


CITY OF MARYSVILLE AGENDA BILL

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: September 12, 2022

AGENDA ITEM:	
East Sunnyside – Whiskey Ridge Subarea – Design Requirements (CA22006)	
PREPARED BY:	DIRECTOR APPROVAL:
Chris Holland, Planning Manager	
DEPARTMENT:	
Community Development	
ATTACHMENTS:	
1. Memo to City Council, including hyperlinks, dated 09.06.22 2. PC Recommendation 3. PC Minutes (10.26.21, 03.22.22 & 04.26.22) 4. Adopting Ordinance	
BUDGET CODE:	AMOUNT:
N/A	N/A
SUMMARY:	

The Planning Commission held a public hearing on April 26, 2022 recommending City Council incorporate the East Sunnyside Whiskey Ridge (ESWR) Design Standards and Guidelines into MMC Chapter 22C.070 *East Sunnyside – Whiskey Ridge Subarea – Design Requirements*.

RECOMMENDED ACTION: Affirm the Planning Commission Recommendation repealing Section G: <i>Signage</i> from the East Sunnyside Whiskey Ridge Design Standards and Guidelines and incorporate the Design Standards in Sections A – F into MMC Chapter 22C.070.
RECOMMENDED MOTIONS: Move to adopt Ordinance No. _____, incorporating the Whiskey Ridge Design Standards into MMC Chapter 22C.070.

MEMORANDUM

DATE: September 6, 2022
TO: Marysville City Council
FROM: Chris Holland, Planning Manager
RE: East Sunnyside – Whiskey Ridge Subarea – Design Requirements
CA22006
ECC: Haylie Miller, CD Director

Commercial development is beginning to occur within the East-Sunnyside-Whiskey Ridge (ESWR) Neighborhood. The [ESWR Design Standards](#) have very restrictive sign provisions, similar to the sign provisions what were recently repealed with adoption of the Downtown Master Plan.

The most restrictive elements are the monument, wall and electronic message center provisions, as outlined in the table below. For instance, monument signs allowed within the ESWR Neighborhood range from 3.5' to 8' maximum height and 20 to 40 square feet (SF) of sign area per face, depending on the amount of floor area of the development.

The wall sign standards in the ESWR Neighborhood are similar to the MMC, however, [MMC Chapter 22C.160, Signs](#) allows for a minimum of 32 SF of wall signage for any single-occupancy tenant whereas the [ESWR Design Standards](#) does not have a minimum allowance. This could affect tenants with narrow facades.

Additionally, electronic message centers and changeable copy signs are not allowed within the ESWR Neighborhood.

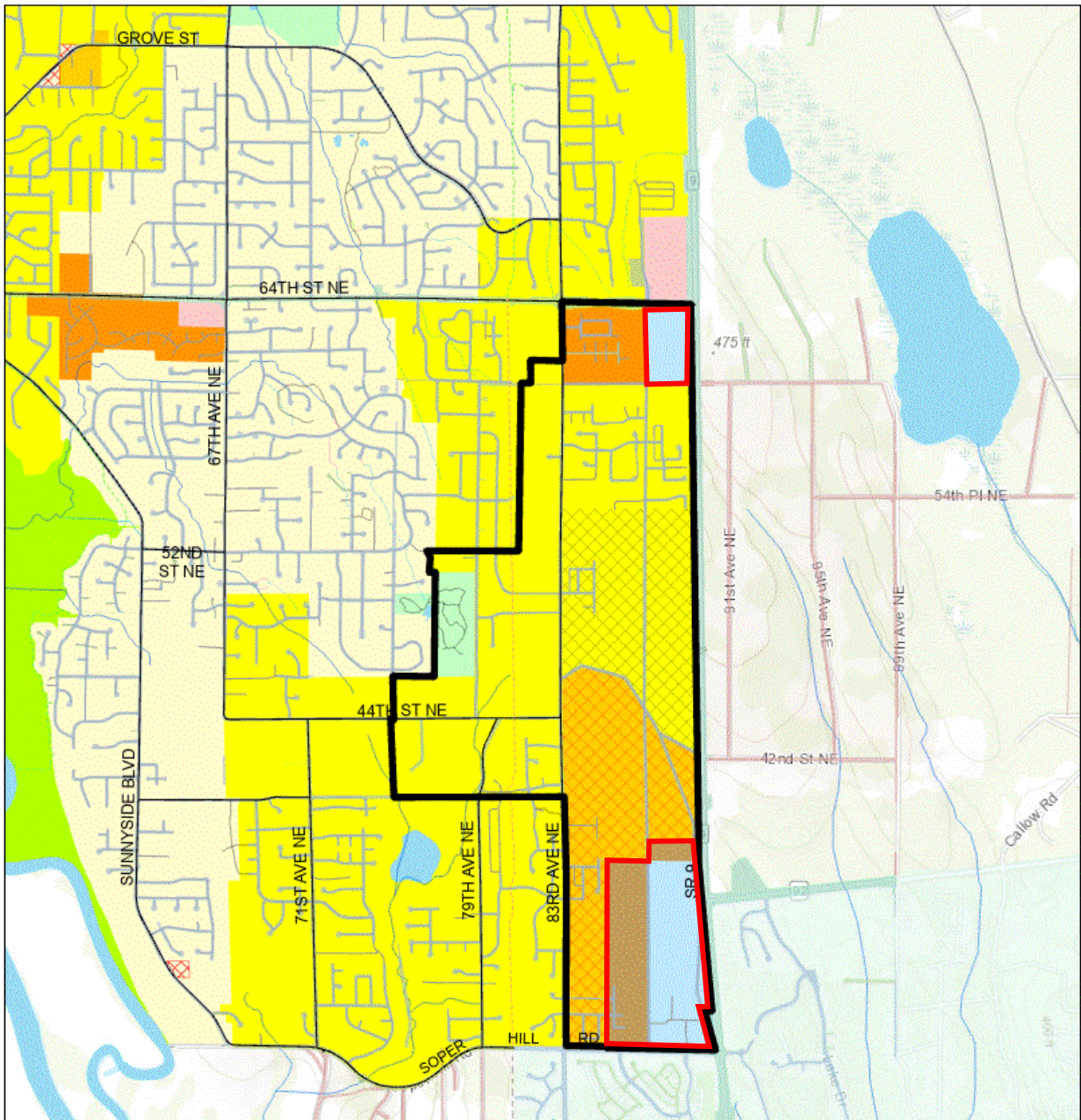
The Planning Commission has recommended repealing Section G: *Signage* from the [ESWR Design Standards](#) and allow applicants to pursue signage under [MMC Chapter 22C.160, Signs](#). Additionally, the Planning Commission has recommended repealing [MMC Chapter 22C.070 East Sunnyside/Whiskey Ridge Master Plan Area – Design Requirements](#) and incorporated the existing [ESWR Design Standards](#) into a new MMC Chapter 22C.070 *East Sunnyside – Whiskey Ridge Subarea – Design Requirements* rather than having a standalone document that applicant would have to find on the Community Development Departments webpage.

Below is a table outlining the differences between Section G: Signs in the [ESWR Design Standards](#) and [MMC Chapter 22C.160, Signs](#).

SIGNS	MMC Chapter 22C.160	East Sunnyside Whiskey Ridge Design Guidelines
Monument Sign Standards		
Single and Multi-Tenant Developments (less than 25,000 SF floor area)		
Height Limit	12'	3.5'
Sign face	1 SF for each lineal foot of street frontage not to exceed 200 SF (75 maximum per sign face)	20 SF
Setback	5'	5'
Landscaping	1 sf per 1 sf of sign face	1 sf per 1 sf of sign face
Minimum Separation	1 maximum for single-occupancy complex 1 per access driveway for multi-occupancy complex	150' Must advertise a different business on-site
Single and Multi-Tenant Developments (25,000 – 50,000 SF floor area)		
Height Limit	12'	6'
Sign face	1 SF for each lineal foot of street frontage not to exceed 200 SF (75 maximum per sign face)	30 SF
Setback	5'	5'
Landscaping	1 sf per 1 sf of sign face	1 sf per 1 sf of sign face
Minimum Separation	1 maximum for single-occupancy complex 1 per access driveway for multi-occupancy complex	150'
Single and Multi-Tenant Developments (50,000+ SF floor area)		
Height Limit	12'	8'
Sign face	1 SF for each lineal foot of street frontage not to exceed 200 SF (75 maximum per sign face)	40 SF
Setback	5'	5'
Landscaping	1 sf per 1 sf of sign face	1 sf per 1 sf of sign face
Minimum Separation	1 maximum for single-occupancy complex 1 per access driveway for multi-occupancy complex	150'
Wall Sign Standards		
Number of wall signs	1 per primary and secondary building frontage	1 per façade with a public entry (2 maximum)
Maximum size	1.5 SF for each lineal foot of primary building frontage (32 SF minimum allowed)	1.5 SF for each lineal foot of facade
Letter and logo height provisions	No	Yes, depending on SF of business

SIGNS	MMC Chapter 22C.160	East Sunnyside Whiskey Ridge Design Guidelines
Prohibited Signs		
Pole-mounted signs	Yes	Yes
Signs employing video footage	Yes Electronic Message Center (EMC) signs allowed pursuant to MMC 22C.160.180	Yes
Signs employing moving or flashing lights	Yes Electronic Message Center (EMC) signs allowed pursuant to MMC 22C.160.180	Yes
Signs employing exposed electrical conduits	Yes	Yes
Visible ballast boxes or other equipment	Yes	Yes
Changeable letter signage	No	Yes
Roof-mounted signs	Yes	Yes

Repealing Section G: *Signage* from the [ESWR Design Standards](#), will only affect the Whiskey Ridge Community Business (WR-CB) and Whiskey Ridge Mixed Use (WR-MU) zones.



PC Recommendation - East Sunnyside Whiskey Ridge Design Standards

The Planning Commission of the City of Marysville, having held a public hearing on April 26, 2022, in review of amendments to the East Sunnyside Whiskey Ridge (ESWR) Design Standards, including repealing Section G: *Signage* and allowing applicants to pursue signage under MMC Chapter 22G.016 *Signs*, and incorporating the ESWR Design Standards outlined in Sections A – F into MMC Chapter 22C.070 *East Sunnyside/Whiskey Ridge Master Plan Area – Design Requirements*, and having considered the exhibits and testimony presented, does hereby enter the following findings, conclusions and recommendation for consideration by Marysville City Council:

FINDINGS:

1. The Planning Commission held public work sessions in review of repealing Section G: *Signage* from the ESWR Design Standards and incorporating Sections A – F into MMC Chapter 22C.070 *East Sunnyside/Whiskey Ridge Master Plan Area – Design Requirements* on October 26, 2021 and March 22, 2022.
2. The proposed amendment to the ESWR Design Standards and MMC Chapter 22C.070 *East Sunnyside/Whiskey Ridge Master Plan Area – Design Requirements* is exempt from State Environmental Policy Act review under WAC 197-11-800(19).
3. Community Development Staff submitted the DRAFT amendments relating to the ESWR Design Standards and MMC Chapter 22C.070 *East Sunnyside/Whiskey Ridge Master Plan Area – Design Requirements* to the State of Washington Department of Commerce (DOC) for expedited review pursuant to RCW 36.70A.106(3)(b).
4. The Community Development Department received a letter from the DOC acknowledging receipt of the DRAFT amendments related to the ESWR Design Standards and MMC Chapter 22C.070 *East Sunnyside/Whiskey Ridge Master Plan Area – Design Requirements* on April 16, 2022 and processed with Submittal ID 2022-S-3877. No comments were received from State Agencies.
5. The Planning Commission was provided public comments received throughout the review process and took into consideration testimony received from staff and the public at the duly advertised public hearing held on April 26, 2022.

CONCLUSION:

At the public hearing, the Planning Commission recommended repealing Section G: *Signage* from the ESWR Design Standards and incorporating ESWR Design Standards outlined in Sections A – F into MMC Chapter 22C.070 *East Sunnyside/Whiskey Ridge Master Plan Area – Design Requirements*.

RECOMMENDATION:

Forwarded to City Council as a recommendation to repeal Section G: *Signage* from the ESWR Design Standards and incorporating ESWR Design Standards outlined in Sections A – F into MMC Chapter 22C.070 *East Sunnyside/Whiskey Ridge Master Plan Area – Design Requirements* by the Marysville Planning Commission this 26th day of April, 2022.

By: 

Steve Laifer, Planning Commission Chair

Planning Commission



1049 State Avenue
Marysville, WA 98270

**Meeting Minutes
October 26, 2021**

CALL TO ORDER / ROLL CALL

Vice Chair Andes called the October 26, 2021 Planning Commission meeting to order via Zoom at 6:00 p.m. Planning Manager Chris Holland called the roll.

Present:

Commission: Vice Chair Jerry Andes, Commissioner Roger Hoen, Commissioner Sunshine Kapus, Commissioner Kristen Michal, Commissioner Brandon Whitaker

Excused: Chair Steve Leifer, Commissioner Tom Thetford

Staff: Planning Manager Chris Holland, Community Development Director Haylie Miller, Assistant Planner Mara Wiltshire

APPROVAL OF MINUTES

September 28, 2021 Planning Commission Minutes

Motion to approve the minutes as presented made by Commissioner Kapus, seconded by Commissioner Michal.

AYES: ALL

AUDIENCE PARTICIPATION

Vice Chair Andes solicited audience participation on items not on the agenda. There was none.

OLD BUSINESS

A. Food Truck Regulations

Director Miller reviewed the discussion regarding food trucks from the last Planning Commission meeting and discussed potential regulations regarding locations and proximity to restaurants. Regulations from about 15 different cities were provided as requested for reference.

Commissioner Whitaker thanked staff for the memo, noting that it was very informative and responsive to the conversation from the last meeting. He was in support of the recommendations presented by staff in the memo, but asked about the duration of approval for one location. Director Miller commented that the length would coincide with the event for special event permits and would be temporary. For city-owned property, like the waterfront, it would be up to the Commission. She offered to bring back some verbiage related to this topic.

Commissioner Hoen commented that he generally sees certain food trucks in almost permanent locations. He noted that there has to be a way for a food truck and its customers to have some certainty about location. Director Miller offered to bring back more information regarding timing and location.

Commissioner Kapus also thanked staff for the great research.

Commissioner Andes thought that a 100-150 foot distance from restaurants was a good distance. He noticed one city required food trucks to be a certain distance from residential zones. He also suggested having a timeframe that they can be open during the day. Director Miller indicated she would bring back draft regulations with more detail and options.

Commissioner Michal thanked staff for the great memo. She asked what the parameters might be around allowing these in parking lots. Director Miller commented that they would look at that on a case-by-case basis. The food truck would have to demonstrate that they are not taking away from minimum parking requirements.

Commissioner Hoen commented that people he has talked to in the Parks Department have seemed very positive about food trucks in the parks or at events. Director Miller agreed. Planning Manager Holland concurred but noted that they would generally not be allowed within the right-of-way, as it would reduce on-street parking.

