

# AGENDA

## Lynnwood Planning Commission

Thursday, April 26, 2012 — 7:00 pm

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

---

### A. CALL TO ORDER – ROLL CALL

### B. APPROVAL OF MINUTES: Meeting of February 23, 2012

### C. CITIZEN COMMENTS – on matters not on tonight's agenda.

### D. PUBLIC HEARINGS

1. **Transition Area Zoning Regulations (2008CAM0003)** Proposed zoning and design guideline regulations for the Alderwood - City Center Transition Area, generally located east of 36<sup>th</sup> Ave W., south of 188<sup>th</sup> St. SW and west of Alderwood Mall Blvd.

### E. WORK SESSIONS

### F. OTHER BUSINESS

1. **Proposed Amendment B-3/B-4 Limited Commercial Districts** – Staff proposal to combine B/3 and B/4 limited business districts while adding additional flexibility with regard to permitted uses.

### G. COUNCIL LIAISON REPORT

### H. DIRECTOR'S REPORT

### I. COMMISSIONERS' COMMENTS

### J. 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 April 26, 2012**

**Staff Report**

**Agenda Item:**

Alderwood-City Center Transition Area

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

Community Development Dept./Economic Development Dept.

**ACTION**

For public hearing, discussion, and continuation to future meeting or recommendation to the City Council for action.

**BACKGROUND**

The Alderwood City Center Transition Area (ACC) Comprehensive Plan map designation was created in 2007 when the City Council amended the Land Use Element of the Comprehensive Plan to include the following land use concept for this area:

**Alderwood – City Center Transition Area**

**Purpose:** This Plan category is intended to provide for a transitional area between the Alderwood Mall and the City Center. The Mall is the retail center of south Snohomish County and experiences a high level of activity, consistent with its retail character. The City Center is intended to be the business center of Snohomish County, with the character and intensity of an urban, mixed use downtown area. This Transition Area will contain a mix of land uses that complements these two areas but at a lower intensity so as to minimize impacts on the residential area to the west (across 36<sup>th</sup> Ave. W.).

**Principal Uses:** Offices, retail (excluding big box stores), restaurants, services and multiple family residences (as part of a mixed use development)

**Location Criteria:** This land use category will be applied to the properties between the Alderwood Mall to the North and the City Center to the south, 33<sup>rd</sup> Ave W to the east and 36<sup>th</sup> Ave. W to the west.

**Site Design:** Buildings will typically cover up to 50% of a site, with open parking or parking structures, landscaping, and open space occupying the rest of a site. Usually parking will be located in open parking areas; although some parking may be located in parking structures (either as separate structures or under buildings with other land uses). Pedestrian connections between properties and through the area to both the City Center and Alderwood will be required.

Prior to the area's Comprehensive Plan designation as the "Alderwood – City Center Transition Area", (ACC), the City Council designated it as a "Study Area" when the Council adopted the City Center Sub-Area Plan, zoning and design guidelines on March 14, 2005. The adopted City Center zoning map (Ord. 2555 and Ord. 2625) did not change the zoning of the Study Area from Business/Technical Park (BTP) , Planned Commercial Development (PCD), Multiple Residential Medium Density (RMM) and a Planned Unit Development (PUD)/retail.

In 2008, City Council authorized a contract with Makers Architecture to recommend new zoning for the ACC. Public meetings were held in April and June of 2009 and in July of 2009. Residents in the neighborhoods west of 36<sup>th</sup> Ave W and property owners in the ACC gave input on how the area should be developed.

Planning Commission has considered the options for zoning and design guidelines for the ACC in seven work sessions: August 26, 2010, September 23, 2010, October 28, 2010, November 18, 2010, January 26, 2012, February 9, 2012, and February 23, 2012.

The draft zoning minimizes impact on neighbors west of 36<sup>th</sup> Ave West while still fulfilling the intent of the Comprehensive Plan to create a vital transition area between Alderwood Mall and the City Center. Setbacks, landscaping, height, lot coverage and use restrictions are included to minimize noise and visual impact of development on neighbors west of 36<sup>th</sup> Ave W. Taller buildings are permitted east of 33<sup>rd</sup> Ave W, and permitted uses are expanded to encourage development. Zero set backs on 33<sup>rd</sup> Ave W and 194<sup>th</sup> Ave W and pedestrian oriented facades are required to encourage pedestrian activity.

At the February 23, 2012 meeting, the staff answered several questions which the Planning Commission had raised. Following the discussion, Planning Commission directed staff to bring the zoning and design guidelines for the ACC forward for a public hearing.

### **RECOMMENDATION**

None. For discussion following the public hearing.

The purposes of the meeting will be to allow public testimony on the amendments and continue review and discussion of the draft code and design guidelines associated with the ACC. It is expected the Commission's discussion will clarify issues/topics needing further analysis or discussion prior to completion of the Commission's work and a recommendation to City Council.

### **ATTACHMENTS**

- Draft ACC Zoning Code
- Draft ACC Design Guidelines
- Draft ACC Map
- Staff Presentation
- Minutes of the February 23, 2012 Planning Commission meeting

EXHIBIT A

Final Draft – April 13, 2012

1

**Chapter 21.61**

2

**ALDERWOOD-CITY CENTER TRANSITION AREA (ACC) ZONE**

3

4 **21.61.100 Purpose.**

5 The Alderwood - City Center Transition Area (“Transition Area”) is located in  
6 between the City Center, the Alderwood mall area, and a single family  
7 neighborhood on the west side of 36<sup>th</sup> Avenue West. The Transition Area  
8 provides a point of connection between the City Center and the Alderwood mall,  
9 each of which is a center of substantial activity and is planned for substantial  
10 growth and development. At the same time, the proximity of a single family  
11 neighborhood (west of 36<sup>th</sup> Avenue West) means that redevelopment and use of  
12 properties in the Transition Area must be appropriately regulated. Therefore, the  
13 Alderwood-City Center Transition Area Zone (ACC) is intended to promote  
14 development and redevelopment of the transition area in a manner that takes  
15 advantage of current and foreseeable opportunities in the real estate market  
16 while providing protection for the single-family neighborhood. This zone will  
17 create the linkage/connection between the Alderwood mall area and the City  
18 Center by allowing a mix of land uses that complements the two areas  
19 (Alderwood mall and the City Center) but at a lower intensity than the City Center  
20 and in a manner that minimizes impacts on the residential area to the west. In  
21 particular, development along the frontage of 36<sup>th</sup> Avenue West – that faces the  
22 single family neighborhood – will be controlled and limited.

23 **21.61.150 Interpretation.**

24 All regulations of the ACC zone and the Transition Area Design Guidelines shall  
25 apply to properties within the ACC zone. In the event of differences between the  
26 requirements of this zone and other chapters of this Code, the provisions of the  
27 ACC zone shall prevail.

28 **21.61.200 Limited Development Area Overlay**

29

30 To provide added protection to the residential areas west of 36<sup>th</sup> Avenue West,  
31 there is hereby created an overlay zone called the “Limited Development Area”  
32 (LDA).

33

34 A. The portion of the Alderwood-City Center Transition Area Zone (ACC)  
35 designated as the LDA Overlay Zone is:

36 The properties fronting the east side of 36<sup>th</sup> Avenue West, between 188<sup>th</sup>  
37 Street SW to the North and the future extension of 194<sup>th</sup> Street SW to the  
38 South (as 194<sup>th</sup> Street SW is identified in the City Center Street Grid  
39 Ordinance, as amended), from the 36<sup>th</sup> Avenue West right-of way Eastern  
40 edge/ property line to a line 100 feet deep (easterly) into the properties.

41 B. In the LDA Overlay Zone, certain land uses have specific requirements and  
42 the intensity of development is restricted, as stated in this Chapter.

43 **21.61.250 Permitted uses.**

44 A. Uses

- 45 1. Live/Work units
- 46 2. Multi-family dwellings
- 47 3. Caretaker and watchmen quarters
- 48 4. Hotel/motel, except as prohibited in the LDA
- 49 5. Offices (all types)
- 50 6. Personal care services (i.e. barber, hair salon, nail salon, tanning,  
51 etc.)
- 52 7. Banks and other financial institutions
- 53 8. Medical clinics
- 54 9. Hospitals, except prohibited in the LDA
- 55 10. Veterinarian clinic, (may include boarding of and day-care for small  
56 animals, provided all on-site activities are enclosed in a building)
- 57 11. Retail, up to 50,000 square feet per building; except that, in the  
58 LDA retail uses may occupy no more than 50% of the ground floor  
59 of a building. Where a building overlaps the LDA boundary, this  
60 limitation applies only to the portion of the building in the LDA.
- 61 12. Eating and drinking establishments, including outdoor dining as an  
62 accessory use; except that, in the LDA an eating and drinking  
63 establishment may occupy no more than 50% of the ground floor of  
64 a building excluding out-door dining areas. Where a building  
65 overlaps the LDA boundary, this limitation applies only to the  
66 portion of the building in the LDA.
- 67 13. Colleges, universities, trade and professional schools, technical  
68 and vocational schools
- 69 14. Athletic clubs and facilities, except prohibited in the LDA
- 70 15. Municipal Services
- 71 16. Research and Development
- 72 17. Assembly of Wood, Light Metal, Glass, Electronic, Electrical or  
73 Plastic Parts or Components which are extruded, stamped,  
74 manufactured, shaped, or prepared elsewhere, not precluding  
75 minor processes such as cutting, drilling, soldering, or minor  
76 welding
- 77 18. Printing, publishing and electronic media businesses such as copy  
78 centers
- 79 19. Testing, servicing and repairing of goods
- 80 20. Clubhouse and fraternal, social, recreation and other not-for-profit  
81 associations
- 82 21. Libraries, museums, and similar cultural uses
- 83 22. Wireless communication facilities (attached)
- 84 23. Child day care
- 85 24. Land uses not specifically listed in this section may be allowed  
86 when determined by the Community Development Director to be

87 compatible with the listed uses and consistent with the purpose of  
88 the Alderwood - City Center Transition Area Zone. The Director's  
89 written decision is subject to appeal per LMC 1.35.200 (Process II).  
90

91 **B. Uses Allowed by Conditional Use Permit.**

- 92 1. Wireless communication facilities (not attached)  
93

94 **C. Allowed Accessory Uses**

- 95 1. Self-storage: Self storage may occupy up to 20% gross floor area  
96 of multi-story buildings. All related outdoor display or storage is  
97 prohibited.  
98 2. Outdoor dining.  
99

100 **21.61.260. Prohibited Uses**

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

- 105 1. Adult uses and establishments  
106 2. Drive-up and drive-through service facilities  
107 3. Gas stations  
108 4. Recreational Vehicle Parks, campgrounds  
109 5. Self-Storage on street level except for front office and lobby  
110 functions.  
111 6. Uses not fully contained within a building, except outdoor dining is  
112 permitted as an accessory use.  
113 7. Secure community transition facilities  
114 8. Sewage treatment plants  
115 9. Vehicle repair, servicing and other auto oriented services unless  
116 entirely within a building or a parking structure  
117 10. Wrecking yards  
118 11. Work release facilities and similar  
119 12. Outdoor sales and/or storage  
120 13. Warehouse and/or Distribution  
121 14. Any other uses similar to those listed above or any other uses  
122 determined by the Community Development Director to be  
123 inconsistent with the ACC Zone Purpose Statement (LMC  
124 21.61.100)

125

126 **21.61.300 Project Design Review.**

- 127 A. Design Guidelines. The following structures and parking facilities  
128 permitted in the Alderwood-City Center zone shall comply with the  
129 Lynnwood Transition Area Design Guidelines (which are adopted by this  
130 reference as if fully set forth herein) and receive approval pursuant to  
131 Chapter 21.25 LMC, unless otherwise specified in this chapter. For

132 proposals in the Alderwood-City Center zone, the citywide design  
133 guidelines shall be replaced with the Transition Area design guidelines.

- 134
- 135 1. Construction (or expansion) of any nonresidential structure or building  
136 with a gross floor area of more than 1,000 square feet.
  - 137 2. Construction (or expansion) of any parking lot and/or parking structure  
138 with 20 or more stalls or paved parking area of 5,400 square feet or  
139 more.
  - 140 3. Construction of or addition to any structure containing residential units.

141

142 B. Applicable Lynnwood Transition Area standards shall supersede any  
143 development standards and requirements of this title and other titles of  
144 this code that may conflict, unless otherwise specified in this chapter.  
145 Where Transition Area standards are silent, development standards  
146 provide elsewhere in LMC shall apply.

147

148 C. Gateways and Prominent Intersections. See City of Lynnwood zoning map  
149 to identify development project sites within a gateway or prominent  
150 intersection location. Such sites shall be subject to applicable gateway  
151 and/or prominent intersection design guidelines in the Lynnwood  
152 Transition Area design guidelines. If any portion of a project site lies within  
153 a gateway or prominent intersection location, then the entire project shall  
154 comply with the applicable design guidelines.

155

156 **21.61.400 Development Standards**

157 A. Density (Multiple-Family Residential):  
158 1. Maximum Density: 70 dwelling units per acre (There is a cap of  
159 300 dwelling units in the North End, including the ACC zone. When  
160 that number is reached, the future housing density will be  
161 analyzed).

162 B. Minimum lot area: One (1) acre.

163 C. Minimum lot width: 150 feet.

164 D. Minimum and maximum building setbacks:

165 1. 36<sup>th</sup> Avenue West

166

- 167 a. Minimum: 40 feet. The 40 foot setback shall consist of a  
168 minimum 25 foot wide landscaping buffer from the  
169 property line along 36<sup>th</sup> Avenue West plus an  
170 additional 15 feet of open space. Surface and  
171 underground parking, plazas, landscaping or other  
172 open space is allowed in the additional 15 feet of  
173 open space. (See also LMC 21.61.450 for  
174 landscaping requirements)

175 b. Maximum: None

176

- 177 2. 33<sup>rd</sup> Avenue West  
 178 a. Minimum: None.  
 179 b. Maximum: Ten (10) feet, except that a larger setback is allowed  
 180 to create pedestrian oriented open space (such as a  
 181 forecourt, a plaza or similar pedestrian oriented  
 182 environment).  
 183  
 184 3. 188<sup>th</sup> Street SW  
 185 a. Minimum: Twenty Five (25) feet  
 186 b. Maximum: None.  
 187  
 188 4. 194<sup>th</sup> Street SW Extension (to be applied at such time the right of  
 189 way exists):  
 190 a. Minimum: None.  
 191 b. Maximum: Ten (10) feet, except that a larger setback is allowed  
 192 to create pedestrian oriented open space (such as a  
 193 forecourt, a plaza or similar pedestrian oriented  
 194 environment).  
 195  
 196 5. Alderwood Mall Boulevard  
 197 a. Minimum: Ten (10) feet  
 198 b. Maximum: None.  
 199  
 200 6. Interior Property Lines: None  
 201 7. Maximum Lot Coverage: 50%, excluding parking structures and  
 202 Occupiable Space uses located on the ground floor of parking  
 203 structures.  
 204  
 205 E. Maximum building height:  
 206  
 207 1. See Table 21.61.01 for maximum building height.  
 208

209 **Table 21.61.01 Maximum Building Height**

Distance from the east right of way line of 36 <sup>th</sup> Avenue West	Maximum Building Height (excluding Corridor)
0 to 40 feet	0 (No buildings allowed)
Greater than 40 feet up to 60 feet	40 feet
Greater than 60 feet up to 100 feet	85 feet
Greater than 100 feet	West of 33 <sup>rd</sup> : 85 feet; up to 120 with CUP East of 33 <sup>rd</sup> : 120 feet

- 223 2. Create a “corridor” extending from and centered on 191<sup>st</sup> Place  
 224 Southwest and 192<sup>nd</sup> Street Southwest; no portion of a building or  
 225 structure may exceed 40 feet in height as measured from the 36<sup>th</sup>  
 226 Avenue West eastern most ROW. The corridor shall consist of the  
 227 following areas (see Figure 2):  
 228  
 229 a. Any area within 40 feet north and south of the centerline of 191<sup>st</sup>  
 230 Place SW as extended to the east from the terminus of 191<sup>st</sup>  
 231 Place SW to 33<sup>rd</sup> Avenue West.  
 232 b. Any area within 35 feet north and south of the centerline of  
 233 192<sup>nd</sup> Street SW as extended to the east from the terminus of  
 234 192<sup>nd</sup> Street SW to 33<sup>rd</sup> Avenue West.  
 235 c. Properties in the corridor may transfer the difference between  
 236 the average finished building height measured at grade and 85  
 237 feet, to properties outside the corridor but within the ACC. No  
 238 building may exceed 120 feet in height. Properties outside the  
 239 corridor receiving a height transfer may build to a height of 120  
 240 feet without a CUP.  
 241  
 242  
 243  
 244  
 245  
 246  
 247  
 248  
 249  
 250

Figure 1

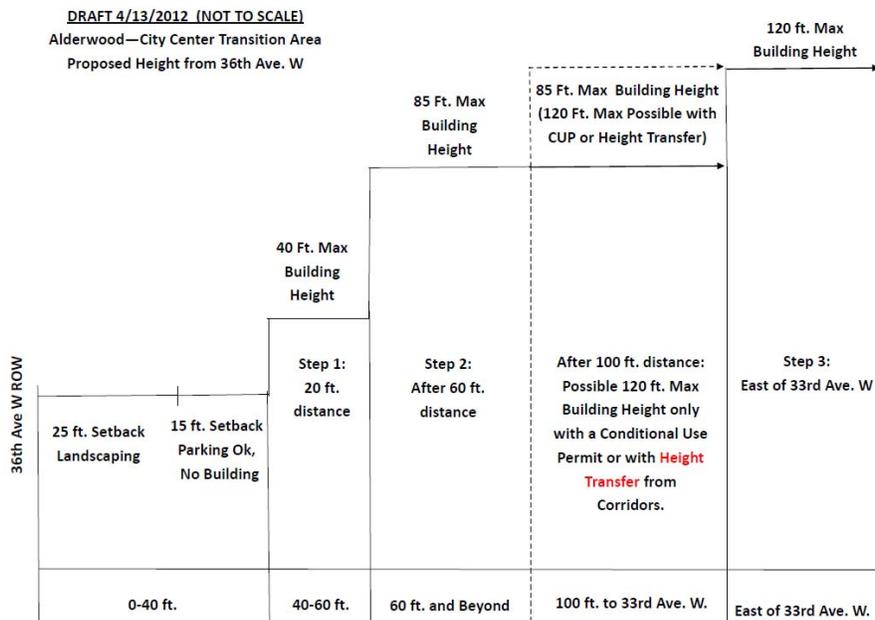


FIGURE NOT TO SCALE

F.

268 Access Management and Vehicular Connections.  
269 1. A building site or a group of building(s) or uses which are  
270 developed, owned, and managed as an operating unit (e.g.,  
271 shopping center, business park, multiple-family complex). shall be  
272 allowed no more than one driveway access to 36<sup>th</sup> Avenue West.  
273 Additional driveways may be permitted subject to the approval of  
274 the Public Works Director. (see LMC 21.02.175)  
275

276 G. Service Areas

- 277 1. No service areas including, but are not limited to, trash dumpsters,  
278 compactors, refuse and recycling areas and mechanical equipment  
279 areas, shall be located within 40 feet of a public street or a  
280 residential zone.  
281 2. Loading docks shall not be located within 100 feet of a residential  
282 zone or public street and shall be screened from direct views using  
283 materials compatible with the building.  
284 3. All trash and recycling facilities shall either be located within the  
285 primary building or shall be enclosed with a solid structure with a  
286 minimum height of seven (7) feet and a roof. However if the  
287 service area is not visible from an adjacent property or public right-  
288 of-way, the enclosure does not require a roof. Exterior materials of  
289 the structure shall match or complement those of the primary  
290 project buildings; wood is not allowed as an exterior material.  
291

292 H Surface Parking and Parking Structures.

293 As provided in LMC Chapter 21.18; except that:

- 294 1. Residential surface parking shall have a minimum of 1 and a  
295 maximum of 1.5 spaces per dwelling unit.  
296 2. The minimum setback and width of landscaping between a parking  
297 structure and a public street is reduced to 10 feet; except that this  
298 provision shall not apply to the LDA.  
299

300 **21.61.450 Landscaping**

301 A. Signed Plans. All landscaping plans shall bear the seal of a registered  
302 landscape architect or signature of a Certified Professional Horticulturalist  
303 (CPH) and be drawn to a scale no less than one inch to 20 feet. The  
304 landscape architect or CPH shall certify that the species of plants are fast-  
305 growing and that the design of the plan will fulfill city code requirements  
306 within five (5) years.

