

**EVERETT RIVERFRONT DISTRICT
ZONING AND LAND DIVISION STANDARDS**

Pursuant to EMC 19.29, the City may modify the permitted uses and development standards applicable to planned developments. The purpose of these modifications is to establish zoning standards to promote a high-quality development that will benefit the city more than compliance with the standard zoning code provisions. This document contains the zoning modifications that will apply to the Everett Riverfront Project.

A. Landfill Pad - All Uses

The Landscape Standards in Section F of these standards shall apply, rather than the standards in EMC 19.35.

B. Landfill Pad and Eclipse Mill Property – Commercial Uses

1. The development standards in sections a through d below apply, rather than the standards in EMC 19.06.
 - a. Maximum Building Height. Maximum height limits are shown on the site plan approved by the City as part of the Planned Development Ordinance for the Everett Riverfront Project (“PDO Site Plan”). In the 100’ area on the Landfill Pad, no more than 60% of this area may be covered by portions of buildings taller than 65’. Height means the vertical distance from the base elevation of a building to the highest point of the roof, exclusive of building appurtenances.
 - b. Maximum Height of Rooftop Appurtenances. The maximum height limit of rooftop appurtenances is 15’ above the maximum building height. Rooftop appurtenances shall be either screened or designed/painted to blend into the building, as appropriate to the appurtenance. For example, mechanical equipment must be screened since painting is impractical, while elevator penthouses shall be incorporated into the architecture of the building and be designed to blend in. The applicant may request and the Planning Director may approve no screening in circumstances where it is not necessary or appropriate, such as where the appurtenance is not readily visible to the public (e.g., due to a significant setback from the roof edge, or there is a long distance between the appurtenance and the nearest location from which the appurtenance is visible) or where the appurtenance is tall and slender (e.g., whip antennae and slender stacks).
 - c. Minimum Lot Area; Minimum Lot Width and Depth. The minimum lot area is 3,000 sq. ft. . There shall be no minimum lot width or depth requirements. The applicant shall demonstrate to the Planning Director that proposed lot sizes and dimensions are feasible for the proposed uses.
 - d. Setbacks. There shall be no minimum required setbacks.

2. Off-street Parking. The following minimum off-street parking requirements apply, rather than the number specified in EMC 19.34:
 - a. For all commercial uses other than hotel, parking must be provided at a minimum average ratio for all uses of three parking spaces per 1,000 square feet of development. Planning Director approval would be required for any change in parking that reduces the parking quantity to less than a minimum average ratio of three spaces per 1,000 square feet of development.
 - b. For hotel, parking must be provided at the rate of 1 space per hotel room plus 1.5 spaces per 1,000 square feet of accessory hotel uses such as restaurant or café.
3. Off-street loading. The off-street loading requirements of subsection B, rather than subsection A, of EMC 19.34.090 shall apply to development of the Landfill Pad. (Subsection A requires uses with 5,000-20,000 SF to have one loading berth, 20,000-50,000 two berths, 50,000-100,000 three berths; Subsection B requires uses with 20,000-50,000 SF to have one loading berth and 50,000-100,000 two berths.)
4. Ground-floor uses facing main street. Pedestrian-oriented ground floor retail or restaurant, pedestrian-oriented use or business, residential entrances, hotel or a compatible building with a use drawing people such as a theater or community center is required on building fronts facing the main street.
5. Primary entrances to face main street or plaza; alternative façade treatment. When possible all primary building entrances and storefronts should face onto the main street and/or plaza and not parking lots. When this is not possible those facades will incorporate (c) or (d) below and at least one of the other elements.
 - a. Transparent windows or doors.
 - b. Display windows.
 - c. Landscape planting beds at least five feet wide or a raised planter bed at least two feet high and three feet wide in front of the wall. Such planting areas shall include planting materials that are sufficient to obscure or screen at least sixty percent of the wall surface within three years.
 - d. Installing a vertical trellis in a raised planter bed at least two feet high and three feet wide in front of the wall with climbing vines or plant materials sufficient to obscure or screen at least sixty percent of the wall surface within three years. For large areas, trellises should be used in conjunction with other blank wall treatments.
 - e. Other methods such as murals or special building material treatments that provide visual interest to the pedestrian as approved by the city
6. Other design standards. The standards of the B-3 zone for commercial uses in EMC 19.22.020 D5 and D6 shall apply as set forth and modified as follows:

D5. Building Design.