B. Emergency Housing and Shelters

Director Miller explained the state has recently approved Housing Bill 1220 (HB1220) related to emergency and transitional housing. The housing is divided into four different type of uses in two categories, each with different regulations. At this meeting she focused on the first two types of uses - Indoor Emergency Shelters and Indoor Emergency Housing. She will review the other two uses at the next meeting. The state has required that Indoor Emergency Shelters and Indoor Emergency Housing be allowed with reasonable controls in zones that allow hotels or within the majority of zones located within one mile of public transit.

Tables in Exhibit 1 show the two types of uses and where they are required to be allowed. Staff is proposing that these uses be permitted subject to conditions in the code if they are housed with 30 or fewer individuals. If there are more than 30 individuals staff recommends that this go through the Conditional Use process.

Commissioner Whitaker asked how Enhanced Services Facilities would mesh with these types of housing. Director Miller explained that Enhanced Services Facilities are more tailored to people who have mental health or substance abuse issues and are transitioning from a state hospital back into the public. The four types of housing referred to by HB 1220 are focused on people who don't have somewhere to live.

Commissioner Hoen asked why shelters can't be within 1,000 feet of each other and why no more than one emergency housing or shelter can be on a site. He asked if there should be more flexibility in case there is an emergency. Director Miller suggested they could build in an opportunity for a variance or allow for the Hearing Examiner to decide depending on what the Planning Commission and Council want. Planning Manager Holland clarified that if there is a disaster the City already has the authority to open up a shelter wherever it needs to.

Commissioner Hoen asked for the reasoning behind the following General Requirements:

- O. In residential zones, no more than one adult bed per 250 square feet of floor area is allowed per facility*
- P. In all other zones, no more than one adult bed per 35 square feet of floor area is allowed per facility*

Director Miller explained these were ways to help identify the number of people that would be reasonable between residential and commercial zones.

NEW BUSINESS

A. East Sunnyside-Whiskey Ridge Sign Regulations

Planning Manager Holland explained staff would like to incorporate sign regulations and design standards from the overly restrictive Whiskey Ridge Design Standards into the general code rather than having them separate. There was some discussion about the background of the code and proposed setbacks and sizes.

Commissioner Kapus spoke in support of simplifying the regulations into one place.

Commissioner Andes commented that there are some places in town where a five-foot setback isn't enough to see oncoming traffic. Planning Manager Holland concurred and noted they would still need to comply with sight distance regulations.

Commissioner Whitaker commented that they don't need the same type of signs on some chunks of 87th since that area is still pretty rural. He suggested looking at some reduced heights in that area.

Next meeting – November 9, 2021

- Senior Planner Kate Tourtellot will be bringing back the Accessory Dwelling Units provisions.
- Director Miller will be bringing back topics discussed tonight.
- Public Works staff will also be coming to give an update on their projects.

ADJOURNMENT

Motion to adjourn at 6:55 p.m. moved by Whitaker, seconded by Commissioner Kapus.

AYES: ALL

Chris Holland

Chris Holland, Planning Manager for
Laurie Hugdahl, Recording Secretary

Planning Commission



1049 State Avenue
Marysville, WA 98270

**Meeting Minutes
March 22, 2022**

CALL TO ORDER / ROLL CALL

Chair Leifer called the March 22, 2022 Planning Commission meeting to order via Zoom at 6:00 p.m. Planning Manager Chris Holland called the roll.

Present:

Commissioner: Chair Steve Leifer, Vice Chair Jerry Andes, Commissioner Roger Hoen, Commissioner Kristen Michal, Commissioner Brandon Whitaker, Commissioner Tom Thetford

Excused: Commissioner Sunshine Kapus

Staff: Planning Manager Chris Holland, Community Development Director Haylie Miller, Storm & Sewer Supervisor Matthew Eyer, Assistant Planner Mara Wiltshire

Commissioner Hoen reported how his daughter in Denmark recently helped a Ukrainian family who had fled to Poland.

APPROVAL OF MINUTES

February 22, 2022 Planning Commission Minutes

Vice Chair Andes noted that under roll call regarding excused absences it says Steve Andes. This should be corrected to "Jerry" Andes.

Motion to approve minutes as corrected moved by Commissioner Andes, seconded by Commissioner Whitaker.

AYES: ALL with Commissioner Thetford abstaining.

AUDIENCE PARTICIPATION

Chair Leifer solicited audience participation on items not on the agenda. There were no comments.

NEW BUSINESS

1. Code Amendment – 2019 Stormwater Management Manual for Western Washington

Storm & Sewer Supervisor Matt Eyer reviewed this proposal to amend several code sections as outlined in the memorandum in the Planning Commission's packet. The amendments will adjust for the new 2019 Stormwater Management Manual for Western Washington which is the manual for design guidelines for development.

Vice Chair Andes asked how these amendments will affect the areas in town that are being filled and raised six or seven feet. Mr. Eyer explained that any project underway now would not be affected. The groundwater separation requirements and the subsequent design decisions made on those developments would not change. Most of the changes are revised text to eliminate redundancy or fix typos.

Commissioner Whitaker asked if this code has been challenging in general for the development community to meet the requirements. Mr. Eyer replied that the standards for western Washington are similar regardless of the city or county so the challenges are similar throughout the region. Planning Manager Holland added that different parts of the city have different impacts and challenges because of differences in the depth of the groundwater.

Chair Leifer referred to regulations regarding soil amendments and the shortened season for work which make sense in some parts of the city, but not so much in others. His understanding was that developers could submit their own ideas as long as they didn't undermine any of the basic principles. He asked about any opportunities for greater flexibility. Mr. Eyer explained there is inherent flexibility. The code just gives measures that can be taken if there are issues that need to be addressed. His understanding is that the flexibility is used out in the field.

Planning Manager Holland noted that there is also director discretion in the code. He can't think of any sites that have not been allowed to implement certain erosion control measures to continue to work throughout the winter. He added that 2021-2022 was a very difficult year with all the development activity in Marysville, but the City works very closely with the development community to ensure they can continue to work as much as possible.

Chair Leifer referred to previous discussions about fill and depths and the extreme impacts on the environment of having to haul all this fill around. He asked if staff had had an opportunity to discuss this further. Mr. Eyer replied they have discussed this, but it is a specific requirement of the current manual and the 2019 manual. To some extent it is a design decision that the courts have taken in terms of the desire to infiltrate.

Sometimes there is flexibility as long as it meets the requirements. In general, staff has not seen any way around separation requirements.

Mr. Eyer commented that this design manual is being pushed out through cities' NPDES permits. Chair Leifer reviewed his concern about DOE raising their standard for separation to five feet. He asked why the City couldn't knock off two feet with the mounding analysis and go to three similar to what they did when the requirement was three feet. Mr. Eyer explained how the elevation changes came about. He reviewed how LID went from an incentive option to a requirement. He is not aware of a way to revise this in the manual.

Chair Leifer commented that he will continue to advocate for things that will save money for the consumers and business owners in the community. He believes that the City will be at a disadvantage in competing with neighboring jurisdictions due to the level of the groundwater in certain areas and the separation requirements.

Planning Manager Holland commented that staff intends to bring the amendments back for a public hearing at the second hearing in April.

Motion to schedule this item for a hearing in April moved by Vice Chair Andes, seconded by Commissioner Thetford.

AYES: ALL

2. Code Amendment for Residential Density Incentives (RDI)

Director Miller explained the RDI chapter was adopted in 2003 in order to provide density incentives to developers in residential zones in exchange for benefits that help achieve Comprehensive Plan goals and meet other criteria of livable neighborhoods and elevated standards. She explained reasons for the amendments and noted that some things that used to be incentive are now state requirements.

Proposed updates:

- Include a clause to specify the City does not permit overlapping public benefits. - Substantially similar benefits can't be used for two different categories.
- Specify when public benefits are required.
- Increase the amount for contribution toward a project to \$25,000 per unit to adjust for inflation.
- Remove the historic preservation benefit. There is only one historic building (the Opera House) in Marysville. – Staff does not think this will be used.
- Remove perimeter fencing or landscaping requirement in order to improve design or compatibility between neighboring land uses. – It appears that a lot of applicants are installing a perimeter fence anyway. The intent of this code is to elevate development in order to get additional density.
- Added option for enhanced entry landscaping into a development.
- Assigned ratings for different energy conservation guidelines in the code.

- Remove low impact development for storm since it is an outright code requirement now. Staff has not proposed an elevated standard for storm.
- Remove benefit for pedestrian connections and walkability. – All developers who looked into this ended up paying the fee instead.
- Remove critical areas buffer enhancement credit because it is rarely used.
- Other clarification/administrative changes.

Discussion:

Chair Leifer asked for more information about amendment 7 as listed in the staff memo (Benefit 8) regarding energy conservation and the discussion with Master Builders and Snohomish Counties Built Green Program to address recent questions. Director Miller explained that originally this code was exceeding what the building code already required. Since that time there was a building code update that further elevates requirements for homes' energy efficiencies so that standard became obsolete. She explained they have discussed with Master Builders and Built Green about what appropriate categories should be assigned for Built Green and LEED. These have been adjusted.

Commissioner Whitaker asked where the monetary contribution toward a project goes. Director Miller explained it would go into a fund to be used for a road, pedestrian, parks, or some other type of project that would be a benefit to the public. Planning Manager Holland further explained it would go to a capital project that was slightly underfunded or to meet grant matching needs. Commissioner Whitaker asked if it would need to go to a project that would help density. Planning Manager Holland replied that it would not necessarily go to anything that would help density, but it will go to items that are identified in elements of the Comprehensive Plan.

Commissioner Whitaker referred to the last bullet on amendment number 8 which would remove the option for pedestrian connections and walkability. He expressed concern about removing a tool that could help the City further improve density. Planning Manager Holland explained that it became so challenging for developers that it makes more sense to have the monetary contributions go toward capital projects to make an actual improvement.

Commissioner Michal asked how removing the historical preservation benefit might impact some of the more historic structures that are downtown. Director Miller explained that staff was interpreting this as historic landmarks as classified by the Department of Archaeology and Historic Preservation. She commented they could leave it in and with language clarifying that it could refer to something that is a historic landmark or as so designated by the City as determined by the Historic Society or some other group.

Commissioner Michel noted that Peter Condyles had commented in the meeting chat that the County did a historic building inventory a few years ago that has properties that

meet the definition of “historic” throughout the County, but many aren’t on an official list with the Washington State Department of Archeology and Historic Preservation.

Director Miller noted they could leave this option in. She then stated that staff is recommending this be moved to a public hearing. She summarized that the original intent was to push the applicants toward elevated standards, and these updates serve to make sure that is still happening. She noted that staff spends a lot of time with applicants working through these to make it as seamless as possible while still upholding the code.

There was consensus to move this to a public hearing in April.

C. Sunnyside/Whiskey Ridge Design Standard

Planning Manager Holland explained there is some commercial development occurring down in the Soper Hill/Highway 9 area. As sewer gets extended there will be more development in the area. He noted that the sign codes that were adopted specifically for this area are very restrictive. Staff feels that they should be repealed and replaced with the existing sign code which has been updated frequently and seems to work for most development. Staff would also like to move the design regulations for this area into the municipal code.

Commissioner Whitaker asked for clarification about the areas that would be affected by the proposed changes to the sign regulations. Chair Holland clarified it would only affect development along SR9 and the 87th Avenue NE corridor that are zoned mixed use and commercial as well as a small area where there is a break in access for Highway 92.

There was consensus to bring this back for a public hearing.

Planning Manager Holland informed the Planning Commission of staffing changes. Senior Planner Kate Tourtellot has moved on the City of Monroe. Planning Technician Mara Wiltshire is also leaving for Snohomish County PDS.

ADJOURNMENT

Motion to adjourn at 7:11 p.m. moved by Commissioner Whitaker seconded by Commissioner Michal.

AYES: ALL

Chris Holland

Chris Holland, Planning Manager for
Laurie Hugdahl, Recording Secretary

Planning Commission



1049 State Avenue
Marysville, WA 98270

**Meeting Minutes
April 26, 2022**

CALL TO ORDER / ROLL CALL

Chair Leifer called the April 26, 2022 Planning Commission meeting to order via Zoom at 6:00 p.m.

Present:

Commissioner: Chair Steve Leifer, Vice Chair Brandon Whitaker, Commissioner Jerry Andes, Commissioner Roger Hoen, Commissioner Sunshine Kapus, Commissioner Kristen Michal, Commissioner Tom Thetford

Absent: None

Staff: Community Development Director Haylie Miller, Planning Manager Chris Holland, Project, Storm & Sewer Supervisor Matt Eyer, Program Specialist Katrina Williams

APPROVAL OF MINUTES

April 12, 2022 Planning Commission Minutes

Commissioner Hoen pointed out a typo on the middle paragraph of page 3: *Commercial* Michal should be corrected to *Commissioner* Michal.

Motion to approve the April 12, 2022 minutes as corrected moved by Commissioner Kapus, seconded by Commissioner Michal.

AYES: ALL

AUDIENCE PARTICIPATION

Chair Leifer solicited audience participation on items not on the agenda. There was none.

PUBLIC HEARING

1. Code Amendment – Title 22 – 2019 Stormwater Management Manual

Storm & Sewer Supervisor Matt Eyer introduced this item related to adopting the 2019 Stormwater Management Manual. The Planning Commission reviewed this item in a workshop on March 22. There was no new information. There were no comments or questions from the commissioners. Chair Leifer solicited public comments. There were none. The public testimony portion of the hearing was closed at 6:08 p.m.

Motion made by Commissioner Whitaker, seconded by Commissioner Andes, to forward the proposed amendments to the City Council with a recommendation for approval.

AYES: ALL

2. Code Amendment – Residential Density Incentives (RDI)

Director Miller presented the proposed RDI amendments. Director. Miller explained that some of the incentives in the code had become the status quo or a routine requirement, so they are seeking to remove those and add others.

- At a previous meeting the Planning Commission had recommended leaving the Historic Preservation incentive in. Staff agreed with that recommendation and has left it in.
- Staff has provided a checklist for Built Green incentives.
- The LEED status has been elevated to Gold because it is more aligned with the Built Green 4 status which staff is recommending.
- Staff had originally put in the code that the verification be provided within 90 days of occupancy. The MBA asked for this to be extended to 180 days. Staff is recommending 120 days as a compromise.
- Staff is proposing an edit to the perimeter fencing requirement. The original language said that perimeter fencing would only be counted as a benefit if it was visible from the right of way. It was suggested to staff to continue to allow perimeter fencing to be credited in all areas, not just areas visible from the right of way. As a compromise, staff has proposed requiring perimeter fencing plus six feet of landscaping. There is a condition that states if you are including additional landscaping as part of another requirement, you can't get credit for both. This proposed change is different from what is in the Planning Commission packet.
- There was a comment received from MBA about Low Impact Development which staff had proposed removing as an RDI option. When the LID incentive was originally added to this list was before the State required that applicants demonstrate feasibility with the LID regulations. Now the State requires that the applicant seek to do LID. If the site is not conducive to LID the applicant can say it is infeasible and do a storm vault

or another traditional method. Since LID requirements are now a requirement in the Stormwater Management Manual, staff did not feel that that was something that additional density should be awarded for since the point of the incentive table is to elevate standards. There was a request by MBA to leave the LID incentive in instances where a site is deemed infeasible but the applicant can go above and beyond normal methods to ensure LID is implemented on the site. Staff is still supportive of removing LID from the list.