307 B. Installation Prior to Occupancy. All landscaping that fulfills the city code  
308 requirements shall be installed prior to occupancy of any structure located  
309 on the same site. If, due to extreme weather conditions or some  
310 unforeseen emergency, all required landscaping cannot be installed prior  
311 to occupancy, then a cash deposit or guarantee account with the city shall  
312 be provided as financial security to guarantee installation of the remaining  
313 landscaping, as provided in 21.04.920

- 314 C Trees shall be selected from the Tree Preservation And Protection  
315 Guidelines For The City Of Lynnwood.
- 316 D Groundcover shall consist of lawn and/or low evergreen and deciduous  
317 plantings with a maximum height of 30 inches, and shall be provided so as  
318 to achieve 50 percent groundcover within two (2) years
- 319 E. Branches shall be eliminated to a height of six (6) feet where necessary to  
320 prevent sight obstruction.
- 321 F. Surface parking Lot Coverage: Five percent (5%) of the parking area  
322 located only between the sides of the building opposite the street and  
323 interior property lines; 10 percent (10%) of parking areas between  
324 buildings, between buildings and the loosest side property line, or single  
325 aisle, double loaded parking areas located between buildings and the  
326 street and 15 percent (15%) of multi aisle areas located between buildings  
327 and street shall be in landscaping (exclusive of landscaping on the street  
328 frontage and required landscape buffers) provided that :
- 329 1. No landscaping area shall be less than 25 square feet in area or  
330 less than three feet in width
- 331 2. No parking stall shall be located more than 45 feet from a  
332 landscaped area and
- 333 3. All landscaping must be located between parking stalls, at the  
334 end of parking columns, or between parking stalls and the  
335 property lines.
- 336

337 **21.61.460 Additional Requirements 36<sup>th</sup> Avenue West Street and 188<sup>th</sup> Street**  
338 **SW Frontages**

339 A 25 foot wide landscape buffer meeting the following requirements shall be  
340 installed along the street/front lot line:

- 341 1. At least one tree must be planted for every 30 linear feet of street  
342 frontage. At least 50% of the trees shall be evergreen conifers.
- 343 2. All required trees shall be capable of reaching a mature height of at  
344 least 25 feet but not more than 35 feet. Minimum tree height at  
345 planting shall be eight (8) feet for evergreen trees and 10 feet for  
346 deciduous trees.
- 347

348 **21.61.470 Additional Requirements 33<sup>rd</sup> Ave. W. and the Extension of 194<sup>th</sup>**  
349 **St. SW (from 36<sup>th</sup> Ave W to 33<sup>rd</sup> Ave W) Street Frontages**

350 A minimum of 60 percent of the property street frontage shall be buildings or  
351 pedestrian oriented open space. Landscaping buffer meeting the following  
352 requirements shall be installed in setbacks elsewhere.

- 353 1. Trees two-and-one-half- to three-inch minimum caliper size, 12- to 15-  
354 foot minimum height, planted 25 feet on centers, plus groundcover.
- 355 2. Minimum tree height at planting shall be eight (8) feet for evergreen  
356 trees and 10 feet for deciduous trees.
- 357

358 **21.61.480 Additional Requirements Alderwood Mall Boulevard Frontage**

- 359 A ten (10) foot wide landscape buffer meeting the following requirements  
360 shall be installed along the property line.
- 361 1. Trees two-and-one-half- to three-inch minimum caliper size, 12- to 15-  
362 foot minimum height, planted 25 feet on centers, plus groundcover.
  - 363 2. Minimum tree height at planting shall be eight (8) feet for evergreen  
364 trees and 10 feet for deciduous trees.

365 **21.61.600 Nonconforming Uses and Structures.**

366 It is expected that much development within the ACC Zone will be as a result of  
367 renovations and expansions as much as entirely new development. It is not the  
368 intent of the city to discourage such development, as new investment should  
369 enhance the image and appeal of the ACC. However, it is also necessary to  
370 ensure that all forms of development contribute positively to the character and  
371 quality of the area. The general principle to be applied is that changes to  
372 nonconforming conditions should not increase the degree of the nonconformity,  
373 but rather move the site and its uses and buildings towards greater conformity.  
374 Given the location and configuration of current buildings, application of all design  
375 standards may not be possible or practical; however, every effort should be  
376 made to comply with such standards for the portions of sites and buildings in  
377 proximity to the alterations being made. This section supersedes Chapter 21.12  
378 LMC.

- 379
- 380 A. Nonconforming Uses. Any “prohibited” uses legally existing at the time of  
381 the adoption of the ordinance codified in this chapter shall be considered  
382 “legal nonconforming uses.” Such uses are not permitted to expand.  
383 Exterior landscaping, facade improvements, repair/maintenance or interior  
384 upgrades are permitted.  
385
  - 386 B. Nonconforming Sites. Throughout the ACC zone, there are many  
387 properties where site development existing at the time of the adoption of  
388 the ordinance codified in this chapter does not comply with the site design  
389 standards and guidelines in this chapter. Certain types of minor changes  
390 to existing site development would not trigger compliance with the  
391 development standards and design guidelines in this chapter, such as re-  
392 striping of parking stalls, and new or altered signage (see LMC 21.16) or  
393 lighting or renovation of landscaping. Any other site improvements,  
394 exterior renovation or expansion of building footprints shall incorporate site  
395 design features that bring the site more into compliance with the standards  
396 of the Transition Area design guidelines, regardless of whether or not the  
397 site improvements, renovation and/or expansion is subject to the design  
398 review requirements per LMC 21.61.300.  
399
  - 400 C. Nonconforming Buildings: Throughout the ACC zone, there are buildings  
401 and other structures existing at the adoption of the ordinance codified in  
402 this chapter that do not comply with the regulations in this chapter and  
403 Transition Area Design Guidelines. Expansion of building footprints or  
404 increases in building height of such structures shall incorporate standards

405 that bring the site and building more into compliance with the requirements  
406 of this Chapter and the ACC Zone Guidelines. Compliance shall be  
407 localized to the area of the building being altered. Particular emphasis  
408 should be given to the provision of pedestrian amenities oriented towards  
409 the streets. For example, if a building is expanded towards the street,  
410 elements such as parking lot landscaping and pedestrian connections to  
411 the sidewalk are expected to be accomplished.

412  
413 D. Alternative Process for Compliance. The Community Development  
414 Director may approve a plan and design for alteration of a nonconforming  
415 site or building that does not fully comply with the requirements of  
416 subsections (B) and (C) of this section if the Director finds that the  
417 alternative plan and design provides overall a greater degree of  
418 compliance with the principle of this section (as stated above). Appeals of  
419 the Community Development Director's decision shall be processed as a  
420 Process II application (LMC1.35.200).

421  
422

DRAFT

423  
424  
425  
426  
427  
428  
429  
430  
431  
432  
433  
434  
435  
436  
437  
438  
439  
440  
441  
442  
443  
444  
445

**CHAPTER 21.16**  
**SIGNS**

**21.16.335 Signs in the Transition Area**

Only the following signs are permitted in the Transition Area:

- A. General Regulations
  1. Back-lit signs are prohibited; signs with individual backlit letters are acceptable.
  2. Illuminated signs are permitted except on top floor building facades facing westerly that would be visible from the residential areas west of 36<sup>th</sup> Avenue W.
  3. External sign lighting is permitted. The lighting shall not shine directly toward adjacent residentially-zoned properties and shall not project towards the night sky.
  4. For residential real estate signs, see LMC 21.16.290.D.
  5. For Commercial Incidental signs, Internal Information signs, Portable Business signs, Temporary Commercial Event signs, Real Estate signs, Construction signs and variances for commercial signs, see LMC 21.16.310.
- B. Monument Sign Standards. Monument signs shall conform to the requirements of Table 21.61.02 below.

446  
447  
448

**Table 21.61.02 Monument Sign Standards**

<b>Requirements</b> <sup>a, b, c</sup>	Single and Multi-Tenant Developments		
	(less than 25,000 square feet (sq. ft.) of floor area)	(25,000-50,000 square feet (sq. ft.) of floor area)	(more than 50,000 square feet (sq. ft.) of floor area)
Maximum Height	4 feet	6 feet	8 feet
Maximum Sign Area	20 sq. ft.	30 sq. ft.	40 sq. ft.
Minimum Setback from Front Property Lines <sup>d</sup>	For signs 4 feet in height or less: Five (5) feet. For signs greater than four (4) feet in height up to eight (8) feet in height or less: 10 feet		
Minimum Setback – Side <sup>d</sup>	Five (5) feet		
Landscaping <sup>e</sup>	Two (2) feet of landscaping surrounding the entire base of the sign		
Minimum Separation <sup>f</sup>	250 ft. between signs		

449  
450  
451  
452  
453  
454  
455  
456  
457  
458  
459  
460  
461  
462  
463  
464  
465  
466  
467  
468  
469  
470  
471  
472

Notes for Table:

- a. Monument signs shall include the address number on the face of the sign. Address numbers shall meet Fire Department requirements and shall not be counted towards the sign area.
- b. The sign shall consist of materials and colors that minimize reflection capabilities and are consistent and complimentary to the architecture of the primary building on site. Materials shall be easily maintained and shall retain their shape, color, texture and appearance over time.
- c. The sign shall comply with the design criteria in Figure 5 of LMC Chapter 21.16.
- d. Signs shall not be located within a triangular area at street intersection or street and driveway intersections formed by two points measuring 20 feet back from the point where the two street right-of-way lines merge or a street right-of-way line and edge of driveway merge and extending a line that connects these two points to complete the triangle (see Figure 4 of LMC Chapter 21.16).
- e. Landscaping shall include a decorative combination of groundcover and shrubs to provide seasonal interest in the area surrounding the base of the sign. Landscaping shall be well maintained at all times of the year. The required landscaping area shall be protected by a raised curb if not surrounded by additional landscaping.
- f. An individual building, development, or complex may not display more than one monument sign per street frontage. However, additional

473 monument signs can be used on the site as long as they advertise a  
474 different business onsite and can be placed at least 250 feet from the  
475 first sign along applicable street frontages. No two signs shall be closer  
476 than 250 linear feet.

477  
478 C. Wall Sign Standards

- 479 1. Single story building:
- 480 a. Business tenants with building frontage: One (1) square foot of  
481 signage for each linear foot of building frontage, provided that each  
482 tenant is allowed a minimum of 40 sq. ft. of signage.
  - 483 b. Business tenants without building frontage: 1/2 square foot for each  
484 lineal foot of building façade, not to exceed 100 square feet  
485 maximum.
  - 486 c. Allowable sign area may not be transferred from one façade and/or  
487 building frontage to another.
- 488 2. Multi-story building:
- 489 a. Ground-floor business tenants with a direct exterior entrance into  
490 the business (not a lobby) are permitted one (1) square foot of  
491 signage for each linear foot of building frontage of the applicable  
492 tenant space, provided that each tenant is allowed a minimum of 40  
493 square foot of signage. This signage shall be located at their  
494 exterior entry on the ground floor.
  - 495 b. Other business tenants with building frontage. The total exterior  
496 wall signage allowed shall be a maximum of one (1) square foot of  
497 signage for each linear foot of building, up to a maximum of 250  
498 square foot per building frontage (total for all business tenants).  
499 This signage may identify either the building, a major tenant of the  
500 building, or individual tenants that do not have a direct exterior  
501 entrance into their tenant space (or a combination of all three), as  
502 determined and allocated by the building owner. This signage may  
503 be located only on either the ground floor or the top floor (below the  
504 cornice or edge of the roof) of the building (or both), as determined  
505 by the owner.
  - 506 c. Business tenants without building frontage. The total exterior wall  
507 signage allowed shall be a maximum of ½ square foot for each  
508 lineal foot of building façade which does not meet the definition of  
509 building frontage, up to a maximum of 100 square foot (total for all  
510 business tenants). The property owner shall allocate this signage  
511 among tenants without building frontage, including tenant spaces  
512 without wall space along the exterior façade. This signage may  
513 located only at the ground floor or the top floor of the building (or  
514 both), as determined by the owner.
  - 515 d. Allowable sign area may not be transferred from one façade and/or  
516 building frontage to another.
  - 517 e. In no case shall allowable sign area be permitted on intermediate  
518 floors (above the first story or below the top story).

- 519  
520  
521  
522  
523  
524  
525  
526  
527  
528  
529  
530  
531  
532  
533  
534  
535  
536  
537  
538  
539  
540  
541  
542  
543  
544  
545  
546  
547  
548  
549  
550  
551  
552  
553  
554  
555  
556  
557  
558  
559  
560  
561  
562  
563
3. Residential Development or Institutional Identification Signs. Wall signs for multi-family development identification are permitted. Signs at ground-floor public residential or institutional entrances shall have a maximum size of 20 square feet per such entrance. Additional signs may be permitted on the top floor (below the cornice or roof edge), provided such signs shall be allocated as part of the total allowable sign area per facade by the owner (see above).
  4. Home Occupation Signs. Home Occupations may be allocated sign area as part of an internal or external sign directory; no other signage is permitted.
  5. Maximum Height: Wall signs may not extend above the building parapet, soffit, the eave line or the roof of the building.
  6. Mounting: Building signs should be mounted plumb with the building, with a maximum protrusion of one (1) foot unless the sign incorporates sculptural elements or architectural devices. The sign frame shall be concealed or integrated into the building's architectural character in terms of form, color, and materials.
- D. Projecting, Marquee and Awning Signs. Projecting, marquee and awning signs shall meet the requirements of LMC 21.16.310(B)(2) in addition to the following:
1. The sign shall not project more than five (5) feet from the building, unless the sign is a part of a permanent marquee or awning over the sidewalk. Vertically oriented signs shall not project more than three (3) feet from the building. Signs shall not project into the public right-of-way.
  2. Sign area shall be counted as part of the allocation for wall signs, above.
  3. Signs shall not extend above the building parapet, soffit, eave line or the roof of the building, except for theaters.
  4. Marquee and awning signs shall not cover more than 70% of the applicable storefront or awning.
- E. Blade Signs. Blade signs are small signs with faces perpendicular to the building façade. They generally are mounted directly to the building façade or hung below a canopy or projecting weather protection. Blade signs are generally oriented to face pedestrians walking down the fronting sidewalk. Blade signs meeting the following conditions are allowed for commercial uses:
1. Projection: Blade signs may project up to three (3) feet. Bracket signs shall have one (1) foot minimum between the sign and the outer edge of the marquee, awning, or canopy and between the sign and the building facade.
  2. Clearance: Blade/bracket signs shall maintain a minimum clearance of eight (8) feet between the walkway and the bottom of the sign.
  3. Dimensions: Blade signs shall not exceed six (6) square feet in area. Bracket signs shall not exceed two (2) feet in height.

- 564           4. Mounting: Blade signs must avoid covering or modifying windows or  
565           other architectural feature.  
566       F. Prohibited Signs. The following signs are specifically prohibited:  
567           1. Pole-mounted signs.  
568           2. Signs employing moving or flashing lights.  
569           3. Signs employing exposed electrical conduits.  
570           4. Visible ballast boxes or other equipment.  
571           5. Roof-mounted signs.  
572       G. Other Signs – See LMC 21.16.310 C-J.  
573  
574  
575

DRAFT

576 **NEW DEFINITIONS**

577

578 **Chapter 21.02**

579 **Definitions**

580

581 **21.02.460 Live/Work Unit**

582 "Live-work unit" means a building or portion thereof that combines a business  
583 that is allowed in a zone with a residential dwelling unit for the owner or  
584 employee of the business. The dwelling unit may the same share floor area with  
585 the business or may be an individual dwelling unit within the same building.  
586 Buildings with Live/Work units do not need to meet the definition of a multi-family  
587 dwelling.

588

589 **21.61.400 Occupiable Space**

590 Occupiable Space means spaces for uses such as retail, office, residential,  
591 personal service shops, customer serving offices, restaurant, entertainment, and  
592 the like. Structured parking and self-service storage facilities (mini-storage and  
593 similar spaces designed to contain objects, not persons as the primary use are  
594 not considered occupiable space.)  
595

EXHIBIT A

Final Draft – April 13, 2012

1

**Chapter 21.61**

2

**ALDERWOOD-CITY CENTER TRANSITION AREA (ACC) ZONE**

3

4 **21.61.100 Purpose.**

5 The Alderwood - City Center Transition Area (“Transition Area”) is located in  
6 between the City Center, the Alderwood mall area, and a single family  
7 neighborhood on the west side of 36<sup>th</sup> Avenue West. The Transition Area  
8 provides a point of connection between the City Center and the Alderwood mall,  
9 each of which is a center of substantial activity and is planned for substantial  
10 growth and development. At the same time, the proximity of a single family  
11 neighborhood (west of 36<sup>th</sup> Avenue West) means that redevelopment and use of  
12 properties in the Transition Area must be appropriately regulated. Therefore, the  
13 Alderwood-City Center Transition Area Zone (ACC) is intended to promote  
14 development and redevelopment of the transition area in a manner that takes  
15 advantage of current and foreseeable opportunities in the real estate market  
16 while providing protection for the single-family neighborhood. This zone will  
17 create the linkage/connection between the Alderwood mall area and the City  
18 Center by allowing a mix of land uses that complements the two areas  
19 (Alderwood mall and the City Center) but at a lower intensity than the City Center  
20 and in a manner that minimizes impacts on the residential area to the west. In  
21 particular, development along the frontage of 36<sup>th</sup> Avenue West – that faces the  
22 single family neighborhood – will be controlled and limited.

23 **21.61.150 Interpretation.**

24 All regulations of the ACC zone and the Transition Area Design Guidelines shall  
25 apply to properties within the ACC zone. In the event of differences between the  
26 requirements of this zone and other chapters of this Code, the provisions of the  
27 ACC zone shall prevail.

28 **21.61.200 Limited Development Area Overlay**

29

30 To provide added protection to the residential areas west of 36<sup>th</sup> Avenue West,  
31 there is hereby created an overlay zone called the “Limited Development Area”  
32 (LDA).

33

34 A. The portion of the Alderwood-City Center Transition Area Zone (ACC)  
35 designated as the LDA Overlay Zone is:

36 The properties fronting the east side of 36<sup>th</sup> Avenue West, between 188<sup>th</sup>  
37 Street SW to the North and the future extension of 194<sup>th</sup> Street SW to the  
38 South (as 194<sup>th</sup> Street SW is identified in the City Center Street Grid  
39 Ordinance, as amended), from the 36<sup>th</sup> Avenue West right-of way Eastern  
40 edge/ property line to a line 100 feet deep (easterly) into the properties.

41 B. In the LDA Overlay Zone, certain land uses have specific requirements and  
42 the intensity of development is restricted, as stated in this Chapter.

43 **21.61.250 Permitted uses.**

44 A. Uses

- 45 1. Live/Work units
- 46 2. Multi-family dwellings
- 47 3. Caretaker and watchmen quarters
- 48 4. Hotel/motel, except as prohibited in the LDA
- 49 5. Offices (all types)
- 50 6. Personal care services (i.e. barber, hair salon, nail salon, tanning,  
51 etc.)
- 52 7. Banks and other financial institutions
- 53 8. Medical clinics
- 54 9. Hospitals, except prohibited in the LDA
- 55 10. Veterinarian clinic, (may include boarding of and day-care for small  
56 animals, provided all on-site activities are enclosed in a building)
- 57 11. Retail, up to 50,000 square feet per building; except that, in the  
58 LDA retail uses may occupy no more than 50% of the ground floor  
59 of a building. Where a building overlaps the LDA boundary, this  
60 limitation applies only to the portion of the building in the LDA.
- 61 12. Eating and drinking establishments, including outdoor dining as an  
62 accessory use; except that, in the LDA an eating and drinking  
63 establishment may occupy no more than 50% of the ground floor of  
64 a building excluding out-door dining areas. Where a building  
65 overlaps the LDA boundary, this limitation applies only to the  
66 portion of the building in the LDA.
- 67 13. Colleges, universities, trade and professional schools, technical  
68 and vocational schools
- 69 14. Athletic clubs and facilities, except prohibited in the LDA
- 70 15. Municipal Services
- 71 16. Research and Development
- 72 17. Assembly of Wood, Light Metal, Glass, Electronic, Electrical or  
73 Plastic Parts or Components which are extruded, stamped,  
74 manufactured, shaped, or prepared elsewhere, not precluding  
75 minor processes such as cutting, drilling, soldering, or minor  
76 welding
- 77 18. Printing, publishing and electronic media businesses such as copy  
78 centers
- 79 19. Testing, servicing and repairing of goods
- 80 20. Clubhouse and fraternal, social, recreation and other not-for-profit  
81 associations
- 82 21. Libraries, museums, and similar cultural uses
- 83 22. Wireless communication facilities (attached)
- 84 23. Child day care
- 85 24. Land uses not specifically listed in this section may be allowed  
86 when determined by the Community Development Director to be

87 compatible with the listed uses and consistent with the purpose of  
88 the Alderwood - City Center Transition Area Zone. The Director's  
89 written decision is subject to appeal per LMC 1.35.200 (Process II).  
90

91 **B. Uses Allowed by Conditional Use Permit.**

- 92 1. Wireless communication facilities (not attached)  
93

94 **C. Allowed Accessory Uses**

- 95 1. Self-storage: Self storage may occupy up to 20% gross floor area  
96 of multi-story buildings. All related outdoor display or storage is  
97 prohibited.

