\_\_**  
**IN THE BOARD OF ALDERMEN: \_\_\_\_\_**

**AN ORDINANCE AMENDING THE SOMERVILLE ZONING ORDINANCE TO MODIFY USES IN ARTICLE 7, DEVELOPMENT STANDARDS IN ARTICLE 6, AND DEVELOPMENT PROCESS IN ARTICLE 16 TO ALLOW SELF STORAGE USES IN THE ASSEMBLY SQUARE MIXED USE DISTRICT (ASMD) AND ESTABLISH SPECIFIC DEVELOPMENT STANDARDS FOR SUCH USES AND OTHER DEVELOPMENTS ALONG THE INTERSTATE HIGHWAY IN THE ASMD**

WHEREAS, the development of the ASMD is important for the City of Somerville and its citizens; and,

WHEREAS, certain parcels of land in the ASMD are more conducive to uses other than office, retail, or residential uses due to their size, shape and location; and,

WHEREAS, storage uses on these parcels can provide a benefit to the future residential and commercial uses within the remainder of the ASMD and the rest of the City of Somerville; and,

Whereas, the current ASMD zoning requirements prohibit such other uses; and,

WHEREAS, commercial development along the highway, including self-storage uses, that benefit from highway frontage should contribute to mitigating impacts of highway traffic on residential neighborhoods;

NOW THEREFORE, be it adopted by the Board of Aldermen, in session assembled, that the below listed sections of the Somerville Zoning Ordinance are hereby amended as identified.

**1. Article 6: Section 6.4 Assembly Square Mixed Use District**  
(additions are underlined and deletions are ~~crossed-out~~):

6.4.15 Development Standards and Design Guidelines for Self Storage and Wholesale Storage Facilities.

Self Storage Facilities under Section 7.11.12.4 and Wholesale Storage under Section 7.11.13.1 of the Table of Permitted Uses shall only be permitted in the ASMD district, subject to applicable Special Permit, Site Plan Review and/or Planned Unit Development provisions of the Somerville Zoning Ordinance and subject to the following required findings and development standards. The development standards and design guidelines for the ASMD district under Section 6.4.7 of the SZO shall also apply, except that in cases where the standards in this Section 6.4.15 contradict those standards or guidelines, the standards in Section 6.4.15 shall apply.

Required Findings:

- a. The subject property is located in an area that is not conducive in the near term to more desirable uses for the district, such as office, retail, or residential. To make findings that a site meets this provision, the following are required:
  - i. The lot size and shape is not easily conducive to a more desirable use; and,
  - ii. The lot is located adjacent to the Interstate highway, thereby limiting the ability to be used for a more desirable use.
- b. The development of the lot facilitates the development of the district by providing direct public benefits above and beyond those otherwise required by the ordinance.
- c. The development of the lot improves conditions of the site as well as improving the public infrastructure within the district.
- d. The development of the lot facilitates the development of the district by providing public pedestrian access through some portion of the lot.
- e. The lot shall contain a second use in addition to Self Storage Facilities under Section 7.11.12.4 or Wholesale Storage under Section 7.11.13.1 of the Table of Permitted Uses.

Development Standards:

- a. Storage and warehouse uses shall be limited to a total FAR between 2.0 and 4.0.
- b. All loading and parking areas are hidden from view from the public way located along the primary frontage of the Building or Buildings.
- c. Curb cuts are limited to no more than two on the site, regardless of street frontage.
- d. The Building or Buildings resemble Buildings designed for human occupancy:
  - i. The Building or Buildings shall not have any uninterrupted or unfenestrated length of facade exceeding thirty-five (35) horizontal feet, within each vertical band that would appear to be a typical office or residential floor level, beginning with the Ground Floor of any Building or Buildings. Facades on the Ground Floor of any Building or Buildings greater than one hundred (100) feet in length, measured horizontally, shall incorporate wall plane projections or recesses having a depth of at least eight inches (8") for every one hundred feet (100') of facade length extending at least twenty (20) percent of the length of the facade. This standard shall not apply to facades of a Building or Buildings which face an Interstate highway; and,
  - ii. The Building or Buildings shall have windows providing visual access to the interior of a space, arcades, display windows, entry areas, awnings, or other such features along no less than seventy (70) percent of their horizontal length on all Ground Floor facades that face Public Ways or the Mystic River. Forty percent (40%) of this activated facade area on the Ground Floor of Building walls along primary and secondary streets shall consist of windows, display windows, or doors meant for public entry and exit. This standard shall not apply to facades of a Building or Buildings which face an Interstate highway; and,
  - iii. Pedestrian entries to any Self Storage Facilities under Section 7.11.12.4 or Wholesale Storage under Section 7.11.13.1 of the Table of Permitted Uses shall be similar to the design expected from an office, retail or residential use; and,
  - iv. The Building or Buildings shall have a roof colored white to reflect heat; and,
  - v. Murals which are painted onto, or affixed to, the Building or Buildings shall not be considered Signage under this Ordinance; and
  - vi. Trellises or other structures erected for the sole purpose of growing vines or other forms of vegetation on the lot shall not be considered Signage, and shall not be considered in the calculation of setbacks, under this Ordinance; and
  - vii. Solar or wind power mechanical equipment shall not be considered in the calculation of Building height under this Ordinance.
- e. The Building or Buildings are designed with floor heights and structural design to:
  - i. Accommodate conversion of the ground floor to pedestrian oriented uses, and;
  - ii. Conversion of upper floors to residential or commercial use.