Commissioner Questions:

Commissioner Kapus referred to the fencing and landscaping credit and asked if staff is envisioning that the 6-foot landscaping would be next to an adjacent parcel and then the fence. Director Miller affirmed this. She indicated that there is some discretion for situations where it wouldn't make sense. Commissioner Kapus expressed concern about the potential for an adverse possession situation if there is landscaping on the backside of the fence. Director Miller stated that if there are concerns about that happening, the applicant can choose another item off the RDI menu to increase density. Commissioner Kapus referred to the requirement that all benefits should be completed prior to final subdivision or prior to granting a certificate of occupancy. She asked what happens in a phased project. Depending on the incentive, Director Miller thought it would be due for each phase.

The public hearing was opened for public testimony at 6:24 p.m. Chair Leifer solicited public comments.

Dylan Sluder of Master Builders shared data related to the housing crisis due to low supply and low financial attainability of homes. He pointed out that the incentives are important to allow the prices of homes to be lower so that more homes may be affordable. He spoke in support of the proposed changes. He thanked staff for the inclusion of the fencing and landscaping credit in the RDI. He also recommended keeping the LID option in the code. He thanked the City for working with the Built Green team.

Chair Leifer asked for clarification about the difference in opinion between staff and Master Builders on the LID issue. As an example, Mr. Sluder explained that one of his members had a project that was deemed infeasible for LID, but they were able to achieve it anyway by going above and beyond the requirements of the Stormwater Management Manual. They would like to leave that opportunity for folks that do not have to do an LID to go ahead and do it as an incentive. They think the City will get more LIDs by leaving the incentive in.

The public testimony portion of the hearing was closed at 6:34 p.m.

Deliberation:

Commissioner Whitaker asked for clarification about the reason for removing the LID incentives. Director Miller explained that LID applicants are required to consider LID methods first in the Manual. If they can't, then they can go the next step with the stormwater vaults and other options. Master Builders is saying that if someone does it even when not required, they should be eligible for an incentive. Staff feels that since this is a requirement in the Manual it should not be an incentive. Commissioner Whitaker agreed.

Motion made by Commissioner Thetford, seconded by Commissioner Andes, to forward with a recommendation for approval the proposed changes to Residential Density Incentives, MMC Chapter 22C.090 including the changes regarding perimeter fencing as presented by Director Miller.

AYES: ALL

Commissioner Hoen expressed appreciation to Mr. Sluder for his comments and the data he provided. He cautioned against increasing costs to housing and keeping affordability in mind.

3. Code Amendment – East Sunnyside – Whiskey Ridge Design Standards

Planning Manager Holland reviewed this item which would repeal the restrictive signage requirements from the East Sunnyside – Whiskey Ridge design standards and have that area be subject to the sign standards that are in MMC 22C.160. It would really only affect two areas zoned Community Business and Mixed Use within the East Sunnyside-Whiskey Ridge area boundary. Additionally, staff is recommending incorporating the design standards into the municipal code rather than a standalone document.

The public testimony portion of the hearing was opened at 6:45 p.m., and comments were solicited. Seeing none, the public testimony portion of the hearing was closed at 6:46 p.m.

Motion made by Commissioner Andes, seconded by Commissioner Thetford, to forward to City Council a recommendation to repeal Section G: Signage from the ESWR Design Standards and incorporating ESWR Design Standards outlined in Sections A – F into MMC Chapter 22C.070 East Sunnyside/Whiskey Ridge Master Plan Area – Design Requirements.

AYES: ALL

STAFF COMMENTS

Director Miller reminded the Commission that the next meeting would be in person at City Hall with a hybrid format and would have a later start time of 6:30 p.m.

ADJOURNMENT

Motion to adjourn at 6:54 p.m. moved by Commissioner Whitaker, seconded by Commissioner Hoen.

AYES: ALL

Chris Holland

Chris Holland, Planning Manager for
Laurie Hugdahl, Recording Secretary

CITY OF MARYSVILLE
Marysville, Washington
ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MARYSVILLE, WASHINGTON, AMENDING THE CITY'S LAND USE STANDARDS, REPEALING MMC CHAPTER 22C.070 EAST SUNNYSIDE/WHISKEY RIDGE MASTER PLAN AREA – DESIGN REQUIREMENTS AND ADOPTING A NEW MMC CHAPTER 22C.070 EAST SUNNYSIDE – WHISKEY RIDGE SUBAREA – DESIGN REQUIREMENTS, INCORPORATING THE DESIGN STANDARDS INTO THE MMC RATHER THAN HAVING A STANDALONE DESIGN STANDARDS DOCUMENT TO REFERENCE.

WHEREAS, the State Growth Management Act, RCW Chapter 36.70A mandates that cities periodically review and amend development regulations which include but are not limited to zoning ordinances and official controls; and

WHEREAS, RCW 36.70A.106 requires the processing of amendments to the City's development regulations in the same manner as the original adoption of the City's comprehensive plan and development regulations; and

WHEREAS, the State Growth Management Act requires notice and broad public participation when adopting or amending the City's comprehensive plan and development regulations; and

WHEREAS, the City, in reviewing and amending its development regulations has complied with the notice, public participation and processing requirements established by the Growth Management Act, as more fully described below; and

WHEREAS, the City Council of the City of Marysville finds that from time to time it is necessary and appropriate to review and revise provisions of the City's municipal code and development code (MMC Title 22); and

WHEREAS, on April 26, 2022, the Marysville Planning Commission held a duly-advertised public hearing, and recommended that the City Council adopt proposed amendments to the City's development regulations, which proposed amendments consist of the repeal of the current Chapter 22C.070 MMC and the adoption of a new Chapter 22C.070 MMC (the "Proposed Amendments"); and

WHEREAS, at a public meeting on September 12, 2022, the Marysville City Council reviewed and considered the Proposed Amendments; and

WHEREAS, the City of Marysville has submitted the Proposed Amendments to the Washington State Department of Commerce on August 20, 2021 (Submittal ID 2022-S-3877) seeking expedited review under RCW 36.70A.106(3)(b) and in compliance with the procedural requirements of RCW 36.70A.106; and

WHEREAS, the Proposed Amendments are exempt from State Environmental Policy Act review under WAC 197-11-800(19); and

WHEREAS, the Proposed Amendments are consistent with the following required findings of MMC 22G.010.520:

- (1) The amendments are consistent with the purposes of the comprehensive plan;
- (2) The amendments are consistent with the purpose of MMC Title 22;
- (3) There have been significant changes in the circumstances to warrant a change;
- (4) The benefit or cost to the public health, safety and welfare is sufficient to warrant the action.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MARYSVILLE, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Repeal of Chapter 22C.070 MMC. Chapter 22C.070 MMC (titled East Sunnyside/Whiskey Ridge Master Plan Area – Design Requirements) is hereby repealed.

Section 2. Adoption of new Chapter 22C.070 MMC. A new Chapter 22C.070 MMC (titled East Sunnyside – Whiskey Ridge Subarea – Design Requirements), is hereby adopted as set forth in **Exhibit A**, attached hereto.

Section 3. Amendments. Section 22A.010.160, Amendments, of the Marysville Municipal Code is hereby amended as follows by adding reference to this adopted ordinance in order to track amendments to the City’s Unified Development Code:

“22A.010.160 Amendments.

The following amendments have been made to the UDC subsequent to its adoption:

<u>Ordinance</u>	<u>Title (description)</u>	<u>Effective Date</u>
_____	East Sunnyside – Whiskey Ridge Subarea – Design Requirements	_____, 2022”

Section 4. Severability. If any section, subsection, sentence, clause, phrase, or word of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase, or word of this ordinance.

Section 5. Corrections. Upon approval by the city attorney, the city clerk or the code reviser are authorized to make necessary corrections to this ordinance, including scrivener’s errors or clerical mistakes; references to other local, state, or federal laws, rules, or regulations; or numbering or referencing of ordinances or their sections and subsections

Section 6. Effective Date. This ordinance shall become effective five days after the date of its publication by summary.

PASSED by the City Council and APPROVED by the Mayor this _____ day of _____, 2022.

CITY OF MARYSVILLE

By: _____
JON NEHRING, MAYOR

Attest:

By: _____
DEPUTY CITY CLERK

Approved as to form:

By: _____
JON WALKER, CITY ATTORNEY

Date of Publication: _____

Effective Date: _____
(5 days after publication)

Exhibit A
East Sunnyside – Whiskey Ridge Subarea – Design Requirements

Chapter 22C.080
Easy Sunnyside – Whiskey Ridge Master Plan Area – Design Requirements

Sections:

Article I.
22C.070.010
22C.070.020

Purpose and Applicability
Purpose.
Applicability.

Article II.
22C.070.030
22C.070.040
22C.070.050

Zoning
Purpose.
East Sunnyside – Whiskey Ridge Subarea Plan zoning classifications
District map.

Article III.
22C.070.060
22C.070.070

Residential Subdivision Design
Intent.
Residential developments.

Article IV.
22C.070.080
22C.070.090
22C.070.100
22C.070.110

Site Design
Building location and orientation.
Street corners.
Open space.
Side and rear yard treatments.

Article V.
22C.070.120
22C.070.130

Vehicular Access and Parking
On-site vehicular access and connections.
Parking.

Article VI.
22C.070.140
22C.070.150
22C.070.160

Pedestrian Environment
Sidewalk and pathway standards and guidelines.
Pedestrian circulation.
Lighting.

Article VII.
22C.070.170
22C.070.180
22C.070.190
22C.070.200

Building Design
Building entries.
Architectural character and scale.
Building details.
Building materials and color.

Article VIII.
22C.070.210
22C.070.220

Landscaping and Screening
Landscaping.
Fences and screening elements.

ARTICLE I. PURPOSE AND APPLICABILITY

22C.070.010 Purpose.

The purpose of this chapter is to apply design standards and guidelines in the East Sunnyside-Whiskey Ridge Subarea, adopted by Ordinance 2696, as required standards for all new construction. It is also the purpose of this chapter to:

- (1) Encourage the realization and creation of a desirable and aesthetic environment in the East Sunnyside – Whiskey Ridge Subarea;
- (2) Encourage and promote development which features amenities and excellence in site planning, streetscape, building design and contribution to community aesthetic appeal;
- (3) Encourage creative approaches to the use of land and related physical developments;
- (4) Minimize incompatible and unsightly surroundings and visual blight which prevent orderly community development;
- (5) Allow a mixture of complementary land uses that may include housing, retail, offices, and commercial services, in order to create economic and social vitality and encourage the linking of vehicle trips;
- (6) Develop commercial and mixed use areas that are safe, comfortable and attractive to pedestrians;
- (7) Support the use of streets as public places that encourage pedestrian and bicycle travel;
- (8) Reduce opportunities for crimes against persons and property;
- (9) Minimize land use conflicts and adverse impacts;
- (10) Provide roadway and pedestrian connections between residential and commercial areas;
- (11) Provide public places and open space networks to create gateways, gathering places, and recreational opportunities that enhance the natural and built environment.

22C.070.020 Applicability

- (1) Applicability.
 - (a) The design guidelines set forth in this chapter, shall apply to all new construction in the East Sunnyside – Whiskey Ridge Subarea.
 - (b) The design guidelines shall be legally required standards, which shall be applied by the city to all development approvals and permits in the East Sunnyside – Whiskey Ridge Subarea.
 - (c) The following activities shall be exempt from these standards:
 - (i) Construction activities which do not require a building permit;
 - (ii) Interior remodels of existing structures;
 - (iii) Modifications or additions to existing multifamily, commercial, industrial, office and public properties when the modification or addition:
 - (A) Constitutes less than 10 percent of the existing horizontal square footage of the use or structure; and
 - (B) Constitutes less than 10 percent of the existing building's exterior facade.
 - (d) Where these standards in this chapter conflict with other standards outlined in MMC Title 22 Unified Development Code, the director shall determine which regulation applies based on which is more in the public interest and more consistent with the comprehensive plan.
- (2) Interpreting and Applying the Design Standards.

- (a) These standards capture the community visions and values as reflected in the comprehensive plan’s neighborhood planning areas. The director retains full authority to determine whether a proposal meets these standards.
- (b) Within these standards, certain words are used to indicate the relative importance and priority the city places upon a particular standard.
 - (i) The words “shall,” “must,” and “is/are required,” or words with their equivalent meaning, mean that the development proposal must comply with the standard unless the director finds that:
 - (A) The standard is not applicable in the particular instance; or
 - (B) The development proposal meets the intent of the standards in some other manner.
 - (ii) The word “should,” or words with its equivalent meaning, means that the development proposal will comply with the standard unless the director finds that:
 - (A) The standard is not applicable in the particular instance;
 - (B) The development proposal meets the intent of the standards in some other manner; or
 - (C) There is convincing evidence that applying the standard would not be in the public interest.
 - (iii) The words “is/are encouraged,” “can,” “consider,” “help,” and “allow,” or words with their equivalent meaning, mean that the action or characteristic is allowed and will usually be viewed as a positive element in the city’s review.
- (c) The project proponent may submit proposals that, in their opinion, meet the intent of the standards but not necessarily the specifics of one or more standards. In this case, the director will determine if the intent of the standard has been met.

ARTICLE II. ZONING

22C.070.030 Purpose.

The purpose of Article II is to:

- (1) Implement the East Sunnyside – Whiskey Ridge Subarea Plan goals and policies through land use regulations.
- (2) Provide an efficient and compatible relationship of land uses and zones.