- a. Ground Floor Transparency. For all building facades facing Main Street, at least forty percent of the area between two and ten feet above grade shall be transparent. “Transparent” means that an individual can see into the building from the outside.

Transparent glass may be tinted, Low-E, or include other similar treatment. For residential uses, this minimum transparency requirement is reduced to twenty percent of the area between two and ten feet above grade to allow for increased privacy. Transparent features may include windows and transparent doors. Display cases attached to the exterior wall do not qualify. Other treatments that enhance the pedestrian environment may be approved by the city.

b. Window Treatments. Building facades facing Main Street shall employ distinctive window or facade treatment above the ground floor that adds visual interest to the building. Buildings over six stories in height are exempt from this requirement to accommodate common construction/architectural practices for tower structures.

c. Exterior Materials Facing Main Street.

(1) Metal Siding. If metal siding is used on facades facing Main Street, it shall incorporate appropriate architectural detailing to add visual interest and incorporate masonry or other similar durable/permanent material near the ground level.

(2) Concrete Block. When used for a facade facing Main Street, concrete blocks shall be split, precision, rock- or ground-faced, or similar material. Standard CMU shall not be used. If precision block is used, it shall be detailed with masonry, metal or other appropriate materials on the same wall surface. To add visual interest, the use of specialized textures and/or colors used effectively with other building materials and details is encouraged.

(3) Exterior Insulation and Finish System (EIFS) facing Main Street and Similar Troweled Finishes (Stucco).

(a) EIFS shall be trimmed in wood, masonry, or other approved materials and shall be sheltered from extreme weather by roof overhangs or other methods.

(b) EIFS may only be used in conjunction with other approved building materials. Generally, the use of EIFS for more than fifty percent of the building facade is discouraged.

(c) EIFS is prohibited within two vertical feet of the sidewalk or ground level. Masonry or other similar durable/permanent materials shall be used.

(d) High quality fiber cement panel systems may be used, such as Hardie board, in panels/sheets smaller than 4'x4' and with appropriate architectural detailing.

(4) Prohibited Exterior Materials.

(a) Mirrored glass is prohibited at the ground level along Main Street. Mirrored glass covering more than ten percent of the exterior of any building is prohibited.

(b) Textured or scored plywood (including T-111 or similar plywood).

(c) Stucco board.

(d) Other materials as determined by the city that are not of suitable quality and durability.

- d. Building Entrances. The main public entrances of all buildings must provide weather protection.
- e. Facades of Large Buildings. Buildings must use design techniques to break up long, continuous building walls, reduce the architectural scale of the building, and add visual interest. Specifically, any building facade longer than one hundred twenty feet in width must employ design techniques to minimize the appearance of the length of individual facades. To meet this requirement, buildings must utilize a combination of vertical building modulation with a change in building materials or finishes, a clear change in building articulation and/or fenestration technique.
- f. Blank Wall Treatment.

(1) Definition: All exterior building walls are considered a blank wall if:

- (a) A ground floor wall or portion of a ground floor wall over four feet in height has a horizontal length greater than fifteen feet and does not include a window, door, building modulation or other architectural detailing; or
- (b) Any portion of a ground floor wall having a surface area of four hundred square feet or greater that does not include a window, door, building modulation or other architectural detailing.

Exceptions: Building walls adjacent to an alley and exterior fire walls built along interior property lines (see subsection D.5.f(3) of this section, Fire Wall Treatments) shall not be considered blank walls.

(2) Blank walls shall be prohibited. Design treatments to eliminate blank walls are subject to city approval based on their ability to enhance the pedestrian and visual environment and include:

- (a) Transparent windows or doors.
- (b) Display windows.
- (c) Landscape planting bed at least five feet wide or a raised planter bed at least two feet high and three feet wide in front of the wall. Such planting areas shall include planting materials that are sufficient to obscure or screen at least sixty percent of the wall surface within three years.
- (d) Installing a vertical trellis in a raised planter bed at least two feet high and three feet wide in front of the wall with climbing vines or plant materials sufficient to obscure or screen at least sixty percent of the wall surface within three years. For large areas, trellises should be used in conjunction with other blank wall treatments.

