Chapter 21.61

ALDERWOOD-CITY CENTER TRANSITION AREA (ACC) ZONE

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

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

21.61.200 Limited Development Area Overlay

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

The properties fronting the east side of 36th Avenue West, between 188th Street SW to the North and the future extension of 194th Street SW to the South (as 194th Street SW is identified in the City Center Street Grid Ordinance, as amended), from the 36th Avenue West right-of-way Eastern edge/property line to a line 100 feet deep (easterly) into the properties.
B. In the LDA Overlay Zone, certain land uses have specific requirements and the intensity of development is restricted, as stated in this Chapter.

21.61.250 Permitted uses.

A. Uses

1. Live/Work units
2. Multi-family dwellings
3. Caretaker and watchmen quarters
4. Hotel/motel, except as prohibited in the LDA
5. Offices (all types)
6. Personal care services (i.e. barber, hair salon, nail salon, tanning, etc.)
7. Banks and other financial institutions
8. Medical clinics
9. Hospitals, except prohibited in the LDA
10. Veterinarian clinic, (may include boarding of and day-care for small animals, provided all on-site activities are enclosed in a building)
11. In the area between 36th Ave. W and 33rd Ave. W, retail, up to 50,000 square feet per building; except that, in the LDA retail uses may occupy no more than 50% of the ground floor of a building. Where a building overlaps the LDA boundary, this limitation applies only to the portion of the building in the LDA. East of 33rd Ave. W, retail up to 100,000 square feet per building.
12. Eating and drinking establishments, including outdoor dining as an accessory use; except that, in the LDA an eating and drinking establishment may occupy no more than 50% of the ground floor of a building excluding out-door dining areas. Where a building overlaps the LDA boundary, this limitation applies only to the portion of the building in the LDA.
13. Colleges, universities, trade and professional schools, technical and vocational schools
14. Athletic clubs and facilities, except prohibited in the LDA
15. Municipal Services
16. Research and Development
17. Assembly of Wood, Light Metal, Glass, Electronic, Electrical or Plastic Parts or Components which are extruded, stamped, manufactured, shaped, or prepared elsewhere, not precluding minor processes such as cutting, drilling, soldering, or minor welding
18. Printing, publishing and electronic media businesses such as copy centers
19. Testing, servicing and repairing of goods
20. Clubhouse and fraternal, social, recreation and other not-for-profit associations
21. Libraries, museums, and similar cultural uses
22. Wireless communication facilities (attached)
23. Child day care
24. Land uses not specifically listed in this section may be allowed when determined by the Community Development Director to be compatible with the listed uses and consistent with the purpose of the Alderwood - City Center Transition Area Zone. The Director’s written decision is subject to appeal per LMC 1.35.200 (Process II).

B. Uses Allowed by Conditional Use Permit.
   1. Wireless communication facilities (not attached)

C. Allowed Accessory Uses
   1. Self-storage: Self storage may occupy up to 20% gross floor area of multi-story buildings. All related outdoor display or storage is prohibited.
   2. Outdoor dining.

21.61.260. Prohibited Uses
Uses not listed above as permitted outright or allowed by conditional use permit or allowed as an accessory use to a permitted primary use, are prohibited in this zone. Notwithstanding any provision above, the uses listed below are specifically prohibited.
   1. Adult uses and establishments
   2. Drive-up and drive-through service facilities, except for banks located on and east of 33rd Ave W.
   3. Gas stations
   4. Recreational Vehicle Parks, campgrounds
   5. Self-Storage on street level except for front office and lobby functions.
   6. Uses not fully contained within a building, except outdoor dining is permitted as an accessory use.
   7. Secure community transition facilities
   8. Sewage treatment plants
   9. Vehicle repair, servicing and other auto oriented services unless entirely within a building or a parking structure
   10. Wrecking yards
   11. Work release facilities and similar
   12. Outdoor sales and/or storage
   13. Warehouse and/or Distribution
   14. Any other uses similar to those listed above or any other uses determined by the Community Development Director to be inconsistent with the ACC Zone Purpose Statement (LMC 21.61.100)

21.61.300 Project Design Review.
A. Design Guidelines. The following structures and parking facilities permitted in the Alderwood-City Center zone shall comply with the
Lynnwood Transition Area Design Guidelines (which are adopted by this reference as if fully set forth herein) and receive approval pursuant to Chapter 21.25 LMC, unless otherwise specified in this chapter. For proposals in the Alderwood-City Center zone, the citywide design guidelines shall be replaced with the Transition Area design guidelines.