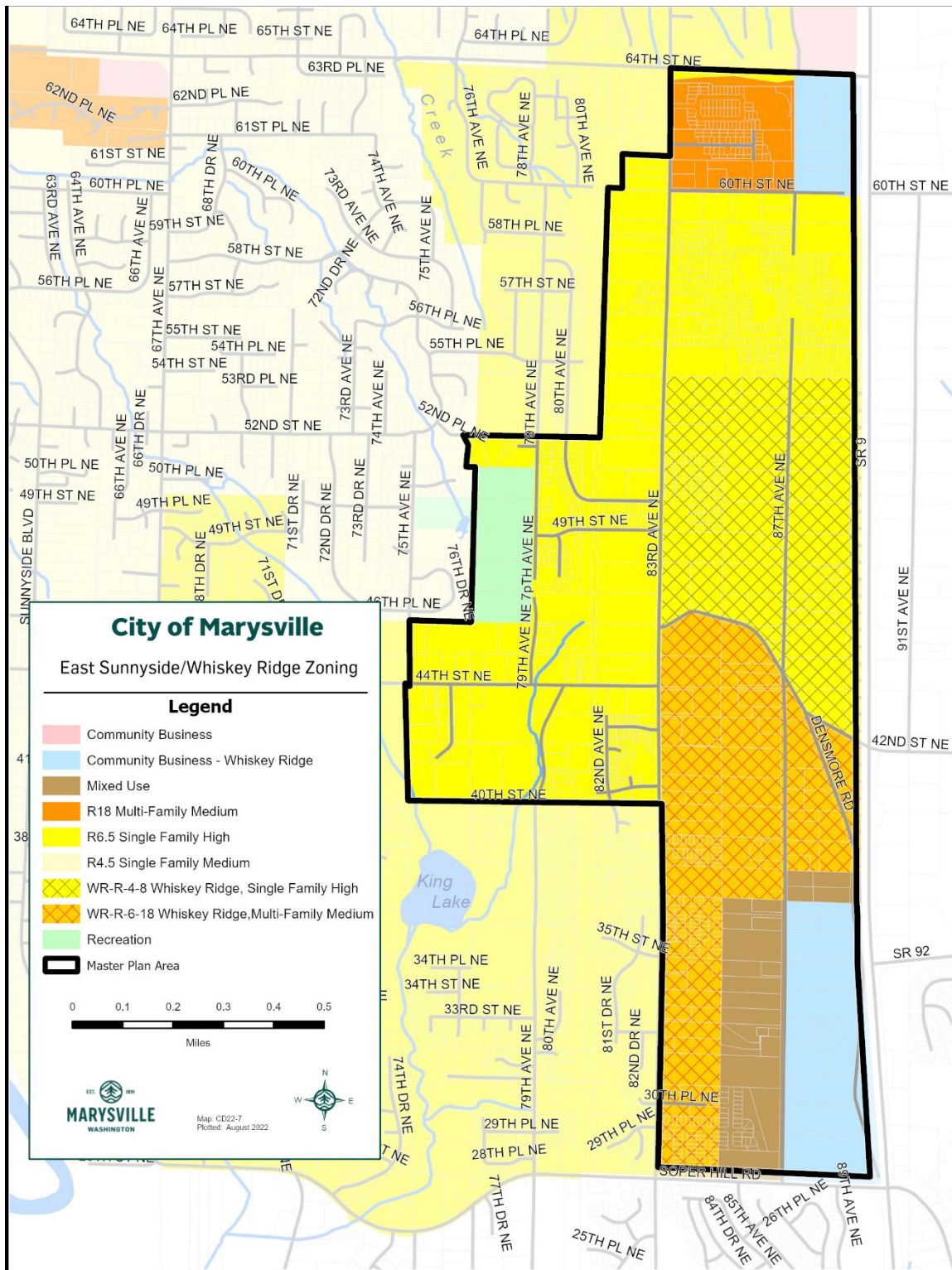
22C.070.040 East Sunnyside – Whiskey Ridge Subarea Plan zoning classifications.

The Easy Sunnyside – Whiskey Ridge subarea regulations in this chapter comprise zoning classifications and regulations which are unique to the subarea, except where other regulations in this title are adopted by reference.

Name of East Sunnyside – Whiskey Ridge Subarea Plan Zoning Districts	Symbol
Community Business	CB-WR
Mixed Use	MU-WR
Multi-family Medium	R-18-WR
Multi-family Medium 6 – 18	R-6-18-WR
Single-family 4.5 – 8	R-4-8-WR
Single-family High	R-6.5-WR
Recreation	REC-WR

22C.070.050 District map.

Figure 2-1 illustrates the location and boundaries of East Sunnyside-Whiskey Ridge area for reference.



ARTICLE III. RESIDENTIAL SUBDIVISION DESIGN

22C.070.060 Intent.

To provide pedestrian-oriented streets where development faces the street.

22C.070.070 Residential developments.

All residential developments shall be designed to front onto streets. Configurations where dwelling units and/or residential lots back up any street are prohibited except for those lots adjacent to State Route 9.

For example, new subdivisions along 83rd Avenue NE could be configured so that lots fronting on the street feature alley access in the rear or other shared driveway access as approved by the City on the side of the lots. Lot configurations where side yards face the street are acceptable. See standard MMC 22C.070.220(2) for related fence requirements along side yards.



Figure 3-1. Homes along an arterial served by alley access in the rear.

ARTICLE IV. SITE DESIGN

22C.070.080 Building location and orientation.

(1) Intent.

- (a) To arrange and orient buildings in a way that encourages pedestrian activity in the neighborhood.
- (b) To enhance the visual character and definition of streets within the neighborhood.
- (c) To encourage interaction among neighbors.
- (d) To increase privacy for residential uses located near the street.
- (e) To take advantage of special opportunities to create a composition of buildings and open spaces.

(2) Standards and Guidelines

- (a) **Storefronts.** Buildings with non-residential uses on the ground floor may be placed at the edge of the sidewalk, provided they feature a *pedestrian-oriented facade*, per Standard (b) below.
- (b) **Pedestrian-Oriented Facades.** To meet the definition of a pedestrian-oriented facade, a facade must include the following elements:
 - (i) The primary pedestrian entrance shall be located on this facade.
 - (ii) The ground floor facade between



Figure 4-1. Pedestrian-oriented façade example

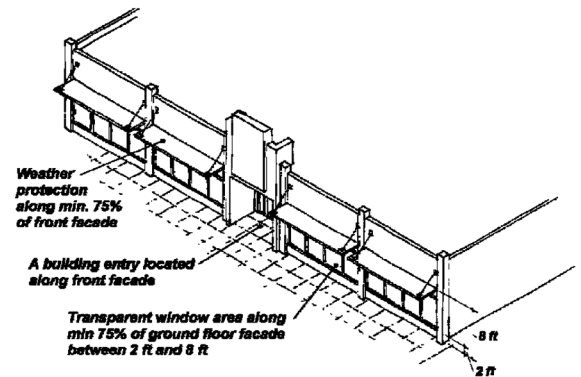


Figure 4-2. Pedestrian-oriented facade requirements.

2 and 8 feet above the ground shall contain a minimum of 75 percent transparent window area.

- (iii) Weather protection at least 5 feet in depth and at least 8 feet above the ground along a minimum of 75 percent of the façade.

(c) **Commercial and Mixed-Use Buildings.** Such buildings shall be located and oriented towards the street. To meet this requirement, the building entries and windows must face the street. Specific provisions and exceptions include:

- (i) Parking lots shall not be located between the building and the street.
- (ii) Building *façades* facing the street must have transparent windows or doors covering at least 25% of the ground floor *façade* between 4-8 feet above the level of the sidewalk. Departures will be considered by the *Director* provided the proposed building configuration and design enhances the pedestrian environment of the neighborhood.

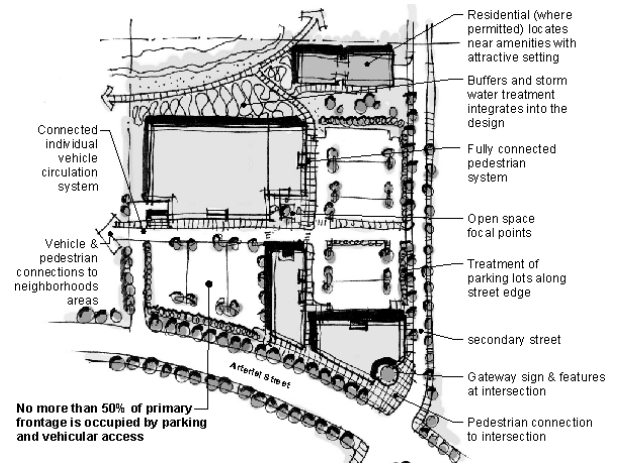


Figure 4-3. For large sites featuring multiple buildings, no more than 50 percent of the primary public street frontage may be occupied by vehicular access or

- (iii) For sites that front on more than one public street, the buildings are encouraged to orient to both streets. Priority shall be given to 87th Avenue NE or other streets that are more visible and/or provide a better opportunity for increased pedestrian activity.
- (iv) For large sites (over 2 acres) featuring multiple buildings, developments shall configure buildings to create focal points for pedestrian activity on the site. However, no more than 50 percent of the 87th Ave NE *frontage* may be occupied by vehicular access or parking. Exceptions: An increased percentage of parking or vehicular access along the street front may be allowed where the configuration allows the development to better meet the intent of the standards and guidelines. For example, if the configuration allows for a centralized plaza surrounded by a concentration of retail uses, an increase in the percentage of parking along the street front would be allowed.
- (v) Development fronting on Soper Hill Road and 35th Street NE may be exempted from this requirement.
- (vi) Where unique topographical or environmental conditions make conformance difficult or undesirable, the *Director* shall allow alternative building placement and/or orientation, provided the overall development meets the intent of the standards and guidelines.

For all departures or exemptions noted above, the development shall incorporate design features that add visual interest to the pedestrian environment, maintain visual continuity along the streets and enhance pedestrian access.

(d) **Front Setbacks for Multifamily Buildings.** Ground floor multifamily residential uses and residential buildings shall be set back at least 10 feet from the sidewalk.

(e) **Multifamily Building Location and Orientation.** Multifamily residential buildings shall be located and oriented towards streets and not parking lots or adjacent properties. Specifically:

(i) Parking lots shall not be located between the building and the street.

(ii) The primary building entry shall face the street. Alternatively, building entries that face onto a courtyard which is oriented towards the street are acceptable.

(iii) Buildings with individual ground floor entries should face the street to the extent possible. Again, configurations where entries face onto a courtyard or open space that is oriented to the street are acceptable.

(iv) Buildings shall also provide windows that face the street to provide "eyes on the street" for safety. To meet this requirement, at least 15% of the facade shall be occupied by transparent windows or doors. See Figure 4-5 for clarification on how transparency requirements are calculated.

(v) Departures will be considered by the Director provided they meet the intent of the standards and guidelines. For example, alternative configurations may be more desirable to take advantage of special views or special environmental features.



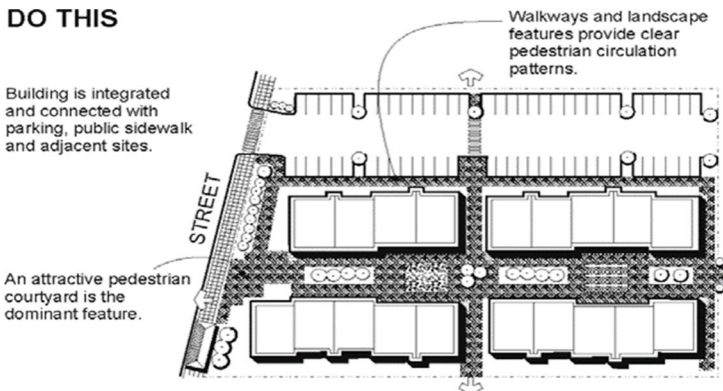
Figure 4-4. Multifamily building oriented towards the street.



Only vertical surface (shaded areas) count as part of the facade for the purpose of calculating minimum transparency requirements

Figure 4-5. Façade transparency requirements

DO THIS



DON'T DO THIS

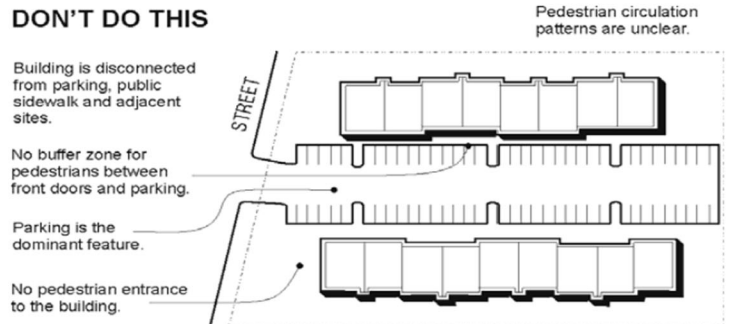


Figure 4-6. Good and bad multifamily development configurations

22C.070.090 Street corners.

- (1) Intent.
 - (a) To enhance the character and identity of the area.
 - (b) To enhance the pedestrian environment at street corners.
- (2) Standards and Guidelines for Street Corner Treatment.
 - (a) Street corner developments are subject to the City's site distance standards.
 - (b) All development proposals located at street corner sites in the Community Business and Mixed-Use zones shall include at least one of the design treatments described below (in order of preference):
 - (i) Locate a building towards the street corner (within 15 feet of the corner property line).
 - (ii) Provide pedestrian-oriented space (as defined in Standard MMC 22C.070.100(2)(c)) at the corner leading directly to a building entry or entries.

If i or ii are not feasible or desirable per the Director, consider the following options:
 - (iii) Install substantial landscaping (at least 30 feet by 30 feet or 900 square feet of ground surface area with trees, shrubs, and or ground cover). The space may include a special architectural element, such as a trellis, to add identity or demarcation of the area. Such an architectural element may have a sign incorporated into it (as long as such sign does not identify an individual business or businesses);
 - (iv) Other treatments will be considered, provided they meet the intent of the standards and guidelines as determined by the Director.

22C.070.100 Open space.

- (1) Intent.
 - (a) To provide a variety of accessible and inviting pedestrian-oriented areas to attract shoppers to commercial areas and enrich the pedestrian environment.
 - (b) To create usable, accessible, and inviting open spaces for residents.
 - (c) To create open spaces that enhance the residential setting.
- (2) Standards and Guidelines.
 - (a) Developments are subject to MMC Chapter



Figure 4-7. This example includes both a building located towards the street corner and a small pedestrian-oriented space.



Figure 4-8. Street corner building example.



Figure 4-9. This street corner successfully combines landscaping with architectural elements. Signage demarcates the area, not an individual store.



Figure 4-10. Pedestrian-oriented spaces are a critical element of successful commercial and mixed-use developments

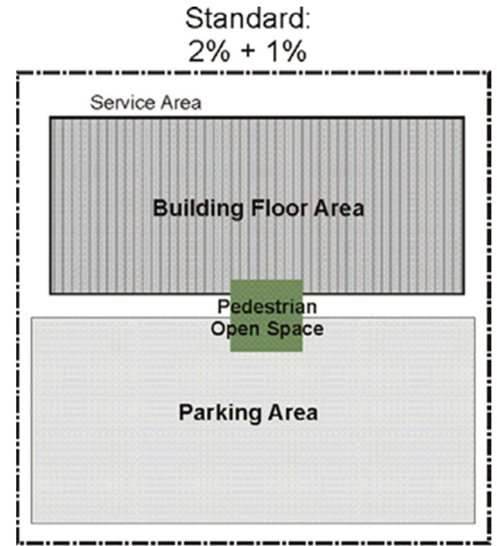
22D.020 Parks, Recreation, Open Space and Trail Impact Fees and Mitigation until otherwise noted.

(b) **Open Space for Non-Residential Uses.** Non-residential uses shall provide pedestrian-oriented space, defined in below Standard (c) below, in conjunction with new development according to the formula below.

- (i) Requirement. 2 percent of the applicable site + 1 percent of the non-residential building floor area (excluding structured parking areas).
- (ii) Applicable site refers to that portion of a property or properties that is proposed for development.
- (iii) For the purposes of this section, all required sidewalks and walkways shall not count as pedestrian-oriented space. However, the Director may allow those portions of sidewalks or walkways widened beyond minimum requirements to count towards the required pedestrian-oriented space as long as such space meets the definition of pedestrian-oriented space.

(c) **Pedestrian-Oriented Spaces.** These are predominantly hard-surfaced plaza- or courtyard-type spaces provided with commercial and mixed-use buildings.