- 98 2. Outdoor dining.  
99

100 **21.61.260. Prohibited Uses**

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

- 105 1. Adult uses and establishments  
106 2. Drive-up and drive-through service facilities  
107 3. Gas stations  
108 4. Recreational Vehicle Parks, campgrounds  
109 5. Self-Storage on street level except for front office and lobby  
110 functions.  
111 6. Uses not fully contained within a building, except outdoor dining is  
112 permitted as an accessory use.  
113 7. Secure community transition facilities  
114 8. Sewage treatment plants  
115 9. Vehicle repair, servicing and other auto oriented services unless  
116 entirely within a building or a parking structure  
117 10. Wrecking yards  
118 11. Work release facilities and similar  
119 12. Outdoor sales and/or storage  
120 13. Warehouse and/or Distribution  
121 14. Any other uses similar to those listed above or any other uses  
122 determined by the Community Development Director to be  
123 inconsistent with the ACC Zone Purpose Statement (LMC  
124 21.61.100)

125

126 **21.61.300 Project Design Review.**

- 127 A. Design Guidelines. The following structures and parking facilities  
128 permitted in the Alderwood-City Center zone shall comply with the  
129 Lynnwood Transition Area Design Guidelines (which are adopted by this  
130 reference as if fully set forth herein) and receive approval pursuant to  
131 Chapter 21.25 LMC, unless otherwise specified in this chapter. For

132 proposals in the Alderwood-City Center zone, the citywide design  
133 guidelines shall be replaced with the Transition Area design guidelines.

- 134
- 135 1. Construction (or expansion) of any nonresidential structure or building  
136 with a gross floor area of more than 1,000 square feet.
  - 137 2. Construction (or expansion) of any parking lot and/or parking structure  
138 with 20 or more stalls or paved parking area of 5,400 square feet or  
139 more.
  - 140 3. Construction of or addition to any structure containing residential units.

141

142 B. Applicable Lynnwood Transition Area standards shall supersede any  
143 development standards and requirements of this title and other titles of  
144 this code that may conflict, unless otherwise specified in this chapter.  
145 Where Transition Area standards are silent, development standards  
146 provide elsewhere in LMC shall apply.

147

148 C. Gateways and Prominent Intersections. See City of Lynnwood zoning map  
149 to identify development project sites within a gateway or prominent  
150 intersection location. Such sites shall be subject to applicable gateway  
151 and/or prominent intersection design guidelines in the Lynnwood  
152 Transition Area design guidelines. If any portion of a project site lies within  
153 a gateway or prominent intersection location, then the entire project shall  
154 comply with the applicable design guidelines.

155

156 **21.61.400 Development Standards**

- 157 A. Density (Multiple-Family Residential):
- 158 1. Maximum Density: 70 dwelling units per acre (There is a cap of  
159 300 dwelling units in the North End, including the ACC zone. When  
160 that number is reached, the future housing density will be  
161 analyzed).
- 162 B. Minimum lot area: One (1) acre.
- 163 C. Minimum lot width: 150 feet.
- 164 D. Minimum and maximum building setbacks:
- 165 1. 36<sup>th</sup> Avenue West
  - 166
  - 167 a. Minimum: 40 feet. The 40 foot setback shall consist of a  
168 minimum 25 foot wide landscaping buffer from the  
169 property line along 36<sup>th</sup> Avenue West plus an  
170 additional 15 feet of open space. Surface and  
171 underground parking, plazas, landscaping or other  
172 open space is allowed in the additional 15 feet of  
173 open space. (See also LMC 21.61.450 for  
174 landscaping requirements)
  - 175 b. Maximum: None
- 176

- 177 2. 33<sup>rd</sup> Avenue West  
 178 a. Minimum: None.  
 179 b. Maximum: Ten (10) feet, except that a larger setback is allowed  
 180 to create pedestrian oriented open space (such as a  
 181 forecourt, a plaza or similar pedestrian oriented  
 182 environment).  
 183  
 184 3. 188<sup>th</sup> Street SW  
 185 a. Minimum: Twenty Five (25) feet  
 186 b. Maximum: None.  
 187  
 188 4. 194<sup>th</sup> Street SW Extension (to be applied at such time the right of  
 189 way exists):  
 190 a. Minimum: None.  
 191 b. Maximum: Ten (10) feet, except that a larger setback is allowed  
 192 to create pedestrian oriented open space (such as a  
 193 forecourt, a plaza or similar pedestrian oriented  
 194 environment).  
 195  
 196 5. Alderwood Mall Boulevard  
 197 a. Minimum: Ten (10) feet  
 198 b. Maximum: None.  
 199  
 200 6. Interior Property Lines: None  
 201 7. Maximum Lot Coverage: 50%, excluding parking structures and  
 202 Occupiable Space uses located on the ground floor of parking  
 203 structures.  
 204  
 205 E. Maximum building height:  
 206  
 207 1. See Table 21.61.01 for maximum building height.  
 208

209 **Table 21.61.01 Maximum Building Height**

Distance from the east right of way line of 36 <sup>th</sup> Avenue West	Maximum Building Height (excluding Corridor)
0 to 40 feet	0 (No buildings allowed)
Greater than 40 feet up to 60 feet	40 feet
Greater than 60 feet up to 100 feet	85 feet
Greater than 100 feet	West of 33 <sup>rd</sup> : 85 feet; up to 120 with CUP East of 33 <sup>rd</sup> : 120 feet

- 223 2. Create a “corridor” extending from and centered on 191<sup>st</sup> Place  
 224 Southwest and 192<sup>nd</sup> Street Southwest; no portion of a building or  
 225 structure may exceed 40 feet in height as measured from the 36<sup>th</sup>  
 226 Avenue West eastern most ROW. The corridor shall consist of the  
 227 following areas (see Figure 2):  
 228  
 229 a. Any area within 40 feet north and south of the centerline of 191<sup>st</sup>  
 230 Place SW as extended to the east from the terminus of 191<sup>st</sup>  
 231 Place SW to 33<sup>rd</sup> Avenue West.  
 232 b. Any area within 35 feet north and south of the centerline of  
 233 192<sup>nd</sup> Street SW as extended to the east from the terminus of  
 234 192<sup>nd</sup> Street SW to 33<sup>rd</sup> Avenue West.  
 235 c. Properties in the corridor may transfer the difference between  
 236 the average finished building height measured at grade and 85  
 237 feet, to properties outside the corridor but within the ACC. No  
 238 building may exceed 120 feet in height. Properties outside the  
 239 corridor receiving a height transfer may build to a height of 120  
 240 feet without a CUP.  
 241  
 242  
 243  
 244  
 245  
 246  
 247  
 248  
 249  
 250

Figure 1

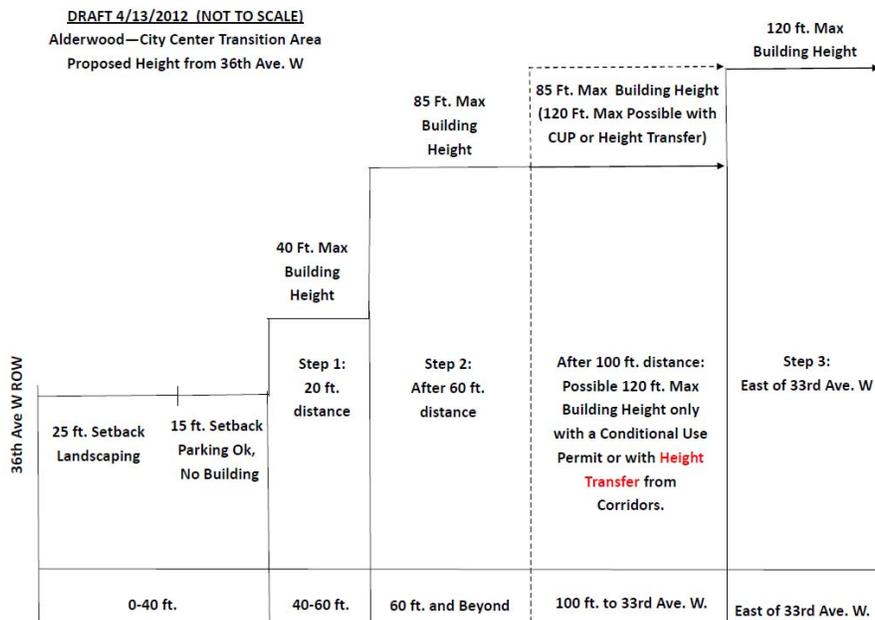


FIGURE NOT TO SCALE

F.

268 Access Management and Vehicular Connections.  
269 1. A building site or a group of building(s) or uses which are  
270 developed, owned, and managed as an operating unit (e.g.,  
271 shopping center, business park, multiple-family complex). shall be  
272 allowed no more than one driveway access to 36<sup>th</sup> Avenue West.  
273 Additional driveways may be permitted subject to the approval of  
274 the Public Works Director. (see LMC 21.02.175)  
275

276 G. Service Areas

- 277 1. No service areas including, but are not limited to, trash dumpsters,  
278 compactors, refuse and recycling areas and mechanical equipment  
279 areas, shall be located within 40 feet of a public street or a  
280 residential zone.  
281 2. Loading docks shall not be located within 100 feet of a residential  
282 zone or public street and shall be screened from direct views using  
283 materials compatible with the building.  
284 3. All trash and recycling facilities shall either be located within the  
285 primary building or shall be enclosed with a solid structure with a  
286 minimum height of seven (7) feet and a roof. However if the  
287 service area is not visible from an adjacent property or public right-  
288 of-way, the enclosure does not require a roof. Exterior materials of  
289 the structure shall match or complement those of the primary  
290 project buildings; wood is not allowed as an exterior material.  
291

292 H Surface Parking and Parking Structures.

293 As provided in LMC Chapter 21.18; except that:

- 294 1. Residential surface parking shall have a minimum of 1 and a  
295 maximum of 1.5 spaces per dwelling unit.  
296 2. The minimum setback and width of landscaping between a parking  
297 structure and a public street is reduced to 10 feet; except that this  
298 provision shall not apply to the LDA.  
299

300 **21.61.450 Landscaping**

301 A. Signed Plans. All landscaping plans shall bear the seal of a registered  
302 landscape architect or signature of a Certified Professional Horticulturalist  
303 (CPH) and be drawn to a scale no less than one inch to 20 feet. The  
304 landscape architect or CPH shall certify that the species of plants are fast-  
305 growing and that the design of the plan will fulfill city code requirements  
306 within five (5) years.

307 B. Installation Prior to Occupancy. All landscaping that fulfills the city code  
308 requirements shall be installed prior to occupancy of any structure located  
309 on the same site. If, due to extreme weather conditions or some  
310 unforeseen emergency, all required landscaping cannot be installed prior  
311 to occupancy, then a cash deposit or guarantee account with the city shall  
312 be provided as financial security to guarantee installation of the remaining  
313 landscaping, as provided in 21.04.920

- 314 C Trees shall be selected from the Tree Preservation And Protection
- 315 Guidelines For The City Of Lynnwood.
- 316 D Groundcover shall consist of lawn and/or low evergreen and deciduous
- 317 plantings with a maximum height of 30 inches, and shall be provided so as
- 318 to achieve 50 percent groundcover within two (2) years
- 319 E. Branches shall be eliminated to a height of six (6) feet where necessary to
- 320 prevent sight obstruction.
- 321 F. Surface parking Lot Coverage: Five percent (5%) of the parking area
- 322 located only between the sides of the building opposite the street and
- 323 interior property lines; 10 percent (10%) of parking areas between
- 324 buildings, between buildings and the loosest side property line, or single
- 325 aisle, double loaded parking areas located between buildings and the
- 326 street and 15 percent (15%) of multi aisle areas located between buildings
- 327 and street shall be in landscaping (exclusive of landscaping on the street
- 328 frontage and required landscape buffers) provided that :
- 329 1. No landscaping area shall be less than 25 square feet in area or
- 330 less than three feet in width
- 331 2. No parking stall shall be located more than 45 feet from a
- 332 landscaped area and
- 333 3. All landscaping must be located between parking stalls, at the
- 334 end of parking columns, or between parking stalls and the
- 335 property lines.
- 336

337 **21.61.460 Additional Requirements 36<sup>th</sup> Avenue West Street and 188<sup>th</sup> Street**

338 **SW Frontages**

339 A 25 foot wide landscape buffer meeting the following requirements shall be

340 installed along the street/front lot line:

- 341 1. At least one tree must be planted for every 30 linear feet of street
- 342 frontage. At least 50% of the trees shall be evergreen conifers.
- 343 2. All required trees shall be capable of reaching a mature height of at
- 344 least 25 feet but not more than 35 feet. Minimum tree height at
- 345 planting shall be eight (8) feet for evergreen trees and 10 feet for
- 346 deciduous trees.
- 347

348 **21.61.470 Additional Requirements 33<sup>rd</sup> Ave. W. and the Extension of 194<sup>th</sup>**

349 **St. SW (from 36<sup>th</sup> Ave W to 33<sup>rd</sup> Ave W) Street Frontages**

350 A minimum of 60 percent of the property street frontage shall be buildings or

351 pedestrian oriented open space. Landscaping buffer meeting the following

352 requirements shall be installed in setbacks elsewhere.

- 353 1. Trees two-and-one-half- to three-inch minimum caliper size, 12- to 15-
- 354 foot minimum height, planted 25 feet on centers, plus groundcover.
- 355 2. Minimum tree height at planting shall be eight (8) feet for evergreen
- 356 trees and 10 feet for deciduous trees.
- 357

358 **21.61.480 Additional Requirements Alderwood Mall Boulevard Frontage**

- 359 A ten (10) foot wide landscape buffer meeting the following requirements  
360 shall be installed along the property line.
- 361 1. Trees two-and-one-half- to three-inch minimum caliper size, 12- to 15-  
362 foot minimum height, planted 25 feet on centers, plus groundcover.
  - 363 2. Minimum tree height at planting shall be eight (8) feet for evergreen  
364 trees and 10 feet for deciduous trees.

365 **21.61.600 Nonconforming Uses and Structures.**

366 It is expected that much development within the ACC Zone will be as a result of  
367 renovations and expansions as much as entirely new development. It is not the  
368 intent of the city to discourage such development, as new investment should  
369 enhance the image and appeal of the ACC. However, it is also necessary to  
370 ensure that all forms of development contribute positively to the character and  
371 quality of the area. The general principle to be applied is that changes to  
372 nonconforming conditions should not increase the degree of the nonconformity,  
373 but rather move the site and its uses and buildings towards greater conformity.  
374 Given the location and configuration of current buildings, application of all design  
375 standards may not be possible or practical; however, every effort should be  
376 made to comply with such standards for the portions of sites and buildings in  
377 proximity to the alterations being made. This section supersedes Chapter 21.12  
378 LMC.

- 379
- 380 A. Nonconforming Uses. Any “prohibited” uses legally existing at the time of  
381 the adoption of the ordinance codified in this chapter shall be considered  
382 “legal nonconforming uses.” Such uses are not permitted to expand.  
383 Exterior landscaping, facade improvements, repair/maintenance or interior  
384 upgrades are permitted.  
385
  - 386 B. Nonconforming Sites. Throughout the ACC zone, there are many  
387 properties where site development existing at the time of the adoption of  
388 the ordinance codified in this chapter does not comply with the site design  
389 standards and guidelines in this chapter. Certain types of minor changes  
390 to existing site development would not trigger compliance with the  
391 development standards and design guidelines in this chapter, such as re-  
392 striping of parking stalls, and new or altered signage (see LMC 21.16) or  
393 lighting or renovation of landscaping. Any other site improvements,  
394 exterior renovation or expansion of building footprints shall incorporate site  
395 design features that bring the site more into compliance with the standards  
396 of the Transition Area design guidelines, regardless of whether or not the  
397 site improvements, renovation and/or expansion is subject to the design  
398 review requirements per LMC 21.61.300.  
399
  - 400 C. Nonconforming Buildings: Throughout the ACC zone, there are buildings  
401 and other structures existing at the adoption of the ordinance codified in  
402 this chapter that do not comply with the regulations in this chapter and  
403 Transition Area Design Guidelines. Expansion of building footprints or  
404 increases in building height of such structures shall incorporate standards

405 that bring the site and building more into compliance with the requirements  
406 of this Chapter and the ACC Zone Guidelines. Compliance shall be  
407 localized to the area of the building being altered. Particular emphasis  
408 should be given to the provision of pedestrian amenities oriented towards  
409 the streets. For example, if a building is expanded towards the street,  
410 elements such as parking lot landscaping and pedestrian connections to  
411 the sidewalk are expected to be accomplished.

412  
413 D. Alternative Process for Compliance. The Community Development  
414 Director may approve a plan and design for alteration of a nonconforming  
415 site or building that does not fully comply with the requirements of  
416 subsections (B) and (C) of this section if the Director finds that the  
417 alternative plan and design provides overall a greater degree of  
418 compliance with the principle of this section (as stated above). Appeals of  
419 the Community Development Director's decision shall be processed as a  
420 Process II application (LMC1.35.200).

421  
422

DRAFT

423  
424  
425  
426  
427  
428  
429  
430  
431  
432  
433  
434  
435  
436  
437  
438  
439  
440  
441  
442  
443  
444  
445

**CHAPTER 21.16**  
**SIGNS**

**21.16.335 Signs in the Transition Area**

Only the following signs are permitted in the Transition Area:

- A. General Regulations
  1. Back-lit signs are prohibited; signs with individual backlit letters are acceptable.
  2. Illuminated signs are permitted except on top floor building facades facing westerly that would be visible from the residential areas west of 36<sup>th</sup> Avenue W.
  3. External sign lighting is permitted. The lighting shall not shine directly toward adjacent residentially-zoned properties and shall not project towards the night sky.
  4. For residential real estate signs, see LMC 21.16.290.D.
  5. For Commercial Incidental signs, Internal Information signs, Portable Business signs, Temporary Commercial Event signs, Real Estate signs, Construction signs and variances for commercial signs, see LMC 21.16.310.
- B. Monument Sign Standards. Monument signs shall conform to the requirements of Table 21.61.02 below.

446  
447  
448

**Table 21.61.02 Monument Sign Standards**

<b>Requirements</b> <sup>a, b, c</sup>	Single and Multi-Tenant Developments		
	(less than 25,000 square feet (sq. ft.) of floor area)	(25,000-50,000 square feet (sq. ft.) of floor area)	(more than 50,000 square feet (sq. ft.) of floor area)
Maximum Height	4 feet	6 feet	8 feet
Maximum Sign Area	20 sq. ft.	30 sq. ft.	40 sq. ft.
Minimum Setback from Front Property Lines <sup>d</sup>	For signs 4 feet in height or less: Five (5) feet. For signs greater than four (4) feet in height up to eight (8) feet in height or less: 10 feet		
Minimum Setback – Side <sup>d</sup>	Five (5) feet		
Landscaping <sup>e</sup>	Two (2) feet of landscaping surrounding the entire base of the sign		
Minimum Separation <sup>f</sup>	250 ft. between signs		

449  
450  
451  
452  
453  
454  
455  
456  
457  
458  
459  
460  
461  
462  
463  
464  
465  
466  
467  
468  
469  
470  
471  
472

Notes for Table:

- a. Monument signs shall include the address number on the face of the sign. Address numbers shall meet Fire Department requirements and shall not be counted towards the sign area.
- b. The sign shall consist of materials and colors that minimize reflection capabilities and are consistent and complimentary to the architecture of the primary building on site. Materials shall be easily maintained and shall retain their shape, color, texture and appearance over time.
- c. The sign shall comply with the design criteria in Figure 5 of LMC Chapter 21.16.
- d. Signs shall not be located within a triangular area at street intersection or street and driveway intersections formed by two points measuring 20 feet back from the point where the two street right-of-way lines merge or a street right-of-way line and edge of driveway merge and extending a line that connects these two points to complete the triangle (see Figure 4 of LMC Chapter 21.16).
- e. Landscaping shall include a decorative combination of groundcover and shrubs to provide seasonal interest in the area surrounding the base of the sign. Landscaping shall be well maintained at all times of the year. The required landscaping area shall be protected by a raised curb if not surrounded by additional landscaping.
- f. An individual building, development, or complex may not display more than one monument sign per street frontage. However, additional

473 monument signs can be used on the site as long as they advertise a  
474 different business onsite and can be placed at least 250 feet from the  
475 first sign along applicable street frontages. No two signs shall be closer  
476 than 250 linear feet.