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

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

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

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

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

C. Minimum lot width: 150 feet.

D. Minimum and maximum building setbacks:
1. 36th Avenue West
   a. Minimum: 40 feet. The 40 foot setback shall consist of a minimum 25 foot wide landscaping buffer from the property line along 36th Avenue West plus an additional 15 feet of open space. Surface and underground parking, plazas, landscaping or other open space is allowed in the additional 15 feet of...
open space. (See also LMC 21.61.450 for landscaping requirements)

b. Maximum: None

2. 33rd Avenue West
   a. Minimum: None.
   b. Maximum: Ten (10) feet, except that a larger setback is allowed to create pedestrian oriented open space (such as a forecourt, a plaza or similar pedestrian oriented environment).

3. 188th Street SW
   a. Minimum: Twenty Five (25) feet
   b. Maximum: None.

4. 194th Street SW Extension (to be applied at such time the right of way exists):
   a. Minimum: None.
   b. Maximum: Ten (10) feet, except that a larger setback is allowed to create pedestrian oriented open space (such as a forecourt, a plaza or similar pedestrian oriented environment).

5. Alderwood Mall Boulevard
   a. Minimum: Ten (10) feet
   b. Maximum: None.

6. Interior Property Lines: None

7. Maximum Lot Coverage: 50%, excluding parking structures and Occupiable Space uses located on the ground floor of parking structures.

E. Maximum building height:

1. See Table 21.61.01 for maximum building height.

Table 21.61.01 Maximum Building Height
2. Create a “corridor” extending from and centered on 191st Place Southwest and 192nd Street Southwest; no portion of a building or structure may exceed 40 feet in height as measured from the 36th Avenue West eastern most ROW. The corridor shall consist of the following areas (see Figure 2):

   a. Any area within 40 feet north and south of the centerline of 191st Place SW as extended to the east from the terminus of 191st Place SW to 33rd Avenue West.

   b. Any area within 35 feet north and south of the centerline of 192nd Street SW as extended to the east from the terminus of 192nd Street SW to 33rd Avenue West.

   c. Properties in the corridor may transfer the difference between the average finished building height measured at grade and 85 feet, to properties outside the corridor but within the ACC. No building may exceed 120 feet in height. Properties outside the corridor receiving a height transfer may build to a height of 120 feet without a CUP.

<table>
<thead>
<tr>
<th>Distance from the east right of way line of 36th Avenue West</th>
<th>Maximum Building Height (excluding Corridor)</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 to 40 feet</td>
<td>0 (No buildings allowed)</td>
</tr>
<tr>
<td>Greater than 40 feet up to 60 feet</td>
<td>40 feet</td>
</tr>
<tr>
<td>Greater than 60 feet up to 100 feet</td>
<td>85 feet</td>
</tr>
<tr>
<td>Greater than 100 feet</td>
<td>West of 33rd: 85 feet; up to 120 with CUP</td>
</tr>
<tr>
<td></td>
<td>East of 33rd: 120 feet</td>
</tr>
</tbody>
</table>
Access Management and Vehicular Connections.

1. A building site or a group of building(s) or uses which are developed, owned, and managed as an operating unit (e.g., shopping center, business park, multiple-family complex) shall be allowed no more than one driveway access to 36th Avenue West. Additional driveways may be permitted subject to the approval of the Public Works Director. (see LMC 21.02.175)

G. Service Areas

1. No service areas including, but are not limited to, trash dumpsters, compactors, refuse and recycling areas and mechanical equipment areas, shall be located within 40 feet of a public street or a residential zone.

2. Loading docks shall not be located within 100 feet of a residential zone or public street and shall be screened from direct views using materials compatible with the building.

3. All trash and recycling facilities shall either be located within the primary building or shall be enclosed with a solid structure with a minimum height of seven (7) feet and a roof. However if the service area is not visible from an adjacent property or public right-of-way, the enclosure does not require a roof. Exterior materials of the structure shall match or complement those of the primary project buildings; wood is not allowed as an exterior material.

H. Surface Parking and Parking Structures.

As provided in LMC Chapter 21.18; except that:
1. Residential surface parking shall have a minimum of 1 and a maximum of 1.5 spaces per dwelling unit.
2. The minimum setback and width of landscaping between a parking structure and a public street is reduced to 10 feet; except that this provision shall not apply to the LDA.