- (i) To qualify as a *pedestrian-oriented space*, an area shall have:
 - (A) Pedestrian access to the abutting structures from the street, private drive, or a nonvehicular courtyard.
 - (B) Paved walking surfaces of either concrete or approved unit paving.
 - (C) Pedestrian-scaled lighting (no more than 15 feet in height) at a level averaging at least 2 foot candles throughout the space. Lighting may be on-site or building-mounted lighting.
 - (D) At least 2 linear feet of seating area (bench, ledge, etc.) or one individual seat per 60 square feet of plaza area or open space (up to 50% of seats may be moveable).
 - (E) Be sited in areas with significant pedestrian traffic to provide interest and security, such as adjacent to a building entry.
 - (F) Landscaping components that add seasonal interest to the space The following features are encouraged in pedestrian-oriented space and may be required by the Director for a space to



2% of applicable site +
1% of building floor area =
required pedestrian-oriented open space

Figure 4-11. An illustration of how much pedestrian-oriented space would be required for a typical grocery store served by surface parking.



Figure 4-12. Pedestrian-oriented space in front of a grocery store



Figure 4-13. Pedestrian-oriented space in a shopping

meet the intent of the standards and guidelines:

(ii) The following features are encouraged in pedestrian-oriented space and may be required by the Director for a space to meet the intent of the standards and guidelines:

- (A) Pedestrian amenities, such as a water feature, drinking fountain, tables, and/or distinctive paving or artwork.
- (B) A pedestrian-oriented building facade on some or all buildings facing the space.
- (C) Consideration of the sun angle at noon and the wind pattern in the design of the open space.
- (D) Transitional zones along building edges to allow for outdoor eating areas and a planted buffer.

(iii) The following features are prohibited within pedestrian-oriented space:

- (A) Asphalt or gravel pavement.
- (B) Adjacent unscreened parking lots.
- (C) Adjacent chain link fences.
- (D) Adjacent blank walls.
- (E) Adjacent unscreened dumpsters or service areas.
- (F) Outdoor storage or retail sales that do not contribute to the pedestrian.



Figure 4-14. Examples of pedestrian-oriented spaces

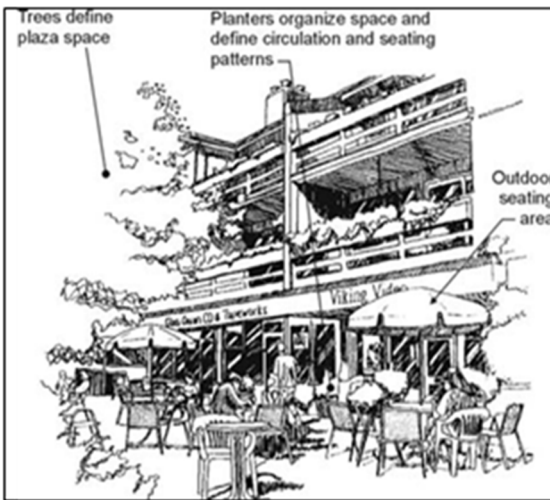


Figure 4-15. Pedestrian-oriented space example

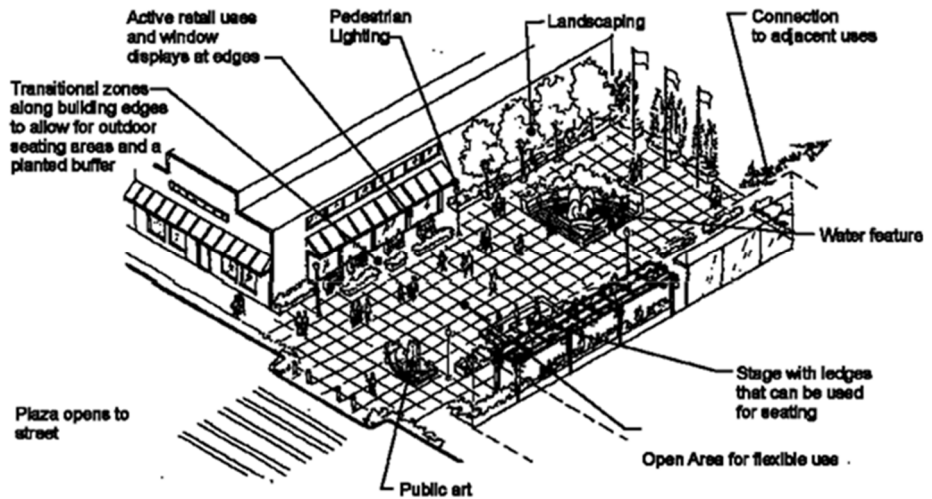


Figure 4-16. Large example of pedestrian-oriented space.

(d) **Multifamily Open Space.** Multifamily residential uses shall provide open space equivalent to at least 20% of the building's livable floor area. The required area may be satisfied with one or more of the elements listed below:

- (i) Common open space accessible to all residents shall count for up to 100 percent of the required open space. This includes landscaped courtyards or decks, gardens with pathways, children's play areas, or other multi-purpose recreational and/or green spaces. Special requirements and recommendations for common spaces include the following
 - (A) Space shall be large enough to provide functional leisure or recreational activity per the Director. For example, long narrow spaces (less than 20 feet wide) rarely, if ever, can function as usable common space.
 - (B) Consider space as a focal point of development.
 - (C) Space (particularly children's play areas) shall be visible from dwelling units and positioned near pedestrian activity.
 - (D) Space shall feature paths, plantings, seating, lighting and other pedestrian amenities to make the area more functional and enjoyable.
 - (E) Individual entries shall be provided onto common open space from adjacent ground floor residential units. Small, semi-private open spaces for adjacent ground floor units that maintain visual access to the common area are strongly encouraged to enliven the space.
 - (F) Separate common space from ground floor windows, streets, service areas and parking lots with landscaping and/or low-level fencing, where desirable.
 - (G) Space should be oriented to receive sunlight, facing east, west, or (preferably) south, when possible.
 - (H) Required setbacks, landscaping, driveways, parking, or other vehicular use areas shall not be counted toward the common space requirement.
 - (I) Rooftop decks shall not be considered as common open space for the purpose of calculating.
- (ii) Individual balconies may be used to meet up to 50 percent of the required open space. To qualify as open space, balconies shall be at least 35 square feet, with no dimension less than 4 feet, to provide a space usable for human activity.
- (iii) Natural areas that function as an amenity to the development may count



Figure 4-17. A residential courtyard providing semi-private patio spaces adjacent to individual units.



Figure 4-18. Common open space for a townhouse development.



Figure 4-19. A courtyard for a mixed-use development providing an amenity to residents and the adjacent coffee shop.

for up to 50 percent of the required open space, subject to the following requirements and recommendations:

(A) The natural area shall be accessible to all residents. For example, safe and attractive trails provided along or through the natural area where they could serve as a major amenity to the development.

(B) Steep slopes, wetlands, or similar unbuildable areas shall not be counted in the calculations for required open space unless they provide a visual amenity for all units, as determined by the Director.

(iv) Stormwater retention areas may be counted for up to 50 percent of the required open space if the facility has natural looking edges, natural vegetation, and no fencing except along the property line. The design of such areas shall go well beyond functional stormwater requirements per the Director in terms of the area involved and the quality of landscaping and resident amenities. The side slope of the stormwater facilities shall not exceed a grade of 1:3 (one vertical to three horizontal) unless slopes are existing, natural, and covered with vegetation.

(v) Children's play equipment and recreational activity space for children and/or teens and parent seating areas are encouraged in residential complexes with 20 or more units. Exceptions: Age-restricted senior citizen housing, developments located within ¼ mile of a public park that features a play area, mixed-use developments, and developments reserved for student housing.



Figure 4-20. Balconies provide private, usable open space for residents.



Figure 4-21. Children's play area incorporated into a multifamily development.

- (e) **Townhouse Open Space.** Townhouses and other ground based multi-family residential units with individual exterior entries must provide at least 200 square feet of private open space per dwelling unit adjacent to, and directly accessible from each dwelling unit. This may include private balconies, individual rear yards, landscaped front yards, and covered front porch areas. Exception: Common Open Space designed per above Standard (2)(d)(i) may substitute for up to 50% of each unit's required private or semi-private open space on a square foot per square foot basis.



Figure 4-22. These townhouses provide balconies and semi-private yard space

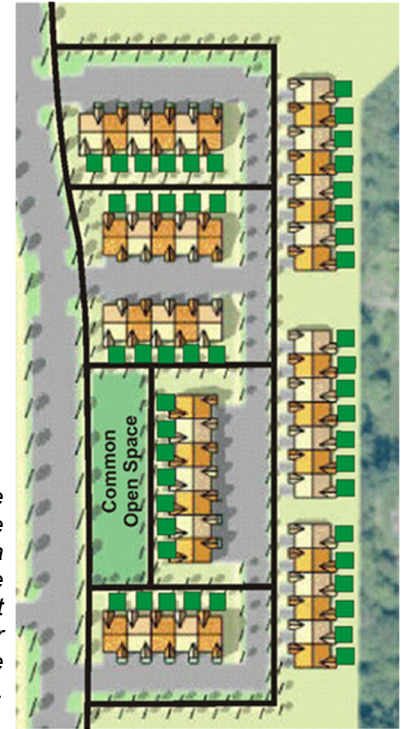


Figure 4-23. Example townhouse configuration with a combination of private open spaces adjacent to units and larger common open space accessible to all units.

■ At least 200sf of private open space adjacent to each unit
 — Internal pathway system

22C.070.110 Side and rear yard treatments.

- (1) Since the Community Business and Mixed-Use zones provide for a wide range of use types, design treatments along the side and rear yards will be critical in ensuring compatibility between developments. Thus the following standards and guidelines are intended to provide clear objectives (intent statements) and a tool box of options to choose the appropriate design treatment for the specific situation.
- (2) Intent.
 - (a) To provide for compatibility between uses.
 - (b) To encourage coordinated development between compatible uses.
 - (c) To provide for a visual and physical separation of residential uses from commercial uses, where desired.
 - (d) To maximize privacy for residential uses.
 - (e) To allow for sufficient solar access to residential uses located along a side or rear yard.
- (3) Standards and Guidelines.
 - (a) Side and Rear Setbacks.
 - (i) Community Business and Mixed-Use zones.
 - (1) 0 feet for window-less fire walls up to 20 feet in height.
 - (2) 15 feet for all other buildings up to 35 feet in height. One foot of additional setback is required for each foot of height over 35 feet.
 - (3) Reduced setbacks will be considered provided the design treatment meets the intent of the standards and guidelines with respect to the subject property and current or vested uses on the adjacent property.
 - (ii) Other zones.
 - (1) 15 feet for all other buildings up to 35 feet in height. One foot of additional setback is required for each foot of height over 35 feet.

feet.

- (2) Reduced setbacks will be considered provided the design treatment meets the intent of the standards and guidelines with respect to the subject property and current or vested uses on the adjacent property.

(b) Solar Access and Privacy.

- (i) Buildings or portions thereof containing dwelling units whose solar access is only from the applicable side of the building (facing towards the side property line) shall be set back from the applicable side or rear property lines at least 15 feet. See Figure 4-24.
- (ii) Transparent windows shall occupy no more than 10 percent of any facade within 15 feet of the side or rear property line.
- (iii) Balconies or rooftop decks within 15 horizontal feet of a side property line must utilize opaque guard rails to minimize privacy impacts to adjacent properties.
- (iv) Departures may be granted to the above standard provided the design treatment meets the intent of the standards and guidelines with respect to the subject property and current or vested uses on the adjacent property. Where the adjacent property is undeveloped or underdeveloped (as determined by the Director), the proposed departure treatment should not hinder permitted development opportunities on said adjacent property.

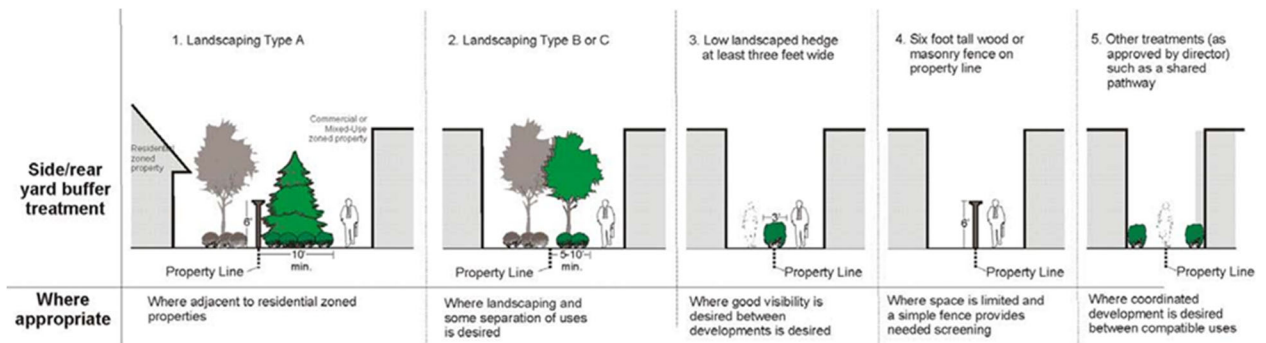


Figure 4-24. Side yard setback standards and guidelines for multifamily buildings depend on their dwelling units' solar access.

(c) Side and Rear Yard Buffer Requirements. All developments shall incorporate one or more of the following design options:

- (i) Provide Landscaping Type A (see MMC 22C.120.110) at least 10 feet deep along side and rear property lines where adjacent to residential zoned land.

- (ii) Provide Landscaping Type B or C (see MMC 22C.120.110) at least 10 feet deep along side and rear property lines where a visual separation of uses is desired. The width of the planting strip may be reduced to 5 feet if used in conjunction with a screen fence approximately 6 feet tall.

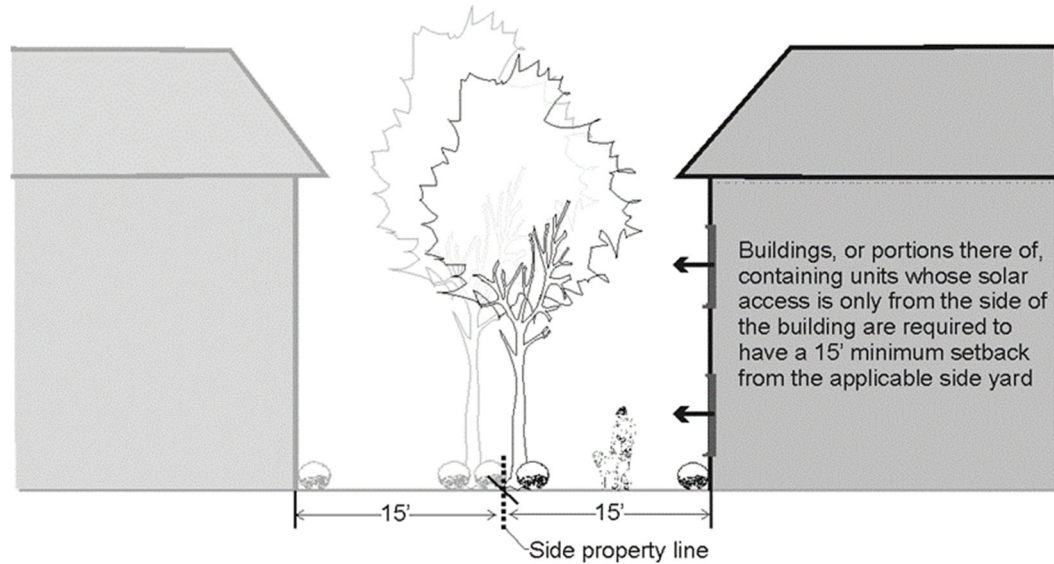


Figure 4-25. Side and rear yard design treatment options.