477  
478 C. Wall Sign Standards

- 479 1. Single story building:
- 480 a. Business tenants with building frontage: One (1) square foot of  
481 signage for each linear foot of building frontage, provided that each  
482 tenant is allowed a minimum of 40 sq. ft. of signage.
  - 483 b. Business tenants without building frontage: 1/2 square foot for each  
484 lineal foot of building façade, not to exceed 100 square feet  
485 maximum.
  - 486 c. Allowable sign area may not be transferred from one façade and/or  
487 building frontage to another.
- 488 2. Multi-story building:
- 489 a. Ground-floor business tenants with a direct exterior entrance into  
490 the business (not a lobby) are permitted one (1) square foot of  
491 signage for each linear foot of building frontage of the applicable  
492 tenant space, provided that each tenant is allowed a minimum of 40  
493 square foot of signage. This signage shall be located at their  
494 exterior entry on the ground floor.
  - 495 b. Other business tenants with building frontage. The total exterior  
496 wall signage allowed shall be a maximum of one (1) square foot of  
497 signage for each linear foot of building, up to a maximum of 250  
498 square foot per building frontage (total for all business tenants).  
499 This signage may identify either the building, a major tenant of the  
500 building, or individual tenants that do not have a direct exterior  
501 entrance into their tenant space (or a combination of all three), as  
502 determined and allocated by the building owner. This signage may  
503 be located only on either the ground floor or the top floor (below the  
504 cornice or edge of the roof) of the building (or both), as determined  
505 by the owner.
  - 506 c. Business tenants without building frontage. The total exterior wall  
507 signage allowed shall be a maximum of ½ square foot for each  
508 lineal foot of building façade which does not meet the definition of  
509 building frontage, up to a maximum of 100 square foot (total for all  
510 business tenants). The property owner shall allocate this signage  
511 among tenants without building frontage, including tenant spaces  
512 without wall space along the exterior façade. This signage may  
513 located only at the ground floor or the top floor of the building (or  
514 both), as determined by the owner.
  - 515 d. Allowable sign area may not be transferred from one façade and/or  
516 building frontage to another.
  - 517 e. In no case shall allowable sign area be permitted on intermediate  
518 floors (above the first story or below the top story).

- 519  
520  
521  
522  
523  
524  
525  
526  
527  
528  
529  
530  
531  
532  
533  
534  
535  
536  
537  
538  
539  
540  
541  
542  
543  
544  
545  
546  
547  
548  
549  
550  
551  
552  
553  
554  
555  
556  
557  
558  
559  
560  
561  
562  
563
3. Residential Development or Institutional Identification Signs. Wall signs for multi-family development identification are permitted. Signs at ground-floor public residential or institutional entrances shall have a maximum size of 20 square feet per such entrance. Additional signs may be permitted on the top floor (below the cornice or roof edge), provided such signs shall be allocated as part of the total allowable sign area per facade by the owner (see above).
  4. Home Occupation Signs. Home Occupations may be allocated sign area as part of an internal or external sign directory; no other signage is permitted.
  5. Maximum Height: Wall signs may not extend above the building parapet, soffit, the eave line or the roof of the building.
  6. Mounting: Building signs should be mounted plumb with the building, with a maximum protrusion of one (1) foot unless the sign incorporates sculptural elements or architectural devices. The sign frame shall be concealed or integrated into the building's architectural character in terms of form, color, and materials.
- D. Projecting, Marquee and Awning Signs. Projecting, marquee and awning signs shall meet the requirements of LMC 21.16.310(B)(2) in addition to the following:
1. The sign shall not project more than five (5) feet from the building, unless the sign is a part of a permanent marquee or awning over the sidewalk. Vertically oriented signs shall not project more than three (3) feet from the building. Signs shall not project into the public right-of-way.
  2. Sign area shall be counted as part of the allocation for wall signs, above.
  3. Signs shall not extend above the building parapet, soffit, eave line or the roof of the building, except for theaters.
  4. Marquee and awning signs shall not cover more than 70% of the applicable storefront or awning.
- E. Blade Signs. Blade signs are small signs with faces perpendicular to the building façade. They generally are mounted directly to the building façade or hung below a canopy or projecting weather protection. Blade signs are generally oriented to face pedestrians walking down the fronting sidewalk. Blade signs meeting the following conditions are allowed for commercial uses:
1. Projection: Blade signs may project up to three (3) feet. Bracket signs shall have one (1) foot minimum between the sign and the outer edge of the marquee, awning, or canopy and between the sign and the building facade.
  2. Clearance: Blade/bracket signs shall maintain a minimum clearance of eight (8) feet between the walkway and the bottom of the sign.
  3. Dimensions: Blade signs shall not exceed six (6) square feet in area. Bracket signs shall not exceed two (2) feet in height.

- 564           4. Mounting: Blade signs must avoid covering or modifying windows or  
565           other architectural feature.  
566       F. Prohibited Signs. The following signs are specifically prohibited:  
567           1. Pole-mounted signs.  
568           2. Signs employing moving or flashing lights.  
569           3. Signs employing exposed electrical conduits.  
570           4. Visible ballast boxes or other equipment.  
571           5. Roof-mounted signs.  
572       G. Other Signs – See LMC 21.16.310 C-J.  
573  
574  
575

DRAFT

576 **NEW DEFINITIONS**

577

578 **Chapter 21.02**

579 **Definitions**

580

581 **21.02.460 Live/Work Unit**

582 "Live-work unit" means a building or portion thereof that combines a business  
583 that is allowed in a zone with a residential dwelling unit for the owner or  
584 employee of the business. The dwelling unit may the same share floor area with  
585 the business or may be an individual dwelling unit within the same building.  
586 Buildings with Live/Work units do not need to meet the definition of a multi-family  
587 dwelling.

588

589 **21.61.400 Occupiable Space**

590 Occupiable Space means spaces for uses such as retail, office, residential,  
591 personal service shops, customer serving offices, restaurant, entertainment, and  
592 the like. Structured parking and self-service storage facilities (mini-storage and  
593 similar spaces designed to contain objects, not persons as the primary use are  
594 not considered occupiable space.)  
595

EXHIBIT B

DRAFT 3/07/12

City of Lynnwood

**TRANSITION AREA  
DESIGN GUIDELINES**

\_\_\_\_\_, 2012

# TABLE OF CONTENTS

---

Introduction.....	1
A. Site Design.....	2
1. Site Landscaping.....	3
2. Location of Parking Lots .....	5
3. Parking Lot Landscaping.....	6
4. Parking Lot Screening .....	7
5. Sidewalks and Street Trees.....	8
6. Pedestrian Connections.....	9
7. Vehicular Access and Circulation .....	11
8. Open Space .....	12
9. Community Gateways .....	13
10. Service Areas.....	14
11. Storm Water Facility Planning .....	16
B. Building Design .....	17
1. Building / Sidewalk Relationship.....	18
2. Building Design.....	19
3. Building Entrances.....	20
4. Ground Level Building Facades .....	22
5. Weather Protection .....	24
6. Treating Blank Walls.....	25
7. Upper Level Setbacks .....	27
8. Roof Expression.....	28
9. Screening Mechanical and Communications Equipment on the Roof .....	29
10. Parking Structures.....	30
11. Parapet Walls.....	31
12. Gateway Locations .....	32
13. Accessory Buildings and Structures .....	33
14. Exterior Materials .....	34
C. Sign Design.....	36
1. Pedestrian-Oriented Signs .....	37
2. Integrating Signs with Architecture.....	38
3. Creative and Artistic Elements .....	39

# INTRODUCTION

The provisions of this document shall apply to all development and redevelopment within the Lynnwood Alderwood / City Center Transition Area, ACC Zone, (“Transition Area”), except as provided in the Zoning Code. The degree to which each guideline applies to a development / 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 Transition Area Design Guidelines. These guidelines are intended to carry out the Comprehensive Plan for the City of Lynnwood with respect to the land use and development designation for the Transition Area, including:

- Create a transition area between Alderwood mall and the intense development of the City Center while encouraging development and providing for a pedestrian connection.
- Create a lively, busy and pedestrian-oriented street frontage along 33<sup>rd</sup> Ave. W. and the future extension of 194<sup>th</sup> St. SW;
- Soften the appearance of development and redevelopment in the Transition Area as seen from the adjacent single family neighborhood; and
- Encourage new development to display quality and character through materials and architectural expression.

Each guideline 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 for 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 guideline.

**TRANSITION AREA**

# **A. SITE DESIGN GUIDELINES**

## SITE DESIGN

### A.1. Site Landscaping

pictures

#### INTENT

To provide variety and interest within landscaped areas;

To integrate the entire site into the overall landscape design; and

To reduce the visual impact of development on adjacent uses.

#### GUIDELINES

1. Landscape areas should reinforce pedestrian and vehicular circulation routes and entrances.
2. Plant material should include a variety of seasonal colors, forms, and textures that contrast or compliment each other with a mixture of evergreen and deciduous trees, shrubs, and groundcover and low-maintenance perennials. Continuous expanses of uniform landscape treatment along an entire street front should be avoided.
3. Drought tolerant plants and/or plants native to the Pacific Northwest should be used where opportunity allows.
4. Plant material should be provided to enhance the corners at intersections. Plant material within the intersection sight distance triangle as defined in the City of Lynnwood Municipal Code shall not exceed 36 inches in height.
5. Avoid planting groundcover or shrubs where pedestrian access is anticipated. Pedestrian walkways may extend across required landscape areas.
6. All areas not devoted to required landscape areas, parking lots, structures, or other site improvements, should be planted or developed as open space.
7. Perennials and/or annuals should be provided to highlight pedestrian areas such as building and/or site entrances, public open space, plazas and pedestrian connections.
8. River rock, gravel, driftwood, and similar non-living materials should not be used as groundcover substitutes, but may be allowed as accent features within landscape planting areas so long

*Draft – Feb 29, 2012*

as the area covered by such features does not exceed 5% of the total landscape planting area.

9. Automatic irrigation shall be provided in all required landscape areas.
10. A maintenance plan, including on-going tasks and schedules, shall be submitted to the City for review for all landscape areas, to include:
  - Litter pick-up.
  - Mowing turf.
  - Weeding planting beds.
  - Removing noxious weeds.
  - Sweeping.
  - Replacement of dead or dying plant material.
  - Irrigation repair/adjustments.
  - Trimming hedges.
11. Tree selection within all landscape areas, including street trees, shall consider existing utilities, lighting, existing and proposed signage, adjacent trees, existing natural features, tree root growth, solar access, planting area width, and overall height of trees selected at maturity.

## SITE DESIGN

### A.2. Location of Surface Parking Lots

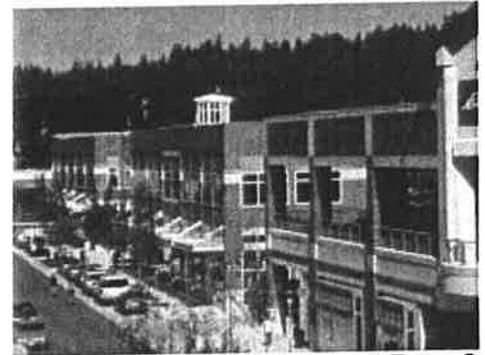
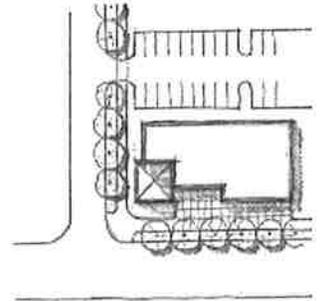
#### INTENT

To ensure that surface parking lots do not dominate street frontages.

To create a pedestrian-friendly environment in the Transition Area.

#### GUIDELINES

1. Parking lots shall not be located at intersections of public streets.
2. Along 33rd Ave West, and the future 194<sup>th</sup> St. SW, surface parking should be located either to the rear or to the side of the building.
3. Phased projects must submit a plan for phasing parking with the intent that, as the property develops over time, surface parking is relocated into structures or underground and is shared by multiple uses, if appropriate.



*Redmond Town C  
Parking is located behind the buil  
not between the building and the .  
nor at the interse*

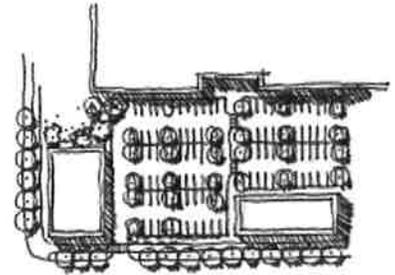
## **A.3. Parking Lot Landscaping**

### **INTENT**

To diminish the visual effect of surface parking and to contribute to the amount of vegetation in the Transition Area.

### **GUIDELINES**

1. Surface Parking lot landscaping shall be used to reinforce pedestrian and vehicular circulation, including:
  - Parking lot entrances
  - Ends of driving aisles
  - Defining pedestrian walkways through parking lots.
2. Landscape areas next to a pedestrian walkway or sidewalk shall be maintained and plant material chosen to maintain a clear visual zone between 3 and 8 feet from ground level, except for tree trunks.
3. Curb stops shall be provided that creates space for all trees and shrubs where vehicle overhangs would otherwise extend 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 directly adjacent to the public right-of-way and/or closer to the street than a building, and/or is visible for the public right-of-way, one tree for every four spaces shall be provided (1:4).
  - Where the parking lot is located to the side of the building, one tree for every six spaces shall be provided (1:6).
  - Where the parking lot is located behind the building and generally is not visible from the public right-of-way, one tree for every eight spaces shall be provided (1:8).



*Bellevue*



*Bellevue*

## SITE DESIGN

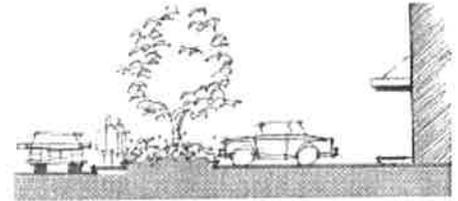
### A.4. Parking Lot Screening

#### INTENT

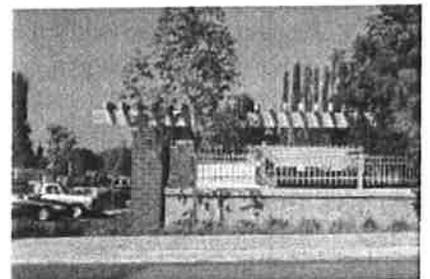
To soften the impact of surface parking on the streetscape.

#### GUIDELINES

1. Parking lots that front a public right-of-way shall include one of the following
  - A 10 foot wide landscaped planting area along the entire street frontage, except for driveways, walkways and other pedestrian spaces.
  - A 5 foot wide landscaped planting bed with a minimum of 50% evergreen plant materials that incorporates a continuous wall, and/or trellis. The planting bed shall be in front of the wall.
  - An elevated planter with a minimum width of 5 feet constructed of masonry, concrete or other permanent material and which combines groundcover and annuals, perennials, ornamental grasses, low shrubs and or small trees that provide seasonal interest.
2. A minimum 5 foot wide landscape planting area shall be provided between parking lots on adjacent parcels except where parking lots have been consolidated and subject to operational agreements approved by the City..
3. Walls and raised planters shall not exceed a maximum height of 3 feet, unless:
  - 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 wood, razor ribbon, chain link, barbed wire or similar is prohibited.
5. Where parking lots are located in front, beside or in between buildings, 75% of plant material used to meet landscaping requirements between a parking lot and a street right-of-way shall be evergreen varieties.



Bellevue



## SITE DESIGN

### A.5. Sidewalks and Street Trees

#### 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 and street trees shall be provided in accordance with the following standards for each street:

36th Ave. W.:

- *Sidewalks*: 12 feet wide, including 5 foot wide planting zone along curb
- *Street trees*: 30 feet on center, minimum of 2.5" caliper at time of planting

Other Streets:

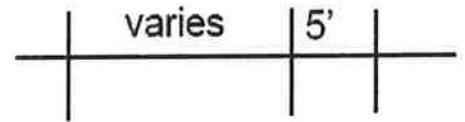
- *Sidewalks*: 12 feet wide, including a 5 foot wide planting zone along the curb
- *Street trees*: 25-30 feet on center, minimum of 2.5" caliper at time of planting

Street trees shall be selected from the City's list of approved trees

2. Tree planting pits shall be covered by one of the following:

- Living plant material, surrounded by a low, protective and decorative metal fence.
- Cast iron tree grates, of a type that meets ADA requirements.

3. Along 33<sup>rd</sup> Ave West and 194<sup>th</sup> St SW, pedestrian scale decorative lighting, no taller than 15 feet shall be provided at regular intervals. Lighting design should comply with the illuminating Engineering Society of North America's Recommended Practices and Design Guidelines, latest edition.



Bellevue



## **A.6. Pedestrian Connections**

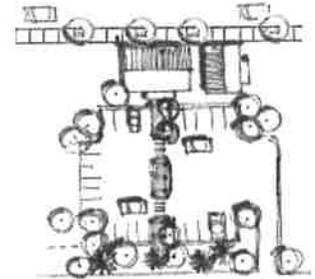
### **INTENT**

To improve the pedestrian environment by making it easier, safer and more comfortable to walk between businesses and residences and public sidewalks.

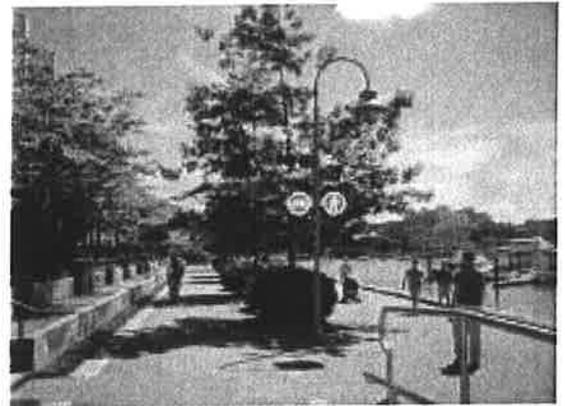
To ensure that the Transition Area is conducive to pedestrian circulation.

### **GUIDELINES**

1. Buildings facing a public right-of way shall connect major building entrances to the nearest public sidewalk by a walkway that is at least 8 feet wide, paved (concrete or unit pavers) and be 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. A walkway a minimum of 8 feet wide shall be provided through any surface parking lot with more than 30 stalls. Such walkways shall be separated from any adjacent parking stalls by a planting bed at least 3 feet wide. Decorative paving or some other material to identify the walkway path from the vehicular drive aisle shall be used. Uniform pedestrian scale lighting shall be used the entire length of the walkway.
  - Generally, walkways should be provided a minimum of every 4 rows and a maximum distance of 180 feet shall be maintained between paths
  - Where possible, align the walkways to connect with major building entries or other sidewalks, walkways or destinations.
3. Walkways a minimum of 8 feet wide should be provided that allow pedestrians to walk safely between adjacent properties. Uniform pedestrian scale lighting shall be installed the length of the walkway.
- 4 Walkways shall be lit to at least 1 foot candle and open to the public. The City may also require other measures to increase safety and security in accordance with Crime Prevention Through Environmental Design (CPTED) principles.



*Portland*



*Vancouver, BC*

*Draft – Feb 29, 2012*

5. All walkways should be defined and identified with a minimum of two of the following features:
- 6-inch vertical curb;
  - Trellis;
  - Special paving;
  - Bollards;
  - A continuous landscaped area, at least 3 feet wide, on one side of the walkway;

## **A.7. Vehicular Access and Circulation**

### **INTENT**

To provide access management from public streets; to reduce turning movements that increase congestion and reduce safety, particularly on 36th Ave West

To provide safe and convenient access routes through large areas by connecting public and/or private roadways and access ways

To enhance the visual character of interior access roads

To minimize conflicts with pedestrian circulation and activity

### **GUIDELINES**

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

## SITE DESIGN

### A.8. Open Space

#### 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 or development 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.
2. Such space shall be located where it is visible and accessible from either a public sidewalk or a pedestrian connection. Spaces should be adjacent to or visible from a building entry.

3. Such space shall include at least five of the following features:

Benches. Ledges are also acceptable, as long as they are 15" to 18" in height.

Landscaping components that add visual interest and do not act as a visual barrier including planting beds, potted plants or both  
Pedestrian scaled lighting.

Artwork (including pavement artwork), with valuation of at least one-half of one percent of the total construction cost.

Water feature(s).

Information kiosk.

Trellis and/or shelter.

Decorative paving.

Another feature not listed above that meets the intent of these guidelines.

4. Between 25% and 75% of the area of the space should be hard surfaced.
5. Open Space shall not have:
  - Asphalt or gravel pavement. Adjacent parking areas or service areas which are not separated by landscaping (min. 3 feet wide)
  - Adjacent chain link fences
  - Outdoor storage or retail that do not contribute to the pedestrian oriented environment



Bellevue



Bellevue



Seattle

## SITE DESIGN

### A.9. Community Gateways

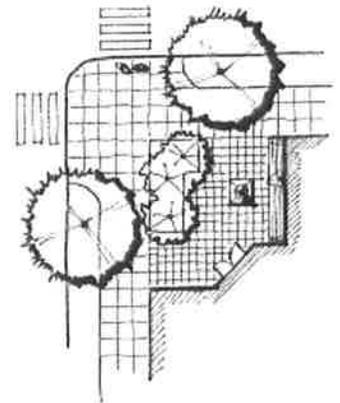
#### INTENT

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

#### GUIDELINES

1. At designated Gateways, there shall be a special feature provided at the corner of a site next to the street(s) and composed of at least three of the following elements:

- Seasonal plantings
  - Specimen tree.
  - Public Art
  - Water Feature
  - Public Open Space
  - Unique pedestrian scale lighting
  - Monument
  - Special Landscape Treatment
  - Decorative Paving
  - Other methods may be proposed that meet the intent of this guideline
2. A Gateway Feature may be combined with a Public Space to meet both requirements.
3. Features used shall be oriented towards both pedestrians and vehicles along the right-of-way.