21.61.450 Landscaping

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

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

C. Trees shall be selected from the Tree Preservation And Protection Guidelines For The City Of Lynnwood.

D. Groundcover shall consist of lawn and/or low evergreen and deciduous plantings with a maximum height of 30 inches, and shall be provided so as to achieve 50 percent groundcover within two (2) years.

E. Branches shall be eliminated to a height of six (6) feet where necessary to prevent sight obstruction.

F. Surface parking Lot Coverage: Five percent (5%) of the parking area located only between the sides of the building opposite the street and interior property lines; 10 percent (10%) of parking areas between buildings, between buildings and the loosest side property line, or single aisle, double loaded parking areas located between buildings and the street and 15 percent (15%) of multi aisle areas located between buildings and street shall be in landscaping (exclusive of landscaping on the street frontage and required landscape buffers) provided that:
   1. No landscaping area shall be less than 25 square feet in area or less than three feet in width
   2. No parking stall shall be located more than 45 feet form a landscaped area and
   3. All landscaping must be located between parking stalls, at the end of parking columns, or between parking stalls and the property lines.

21.61.460 Additional Requirements 36th Avenue West Street and 188th Street SW Frontages
A 25 foot wide landscape buffer meeting the following requirements shall be installed along the street/front lot line:

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

21.61.470 Additional Requirements 33rd Ave. W. and the Extension of 194th St. SW (from 36th Ave W to 33rd Ave W) Street Frontages

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

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

21.61.480 Additional Requirements Alderwood Mall Boulevard Frontage

A ten (10) foot wide landscape buffer meeting the following requirements shall be installed along the property line.

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

21.61.600 Nonconforming Uses and Structures.

It is expected that much development within the ACC Zone will be as a result of renovations and expansions as much as entirely new development. It is not the intent of the city to discourage such development, as new investment should enhance the image and appeal of the ACC. However, it is also necessary to ensure that all forms of development contribute positively to the character and quality of the area. The general principle to be applied is that changes to nonconforming conditions should not increase the degree of the nonconformity, but rather move the site and its uses and buildings towards greater conformity.

Given the location and configuration of current buildings, application of all design standards may not be possible or practical; however, every effort should be made to comply with such standards for the portions of sites and buildings in proximity to the alterations being made. This section supersedes Chapter 21.12 LMC.

A. Nonconforming Uses. Any “prohibited” uses legally existing at the time of the adoption of the ordinance codified in this chapter shall be considered “legal nonconforming uses.” Such uses are not permitted to expand. Exterior landscaping, facade improvements, repair/maintenance or interior upgrades are permitted.
B. Nonconforming Sites. Throughout the ACC zone, there are many properties where site development existing at the time of the adoption of the ordinance codified in this chapter does not comply with the site design standards and guidelines in this chapter. Certain types of minor changes to existing site development would not trigger compliance with the development standards and design guidelines in this chapter, such as re-stripping of parking stalls, and new or altered signage (see LMC 21.16) or lighting or renovation of landscaping. Any other site improvements, exterior renovation or expansion of building footprints shall incorporate site design features that bring the site more into compliance with the standards of the Transition Area design guidelines, regardless of whether or not the site improvements, renovation and/or expansion is subject to the design review requirements per LMC 21.61.300.

C. Nonconforming Buildings: Throughout the ACC zone, there are buildings and other structures existing at the adoption of the ordinance codified in this chapter that do not comply with the regulations in this chapter and Transition Area Design Guidelines. Expansion of building footprints or increases in building height of such structures shall incorporate standards that bring the site and building more into compliance with the requirements of this Chapter and the ACC Zone Guidelines. Compliance shall be localized to the area of the building being altered. Particular emphasis should be given to the provision of pedestrian amenities oriented towards the streets. For example, if a building is expanded towards the street, elements such as parking lot landscaping and pedestrian connections to the sidewalk are expected to be accomplished.