- (iii) Other treatments that meet the intent of the standards and guidelines as approved by the *Director*. Factors that must be considered in determining the appropriate treatment include views, applicable uses, connectivity, and desired level of privacy. Some options include:
- (1) Shared pathway along or adjacent to the property line with landscaping. This is a desirable configuration that can enhance pedestrian circulation and provides an efficient use of space. This treatment requires a recorded agreement with applicable adjacent property owner(s).
 - (2) Tall privacy fence or hedge (up to 6 feet tall). This is most applicable for commercial uses adjacent to multifamily uses – where the fence doesn't negatively impact views from the street or nearby properties.
 - (3) Low screen fence or hedge (up to 3 feet tall). This may be a more attractive option where a taller fence might provide negative visual impacts.
 - (4) Where allowed in the specific zoning district, buildings sited up to the property line may be acceptable provided material, color, and/or textural changes to the building wall are included that add visual interest to the wall.

ARTICLE V. VEHICULAR ACCESS AND PARKING

22C.070.120 On-site vehicular access and connections.

- (1) Intent.
 - (a) To create a safe, convenient, and efficient network for vehicular circulation and parking.
 - (b) To enhance access to the area from the surrounding neighborhood.
 - (c) To upgrade the appearance of interior access roads.
 - (d) To minimize negative impacts of driveways on the streetscape and pedestrian environment.
- (2) Standards and Guidelines.
 - (a) Vehicular Circulation Network. Developments shall provide a safe and convenient network of vehicular circulation that connects to the surrounding road/access network and provides the opportunities for future connections to adjacent parcels, where desirable and applicable.
 - (b) Internal Access Roads. Commercial and mixed-use developments of large sites (more than five acres) are encouraged to design interior access roads to look and function more like public streets. This includes planting strips and street trees on both sides, sidewalks on one or both sides, and perpendicular parking on one or both sides. These features may be required by the Director based on the nature of adjacent uses and anticipated pedestrian activity.



Figure 5-1. Internal access road designed to look and function like a public street. Note on-street parking, lighting, street trees, and sidewalks.

22C.070.130 Parking.

- (1) Intent.
 - (a) To provide flexibility in how developments accommodate parking.
 - (b) To maintain active pedestrian environments along streets by placing parking lots primarily in back of buildings.
 - (c) To ensure safety of users of parking areas, increase convenience to businesses, and reduce the impact of parking lots wherever possible.
 - (d) To physically and visually integrate parking garages with other uses.
 - (e) To reduce the overall impact of parking garages when they are located in proximity to the designated pedestrian environment.
- (2) Standards and Guidelines.
 - (a) On-Street Parking Spaces. On-street parking spaces adjacent to uses shall count towards off-street parking requirements.
 - (b) Shared Parking. Shared parking between and among uses is encouraged and shall be permitted in accordance with MMC 22C.130. Coordination between different uses and property owners to provide for shared structured parking facilities is encouraged.
 - (c) Parking Lots at Intersections. Parking lots shall not be located adjacent to intersections. Exceptions may be granted by the Director where alternative design treatments, such as special landscaping and architectural components adjacent to the street corner, enhance the visual character of the street and the pedestrian environment and where the project meets all other applicable design standards and guidelines.
 - (d) Parking Structure Standards.

- (i) Parking structures adjacent to 87th Street shall provide space for ground-floor commercial uses along street frontages for a minimum of 75 percent of the frontage width.
- (ii) Parking structures adjacent to streets and not featuring a pedestrian-oriented facade shall be set back at least 10 feet from the sidewalk and feature landscaping between the sidewalk and the structure. This shall include a combination of evergreen and deciduous trees, shrubs, and groundcover. Alternative measures shall be considered, provided the treatment meets the intent of the standards and guidelines.
- (iii) Parking garage entries shall be designed and sited to complement, not subordinate, the pedestrian entry. If possible, locate the parking entry away from the primary street, to either the side or rear of the building.
- (iv) Parking within the building should be enclosed or screened through any combination of landscaping berms, walls, decorative grilles, or trellis work with landscaping. *Facade* openings that resemble windows can be attractive and are permitted at the ground and upper levels.
- (v) Parking garages visible from a street shall be designed to be complementary with adjacent buildings on-site. This can be accomplished by using similar building forms, materials, *fenestration* patterns, and/or details to enhance garages.
- (vi) An unbroken series of garage doors is not permitted on any street *frontage*.



Figure 5-2. A good example of a parking garage entrance for a mixed-use development.



Figure 5-3. A good parking garage example with landscaping elements to screen cars and provide visual interest

ARTICLE VI. PEDESTRIAN ENVIRONMENT

22C.070.140 Sidewalk and pathway standards and guidelines.

- (1) Intent.
 - (a) To provide safe, convenient, and comfortable pedestrian circulation.
 - (b) To enhance the character and identity of the area.
 - (c) To promote walking, bicycling, and transit use.

(2) Standards and Guidelines.

- (a) Sidewalk Design. Developments shall utilize appropriate sidewalk widths, materials, designs, and construction standards and guidelines to enhance pedestrian access and complement city life. Specifically:

- (i) Sidewalks shall be constructed per the City's Engineering Design and Development Standards (EDDS), unless otherwise directed by these design standards and guidelines.
- (ii) Sidewalk widths shall follow the Streetscape Design Standards and the City's EDDS.

Outdoor business activities are permitted within the public right-of-way only if additional public sidewalk is provided greater than the required width. No business activities are allowed in the minimum required width. Also see Figure 5-1 for other sidewalk width considerations.

- (iii) Sidewalk materials, colors, and textures shall be determined by the *Director*, based on the following:
 - (1) Whiskey Ridge Streetscape Design Plan.
 - (2) City's Engineering Design and Development Standards.

(b) Internal Pedestrian Walkways.

- (i) Internal pathways along the front facade of mixed-use and retail buildings 100 feet or more in length (measured along the facade) that are not located adjacent to a street must be at least 12 feet wide with 8 feet minimum unobstructed width and include the following:

- (1) Street trees, as approved by the Director, should be placed at an average of 30 feet on-center and placed in grates (except where trees are placed in planting strips). Breaks in the tree coverage will be allowed near major building entries to enhance visibility.

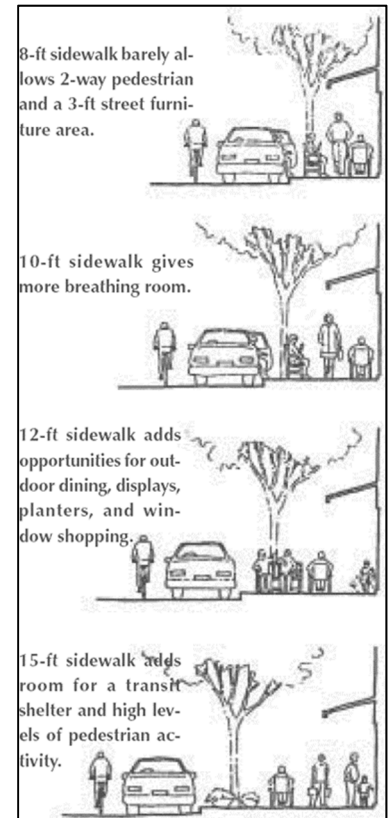


Figure 6-1. Appropriate sidewalk widths.

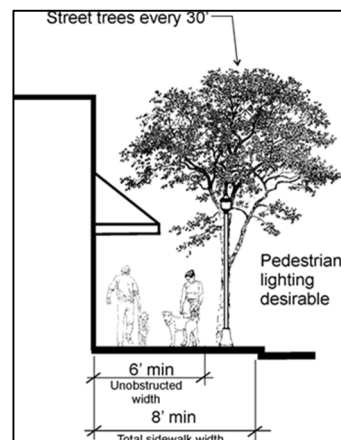


Figure 6-2. Design standards for internal walkways along storefronts and a photo example.

However, no less than one tree per 60 lineal feet of building facade must be provided.

- (2) Planting strips may be used between any vehicle access or parking area and the pathway, provided that the required trees are included and the pathway is at least 8 feet in width and the combined pathway and planting strip is at least 14 feet in width.
 - (3) Pedestrian-scaled lighting may be used as a substitute to the required street trees subject to Director approval, provided they are used at the same intervals.
- (ii) For all other interior pathways, the applicant shall successfully demonstrate that the proposed walkway is of sufficient width to accommodate the anticipated number of users. See Figure 5-1 for considerations.
 - (iii) Pedestrian walks shall be separated from structures by at least 3 feet of landscaping, except where the adjacent building features a pedestrian-oriented facade. The Director shall consider alternative treatments to provide attractive pathways. Examples include the use of planter boxes and/or vine plants on walls, sculptural, mosaic, bas-relief artwork, or other decorative wall treatments that meet the intent of the standards and guidelines.

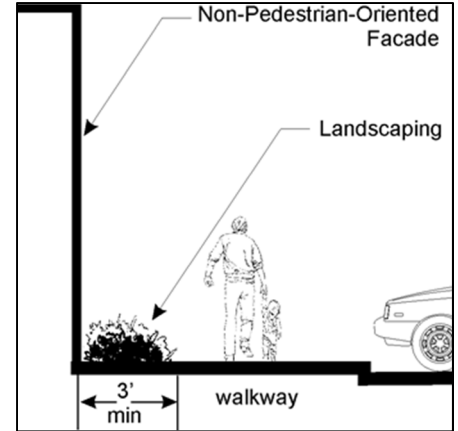


Figure 6-3. Pathway/landscaping requirements adjacent to non-pedestrian-oriented facades.



Figure 6-4. A good example of wall design treatment that would qualify for a departure from Standard 2.b.iii.

22C.070.150 Pedestrian circulation.

- (1) Intent.
 - (a) To create a network of linkages for pedestrians to improve safety and convenience and enhance the pedestrian environment.
- (2) Standards and Guidelines.
 - (a) Pedestrian Access. All buildings shall have clear pedestrian access to the sidewalk. Where a use fronts two streets, access shall be provided from the road closest to the main entrance, preferably from both streets. Buildings with entries not facing the street should have a clear and obvious pedestrian access way from the street to the entry.
 - (b) Parking Lot Pathways. A paved walkway or sidewalk shall be provided for safe walking areas through parking lots greater than 175 feet long (measured either parallel or perpendicular to the street front). Walkways shall be provided for every three parking aisles or a distance of less than 175 feet shall be maintained

between paths (whichever is more restrictive). Such access routes through parking areas shall be separated from vehicular parking and travel lanes by use of contrasting paving material, which may be raised above the vehicular pavement. Speed bumps may not be used to satisfy this requirement. Trees and pedestrian-scaled lighting (maximum 15 feet in height) shall be used to clearly define pedestrian walkways or other pedestrian areas within the parking area.

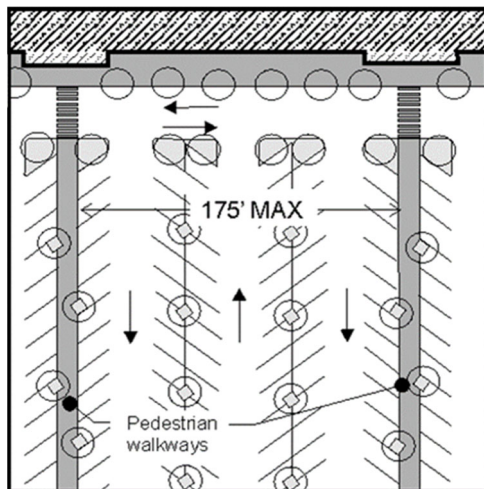


Figure 5-5. Parking lot pathway requirements.



Figure 5-6. Parking lot pathway example.

22C.070.160 Lighting.

- (1) Intent.
 - (a) To create attractive spaces that unify the building and street environments that are inviting, comfortable, and safe for pedestrians.
 - (b) To ensure visibility for pedestrians and automobiles.
- (2) Standards and Guidelines.
 - (a) Lighting Standards and Guidelines. Provide appropriate lighting levels in all areas used by pedestrians or automobiles, including building entries, walkways, parking areas, circulation areas, and other open space areas. New developments shall provide site lighting that meets the following design criteria through implementing measures such as:
 - (i) All public areas shall be lighted with average minimum and maximum levels as follows:
 - (1) Minimum (for low or non-pedestrian and vehicular traffic areas) of 0.5 foot candles;
 - (2) Moderate (for moderate or high volume pedestrian areas) of 1-2 foot candles; and
 - (3) Maximum (for high volume pedestrian areas and building entries) of 4 foot candles.
 - (ii) Lighting shall be provided at consistent levels, with gradual transitions between maximum and minimum levels of lighting and between lit areas and unlit areas. Highly contrasting pools of light and dark areas shall be avoided.
 - (iii) Parking lot lighting fixtures shall be non-glare and mounted no more than 25 feet above the ground, with lower fixtures preferable so as to maintain a human scale. Requests for higher lighting fixtures may be

considered with the approval of the Director. All fixtures over 15 feet in height shall be fitted with a full cut-off shield.

- (iv) Pedestrian-scaled lighting (light fixtures no taller than 15 feet) is encouraged in areas with high anticipated pedestrian activity. Lighting shall enable pedestrians to identify a face 45 feet away in order to promote safety.
- (v) Lighting should not be permitted to trespass onto adjacent private parcels nor shall light source (luminaire) be visible at the property line. All building lights shall be directed onto the building itself and/or the ground immediately adjacent to it. The light emissions should not be visible above the roofline of the building. Light fixtures other than traditional cobra heads are encouraged.

ARTICLE VII. BUILDING DESIGN

22C.070.170 Building entries.

- (1) Intent.
 - (a) To make building entrances convenient to locate and easy to access.
 - (b) To enhance the pedestrian environment along streets.
- (2) Standards and Guidelines.
 - (a) Visible Entries. Primary building and business entrances shall be prominent, visible from surrounding streets or pedestrian-oriented space, and connected by a walkway to the public sidewalk. Also see MMC 22C.070.080 for related provisions.
 - (b) Weather Protection. Weather protection at least 5 feet deep and proportional to the distance above ground level shall be provided over the primary entry of all businesses and non-residential buildings. Weather protection for the primary entry of residential units shall be at least 3 feet deep.
 - (c) ADA Requirements. Pedestrian pathways from public sidewalks to primary entrances, or from parking lots to primary entrances, shall be accessible, conforming to federal and state Americans with Disabilities Act requirements, and shall be clearly delineated.
 - (d) Access to Residential Units. Ground floor residential units facing a street or common open space shall be directly accessible from the applicable street or open space.
 - (e) Townhouse Entrances. Townhomes and all other multifamily dwelling units with private exterior ground-floor entries shall provide at least 20 square feet of landscaping adjacent to the entry. This is particularly important for units where the primary entrance is next to private garages off an interior access road. Such landscaping areas soften the appearance of the building and highlight individual entries. See Figures 7-2 and 7-3 for good and bad examples.