*Bellevue*

## **11.A.10 Service Areas**

### **INTENT:**

To minimize adverse visual, olfactory or auditory impacts of mechanical equipment and service areas at ground and roof levels

To provide adequate, durable, well-maintained and accessible service and equipment areas

To protect adjacent residential uses and adjacent properties from impacts due to location and utilization of service areas

### **GUIDELINES**

Service Areas (loading docks, trash dumpsters, compactors, recycling areas and mechanical equipment areas)

1. Service areas shall be located to avoid negative visual, auditory, olfactory or physical impacts on the street environment and adjacent residential zoned properties.
2. Service area enclosures that are visible from a sidewalk or walkway shall be screened with landscaping and masonry or metal walls using materials consistent with the principal structure. The minimum width of the landscaping area should be three feet.
3. Ground mounted mechanical equipment shall be located and screened by masonry or metal walls using materials consistent with the principal structure. to minimize visual and noise impacts to pedestrians on streets, in open spaces and adjoining properties.
4. Locate and screen utility meters, electrical conduit and other service and utilities apparatus so they are not visible from adjoining properties and nearby streets.
5. A structural enclosure shall be constructed of masonry or heavy gauge metal. The walls must provide full screening from the affected roadway or use. The enclosure may use overlapping walls to screen dumpsters and other materials. Gates shall be made of heavy gauge, site obscuring metal.
6. Collection points shall be located and configured so that the enclosing gate swing does not obstruct pedestrian or vehicle traffic, or does not require that a hauling truck project into any public right of way.

*Draft – Feb 29, 2012*

7. Weather protection of recyclables shall be insured with weather proof containers or by providing a roof over the storage area.

## **A.11. Storm Water Facility Planning**

### **INTENT:**

To comply with storm water management requirements.

To integrate storm water management/water quality systems into the site design as an amenity.

To reduce the economic burden of storm water management systems on developments.

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

### **GUIDELINES:**

1. When used, biofiltration swales, rain gardens, storm water planters, and other storm water management measures shall be integrated into the overall site design in a manner that is consistent with the landscape design concept. Methods of filtration are listed below in order of preference:
2. Incorporate the biofiltration system, including low-impact development (LID) features, as part of the landscape features of the development. If the biofiltration system is incorporated into the landscaping of the site's open space, then, upon approval of the Director, the storm water facility may be counted as part of the required open space.
3. Locate biofiltration swales, ponds, or other approved biofiltration systems as part of a landscape screen. Trees may be planted near the grass swale as long as they do not substantially shade the grass or undermine soil structure within the swale. The swale or pond should be designed so it does not impede pedestrian circulation or shared parking between two or more properties.
4. Where topography is favorable, locate the biofiltration swale, wet pond, or other approved biofiltration system within the paved parking or service area. The swale or pond should be landscaped as part of the required internal parking area landscaping and oriented so it does not impede pedestrian circulation.



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

**TRANSITION AREA**

**B. BUILDING DESIGN  
STANDARDS**

## BUILDING DESIGN

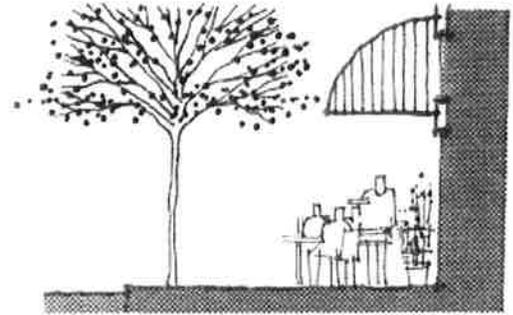
### B.1. Building / Sidewalk Relationship

#### INTENT

To ensure that buildings within the ACC Zone (except those along 36<sup>th</sup> Ave. W. – see separate setback and landscaping requirements in zoning regulations) are generally located adjacent to a public right of way or walkway and enliven the streets, sidewalks and walkways.

#### GUIDELINES

1. Other than along 36<sup>th</sup> Ave. W. building facades facing a sidewalk or walkway should incorporate windows, canopies and other features (see other guidelines which address these elements).
2. Setting facades close to the public right of way may be accomplished through occupiable space that extends out to the sidewalk, not necessarily the full height of the building.



*Bellevue*



*Vancouver, BC*



*Vancouver, BC*

## **B.2. Building Design**

### **INTENT:**

To provide building design that has a high level of design quality and creates comfortable human environments.

To incorporate design treatments which add interest and reduce the scale of large buildings.

To encourage building design that is authentic and responsive to site conditions.

To encourage functional, durable, and environmentally responsible buildings.

### **GUIDELINES:**

New buildings should not exhibit specific historical styles and themes such as “Bavarian” or “Colonial” architecture. Traditional building elements, that are inconsistent with other structures in and near the Transition Area.. Buildings within a multi-building development should generally be designed so that the buildings’ characters complement one another through the use of similar forms, materials, proportions or other characteristics. Although some buildings may include corporate signature elements, such elements that do not meet the intent of these guidelines are not acceptable.

## **B.3. Building Entrances**

### **INTENT**

To ensure entries to buildings and businesses are inviting, easily identifiable and accessible

To encourage pedestrian activity

### **GUIDELINES**

Building entries shall have a direct walkway to a public sidewalk.  
Building entries should face the street if feasible

1. For Buildings on 33rd Ave West, 194<sup>th</sup> St SW and Alderwood Mall Parkway:  
Principal building entrances (i.e., the building entrance used by commercial customers, residents, or visitors) shall be visible from the street and oriented toward the sidewalk or walkway so that access by foot is clear and convenient.  
  
Where entries are located to the side of the building they must be visible from the street and connected to the public sidewalk by a pedestrian pathway.  
  
Entries on a building wall opposite the street must be connected to the public sidewalk by a pedestrian pathway
2. All principal building entrances shall include the following features:
  - A. **Pedestrian covering.** Building entrances shall be covered by at least 50 square feet of pedestrian weather protection. Entries may satisfy this requirement by being set back into the building façade.
  - B. **Lighting.** Pedestrian entrances shall be lit to at least two foot-candles as measured on the ground plane for residential buildings and four foot-candles for all other buildings.
  - C. **Transparency.** Entries shall feature glass doors, windows, or glazing (window area) near the door so that the visitor and occupant can view people opening the door from the other side (not required for entries leading directly to a single residential dwelling).
  - D. **Security.** To the extent feasible, entries shall be visible from areas with high pedestrian activity or where residents can view the entry (passive surveillance).

- E. Architectural or artwork enhancements. Building entrances shall be enhanced by one or more of the following measures. Entrances on 33rd Ave. W , the future extension of 194<sup>th</sup> St. SW and Alderwood Mall Parkway shall feature two of these measures.
- Special or ornamental doors, windows, or other architectural elements.
  - Special paving or materials (e.g., decorative tile work).
  - Special architectural lighting.
  - Landscaping.
  - Artwork.
  - Adjacent pedestrian-oriented space.
3. Other Public Access for Commercial Buildings:  
The design of secondary public entries shall comply with the following measures (applies only to entries used by the public):
- Weather protection at least 5 feet deep is required over each secondary entry.
  - There must be at least two foot-candles illumination on the ground surface.
  - Two or more of the design elements noted in Guideline 2, above, must be incorporated within or adjacent to the secondary entry
4. Buildings with ground floor residential units within 20 feet of the right-of-way must have entry elevation at least 3 feet above sidewalk grade except for designated universally accessible units.
5. Residential units on the ground floor and within 15 feet of the right-of-way must feature transparency on at least 30% of the ground floor between 5 and 11 feet above grade

## BUILDING DESIGN

### B.4. Ground Level Building Facades

#### INTENT

To ensure that sidewalks and walkways are lined with interesting building facades and activities and uses that create a safe, attractive, welcoming environment

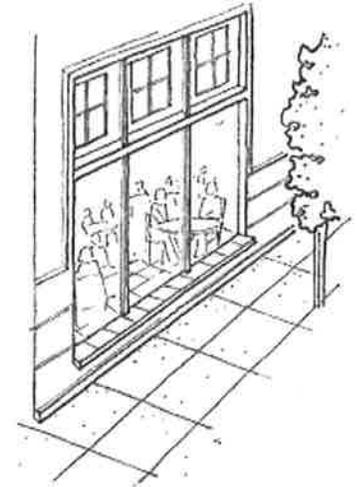
To emphasize the importance of the ground level as a place of activity and visual interest

#### GUIDELINES

1. The ground level facades of buildings that are oriented to streets or walkways shall have transparent windows, window displays or a combination of sculptural mosaic or bas-relief artwork and transparent windows over at least 75% of the ground floor façade between 2 feet and 10 feet above grade.

Notwithstanding the above, ground floor building façade facing 33rd Ave West 194th St SW and Alderwood Mall Parkway shall feature transparency on at least 50% of the ground floor between 2 and 8 feet above grade.

2. To qualify as transparent, windows shall not be mirrored glass or darkly tinted glass.
3. Where Pedestrian-Oriented Uses and transparency are not provided, the façade shall comply with the guideline entitled "Treating Blank Walls."
4. Ground-floor, street-facing façades of commercial and mixed used buildings except on 36th Ave West shall incorporate at least six (6) of the following elements:
  - a) lighting or hanging baskets supported by ornamental brackets.
  - b) medallions.
  - c) belt courses.
  - d) plinths for columns.
  - e) shallow recesses.
  - f) awnings.
  - g) cornice.
  - h) pilasters.
  - i) kickplate for storefront window.
  - j) projecting sills.
  - k) tilework.
  - l) awnings.
  - m) pilasters.
  - n) pedestrian scale sign(s) painted on windows.
  - o) planter box.



Bellevue



Bellevue

*Draft – Feb 29, 2012*

p) an architectural element not listed above, as approved, that meets the intent.

## **B.5. Weather Protection**

### **INTENT**

To provide pedestrians with cover from rainfall thereby making the experience of walking during inclement weather more pleasant.

### **GUIDELINES**

1. Canopies that provide weather protection (min. width of five feet) shall be provided along at least 75% of the frontage if the frontage is adjacent to a public right-of way or walkway.
2. Canopies must be constructed of a permanent, durable material, such as glass or steel.
3. Overhead, pedestrian-oriented signs may be hung from canopies (“blade signs”).
4. Canopies shall be a minimum of 8 feet above and a maximum of 14 feet above the sidewalk or walkway.



*Bellevue*



*Bellevue*

## **B.6. Treating Blank Walls**

### **INTENT**

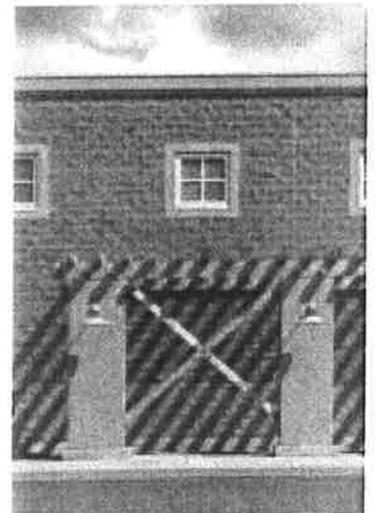
To reduce the impact of large undifferentiated walls

To reduce the apparent size of large walls through the use of various architectural and landscaping treatments

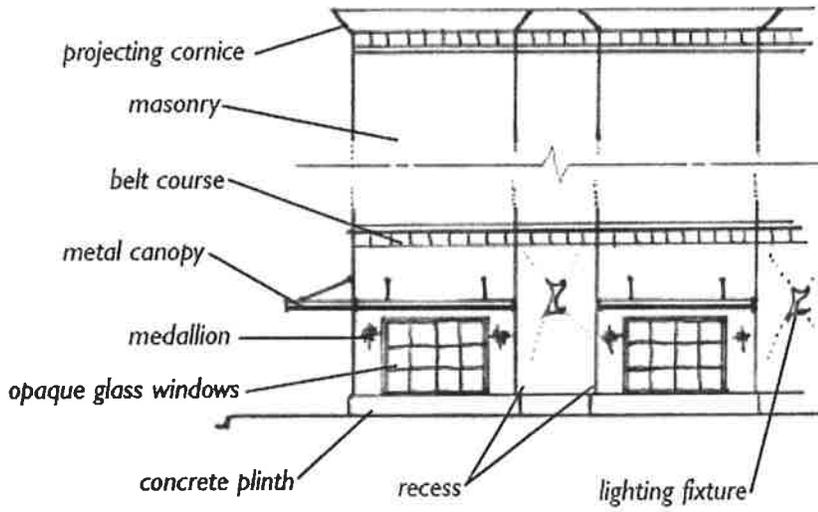
To ensure that all visible sides of buildings provide visual interest and variety

### **GUIDELINES**

1. All blank walls longer than 30 feet and are visible from that street, pedestrian walkway or adjacent property shall be treated with at least four of the following elements.:
  - masonry (but not flat concrete block).
  - concrete or masonry plinth at base of wall.
  - belt courses of a different texture and color.
  - projecting cornice.
  - projecting metal canopy.
  - decorative tile work or medallions.
  - vertical trellis containing climbing vines or plant material.
  - landscaped planting bed at least 8 feet wide or a raised planter bed at least 2 feet high and 3 feet wide at the base of the wall.
  - opaque or translucent glass windows.
  - artwork.
  - vertical articulation.
  - lighting fixtures.
  - recesses.
  - an architectural element not listed above, as approved, that meets the intent.
2. Freestanding walls, such as at trash enclosures or loading docks, shall be constructed of materials and have exterior colors that complement the exterior of the primary buildings.
3. At buildings fronting on 33<sup>rd</sup> Ave. W. or 194th St SW where windows are not provided, no more than 10 linear feet unembellished surface shall be allowed.



Draft – Feb 29, 2012



## BUILDING DESIGN

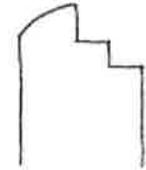
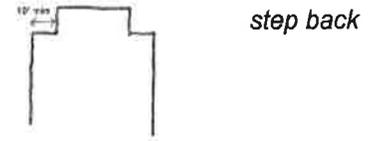
### B.7. Upper Level Setbacks

#### INTENT

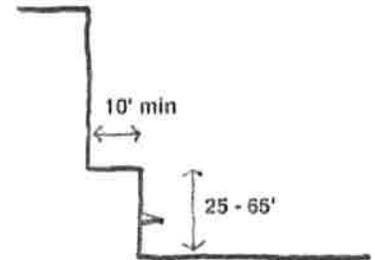
To reduce the bulk of taller buildings, to reinforce pedestrian scale on street frontages, and to allow for a reasonable visibility of the sky from street level.

#### GUIDELINES

1. Upper facades of buildings over 65 should step back. The amount of step back should be sufficient to create a distinct “base.”
2. Step backs shall be at least an average of 10 feet.
3. An upper level setback may incorporate a sloping roof.



buildings taller than 250'



Kirkland



## BUILDING DESIGN

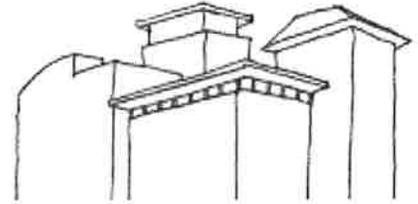
### B.8. Roof Expression

#### INTENT

To create a skyline that is visually interesting.

#### GUIDELINES

1. Buildings over 65 feet in height should incorporate features that create a visually distinctive roof form. The following are examples of such features:
  - Terraced Step Backs
  - Pitched Roof Elements
  - Projecting Cornice Elements
  - Trellises along the Parapet
  - Geometric Forms (dome, pyramid, etc.)
  - Change of materials or color on top floor



*Kirkland*



*Portland*

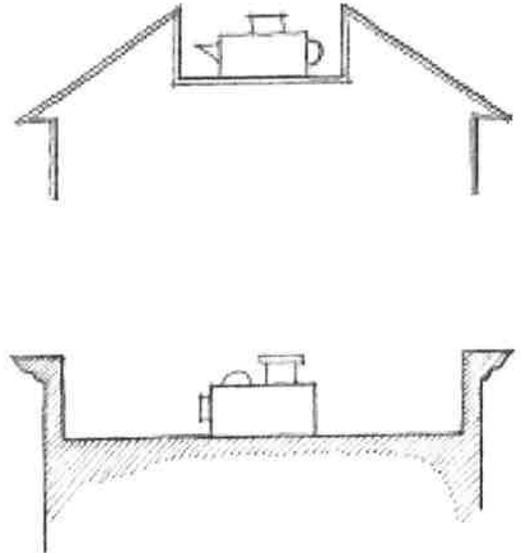
## **B.9. Screening Mechanical and Communications Equipment on the Roof**

### **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 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. Whatever the screening method, it shall be integrated into the architectural design of the building. The screening shall insure that the equipment is not visible within 150 feet of the building when viewed from ground level.
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.



## BUILDING DESIGN

### B.10. Screening of Parking Structures

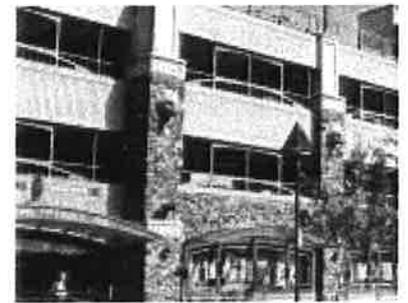
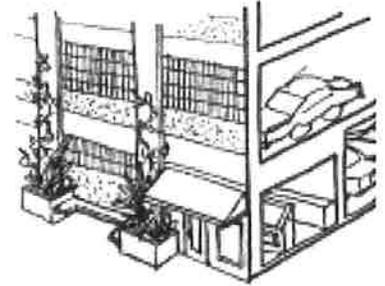
#### INTENT

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

#### GUIDELINES

1. The facades of parking levels that are visible from a public street should be treated in such a way as to seem more like a typical floor, rather than open slabs with visible cars and ceiling lights. This may be accomplished by two or more of the following:
  - Square openings, rather than horizontal openings
  - Planting designed to grow on the façade
  - Louvers
  - Expanded metal panels
  - Decorative metal grills
  - Spandrel (opaque) glass
  - Other methods may be proposed that will accomplish the intent.
2. Free standing parking structures shall incorporate the above features on portions of the facade above ground level. At ground level, parking structures adjacent to or where the ground floor is visible from a street or pedestrian walkway, shall comply with Guidelines address Ground Level Building Facades and Treating Blank Walls,

See also LMC 21.18.710.



Portland



Seattle

## **B.11. Parapet Walls**

### **INTENT:**

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

### **GUIDELINES:**

1. The face of raised parapet walls (generally located above building entries) may extend above the upper edge of the parapet wall generally so long as:
  - the height of the raised parapet does not exceed twice the height of the parapet (measured from the roof deck line)
  - the width of the raised parapet does not exceed 25% of the length ( width) of the building frontage on which it is located,
  - the raised parapet is structurally integrated into the rest of the building
  - the appearance of the raised parapet matches or complements the design of the rest of the façade at which it is located.

Signs may be located on these raised parapet walls

## **B.12. Gateway Locations**

### **INTENT**

To identify and highlight major entrances into the City Center.

### **GUIDELINES**

1. Within designated Gateway Areas (see Zoning Map), buildings should incorporate architectural features that are bold and dramatic.

The following is a list of possible/acceptable features:

- Tower forms at corners
- Landscaped forecourts
- Plazas
- Large entries
- High bay lobbies
- Accent lighting
- Unusual shapes or forms
- Artwork, such as a sculpture or mural



*Bellevue*

## **B.13. Accessory Buildings and Structures**

*picture*

### **INTENT**

To reduce the visual impact of accessory structures and promote a well-designed and coordinated exterior appearance of a development.

### **GUIDELINES**

1. All exterior materials and colors on an accessory structure shall either match or complement those of the primary structure(s).

## **B.14. Exterior Materials**

### **INTENT**

To ensure that the character of the Transition Area is seen as high quality.

### **GUIDELINES**

1. Buildings should use solid, permanent, low-maintenance materials to add variety, permanence and richness to building and streetscape.
2. Plywood shall not be used as an exterior surface.
3. Exposed concrete walls shall be painted or given an architectural finish.
4. Metal siding when used over 25% of a building façade that is visible from a public street or walkway shall have a matte finish in a neutral color  
Include 2 or more of the following
  - Visible window or door trim painted or finished in a complimentary color
  - Color and edge trim that cover exposed edges of the sheet metal panels
  - A base of masonry, stone, or other approved permanent material extending up to at least 2 feet above grade that is durable and satisfies the Intent of the Guidelines. (The intent is to provide more durable materials near grade level.)
  - Other detail/color combinations for metal siding approved by the Director, provided design quality and permanence meet the intent of this section.
5. Concrete block walls. Concrete block construction used on over 25 percent of a building façade visible from a public roadway or walkway must be architecturally treated in one or more of the following ways:
  - Use of textured blocks with surfaces such as split face or grooved.
  - Use of other masonry types, such as brick, glass block, or tile in conjunction with concrete blocks.
  - Use of decorative coursing to break up blank wall areas.
  - Use of matching colored mortar where color is an element of architectural treatment for any of the options above.
  - Other treatment approved by the Director.
6. Requirements for Exterior Insulation and Finish System (EIFS) and similar troweled finishes:
  - To avoid deterioration, EIFS should be trimmed and/or should

*Draft – Feb 29, 2012*

be sheltered from extreme weather by roof overhangs or other methods.