D. Alternative Process for Compliance. The Community Development Director may approve a plan and design for alteration of a nonconforming site or building that does not fully comply with the requirements of subsections (B) and (C) of this section if the Director finds that the alternative plan and design provides overall a greater degree of compliance with the principle of this section (as stated above). Appeals of the Community Development Director’s decision shall be processed as a Process II application (LMC1.35.200).
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 36th 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.
### Table 21.61.02 Monument Sign Standards

<table>
<thead>
<tr>
<th>Requirements $^{a,b,c}$</th>
<th>Single and Multi-Tenant Developments</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(less than 25,000 square feet (sq. ft.) of floor area)</td>
</tr>
<tr>
<td>Maximum Height</td>
<td>4 feet</td>
</tr>
<tr>
<td>Maximum Sign Area</td>
<td>20 sq. ft.</td>
</tr>
</tbody>
</table>

Minimum Setback from Front Property Lines $^{d}$
- 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 $^{d}$
- Five (5) feet

Landscaping $^{e}$
- Two (2) feet of landscaping surrounding the entire base of the sign

Minimum Separation $^{f}$
- 250 ft. between signs

### Notes for Table:

a. Monument signs shall include the address number on the face of the sign. Address numbers shall meet Fire Department requirements and shall not be counted towards the sign area.
b. The sign shall consist of materials and colors that minimize reflection capabilities and are consistent and complimentary to the architecture of the primary building on site. Materials shall be easily maintained and shall retain their shape, color, texture and appearance over time.
c. The sign shall comply with the design criteria in Figure 5 of LMC Chapter 21.16.
d. Signs shall not be located within a triangular area at street intersection or street and driveway intersections formed by two points measuring 20 feet back from the point where the two street right-of-way lines merge or a street right-of-way line and edge of driveway merge and extending a line that connects these two points to complete the triangle (see Figure 4 of LMC Chapter 21.16).
e. Landscaping shall include a decorative combination of groundcover and shrubs to provide seasonal interest in the area surrounding the base of the sign. Landscaping shall be well maintained at all times of the year. The required landscaping area shall be protected by a raised curb if not surrounded by additional landscaping.
f. An individual building, development, or complex may not display more than one monument sign per street frontage. However, additional
monument signs can be used on the site as long as they advertise a different business onsite and can be placed at least 250 feet from the first sign along applicable street frontages. No two signs shall be closer than 250 linear feet.

C. Wall Sign Standards

1. Single story building:
   a. Business tenants with building frontage: One (1) square foot of signage for each linear foot of building frontage, provided that each tenant is allowed a minimum of 40 sq. ft. of signage.
   b. Business tenants without building frontage: 1/2 square foot for each lineal foot of building façade, not to exceed 100 square feet maximum.
   c. Allowable sign area may not be transferred from one façade and/or building frontage to another.

2. Multi-story building:
   a. Ground-floor business tenants with a direct exterior entrance into the business (not a lobby) are permitted one (1) square foot of signage for each linear foot of building frontage of the applicable tenant space, provided that each tenant is allowed a minimum of 40 square foot of signage. This signage shall be located at their exterior entry on the ground floor.
   b. Other business tenants with building frontage. The total exterior wall signage allowed shall be a maximum of one (1) square foot of signage for each linear foot of building, up to a maximum of 250 square foot per building frontage (total for all business tenants). This signage may identify either the building, a major tenant of the building, or individual tenants that do not have a direct exterior entrance into their tenant space (or a combination of all three), as determined and allocated by the building owner. This signage may be located only on either the ground floor or the top floor (below the cornice or edge of the roof) of the building (or both), as determined by the owner.
   c. Business tenants without building frontage. The total exterior wall signage allowed shall be a maximum of ½ square foot for each lineal foot of building façade which does not meet the definition of building frontage, up to a maximum of 100 square foot (total for all business tenants). The property owner shall allocate this signage among tenants without building frontage, including tenant spaces without wall space along the exterior façade. This signage may located only at the ground floor or the top floor of the building (or both), as determined by the owner.
   d. Allowable sign area may not be transferred from one façade and/or building frontage to another.
   e. In no case shall allowable sign area be permitted on intermediate floors (above the first story or below the top story).
3. Residential Development or Institutional Identification Signs. Wall signs for multi-family development identification are permitted. Signs at ground-floor public residential or institutional entrances shall have a maximum size of 20 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.
4. Mounting: Blade signs must avoid covering or modifying windows or other architectural feature.

F. Prohibited Signs. The following signs are specifically prohibited:

1. Pole-mounted signs.
2. Signs employing moving or flashing lights.
3. Signs employing exposed electrical conduits.
4. Visible ballast boxes or other equipment.
5. Roof-mounted signs.

G. Other Signs – See LMC 21.16.310 C-J.
Chapter 21.02
Definitions

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

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