Figure 7-1. Prominent building entrance example.



Figure 7-2. Ground floor residential units directly accessible to the street with landscaping at the entry.

(f) Secondary Public Access. Whereas these design standards and guidelines encourage businesses to front on streets rather than parking lots, a large number of customers will likely use the secondary entry off of the parking lot. Such businesses that have secondary public access shall comply with the following measures to enhance secondary public access (applies only to entries used by the public):

- (i) Weather protection at least 3 feet deep is required over each secondary entry.
- (ii) Two or more of the following design elements shall be incorporated within or adjacent to the secondary entry:
 - (1) A transparent window or door to allow visibility into the business;
 - (2) A landscaping bed, trellis, or other permanent landscaping element adjacent to the entry;
 - (3) Decorative architectural treatments that add visual interest to the entry;
 - (4) Outdoor dining area or pedestrian-oriented space;
 - (5) Decorative lighting; or
 - (6) Other design elements that meet the intent of the standards and guidelines per the Director.



Figure 7-3. A bad townhouse example with no landscaping adjacent to the entry.



Figure 7-4. Front (left) and back (right) entrances of a retail building sited adjacent to a public street. While the sidewalk entrance is designed as the primary entrance, the back entry includes weather protection and use of decorative building materials to enhance this secondary entry.

22C.070.180 Architectural character and scale.

- (1) Intent.
 - (a) To promote architecture that contributes to the character and identity of the neighborhood.
 - (b) To reduce the scale of large buildings and add visual interest.
 - (c) To provide minimum floor-to-ceiling heights for ground floor commercial spaces appropriate to accommodate a full range of retail uses.

(2) Standards and Guidelines.

(a) No Franchise or Corporate Architecture. Architecture that is defined predominately by corporate identity features (and difficult to adapt to other uses) is prohibited. For example, some fast food franchises have very specific architectural features that reinforce their identity. Besides diluting the neighborhood's identity with corporate (and, therefore, generic) identities, these buildings are undesirable because they are not adaptable to other uses when the corporate franchises leave.



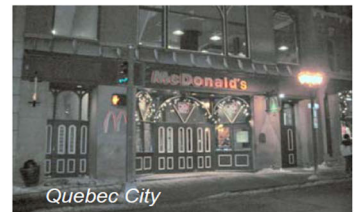
Figure 7-5. Generic franchise and corporate architecture is not allowed



Lone Pine, CA



Jasper, Alberta



Quebec City



Gig Harbor

(b) Building Facades. All facades of a building shall be given equal design consideration. Some flexibility may be given by the Director for alley or other facades that are not visible from streets, parks, parking lots, or other uses.

(c) Streetfront Articulation. All non-residential building facades fronting directly on a street must include at least two of the following articulation features at intervals no greater than 30 feet.

- (i) Use of window and/or entries that reinforce the pattern of small storefront spaces.
- (ii) Use of weather protection features that reinforce the pattern of small storefronts. For example, for a business that occupies three lots, use three separate awnings to break down the scale of the storefronts. Alternating colors of the awnings may be useful as well.
- (iii) Change of roofline.
- (iv) Change in building material or siding style.
- (v) Other methods that meet the intent of the standards and guidelines.

(d) Facade Articulation for All Other Non-Residential Buildings Not Covered in Standard (c) Above. All non-residential building facades fronting on a street or containing a pedestrian entrance must include at least three of the following articulation features at intervals no greater than 70 feet.

- (i) Use of window and/or entries that reinforce the pattern of small storefront spaces.
- (ii) Vertical building modulation. The minimum depth and width of modulation shall be 2 and 4 feet, respectively (preferably tied to a change in roofline, building material or siding style).
- (iii) Use of weather protection features that reinforce the pattern of small storefronts.
- (iv) Change of roofline.
- (v) Change in building material or siding style.

Figure 7-6. Examples from other communities where a fast food franchise's architecture was modified to fit into the context of the community.



Figure 7-7. For commercial buildings built up to the sidewalk, provide facade articulation features at no more than 30-foot intervals

- (vi) Providing lighting fixtures, trellis, tree, or other landscape feature within each interval.
- (vii) Articulation of the building's top, middle, and bottom for multi-story commercial buildings. This typically includes a distinctive ground floor or lower floor design, consistent articulation of middle floors, and a distinctive roofline.
- (viii) Other methods that meet the intent of the standards and guidelines.
- (ix) Exception: Alternative articulation methods will be considered by the Director provided such treatment meets the intent of the standards and guidelines. For example, use of high quality building materials (such as brick or stone) with attractive detailing may allow a building to meet the intent of the standards using greater articulation intervals. Also, where the articulated features are more substantial in terms of effectively breaking up the facade into smaller components, then a greater distance between architectural intervals may be acceptable.

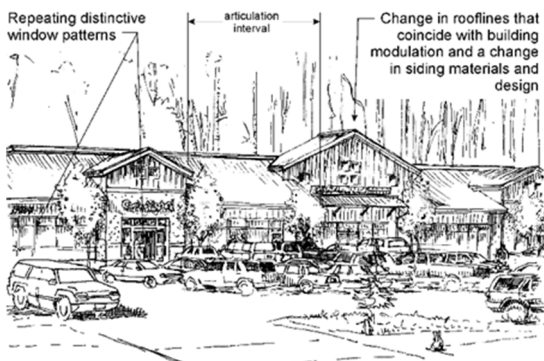


Figure 7-8. Example of building articulation.



Figure 7-9. This building utilizes a number of methods to reduce its perceived bulk.



Figure 7-10. An example of clearly articulating a building's top, middle, and bottom by utilizing a combination of storefront elements on the ground floor, defined window patterns and articulation treatments on upper floors, and a distinctive roofline and/or top floor.

- (e) Roofline Modulation.
 - (i) In order to qualify as an articulation element in subsections (c), (d), or (e) of this section, the roofline shall meet the following modulation requirement:
 - (1) For flat roofs or facades with horizontal eave, fascia, or parapet, the minimum vertical dimension of roofline modulation is the greater of 2 feet or 0.1 multiplied by the wall height (finish grade to top of the wall) when combined with vertical building

modulation techniques described in Standard (e) above. Otherwise, the minimum vertical dimension of roofline modulation is the greater of 4 feet or 0.2 multiplied by the wall height.

- (2) Buildings with pitched roofs must include a minimum slope of 5:12 and feature modulated roofline components at the interval required per the applicable standard above.
- (ii) For large scale retail uses (with at least 50,000 square feet of floor area and facades greater than 150 feet in width), the storefront shall integrate a prominent entry feature combining substantial roofline modulation with vertical building modulation and a distinctive change in materials and/or colors. The minimum vertical dimension of roofline modulation is the greater of 6 feet or 0.3 multiplied by the wall height (finish grade to top of the wall). The Director will consider alternative treatments provided they meet the intent of the standards and guidelines.

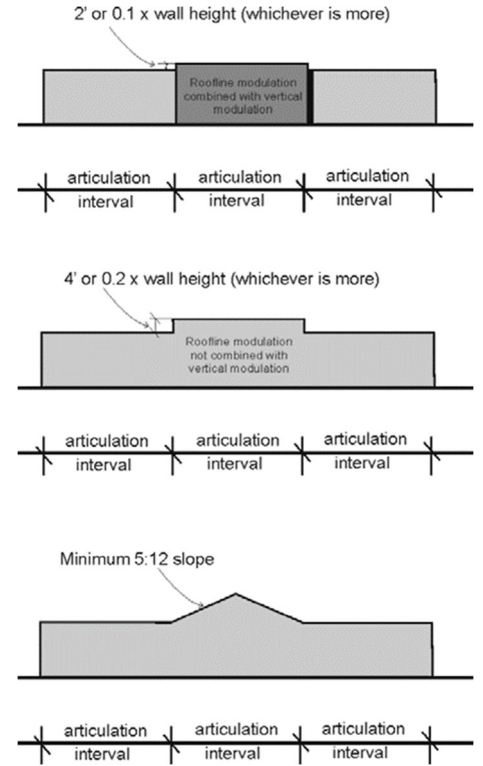


Figure 7-11. Roofline modulation standards.



Figure 7-12. Good examples of prominent pedestrian entries for large-scale retail uses. Note height change, vertical modulation, use of building materials, colors, and detailing to add interest and emphasis

- (f) Facade Articulation - Multifamily Residential Buildings and Residential Portions of Mixed-Use Buildings. All residential buildings and residential portions of mixed-use buildings shall include at least three of the following articulation features at intervals of no more than 30 feet along all facades facing a street, common open space, and common parking areas:
 - (i) Repeating distinctive window patterns at intervals of no more than 30 feet. See Figure 7-14 below for an example

- (ii) Vertical building modulation. Minimum depth and width of modulation is 2 feet and 4 feet, respectively, if tied to a change in color or building material and/or roofline modulation as defined in Standard (g) below. Otherwise, minimum depth of modulation is 10 feet and minimum width for each modulation is 15 feet. Balconies may not be used to meet modulation option unless they are recessed or projected from the facade at least 18 inches and integrated with the building's architecture as determined by the Director.



Figure 7-13. An example of balconies integrated with the architecture of the building.

- (iii) Horizontal modulation (upper level step-backs). To qualify for this measure, the minimum horizontal modulation shall be 5 feet.
- (iv) Articulation of the building's top, middle, and bottom. This typically includes a distinctive ground floor or lower floor design, consistent articulation of middle floors, and a distinctive roofline. (See Figure 7-10 and 7-14.)



Figure 7-14. Note the repeating distinctive window patterns and the articulation of the buildings top, middle, and bottom.

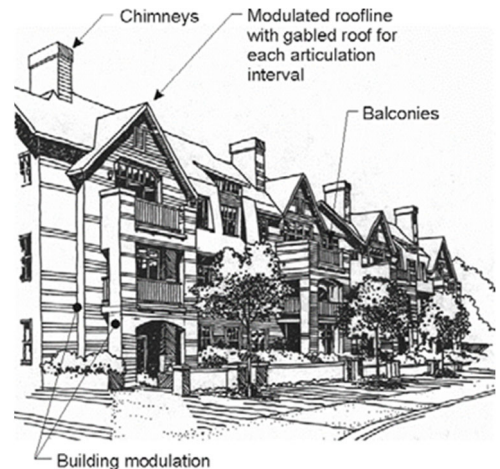


Figure 7-15. Example of good articulation for a multifamily building.

- (g) Maximum Facade Width. The maximum facade width (the facade includes the apparent width of the structure facing the street and includes required modulation) of multifamily residential buildings and residential floors of mixed-use buildings is 120 feet. Buildings exceeding 120 feet in width along the street front shall be divided by a modulation of the exterior wall, so that the maximum length of a particular facade is 120 feet. Such modulation shall be at least 20 feet or deeper and extend through all residential floors.

For large-scale retail uses, prominent entry features required in Standard (f)(ii) above may also be used to meet this requirement.

The Director may consider departures from this guideline, provided the proposed treatment meets the intent of the standards and guidelines. See Figure 7-16 for a good example of an attractive treatment that meets the intent.

- (h) Minimum Floor-to-Ceiling Height for Commercial Uses. In order to ensure the ground floor of structures has adequate height to function efficiently for retail uses, spaces intended for commercial uses shall provide a minimum 13-foot floor-to-finished-ceiling height.



Figure 7-16. The prominent vertical element of this building effectively breaks up the perceived scale of the building and adds visual interest.

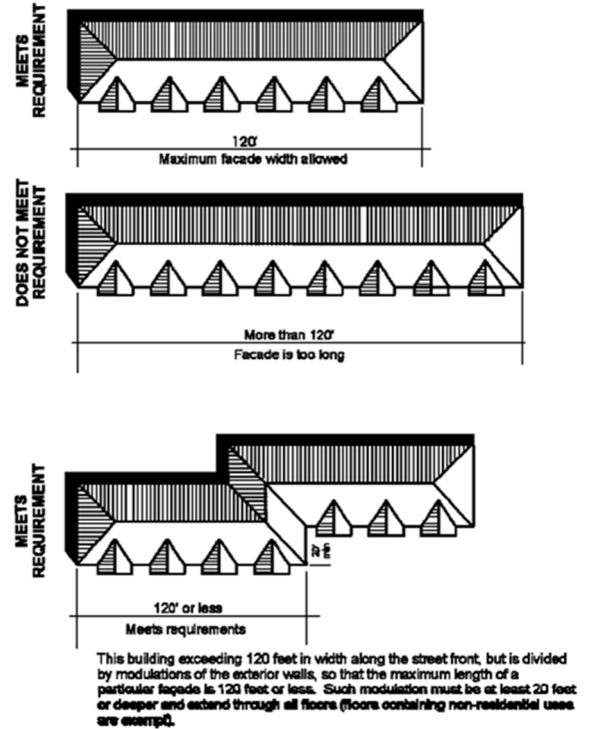


Figure 7-17. Requirements for facade length.

22C.070.190 Building details.

- (1) Intent.
 - (a) To encourage the incorporation of design details and small-scale elements into building facades that are attractive at a pedestrian scale.
 - (b) To create visual interest and increased activity at public street corners.
- (2) Standards and Guidelines.
 - (a) Details Toolbox for Commercial Buildings. All commercial buildings shall be enhanced with appropriate details. All new buildings are shall employ at least one detail element from each of the three categories below. Other mixtures of detail elements will be considered provided they meet the intent. The applicant must demonstrate how the amount, type, and mix of details meet the intent of the standards and guidelines. For example, a large building with multiple storefronts will likely need more than one decorative sign, one transom window, and one decorative kick-plate to meet the intent of the standards and guidelines.
 - (i) Window and/or entry treatment:
 - (1) Display windows divided into a grid of multiple panes.
 - (2) Transom windows.
 - (3) Roll-up windows/doors.



Figure 7-18. Decorative use of building materials, lighting, signage, and landscaping creates a statement at this corner location.

- (4) Other distinctive window treatment that meets the intent of the standards and guidelines.
- (5) Recessed entry.
- (6) Decorative door.
- (7) Arcade.
- (8) Landscaped trellises or other decorative element that incorporates landscaping near the building entry.
- (9) Other decorative entry treatment that meets the intent of the standards and guidelines.



Figure 7-19. This building would meet the details guideline by using a decorative entry element, building materials, and lighting.

- (ii) Decorative facade attachments:
 - (1) Decorative weather protections element such as a steel canopy, decorative cloth awning, or retractable awning.
 - (2) Decorative, custom hanging sign(s).
 - (3) Decorative building-mounted light fixtures.
- (iii) Decorative facade attachments:
 - (1) Decorative weather protections element such as a steel canopy, decorative cloth awning, or retractable awning.
 - (2) Decorative, custom hanging sign(s).
 - (3) Decorative building-mounted light fixtures.
- (iv) Decorative elements referenced above must be distinct "one-of-a-kind" elements or unusual designs that require a high level of craftsmanship as determined by the Director.