- EIFS may only be used in conjunction with other approved building materials.
- EIFS is prohibited on the first floor of a building.

7. Prohibited materials:

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

**TRANSITION AREA**

**C. SIGN DESIGN  
STANDARDS**

## SIGN DESIGN

### C.1. Pedestrian-Oriented Signs

#### INTENT

To ensure that the Transition Area reinforces pedestrian activity and commerce and to convey an image for the Transition Area that is urban in nature.

#### GUIDELINES

1. Pole signs are not permitted on any street within the Transition Area (see zoning regulations). Generally, signs shall be affixed to building facades, but monument signs are allowed. The area around the base of such signs shall be landscaped with shrubs and seasonal color.
2. Roof top signs are not permitted within the Transition Area.



*Bellevue*

## SIGN DESIGN

### C.2. Integrating Signs with Architecture

#### INTENT

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

#### GUIDELINES

1. The design of buildings and sites shall identify locations and sizes for future signs and shall recommend a sign program for all project signs. The sign program shall allow for advertising which fits with the architectural character, proportions, and details of the development. As tenants install signs, it is expected that such signs shall be in conformance with the sign program.



*Bellevue*

## SIGN DESIGN

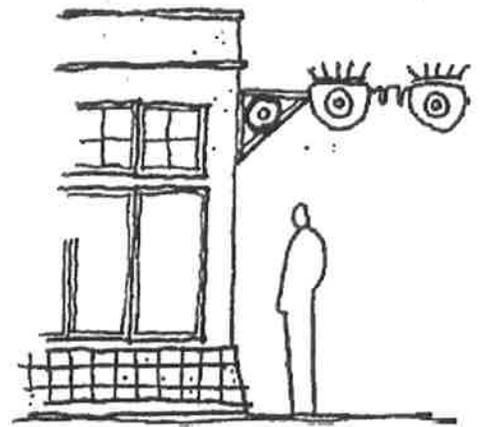
### C.3. Creative and Artistic Elements

#### INTENT

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

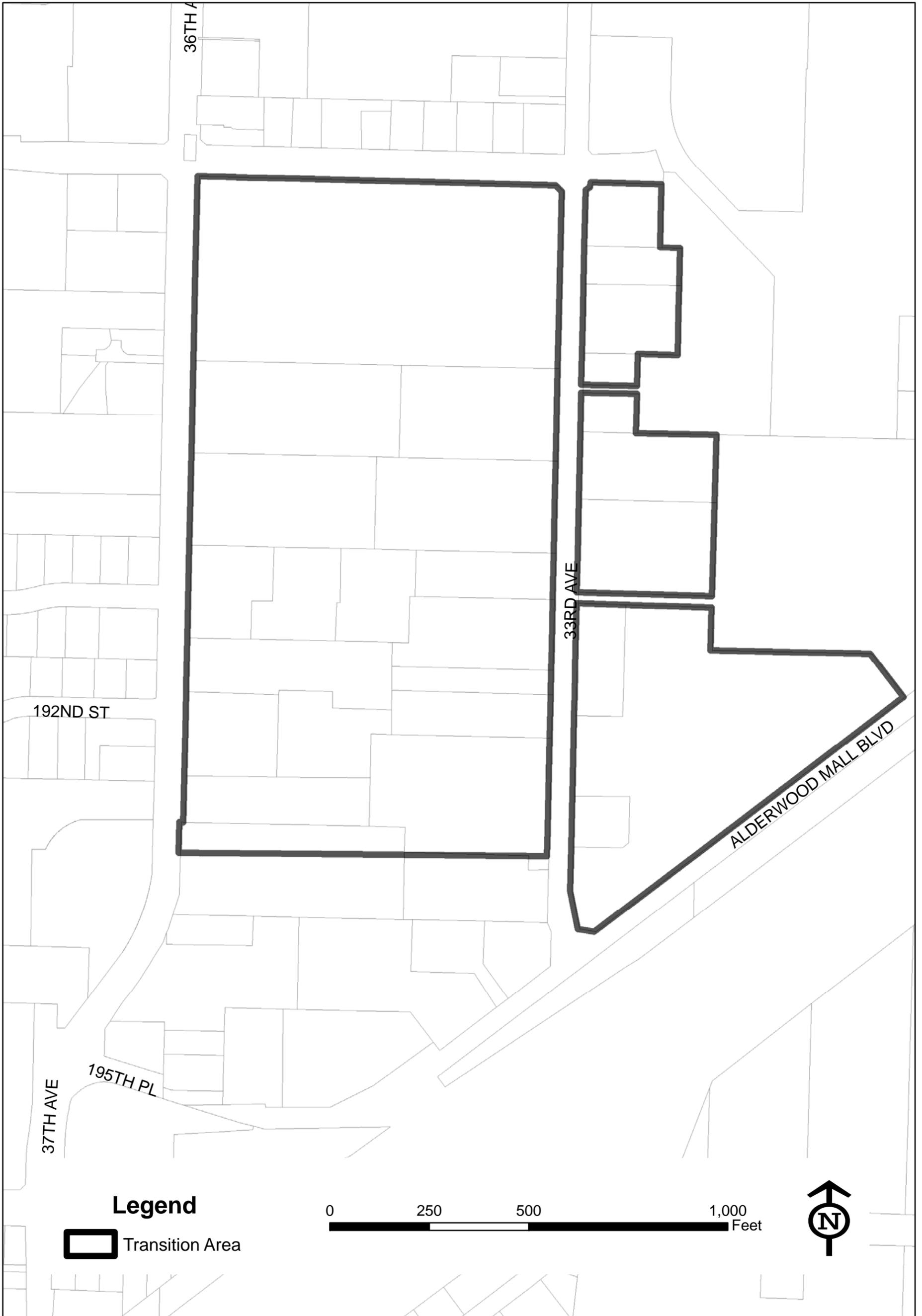
#### GUIDELINES

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 encourage
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.



# Transition Area Parcel Map

G:\2008\CAM\0003 (Transition Area Regs)



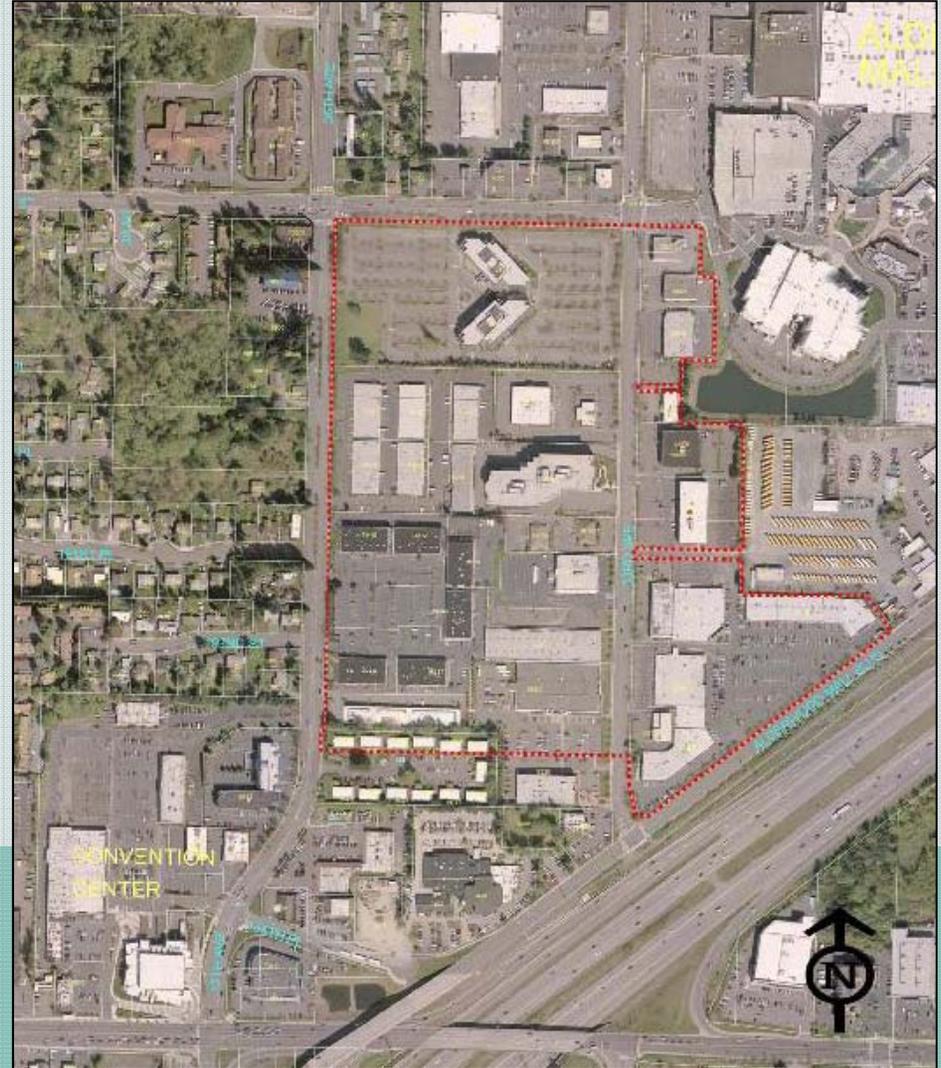
# ALDERWOOD-CITY CENTER TRANSITION AREA

Public Hearing  
April 26, 2012



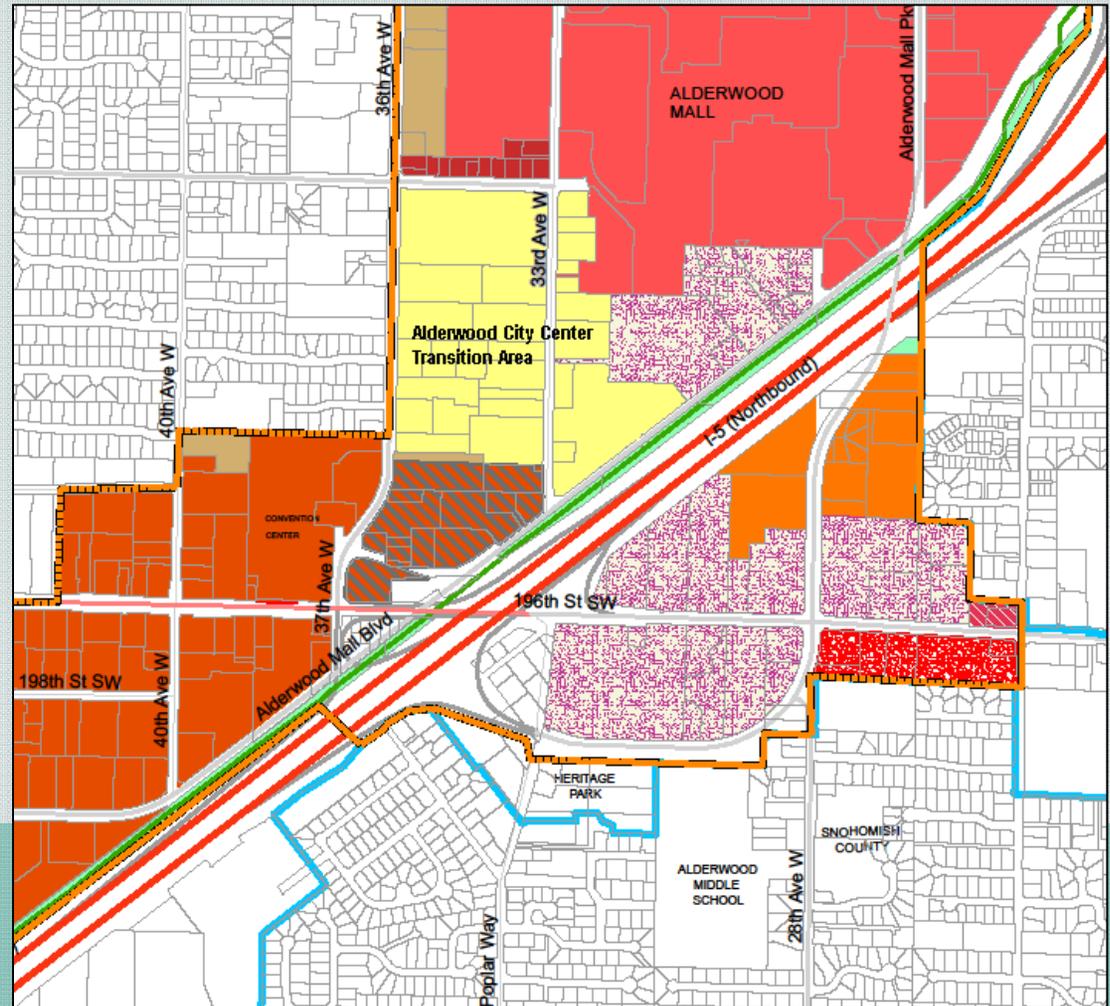
# PURPOSE

- Meet state, regional, and local policies to plan for the projected future demands of employment and population growth.
- Provide a transition between the City Center and Alderwood Mall.
- Protect single family neighborhoods from encroachment by development.
- Support the vision to be a welcoming city that builds a healthy and sustainable environment.



# COMPREHENSIVE PLAN DIRECTIVES

- To provide a transition area between Alderwood Mall and City Center
- To contain a mix of uses that will complement these areas (at a lower intensity than City Center)
- Minimize impacts on the residential area to the west



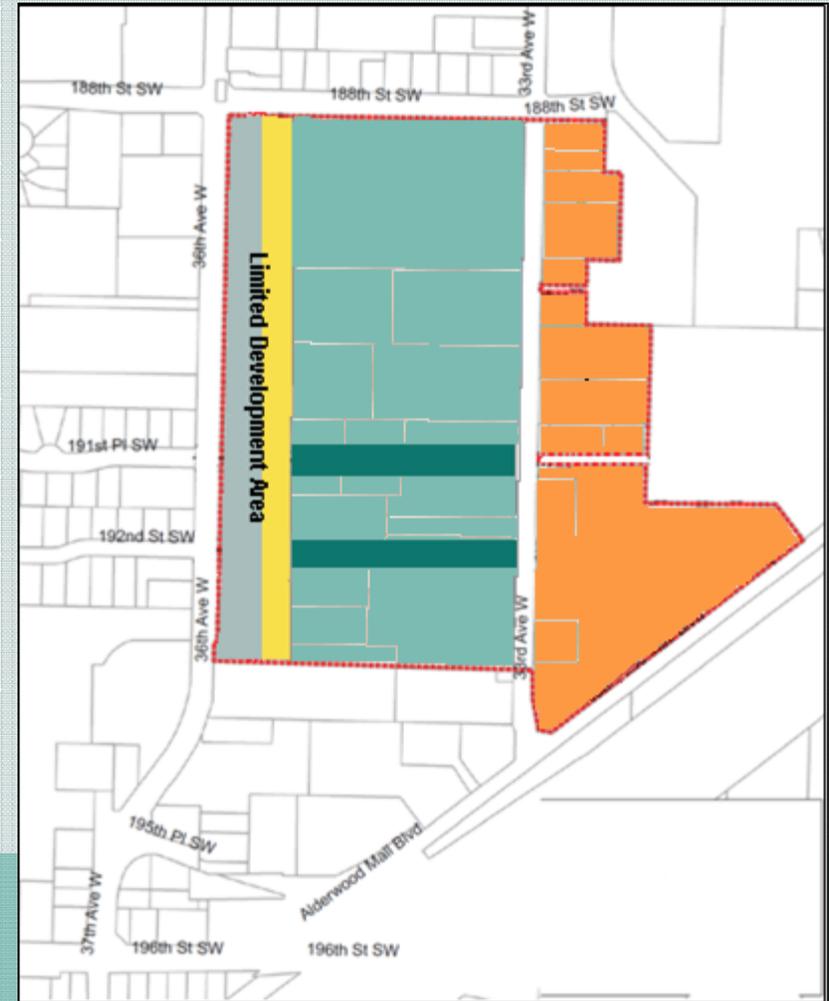
## ACTIVITIES TO DATE

- 2007: Transition Area removed from City Center sub area plan and designated for further study
- 2008: Council authorized a contract with Makers Architecture to recommend new zoning
- 2009: 2 public meetings with residents and businesses, April and June
- 2010: 1 public meeting with residents and businesses, July
- 2010: 4 Planning Commission work sessions, August, September, October and November
- 2012: 3 Planning Commission work sessions, January and February
- 2012: Planning Commission public hearing, April 26



# LIMITED DEVELOPMENT AND VIEW CORRIDOR

	From 36 <sup>th</sup> Ave West
	40 foot setback including 25' of landscaping
	40-60 feet height limited to 40 feet
	Corridors with a max height of 40 feet may transfer height to other buildings in the ACC, not to exceed 120 feet height, no CUP necessary
	Max bldg. height 85 feet; 120 with CUP
	Max bldg. height 120 feet
	50% coverage excluding structured parking



# RECOMMENDED USES

Live/Work Units	Day Care	Municipal Services
Multi family	Vet clinics/Pet day care	Colleges, trade schools
Hotels/motels*	Athletic Clubs*	Printing/Publishing
Offices	Retail less than 50,000sf**	Research & Development
Personal Care Services	Restaurants**	Assembly
Banks	Clubhouse, fraternal organizations	Testing/repair of goods
Hospitals* & medical clinics	Libraries & Museums	Wireless communications (Attached)

\*Prohibited in the Limited Development Area (LDA)

\*\*In the LDA, may occupy no more than 50% of the ground floor of a building



# DEVELOPMENT STANDARDS

Maximum Density: 70 dwelling units per acre, assess at 300 units

Minimum lot area: 1 acre

Minimum lot width: 150 feet

Building setbacks: Vary

- Ensure Buffer on 36<sup>th</sup> Ave W (min 40')
- Ensure building are close to the street on 33<sup>rd</sup> , 194<sup>th</sup> and Alderwood Mall Blvd. (10' max)
- Allow for flexibility on 188<sup>th</sup> (min 25')



# ACCESS AND LANDSCAPING

- Limited access from 36<sup>th</sup> Ave West
- Service areas and loading docks screened and set back from residential and public right of way
- Landscaping required throughout parking areas and in set backs
  - Along 36<sup>th</sup> St SW and 188<sup>th</sup> St SW: 25 foot wide landscape buffer
  - Along 33<sup>rd</sup> Ave W and 194<sup>th</sup> St SW: minimum of 60 % of the street frontage as buildings or pedestrian oriented open space, landscaping elsewhere



# SIGNS

- Minimize impact on neighbors
- Limited to top and ground floors only
- One Monument sign per street frontage per development; area and height defined
- Signs can be externally lit with some restrictions to protect residential areas
- Prohibited signs:
  - Pole mounted
  - Roof signs
  - Back lit cabinet signs (individual back lit letters are OK)
  - Limitations on moving, changeable electronic signs



# DESIGN GUIDELINES

- Developed to encourage pedestrian activity, protect adjacent uses, provide visual interest and create open space
- Variety in landscaping along streets, parking lots and buildings
- Parking to the rear on 33<sup>rd</sup> and 194<sup>th</sup>, elsewhere, screened to soften impact
- 12 foot sidewalks
- Pedestrian connections between properties and through parking lots
- Pedestrian scale building facades
- Treatment of blank walls
- Transparency on ground floor
- Upper level set backs and interesting roof lines
- Screen mechanical equipment and service areas



**QUESTIONS AND COMMENTS?**



**City of Lynnwood  
PLANNING COMMISSION MINUTES  
November 18, 2010 Meeting**

<b>Commissioners Present:</b>	<b>Staff Present:</b>
Richard Wright, Chair	Shay Davidson, Administrative Asst.
Maria Ambalada	Kevin Garrett, Planning Manager
Van Aubuchon	Dave Osaki, Deputy Dir. Com/Dev
Chad Braithwaite	Mary Monroe, Tourism Manager Economic Development
Jeff Davies	Janine Lambert, City Center Project Manager, Economic Development
Bob Larsen, Vice Chair	
	<b>Other:</b>
<b>Commissioners Absent:</b>	Councilmember Ted Hikel
Michael Wojack, Second Vice-chair	

The meeting was called to order Chair Wright at 7:00 p.m.