Design Guidelines:

- a. Exterior building materials may include, but shall not be limited to, Architectural Metals, Architectural Concrete and Architectural Masonry.

**3. Article 7: Section 7.11 Table of Permitted Uses**

(additions are underlined and deletions are ~~crossed-out~~):

| <u>PRINCIPAL USE (unless specified otherwise)</u> | <u>DISTRICT</u> |
|---|-----------------|
| <b>12. COMMERCIAL AND INDUSTRIAL SERVICES</b>     |                 |
| <u>4. Self-storage facility (18)</u>              |                 |
| a. less than 5,000 s.f. of gross floor area       | -               |
| b. 5,000 to 9,999 s.f. of gross floor area        | -               |
| c. 10,000 s.f. or more of gross floor area        | <u>SPSR-A</u>   |

**4. Article 7: Section 7.12 Footnotes to Table of Permitted Uses**

(additions are underlined and deletions are ~~crossed-out~~):

18. For Self Storage Uses in the ASMD district see Section 6.4.15

**5. Article 16: Section 16.12 Denial Letters in the ASMD**

(additions are underlined and deletions are ~~crossed-out~~):

~~Section 16.12. Denial Letters in the ASMD.~~

~~All applications for a preliminary Master Plan Approval shall be required to include a so-called 'denial letter' from the Inspectional Services Department indicating which aspects of the proposed PUD require approvals from the SPGA. After submission of the initial Preliminary Master Plan application, no further denial letter shall be required for modifications to, or phases of, the Master Plan, or for any permit application (including an SPSR-A) related to the PUD.~~

**Data Sheet: *Traffic-generation for Self Storage***

One of the most common misconceptions about Self Storage is that it generates a lot of traffic. The reasons for this misconception are not clear; it could be a strong correlation between the large number of roll-up doors common to traditional Self Storage facilities built in previous decades, or it could be the large number of units in most facilities, and it is assumed that one unit equals one car. In most cases, the frequency at which customers access their units is not taken into account. Regardless of the reason, every study that has been conducted has proved this assumption false.

**Reference Source #1**

The Institute of Traffic Engineers Standards (4<sup>th</sup> Edition) sites the following statistical data for comparison of Self Storage to other land uses:

| <u>LAND USE</u>  | <u>DAILY TRIP GENERATION VALUE</u> |                    |
|------------------|------------------------------------|--------------------|
| Self Storage     | 2.6*                               | Trips per 1,000 SF |
| General Office   | 16.5                               | Trips per 1,000 SF |
| Medical Office   | 34.17                              | Trips per 1,000 SF |
| Supermarket      | 27.0                               | Trips per 1,000 SF |
| Discount Store   | 70.1                               | Trips per 1,000 SF |
| Specialty Retail | 40.6                               | Trips per 1,000 SF |

\*Note: In the 2003 ITE Standards (7<sup>th</sup> Edition), this value has been *reduced* to 2.5 trips per 1,000 SF.

**Reference Source #2**

However, even lower trip-generation values for Self Storage have been found in several municipal studies (see next page) and in a 2001 national study by *Economic Consulting Associates, Inc* (Tempe, AZ) that surveyed 158 self storage facilities from every region in the country. The results of this study were significantly lower than those in the ITE Standards:

Ave. Round Trips per Unit per Day: .0682  
Daily Trip Generation Based on 1,000 SF: .634\*

\*The average unit size in the ECA study was 107.56 SF. Therefore this value should be adjusted slightly to match the specific conditions in any Self Storage facility, but even a facility with an average unit size of 90 SF would have a Daily Trip Generation Value of .758 per 1,000 SF.

Those trip generation rates are national averages, which ideally would then be adjusted to account for local conditions. For example, Olympia, Washington performed a study in 2006 and found that the 2.5 trips per 1,000 square feet was reasonable for average daily trips, but that the afternoon peak-hour trip generation for Olympia was lower than ITE projected and instead uses .26 trips per 1,000 square feet. Olympia further lowered that figure for sites close to and within its downtown area, to 2.1 average daily trips per 1,000 square feet of floor area (.21 per 1,000 at peak hour). Midway, California's study of trips in and out of existing facilities in 2004 determined the trip generation rate to be 2.0 trips per 1,000 square feet of floor area. Seattle, Washington did a study in March of 2006, and concluded that the generation rate for self storage facilities should be less than one space per 1,000 square feet. An interesting study of sites in Osceola, Florida published in December, 2006 concluded that using ITE trip generation rates in that community overestimated actual trip generation by approximately 30%, and accordingly set a peak-hour generation rate for self storage facilities at .16 trips per 1,000 square feet of floor area. (This translates to approximately 1.6 average daily trips per 1,000 square feet.)

ITE is in the process of seeking new and additional case study information for consideration in its next publication of trip generation rates, including probable adjustments to the published rates for self storage warehouses. Those updated recommended trip generation rates will likely be available in the latter part of 2007.

For self storage developers coming into a new community, one of the first pieces of reconnaissance should be a look at parking requirements and methods for estimating trip generation. Obviously the trend in many jurisdictions is toward a greater understanding of the true nature of traffic at self storage facilities, but it is still possible that you may face the following objection in some form:

"Self storage is noisy and creates a lot of traffic and commotion."