(b) Details Toolbox for Multifamily Buildings. All multifamily buildings shall be enhanced with appropriate details. Each of the types of details listed below are worth one point unless otherwise noted. Multifamily building facades must achieve the equivalent of four points worth of architectural details. Chosen details must be compatible with the chosen architectural style. Detail options:

- (i) Decorative porch design with distinct design and use of materials.
- (ii) Decorative treatment of windows and doors, such as decorative molding/ framing details around all ground floor windows and doors, bay windows, decorative glazing, or door designs, and/or unique window designs.
- (iii) Landscaped trellises or other decorative element that incorporates landscaping near the building entry or entries.
- (iv) Decorative light fixtures with a diffuse visible light source, such as a globe or "acorn" that is non-glaring or a decorative shade or mounting



Figure 7-20. This building uses brick for more than 10% of the façade, a decorative mix of materials and colors, decorative entries, and decorative windows to add visual interest.

- for each building entry on the facade.
- (v) Brick or stonework covering more than 10 percent of the facade (2 points).
- (vi) Decorative building materials that add visual interest, including
 - (1) Individualized patterns or continuous wood details.
 - (2) Decorative moldings, brackets, wave trim or lattice work.
 - (3) Decorative brick or stonework (may be in addition to the brick or stonework credits noted above if they are arranged in a decorative manner that add visual interest to the facade).
 - (4) Other materials with decorative or textural qualities as approved by the Director. The applicant must submit architectural drawings and material samples for approval.
- (vii) Decorative roofline design, including multiple gables and/or dormers or other design that adds distinct visual interest.
- (viii) Decorative railings, grill work, or terraced landscape beds integrated along the facade of the building.
- (ix) Decorative balcony design, such as distinctive railings.
- (x) Other details that meet the intent of the standards and guidelines as approved by the Director.

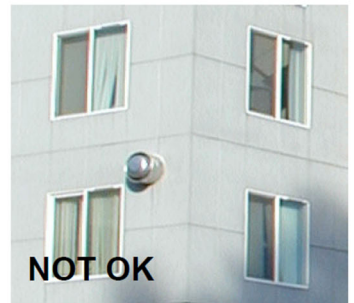


Figure 7-21. Acceptable and unacceptable window treatments.

- (c) Window Design for Residential Uses. Building facades shall employ techniques to recess or project individual windows above the ground floor at least two inches from the facade or incorporate window trim at least four inches in width that features color that contrasts with the base building color. Exceptions will be considered by the Director where buildings employ other distinctive window or facade treatment that adds visual interest to the building.

- (d) Blank Wall Standards/Treatments. Blank walls visible from a public street, sidewalks, trails, interior pathways, or customer parking lots are prohibited. A wall (including building facades and other exterior building walls, retaining walls, and fences) is defined as a blank wall if:
 - (i) A ground floor wall or portion of a ground floor wall over 4 feet in height has a horizontal length greater than 15 feet and does not include a transparent window or door; or
 - (ii) Any portion of a ground floor wall having a surface area of 400 square feet or greater does not include a transparent window or door.

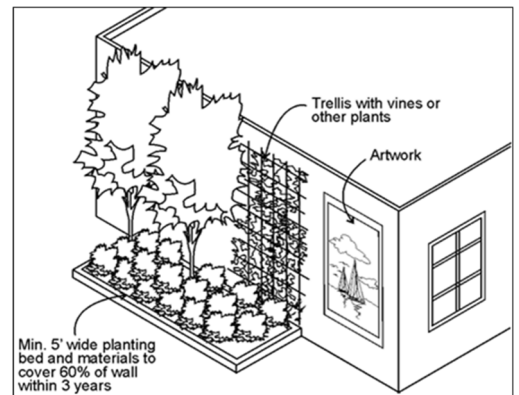


Figure 7-22. Blank wall treatments

- (iii) Design treatments to eliminate blank walls can include:
 - (1) Transparent windows or doors.
 - (2) Display windows.
 - (3) Landscape planting bed at least 5 feet wide or a raised planter bed at least 2 feet high and 3 feet wide in front of the wall. Such planting areas shall include planting materials that are sufficient to obscure or screen at least 60 percent of the wall's surface within 3 years.
 - (4) Installing a vertical trellis in front of the wall with climbing vines or plant materials sufficient to obscure or screen at least 60 percent of the wall's surface within 3 years. For large areas, trellises should be used in conjunction with other *blank wall* treatments.
 - (5) Other methods such as murals or special building material treatments that meet the intent of the standards and guidelines as approved by the *Director*.



Figure 7-23. Blank wall treatment example.

22C.070.200 Building materials and color.

- (1) Intent.
 - (a) To encourage high-quality building materials that enhance the character of the area.
 - (b) To discourage poor materials with high life-cycle costs.
 - (c) To encourage the use of materials that reduce the visual bulk of large buildings.
 - (d) To encourage the use of materials that add visual interest to the neighborhood.
- (2) Standards and Guidelines.
 - (a) Quality Building Materials. Building exteriors should be constructed from high quality, durable materials. Building materials such as concrete, masonry, tile, stone, and wood are encouraged.
 - (b) Prohibited Materials. The following materials are prohibited in visible locations unless an exception is granted by the Director based on the integration of the material into the overall design of the structure.
 - (i) Plywood siding (including T-111 or similar plywood). Board and batten is an exception.
 - (ii) Highly tinted or mirrored glass (except stained glass) as more than 10 percent of the building facade.
 - (iii) Corrugated fiberglass.
 - (iv) Chain link fencing (except for temporary purposes such as a construction site or as a gate for a refuse enclosure).



Figure 7-24. An example of concrete block effectively used with EIFS and metal awnings.

- (v) Crushed colored rock/crushed tumbled glass.
- (vi) Non-corrugated and highly reflective sheet metal.
- (c) Special Standards and Guidelines for Concrete Blocks. Concrete masonry units (CMU) or cinder blocks, when used for walls that are visible from a street, public park or open space, or pedestrian route, shall be architecturally treated in one or more of following ways:
 - (i) Use in conjunction with other permitted exterior materials.
 - (ii) Use a combination of textured surfaces such as split face or grooved to create distinct banding or other design.
 - (iii) Use of other masonry types such as brick, glass block, or tile in conjunction with the concrete or concrete blocks.
 - (iv) Use of decorative coursing to break up blank wall areas.
 - (v) Use matching colored mortar where color is an element of architectural treatment for any of the options above.
- (d) Special Standards and Guidelines for Metal Siding. When used for walls that are visible from a street, public park or open space, or pedestrian route, buildings shall have visible corner moldings and trim and incorporate masonry, stone, or other durable permanent material within 2 feet of the ground level. Facades wider than 40 feet that employ metal siding shall incorporate multiple colors and/or be incorporated with other siding materials.
- (e) Special Standards for Exterior Insulation and Finish System (EIFS) and Other, Similar Troweled Finishes. Such finishes must be trimmed in wood or masonry and should be sheltered from extreme weather by roof overhangs or other methods and are limited to no more than 30 percent of the facade area. Weather exposed horizontal surfaces must be avoided. Masonry, stone, or other durable permanent material is required for the first 2 feet above ground level.
- (f) Storefront Color Palette. A storefront's palette should be no more than three colors; one base color, one trim color, and one accent color. Encourage trim and accent colors that contrast with the base color. Specifically, darker base colors with white trim work particularly well. However, lighter base colors can effectively be combined with dark trim colors.

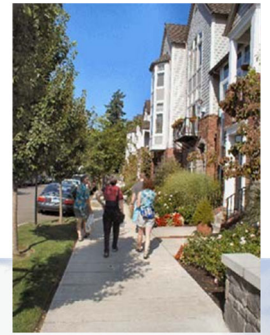


Figure 7-25. This building features metal siding with visible corner trim and concrete block closer to the ground level.

ARTICLE VIII. LANDSCAPING AND SCREENING

22C.070.210 Landscaping.

- (1) Intent.
 - (a) To enhance the character of the neighborhood.
 - (b) To screen visual impacts of parking lots from streets.
 - (c) To encourage the use of attractive and drought tolerant plant materials native to the coastal regions of the Pacific Northwest.
 - (d) To encourage attractive landscaping that reinforces the architectural and site planning concepts in response to site conditions and contexts.
 - (e) To promote tree retention and the protection of existing native vegetation.
- (2) Standards and Guidelines.
 - (a) Parking Lots Located Adjacent to Public Streets and Major Internal Roadways. These lots shall be partially screened with landscaping planting strips (per Standard (d) below) at the following widths:
 - (i) 30 feet for Community Business-zoned properties along arterials.
 - (ii) 20 feet for all other parking lot associated with nonresidential uses.
 - (iii) 10 feet for residential properties.
 - (iv) The Director may approve and condition reduced planter widths provided the design meets the intent of the standards and guidelines. For example, reduced widths may be allowed provided the landscaped area is supplemented with architectural features that help to define the street edge and maintain visual continuity along the street. Examples could include a decorative low wall made of stone or masonry that is used in conjunction with landscaping, and/or use of a landscaped trellis or architectural columns. For each method, it is important to maintain visibility at eye level (between 3 and 8 feet above the ground) between the street into the parking lot for safety.
 - (b) Internal Parking Lot Landscaping. Internal parking lot landscaping shall comply with MMC 22C.120.130.
 - (c) Foundation Planting. All street-facing elevations must have landscaping along any exposed foundation. The foundation landscaping must meet the following standards:



Figures 8-1 and 8-2. Landscape design and materials add color and identity to these developments.

- (i) The landscaped area must be at least 3 feet wide.
- (ii) There must be at least one 3-gallon shrub for every 3 lineal feet of foundation.
- (iii) Ground cover plants must fully cover the remainder of the landscaped area.
- (d) Arrangement of Plants. Projects are encouraged to use informal arrangement of plants installed in a variety of treatments that will enhance building designs, screen unwanted views, and enhance views and vistas. A formal arrangement may be acceptable if it has enough variety in layout and plants. Contiguous, long, unbroken, straight rows of a single plant should be avoided where possible.



Figure 8-3. Exposed foundations like this should be landscaped with shrubs and other plantings for screening

22C.070.220 Fences and screening elements.

- (1) Intent.
 - (a) To minimize the negative visual impacts of fences on the street and pedestrian environment.
 - (b) To screen the potential negative impacts of service and storage elements (e.g., waste receptacles, loading docks).
 - (c) To encourage thoughtful siting of service and storage elements that balance the functional needs with the desire to screen its negative impacts.
- (2) Standard and Guidelines.
 - (a) Maximum Wall Height Along Public Streets or Sidewalks.
 - (i) The maximum height of solid (more than 50% opaque) free-standing walls, fences, or hedges in any front yard or other location between the street and the façade shall be 3-1/2 feet unless a taller wall is required, per the Director, to mitigate significant noise and traffic impacts.
 - (ii) The maximum height of any decorative wall or fence which allows visibility (no more than 50% opaque), such as a wrought iron or split rail fences, shall be 6 feet. Such fences shall be set back from the sidewalk at least 3 feet to allow for landscaping elements to soften the view of the fence.
 - (iii) In development configurations where side yards abut a street, fences taller than 3-1/2 feet shall be setback at least 5 feet from the sidewalk to allow for

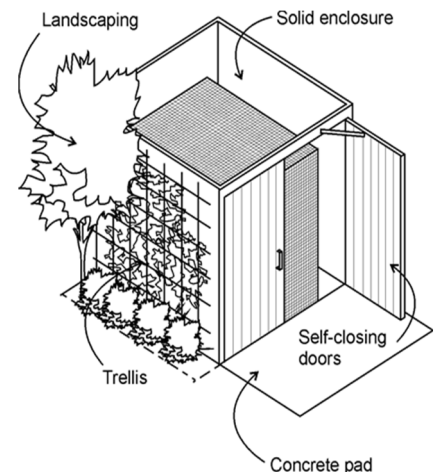


Figure 8-4. Trash receptacle screening example.

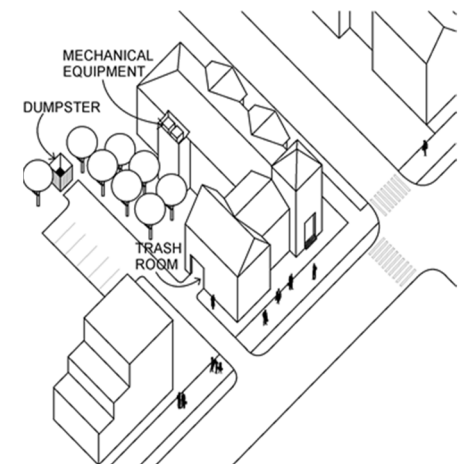


Figure 8-5. Locate service elements to minimize impacts on the pedestrian environment.

landscaping to soften the view of the fence. Provisions for long term maintenance of this landscaping shall be addressed on the plat.

- (b) Prohibited Fence Materials. Barbed wire, razor wire, electric and other dangerous fences are prohibited.
- (c) Prohibited Development/Fence Configurations. Developments shall avoid configurations that have uses that back up against a street. Where unavoidable, fences between a street and any use shall be limited to 3- 1/2 feet in height. Developments adjacent to SR 9 are exempt from this requirement.
- (d) Service Element Location and Design. All developments shall provide a designated spot for service elements (refuse and disposal). Such elements shall meet the following requirements:
 - (i) Service elements shall be located to minimize the negative visual, noise, odor, and physical impacts to the street environment, adjacent (on and off-site) residents or other uses, and pedestrian areas.
 - (ii) The designated spot for service elements shall be paved with concrete.
 - (iii) Appropriate enclosure of the common trash and recycling elements shall be required, as determined by the Director. Requirements and considerations:
 - (1) A 6-foot fence constructed of concrete block or brick enclosing trash and recycling receptacles is required. Coordination with the current franchise hauler is required. The sides and rear of the enclosure must be screened with Type A, B, C, or D Landscaping (as defined in Section 16.80.050) at least 5 feet deep in visible locations as determined by the Director to soften the views of the screening element and add visual interest.
 - (2) Proximity to adjacent residential units will be a key factor in determining appropriate service element treatment.
 - (3) Preferably, service enclosures are integrated into the building itself.
- (e) Utility Meters, Electrical Conduit, and Other Service Utility Apparatus. These elements shall be located and/or designed to minimize their visibility to the public. If such elements are mounted in a location visible from the street, pedestrian pathway, common open space, or shared auto courtyards, they shall be screened with vegetation or by architectural features.
- (f) Rooftop Mechanical Equipment. All rooftop mechanical equipment shall be organized, proportioned, detailed, screened, landscaped (with decks or terraces) and/or colored to be an integral element of the building and minimize visual impacts from the ground level of adjacent streets and properties. For example, screening features should utilize similar building materials and forms to blend with the architectural character of the building.



Figure 8-6. Exposed utility meters like this will not be allowed.



Figure 8-7. Landscaping helps to minimize the negative visual impacts of utility meters