**Approval of Minutes**

**1. Meeting of October 28, 2010**

*Motion made by Commissioner Larsen, seconded by Commissioner Ambalada, to approve the minutes. The motion passed unanimously.*

**Council Liaison Report**

Councilmember Ted Hikel reported that the Council has been very busy trying to decide on a budget. The Mayor's Budget was presented to the Council in December. A task group of three councilmembers was appointed by Council President Mark Smith and came up with three reports with another one expected. On Monday November 22 the Council will be considering new taxes/revenues for the coming year. The proposals are for a new employee fee, maxing out all of our banked capacity for property taxes, increased utility taxes, and wage/step longevity freezes.

**Citizen Comments**

None.

**Public Hearings**

None.

## Other Business

None.

## Work Session

1. **Transition Area Zoning Regulations (2008CAM0003).** Proposed zoning regulations (permitted and prohibited land uses, development regulations, etc.) for the Alderwood-City Center Transition Area, generally located east of 36<sup>th</sup> Ave. W., south of 188<sup>th</sup> St. SW and west of Alderwood Mall Blvd.

Chair Wright solicited public comment. There was none.

Planning Manager Garrett stated that they have continued to revise the outline of zoning regulations. He displayed and discussed aerial photos of the Alderwood City Center Transition Area. He discussed two changes from the last version:

- View impact and view issues – At the last work session staff heard concerns that the program that had been recommended at that point had a substantial impact on views from the neighborhood. Staff is now suggesting an approach that deals with establishing two view corridors (described at the top of page 3 of the outline). Regulations could establish a view corridor that would look somewhat like an extension of the two streets – 192<sup>nd</sup> and 191<sup>st</sup>. In the view corridor building height would be limited in a manner that still allows the existing view substantially to remain. Outside of that narrow corridor they would allow substantial development to compensate for the decreased development in those corridors.
- 36<sup>th</sup> Avenue Frontage – They have retained the stair step approach/limited development area but the building heights have been increased as shown at the bottom of page 2 of the outline.

Other changes are:

- The land use *Assembly* is now shown as a conditional use.
- General typos and edits.

He addressed the topic of a prior agreement that might have been in place when the zoning for the area was adopted back in 1979. Since the last meeting staff has reviewed City Council meeting minutes from mid-1977 to the adoption of the new zoning regulations in 1979. They saw indications of substantial discussions going on about how this area should be zoned. There was a special City Council meeting at Lynnwood High School in that period with substantial public comments. They did not find any Council action regarding an agreement; however the Council did adopt, by Ordinance, a land use map designation for this area. About 4 or 5 months later the actual zoning regulations were adopted. The record in the Council minutes and the Ordinance gives very little background. He stated that the Purpose Statement of this zone recognizes the need for development in that area not to substantially or significantly impact the

single-family neighborhood. Staff still recognizes that this is an active single-family neighborhood opposite properties with redevelopment potential. The challenge is modernizing the zoning regulations while still respecting this balance.

Discussion:

Commissioner Ambalada commented that the outline is very good and reasonable. She referred to the view and asked if it would be defined as *territorial*. Planning Manager Garrett commented that it would not be *territorial* from the streets. From the streets there are currently mountain views.

Commissioner Braithwaite had the following questions:

- He asked if the zoning regulations are flexible enough to be economically feasible for developers. Planning Manager Garrett commented that they do not have in-house capability of doing a detailed economic analysis, but they generally depend on outside services, such as contractors, or information from property owners. He acknowledged that very little development is viable under current conditions, but they expect that in five to seven years it will be.
- He asked for more of a definition of the view corridor. Planning Manager Garrett explained this. Commissioner Braithwaite commented that this would impact certain property owners more than others. Planning Manager Garrett affirmed this.
- He asked if 120 feet is the next cost-efficient point for the stair step plan. Planning Manager Garrett stated that this is based on what they have heard is possible with a single run of elevators. Commissioner Braithwaite pointed out that under Development Standards it still says 85 feet. Planning Manager Garrett noted that this would be corrected.
- He asked about screening for rooftop equipment. Planning Manager Garrett referred to page 4 of the Design Guidelines, item 2(a) which is a fairly standard approach that the City uses. He stated that this would take care of air conditioning units and vents, but would not totally screen elevator overruns. He suggested that the Commission discuss whether the 120 feet be measured to the top of the wall or to the top of the elevator overrun.
- He suggested that they not be too specific with Design Guidelines and requiring specific architectural styles because when this is finally developed it may not be popular anymore. Planning Manager Garrett noted that the Design Guidelines for 33<sup>rd</sup> are in there because they see that street as becoming the main street of the area and a key part of that is the retail character where you can see into the buildings.

Chair Wright requested more information about where they would be seeing building elevation of 120 feet. Planning Manager Garrett reviewed this and noted

that it would be the first 1/6<sup>th</sup> of the block which would have the stair step as described in the outline. He offered to provide a map for future reference.

Commissioner Larsen:

- He asked how tall the Fisher Building is. Staff replied that it is between 75 and 80 feet. Commissioner Larsen asked what they expect the tallest buildings would be in the City Center area when that is built out. Planning Manager Garrett stated that in the north end the maximum building height was 140 feet. In the highest areas the maximum height would be 350 and then it would drop in several bands to 35 feet near the single family neighborhoods.
- He suggested that noise may be a big issue with this development and pointed out that sound bounces off glass and buildings pretty effectively. He suggested stating that no surface should be parallel to 36<sup>th</sup> in order to reduce the sound impacts.
- He likes the concept of a view corridor, but recommended working with the owners to make sure they will be comfortable with this.

Commissioner Aubuchon:

- He asked Councilmember Hikel if the history that was shared by Planning Manager Garrett is what he recalled. Councilmember Hikel agreed that there was no formal agreement written down. The agreement recognized what would be a good compromise with developers and the neighborhood. He noted that the zoning they ended up with was Industrial Park/Business Park. He stressed that the view corridors would still impact the neighborhood because there would still be 10 or 12 story buildings right across the street from single-family. He also expressed frustration with the impacts of the red lighting at the top of the Loews Theater building. He spoke to the potential for increased traffic, density, and visual impacts. He asked how this meets the guidelines for protecting single-family neighborhoods and discussed the importance of protecting these neighborhoods. Commissioner Aubuchon stressed that there was no written agreement at the time. He wanted to make sure that no one was led astray. Councilmember Hikel replied that what was written in the original zoning was what everybody agreed to. Commissioner Aubuchon asked if there are any projects pending or any pressing planning issue that they have to address. Planning Manager Garrett stated that he was not aware of any pending projects, but there is a planning issue in that they need to make the Comprehensive Plan and the zoning consistent.
- Commissioner Aubuchon pointed out that under the General Sign Regulations it is stipulated that there would be no neon signs permitted on the top of the building except facing west. He recommended that no signage be allowed on the top of those buildings at all because even if it doesn't face the houses there is still a glow. Planning Manager Garrett discussed the importance of signage to the businesses, but noted that they could have restrictions. Commissioner Aubuchon stated that he did

not want neon signs at the top of buildings, but did not mind an “open” sign at ground level or on the 33<sup>rd</sup> Avenue frontage.

Ms. Monroe commented that from an economic development perspective the freeway visibility for signage might be important. Commissioner Aubuchon replied that we do not need to see billboards from the freeway.

Chair Wright quipped that if they allow 120 foot buildings in that area it would block the lights for Councilmember Hikel.

Commissioner Davies asked why 120 feet was desired when the height of the current Pemco and Fisher buildings is about 80 feet. He thinks that buildings higher than those two existing buildings would be found the most objectionable to the neighborhood whereas another additional building or two that height or lower would not be as objectionable. Planning Manager Garrett replied that they are looking for Commission direction for the building height. They came up with the 120 feet idea when they considered doing the view corridors because they knew that doing a view corridor would substantially reduce potential development in those corridors. Commissioner Davies suggested that they try to encourage the taller buildings in the City Center, not in this area. Planning Manager Garrett noted that they could follow that approach if it was the desire of the Commission.

Commissioner Aubuchon commented that they could put a 120-foot building over by the bus barn and it would be about the same height, relative to 36<sup>th</sup> Street, as the Fisher Building which is one of the tallest buildings currently. Commissioner Aubuchon suggested that there might be some compromise areas that they could agree to in order to get to the 120 feet to offset part of this view corridor. He spoke against the higher buildings on 36<sup>th</sup>.

Commissioner Ambalada suggested that they try to have a strong relationship with the neighborhood that they are protecting. With regard to the lighting, the new Mercedes Benz on Highway 99 has a couple lights that directly affect the mobile home park in that area.

Chair Wright agreed with the 120 feet on the east side of 33<sup>rd</sup> and possibly on a portion some distance back on the west side of 33<sup>rd</sup> as well. 36<sup>th</sup> does not seem workable for that height of a building.

Commissioner Larsen commented that when he first saw the Fisher building and the Cosmos buildings they seemed very big to him, but from a functional perspective this is an area with a lot of potential. He suggested trying 85 foot allowed by the zoning code to 120 feet with an SPU that would be partly based on access, orientation, mix, etc.

Commissioner Braithwaite observed that the zoning regulations as they are now have no maximum height restriction. Councilmember Hikel commented that

whatever impacts they make will have long-range consequences for the property owners and the neighborhood. He again stressed the importance of preserving single-family neighborhoods.

Commissioner Ambalada suggested setting up a special meeting with members of the neighborhood. Planning Manager Garrett commented that they attempted that and the response they got was that the neighbors didn't want *anything* changed. There will be opportunity for the neighborhood to come in for comments when they have public hearings and they are welcome to be present at any work sessions. Staff is feeling the need to move toward a resolution of one sort or another and would not be supportive of looping back into a broad-based neighborhood program at this point in the project. Commissioner Ambalada asked about the promenade project. Planning Manager Garrett replied that there are no pending projects.

Planning Manager Garrett restated what staff had heard from the Commission:

- Building Height – Some support of Commissioner Larsen's suggestion to have an 85-foot maximum by right and then allow up to 120 feet with some sort of special permit.
- 36<sup>th</sup> Avenue – Concerns about noise and suggestions to have buildings set at an angle.
- Land Use – No further comments tonight. Consensus from Commission to move forward with the regulations.

**2. Project Highway 99 (2009CAM0001).** Draft Subarea Plan, Zoning Regulations and Design Guidelines, together with a Draft Supplemental Environmental Impact Report for the Highway 99 corridor, between 216th St. SW and 148th St. SW.

Public Comment:

Ed Trimakas, 20515 Highway 99, Lynnwood, stated that at the last meeting he had provided a pro bono study that he did of the corridor plan as he understood it. He offered to provide any answers to questions or disagreements that the Commission might have to this study. He also said that Planning Manager Garrett had stepped forward and made some proposals which he wanted to address tonight. They have a purpose-built building on property that has been zoned Commercial General (CG) for the past 34 years which is now being forced to become HMU-RE (Residential Encouraged). He expressed frustration that property 200 yards away from him still retains its Commercial General zoning while he is forced to jump through many different hoops. He discussed staff's solution to his dilemma. He asked how they could allow a competitor to his property to retain their CG zoning because they happened to be new. He criticized the concept of nodes along Highway 99 and pointed out that they normally result from a community, a locust or some reason which they would grow. In the case of the City's plans they have simply decided that certain

intersections would be nodes. Not only is this arbitrary, but it is unfair. He complained that in the course of the two years of this study he did not imagine the code would throw him out of business for the rest of his life. The building is useless if he can not do an auto-centric business. He suggested that instead of this broad approach they could leave this particular site CG. He criticized the Makers study and expressed frustration that he had not been automatically included as a person of interest. He expressed concern that this hybrid code has never been tried on a 5¼ acre strip with no real loci other than the fact that there are intersections.

Commissioner Ambalada thanked him for coming to share his thoughts with the Commission.

Commissioner Aubuchon also thanked him for taking the time to share his thoughts with the Commission. He commented that the area around Mr. Trimakas' building has increased in value substantially. He asked Mr. Trimakas if he is actively trying to lease his property. Mr. Trimakas replied that he is. He is not interested in selling it because the accumulated depreciation tax is huge. Commissioner Aubuchon asked Planning Manager Garrett how much of the zoning on Highway 99 is impacted by the state. Planning Manager Garrett was not aware of any parts that were impacted directly by the state. The larger question the city is facing is: *How do they accommodate future growth?*

Mr. Trimakas commented that the staff refers to the *need to respond to anticipated growth to limit sprawl*. He asked where they can sprawl in Lynnwood. He expressed frustration that Makers had expanded the project from the original intent of the City. By anecdotal survey he has ascertained that 80% of those with land in that area do not want the plan.

Staff Report:

Planning Manager Garrett briefly reviewed the history of this item. He reviewed summary tables of the comments on draft project documents with staff responses. He explained that they were looking for feedback from the Commission regarding the comments and responses.

Two other areas staff requested feedback were:

1. Trimakas' property - Staff is understanding and supportive of the concern of owners of single-purpose buildings. Staff's recommendation is to go forward and write regulations to allow their continued use and occupancy.
2. Public comments indicate concern that nodes of *residential required* may require too much of a hardship. Staff's recommendation at this point would be to set all nodes as *residential encouraged*. The *encouraged* concept would have a series of incentives for those that are open to doing mixed use. These incentives could include more density, higher building heights, more lot coverage, and reduced parking.

Commissioner Aubuchon referred to Shoreline's high density housing development at Echo Lake on Highway 99. He doesn't think this works well along a state highway moving 45 mph with 7 lanes of traffic. He also questioned the value of the Makers study. He suggested moving the high density residential development away from the Highway 99 corridor and leaving that area for commerce.

Commissioner Ambalada commented that she thinks they are going in the right direction, but that they need to be more compassionate and use common sense in dealing with requirements for businesses and property owners. She thinks encouraging residential rather than requiring it is a positive move. She recommended helping businesses as much as possible.

Commissioner Braithwaite stated that he has always been skeptical about residential development being successful on Highway 99. He commented that one of the challenges is to envision this area in 20 or 30 years. He is pleased to see that they have gone from requiring residential to encouraging it. He recommended encouraging incentives for larger lot sizes in order to get the efficiencies that make these sorts of developments economically viable. He emphasized that some of these nodes are far from pedestrian-friendly, but rather are *pedestrian-kill* zones at the moment. He suggested that they think more about pedestrian safety. He also wanted to be careful not to discourage traditional development in that area as well because of the tax revenue it can provide to the City. He had comments on the responses as follows:

- Page 1, the first item – He recalled that if a developer made improvements to more than 10% of the building they had to adhere to the new rules. He wondered if this might need to be revised or looked at again. Planning Manager Garrett commented that if the use of a property is non-conforming then the use could be expanded by no more than 25%. This would not apply to the re-occupancy because they would not be a non-conforming use. Also, going from *residential required* to *residential encouraged* removes the requirement for residential with the development of the property.
- Page 3, last item – He spoke against allowing 5-story wood frame buildings due to earthquake issues. Planning Manager Garrett commented that the current code allows wood frame construction only up to four stories and only for residential. The Wood Products Institute has come out with recommendations for allowing five-story wood frame residential construction using *engineered* wood products.
- Page 4, first item – They need to expand the plan for how they are going to address pedestrian safety.
- Page 7, first item – He thinks that in 20 years there will still be a lot of cars driving down Highway 99 and they should be more flexible in terms of both parking and drive-through facilities. Trying to eliminate those might be denying what Highway 99 really is.

Commissioner Larsen discussed the challenge of addressing rapid growth and the need to proceed with a lot of caution. His biggest concern, in addition to the pedestrian issue, is: *How do they bridge from today to where they want to go with this plan? How do they encourage investment to make this happen?* To the extent that they can soften some of these regulations, do more grandfathering, and not intimidate some of these owners they can encourage the owners to hang in there while the economy is in the dumps they can slowly move this where it needs to go. He suggested getting third-party input on this plan, perhaps by FutureWise or the City of Shoreline Planning Director Joe Tovar.

Staff's summary of comments:

- Some concerns about the overall direction we are going.
- General comments that if this goes forward, to go forward softly and slowly. Need to discuss how to encourage the transition.
- *Residential encouraged* is much better than *residential required*. Possibly move this further to *residential allowed* with the concept being that putting residential right on the highway doesn't seem very practical or feasible. Perhaps putting it further back off the highway could be a possibility in the future.
- Lighten up on some of the guidelines to allow development to occur so it won't be too restrictive to encourage growth along the highway.

Commissioner Aubuchon added that what Commissioner Larsen said was that we might want to consider situations like Mr. Trimakas' to be grandfathered in. He also referred to some of the public meetings they had earlier where it was always discussed that the residential would be behind the retail and not directly on Highway 99. That had been his understanding of what the presentation was. Ms. Monroe said the intention was not to preclude putting it on the highway, but realistically on those deeper properties a mixed development could be horizontal mixed use, not necessarily vertical.

Commissioner Larsen suggested recognizing the role of the Comprehensive Plan versus the zoning regulations. The Comprehensive Plan is more about the policy and what the City desires for an area. In the Comprehensive Plan they could voice the intent of what we are trying to accomplish in this area with recognition that markets evolve. They could say when these things develop, here's how we want to respond to them. This will give investors a sense of how long something's going to take to evolve and how it may play out in the future. Planning Manager Garrett replied that he would see the Sub-area Plan as being the place where this is kept.

Commissioner Ambalada added that in developing the Comprehensive Plan they should indicate that they are doing this towards accomplishing the Growth Management Act.

Commissioner Braithwaite summarized his comments as:

- Lots of carrot, less stick
- Allow residential
- Give incentives for property owners – additional density

Planning Manager Garrett suggested that they need to work with the Commission more to flush out the direction they have been given tonight prior to drafting any code language. He recommended that staff put together a document that encompasses the direction of where they are going to take this project before they actually write the code.

**3. Zoning Code Amendment – Changing Electronic Message Board Signs (2009CAM0004).** Amendment to City Zoning Code related to Changing Electronic Message Board Signs.

Deputy Community Development Director Dave Osaki explained that the draft that the Planning Commission came up with was in their packet. It was reviewed by the City Attorney and should be the final draft reflecting the Planning Commission recommendation. Since that time they have gone through the procedural matters such as the Environmental Review Process and the 60-day state agency review period where no comments were received. He stated that they intend to bring this back before the Planning Commission early next year for a public hearing. The next extension of the interim regulations is scheduled for April of 2011. There was a commitment to the City Council to at least get it through the Planning Commission hearing process before the next extension of those interim regulations.

Commissioner Braithwaite if the draft here was the same as the last time they looked at it. Deputy Director Osaki stated that it was exactly the same.

### **Director's Report**

Planning Manager Garrett had the following comments:

- Most of the Council effort is going into the budget at this point. There are a lot of materials on the city website.
- The Lynnwood High School site process may become active again. Staff is recommending that the Commission take a project committee role in this process.
- He will be making a 2011 Work Program. Some items on it will be the Lynnwood High School site, the Changing Electronic Message Board Signs code amendment, Highway 99, Transition Area, and the 2011 Docket.
- Next meeting will be December 9 in the annex at 7:00 p.m.
- The Council approved 7 of the 8 docket items. The item still before them is the mobile home park zone and they have asked staff to final up an ordinance to institute a mobile home park zone similar to what the county

did. This will come back to the Council on December 13 and they may take final action that night.

- There are two Commission seats up for renewal – Commission Aubuchon and Commissioner Wojack.

### **Adjournment**

The meeting was adjourned 9:22 p.m.

---

Richard Wright, Chair

## MEMORANDUM

DATE: April 20, 2012

TO: Planning Commission

FROM: Corbitt Loch, Deputy Director

**RE: Alderwood-City Center Transition Area Public Hearing**

It has recently become known that due to an error in the City's central mailroom, written notice of the April 26, 2012 public hearing was not mailed in time to provide the 20 days of advance notice as required by City Code. Staff from Community Development and Economic Development collaborated to prepare this written notice to more than 700 addresses, but a human error caused a delay in mailing.

In order to ensure all interested citizens have ample time to participate in this important matter, it would be appropriate for the Commission to accept public testimony on April 26, 2012, and keep the hearing open until the next Commission meeting (May 10, 2012). Deliberation and decision-making by the Commission should not begin until the public testimony portion of the hearing has concluded (expected on May 10, 2012).

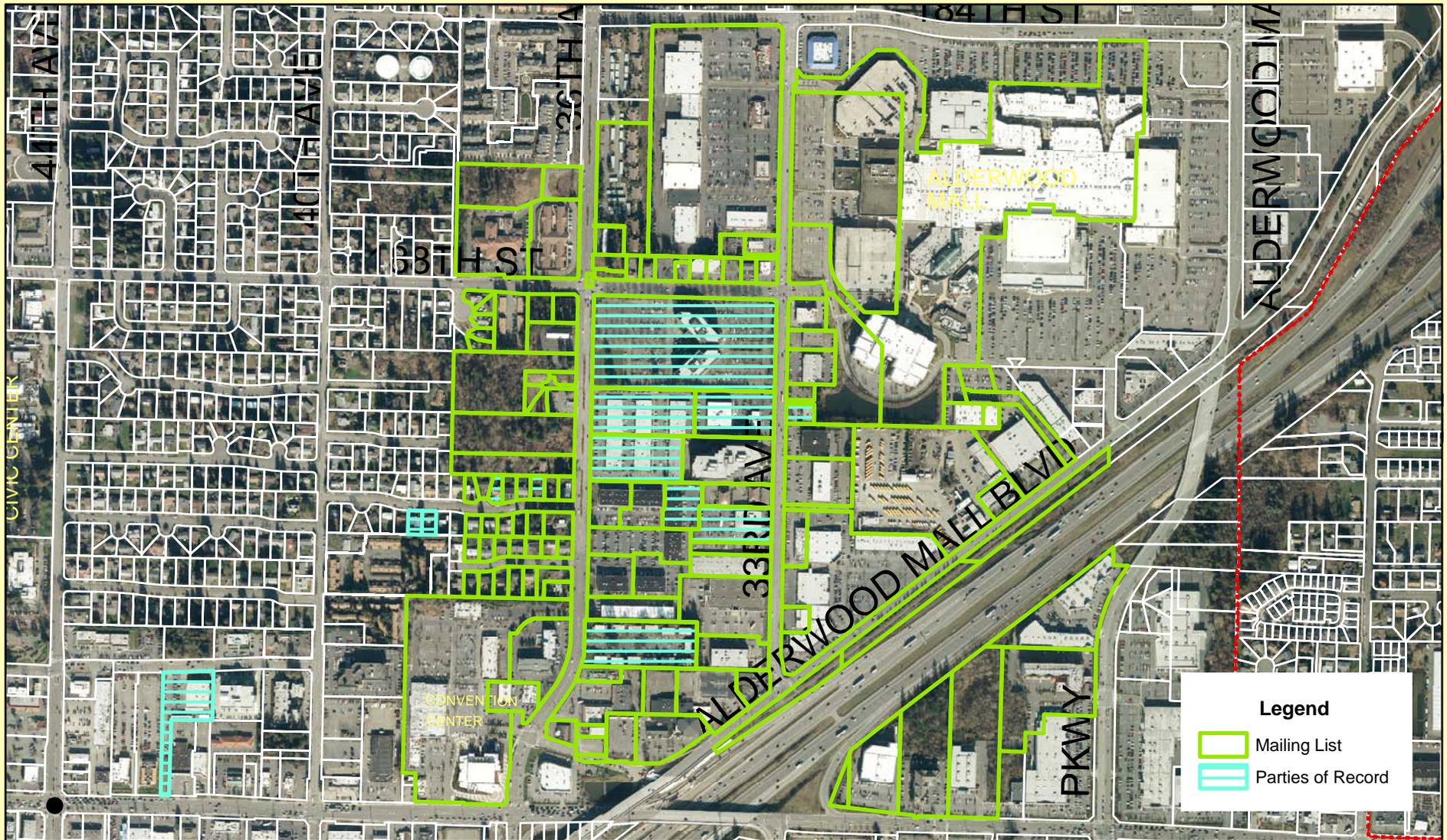
As this agenda item is introduced on April 26, 2012, it would be appropriate for the Chair to announce the Commission's intent to accept public testimony (written or oral) through May 10, 2012. At the conclusion of public testimony on April 26, 2012, a suitable motion would be as follows:

**“I move the Planning Commission keep the public hearing for the Alderwood-City Center Transition Area agenda item open and that the Commission accept public testimony on May 10, 2012.”**

Meanwhile, please know City staff is developing new mailing procedures to ensure this error does not occur again.

Attachment: Map of 600-foot mailing radius

# Transition Area Notifications



- Note 1: Streets, lots, and plats on this map are maintained by Snohomish County and may not be current.
- Note 2: Notice recipients for the Planning Commission Public Hearing scheduled for April 26, 2012.
- Note 3: Mailing List was created using assessor, business license and utility billing data for the highlighted parcels.
- Note 4: Parties of Record are those who requested in writing to receive notifications for this proposal.
- Note 5: Created by the City of Lynnwood Community Development Department on April 19, 2012.

0 500 1,000 2,000 Feet



## CITY COUNCIL ITEM FYI-5

### CITY OF LYNNWOOD Community Development

---

**TITLE:** Amendment B-3/ B-4 Limited Commercial Districts

**DEPARTMENT CONTACT:** Paul Krauss, Director

#### DOCUMENT ATTACHMENTS

**Description:**

[Draft Ordinance](#)

**Type:**

Backup Material

DATE

TO: Lynnwood City Council and Planning Commission  
FROM: Paul Krauss, Community Development Director  
RE: B-3/ B-4 Zoning Districts, Potential Code Amendment  
FYI Memorandum

**ISSUE**

Like many cities Lynnwood has a variety of commercial zoning districts to regulate the intensity and nature of different areas. The spectrum of zones in Lynnwood runs from very low intensity districts intended to provide limited neighborhood services in close proximity to residential areas, up through very intensely developed areas set aside for highway commercial and regional shopping centers. Where Lynnwood is unusual is that we have two very low intensity commercial zones: B3 Neighborhood Business and B4 Restricted Business. These districts are seldom used and when they are they seem to hamstring property owners by having relatively few, economically viable commercial uses. In fact there are only 17 lots in Lynnwood zoned B-3 and 2 lots zoned B-4. When combined the total area in these zones is around 31 acres.

Staff runs across issues with these districts several times a year as property owners struggle to find tenants or businesses consistent with the few that are permitted. Most recently the issue has been raised by the recent annexation of the Perrinville area where the south-east corner of the intersection of Olympic View Drive and 76<sup>th</sup> Ave. came into the City. The northern half of the intersection, located in the City of Edmonds, is occupied by commercial uses and a post office. On the west side of 76<sup>th</sup> Ave are homes in Edmonds. The Lynnwood area is zoned B-3 and contains a mix of older, somewhat dilapidated mixed commercial buildings and a new retail building at the corner that has never been occupied. The entire site backs up to Lynndale Park.

The owner/developer of the Perrinville site was unable to get tenants and defaulted on the mortgage. The property is now owned by the bank. Staff met with the bank to discuss potential development and again confronted the unusually restrictive nature of the B-3 zone. In addition to seeking more flexibility in the type of commercial uses that might be allowed, the developer raised a question about the potential for allowing medium density residential development. Medium density residential development is not allowed in the B-3 zone. The Perrinville site seems well suited for this use being isolated from most single family homes, backing up to a major park, and being adjacent to a variety of neighborhood-scale commercial services and located at the intersection

of two major streets. This discussion provided the impetus for staff to take a more thorough look at the B-3/ B-4 issue and bring forward potential amendments to the zoning code for your consideration.

Staff is proposing to eliminate the B-4 Restricted Business Zone. As noted above there are only two lots in the entire City having that zoning designation. These would be merged into a revised B-3 Neighborhood Business Zone that has slightly more flexibility in terms of permitted commercial uses and also allows for the potential of medium density or mixed-use housing (commercial on the ground floor with residential above with a maximum height of 3 stories or 45').

#### STAFF RECOMMENDATION

If the City Council is comfortable with allowing staff to move forward with development of this concept, we will bring working with the Planning Commission. Once a draft ordinance has been developed the Commission would hold a public hearing before bringing the ordinance to the City Council for formal adoption.

#### **21.46.050 Purpose.**

A. General. The purposes of the regulations set forth in this chapter are:

1. To regulate the location, height, bulk, and size of buildings constructed for business and commercial uses, thereby assuring adequate light and air in commercial zones;
2. To provide a range of use zones of varying degrees of restrictiveness in the types of businesses permitted; thereby providing for the development of shopping centers and the various other types of business and/or commercial areas;
3. To facilitate the economical provision of utilities; to provide for convenient, efficient, and safe access to commercial zones by vehicles and by pedestrians; and
4. To encourage general improvement of the appearance of commercial areas.

It is further intended that the establishment of several zones for business and commercial uses, differentiated by the types of business uses permitted and by the

height and character of structures allowed, will provide additional protection for residential areas wherever they exist in close proximity to business zones, excluding in such transitional areas those uses which would be detrimental to nearby residences by reasons of traffic generation or other characteristics of the business.

B. Individual Zones. The purposes of the individual zones are as follows:

2. Neighborhood Business (B-3). The Neighborhood Business zone is intended to provide for compatible retail, professional, and personal service uses, and offices and services including municipal services of not more than two stories which generally serve the everyday needs of the residents of the surrounding neighborhood. Individual zones should be located:

- a. To provide for neighborhood commercial centers at appropriate locations along arterial streets within residential areas; or
- b. To preserve existing neighborhood commercial centers which are at appropriate locations within residential areas, but which may not be located along an arterial street; or
- c. As a transition zone between residential zones and more intensive commercial zones.
- d. To allow for limited medium density residential and mixed-use construction.

The boundaries between Neighborhood Business zones and adjacent residential zones should be well defined and have significant buffering standards to discourage encroachment into and/or degradation of those residential zones. The size of individual zones should be scaled to the intensity of residential development in the area.

**21.46.100 Permitted structures and uses.**

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

**Table 21.46.01**

<b>Automotive Uses</b>	<b>B-3</b>	<b>B-2</b>	<b>PCD</b>	<b>B-1</b>	<b>CG</b>
------------------------	------------	------------	------------	------------	-----------

Auto Parts, Accessory, and Supplies Stores		P	-	P*	P	P
Auto Glass Stores		-	-	P	P	P
Auto Lubrication Stores		-	-	P	P	P
Auto Wrecking Yards <sup>+</sup>		-	-	-	-	C
Automobile Mechanical Repair		-	-	-	C	P
Automobile Repair, including body and fender and mechanical repair, excluding outdoor storage, display or sales		-	-	-	C	P
Automobile Sales and Display <sup>+</sup>		-	-	P	P	P
Automobiles, rental or sale on open lot		-	-	P**	-	P
Battery Service and Sales		-	-	P*	P	P
Car Wash		A	-	-	C	P
Mobile or Manufactured Homes, open lots for sale or rental of		-	-	-	-	P
Park and Pool Lots <sup>+</sup>		C	C	-	C	C
Parking Garages and accessory refueling and servicing		-	P	P	P	P
Public and Private Parking Lots for Passenger Cars		-	C	P	P	P
Service Stations, full, self, or gas <sup>+</sup>		C	-	-	C	C
Tire Store, not including recapping		-	-	P	P	P
Tire Store; provided, that such activities be conducted indoors without outdoor storage, overnight parking, excessive noise or other adverse environmental impacts		-	-	P	-	-
Tire, Brake, Muffler Tune-Up		-	-	P	P	P

\*Provided, that such activities be conducted indoors without outdoor storage, overnight parking, excessive noise or other adverse environmental impacts.

\*\* (1) Only at properties either with frontage on the freeway right-of-way or within 1,500 feet of a freeway on- or off-ramp (measured in a straight line from the nearest point of the end of the freeway ramp (where the ramp connects to a public street) to the nearest point of the property).

(2) Sale of used vehicles as a principal use of the property is prohibited.

**Table 21.46.02**

<b>Business Service Uses</b>		<b>B-3</b>	<b>B-2</b>	<b>PCD</b>	<b>B-1</b>	<b>CG</b>
Business Services, not including furniture or equipment sales		P	AI	P	P	P
Business and Professional Services not mentioned elsewhere in this section		–	–	P	P	P

**Table 21.46.03**

<b>Eating and Entertainment Uses</b>		<b>B-3</b>	<b>B-2</b>	<b>PCD</b>	<b>B-1</b>	<b>CG</b>
Fountains and Ice Cream Stands		P	AI	P	P	P-X
Indoor Amusement Enterprises, including skating rinks, bowling alleys, pool halls		–	–	P	P	P
Restaurants and Cafeterias providing on-premises service only to seated patrons, no alcoholic beverages served <sup>+</sup>		P	AI	P	P	P-X
Restaurants providing on-premises service only, to seated patrons, with cocktail lounges <sup>+</sup>		C	P	P	P	P-X
Restaurants, drive-in car service <sup>+</sup>		–	–	–	P	P-X
Taverns, Bars, and Cabarets		–	–	P	P	P

**Table 21.46.04**

<b>Institutional Uses</b>		<b>B-4</b>	<b>B-3</b>	<b>B-2</b>	<b>PCD</b>	<b>B-1</b>	<b>CG</b>
Child Day Care <sup>+</sup>			P	–	P	P	P-X
Churches, not using complementary parking			P	P	P	P	P-X
Churches with complementary parking <sup>+</sup>			C	C	P	C	C-X
Nursing and Convalescent Homes and Housing for the Elderly and Physically Disabled <sup>+</sup>			C	C	C	C	C
Libraries, Museums, Art Galleries and similar institutions			P	P	P	P	P-X

Municipal Services		P	P	P	P	P
Higher Education: Universities; Colleges; Technical, Business, Trade and Vocational Schools, excluding automotive and mechanical schools		P	P*	P	P	P-X
Primary and Specialty Education: Preschools, Elementary, Secondary, Dance, Music, Art and similar schools		P	C*	P	P	P-X

\* Minimum building site of three acres; see also LMC [21.02.175](#).

**Table 21.46.05**

Medical Uses	B-4	B-3	B-2	PCD	B-1	CG
Medical, Dental, Optical and Chiropractic Clinics		P	P	P	P	P
Veterinary Clinics <sup>+</sup>		P*	—	P	P	P-X

\*excluding outdoor kennels and runs

**Table 21.46.06**

Office Uses	B-4	B-3	B-2	PCD	B-1	CG
Business or Professional Office, including offices of a clerical or administrative nature		P	P	P	P	P
Office as a Home Occupation <sup>+</sup>		P	C	—	C	C

**Table 21.46.07**

Personal Service Uses	B-4	B-3	B-2	PCD	B-1	CG
Banks and other financial institutions		P	P	P	P	P
Barber Shops and Beauty Parlors		P	AI	P	P	P
Dressmaker and Tailoring Shops		P	—	P	P	P

Dry Cleaning and Laundry Plants		P	—	P	P	P
Dry Cleaning and Laundry, Self-Service		P	—	P	P	P
Dry Cleaning and Laundry Pick-up Station for work to be done elsewhere		P	AI	P	P	P
Locksmith		P	—	P	P	P
Pet Grooming		P	P	P	P	P-X

**Table 21.46.08**

Repair Services Uses	B-4	B-3	B-2	PCD	B-1	CG
Appliance Repair Shops and the like		P	—	P	P	P
Shoe Repair		P	—	P	P	P

**Table 21.46.09**

Recreational Activities	B-3	B-2	PCD	B-1	CG
Amusement Centers located 300 feet or more from a single-family or multiple-family zone*	—	—	P	P	P
Amusement Centers located less than 300 feet from a single-family or multiple-family zone*	—	—	C	C	C
Indoor Amusement Enterprises, including skating rinks, bowling alleys, pool halls	—	—	P	P	P-X
Carnivals (see Chapter 5.30)	—	P	P	P	P
Circuses (see Chapter 5.30)	—	P	P	P	P
Dance Halls, licensed <sup>+</sup>	—	—	P	C	C
Handball Courts, Racquet Clubs, and Indoor and Outdoor Tennis Courts	—	C	—	C	P
Health Clubs	—	—	P	P	P
Outdoor Ancillary Playground and related equipment	—	—	—	C	C
Outdoor Commercial Recreation and Entertainment,	—	—	—	—	P

including stadiums, race tracks, outdoor theaters, swimming pools, golf courses						
Overnight Campgrounds	-	-	-	-	-	C

\* As measured from the property line of the parcel on which the center is located to the property line of the nearest residentially zoned parcel.

**Table 21.46.10**

Residential Uses		B-3	B-2	PCD	B-1	CG
Adult Family Homes		P	P	P	P	P
All uses permitted in single-family zones		-	-	P	-	-
Multiple-Family Housing Units <sup>+</sup>		C*	C	-	-	-
Caretaker or Watchman Quarters		C	C	-	C	C
Living Quarters for Homeless Mothers <sup>+</sup>		P	P	P	P	P
Motels and Motor Hotels		-	P	P	P	P-X
Respite Care		C	-	P	P	P

- **0.5 acre minimum lot size, subject to standards and procedures established in Section>>>>>>> for the Multiple Residential Medium Density Zone (RMM) with the exception that maximum building height is 3 stories or 45' whichever is less.**

**Table 21.46.11**

Retail Uses	B-3	B-2	PCD	B-1	CG
Apparel Shops	P	-	P	P	P
Appliance Stores, including incidental repair	-	-	P	P	P
Art Stores and Supplies	P	-	P	P	P

Audio Sales and Service	-	-	P	P	P
Bakery Retail Stores	P	-	P	P	P-X
Bicycle Sales and Repair	P	-	P	P	P-X
Boat and Equipment Sales and Display, indoors	-	-	P	P	P
Boats and Trailer, open lots for sale or rental of	-	-	-	-	P
Building Supplies Stores, indoor	-	-	-	-	P
Carpet Shops	P	-	P	P	P
Convenience Stores not located on the same or adjacent lot to a service station <sup>+</sup>	P	-	P	P	P-X
Convenience Stores located on the same lot and/or within the same building and operated as a single business with a full-service station, self-service station, gas station <sup>+</sup>	C	-	-	C	C-X
Dairy Product Stores	P	-	P	P	P
Department Store	-	-	P	P	P
Drug Store	P	-	P	P	P
Dry Goods Store	P	-	P	P	P
Florist Shops, Accessory Greenhouses and Plant Nurseries	P	AI	P	P	P
Fountains and Ice Cream Stands	P	-	P	P	P
Fresh Fruit, Vegetable or Produce Stand, Outdoor	P	-	P	P	P
Gift Shops	P	AI	P	P	P
Grocery Stores	P	-	P	P	P
Hardware Stores	P	-	P	P	P
Hobby Shops	P	-	P	P	P
Music Stores and Supplies	P	-	P	P	P
News Stands	P	AI	P	P	P
Office Supplies, not including furniture or equipment sales	P	AI	P	P	P
Pet Shops	P	-	P	P	P-X
Retail Lumber Yards	-	-	-	-	C

Retail Stores not mentioned elsewhere in this section	-	-	P	P	P
Shopping Centers, including only the uses permitted in the applicable zone	P	-	P	P	P
Stationary Store	P	AI	P	P	P
Variety Store	-	-	P	P	P

**Table 21.46.12**

Light Industrial Uses+	B-3	B-2	PCD	B-1	CG
Assembly of Glass, Light Metal, Plastic, Electronic, Electrical or Wood Parts, which are extruded, stamped, manufactured or shaped elsewhere, not precluding minor processes such as cutting or drilling	-	-	-	-	P
Bottling and Packaging Plants in existing spaces of 10,000 sq. ft. or less*	-	-	-	-	P
Bottling and Packaging Plants in existing spaces of more than 10,000 sq. ft.*	-	-	-	-	P
Cold Storage Lockers	AI	-	P	P	P
Contractor's Offices and Shops in spaces of 10,000 sq. ft. or less*	-	-	-	-	P
Contractor's Offices and Shops in spaces of more than 10,000 sq. ft.*	-	-	-	-	C
Garment Factories in existing spaces of 10,000 sq. ft. or less*	-	-	-	-	P
Garment Factories in existing spaces of more than 10,000 sq. ft.*	-	-	-	-	C
Heavy Equipment Yards	-	-	-	-	C
Ice Storage and Dispensing	A	A	-	A	A
Research and Development	-	P	-	P	P
Printing, Publishing, and Binding (no noise beyond the premises)	C	AI	P	P	P
Public Utilities Facilities <sup>+</sup>	P	-	P	P	P

Warehouses in existing spaces of 10,000 sq. ft. or less*	-	-	-	-	P
Warehouses in existing spaces of more than 10,000 sq. ft.*	-	-	-	-	C
Wholesale stores in existing spaces of 10,000 sq. ft. or less*	-	-	-	-	P-X
Wholesale stores in existing spaces of more than 10,000 sq. ft.*	-	-	-	-	C-X

\*Inclusive of all aspects of the business.

**Table 21.46.13**

Other Uses	B-3	B-2	PCD	B-1	CG
Adult Establishments	-	-	-	-	CA
Adult Retail Uses	-	-	-	-	CA
Charitable or Relief Supplies Collection or Storage	A	-	-	C	C
Customer Parking, outdoor	A	A	-	A	A
Radio or Television Stations, not including Wireless Communications Facility	-	P	P	P	P
Recycling Collection Centers <sup>+</sup>	-	-	-	-	C
Temporary Special Events, per Chapter <u>5.30</u> LMC	-	P	P	P	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	P	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 residentially zoned parcel) <sup>+</sup>	P	P	P	P	P
Wireless Communications Facility, Attached	P	P	P	P	P

+See LMC 21.46.110 through 21.46.119.

Key:

P = Permitted as principal use

A = Permitted as accessory use with a principal use

C = May be permitted as a principal use upon approval of a conditional use permit

AI = Permitted as accessory use if located in the building of a permitted principal use, and internally oriented with principal public access through the main access of the building

- = Not permitted

-X = Not permitted in controlled area

CA = Permitted only in controlled area. See LMC 21.46.120.