(e) Other methods such as murals or special building material treatments that provide visual interest to the pedestrian as approved by the city.

(3) Fire Wall Treatments. Exposed fire walls visible from a street or open space shall have material, color, and/or textural changes as approved by the city to add visual interest to the wall.

g. Rooftop Mechanical Equipment. (See provisions on screening of rooftop appurtenances above.)

D6. Nonresidential Uses.

a. Storefront Details. Ground floor facades must include distinctive elements that add visual interest to the storefront. Set forth below is a list of examples from which such elements may be selected. Standard corporate logos or architectural elements will not qualify.

(1) Unique or handcrafted pedestrian-oriented signage.

(2) Artwork incorporated on the facade.

(3) Distinctive treatment of windows and/or door(s).

(4) Permanent weather protection element such as a glass and/or steel canopy.

(5) Distinctive exterior light fixtures.

(6) Unique or handcrafted planter boxes or other architectural features that are intended to incorporate landscaping.

(7) Distinctive facade kickplate treatment including the use of stone, marble, tile or other material that provides special visual interest.

(8) Other details as approved by the city that add visual interest to the storefronts.

C. Landfill Pad – Residential Uses

1. Basic Standards/Residential Taller Than Three Stories. The following standards of the B-3 zone for residential uses (EMC 19.22.020) shall apply to residential structures taller than three stories (and EMC 19.15 re Multifamily Development will not apply):
 - a. A. Setbacks.
 - b. B2. Building height measurement. Building height limits shall be as shown on the PDO Site Plan.
 - c. D5. Building Design, subject to the modifications of the D5 development standards for commercial uses as set forth above for Landfill Pad – Commercial Uses.
 - d. D7. Multi-family uses. (This includes regulations on required open space, setbacks/privacy, and modulation/articulation)
 - i. Open Space – minimum of 50 square feet per unit.

2. Basic Standards/ Residential Three-Story or Shorter. The Core Residential Development and Design Standards (EMC 19.33G) shall apply to residential development that is three stories or shorter (and EMC 19.15 re Multifamily Development will not apply), modified as follows:
 - a. The following table includes the basic development standards that supersede the standards of EMC 19.33G:

	Single Family Attached				Multifamily (2)	
	Duplex (1)	Triplex (1)	Townhouse (1)	Rowhouse (1)		
Min Lot Area	None (1)	None (1)	None (1)	None (1)	None	
Min Req'd Setbacks:						
Front	10'	10'	10'	10'	10'	
Front w/ Garage Entrance	N/A	N/A	N/A	N/A	N/A	
Rear	None	None	None	None	None	
Side Street	10'	10'	10'	10'	10'	
Side Interior	5'	5'	5'	5'	5'	
Min Lot Width	None	None	None	None	None	
Min Lot Depth	None	None	None	None	None	
Max Bldg Height (3)	per site	per site	per site	per site	per site	
Max Resid Density (u/acre)	None	None	None	None	58/ac	
Min Landscaped Area	15%	15%	15%	15%	15%	
Open Space on Site	100sf/unit	100sf/unit	100sf/unit	100sf/unit	100sf/unit	

Footnotes

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| <ol style="list-style-type: none"> (1) Standards for duplex, triplex, townhouse, and rowhouse units: <ol style="list-style-type: none"> a) No minimum lot area is required. b) All units and the main entrances must front on a street or open space. c) All units must have vehicular access from alley/lane. No curb cuts are allowed on the streets, alley/lane access only. d) All required parking must be off the alley/lane. | <ol style="list-style-type: none"> e) A 10 foot setback is required from the street or open space. f) Open spaces must have a minimum width of 20 feet. g) Buildings must have a minimum separation of 10 feet when they are not attached. h) The main entrance must be covered and a minimum of 6 feet by 6 feet. This can be a porch, stoop or inset as long as at least two sides are open. i) Standards for alleys/lanes. All alleys shall include landscaping. 20 square feet per |
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unit, including one tree per unit. There will be a concrete apron as a transition from the garage entrance and the drive lane. Garage walls shall utilize windows and structural modulations which include: trellises, overhangs, roof forms, and variation in elevations. (See picture examples in Residential Guidelines).

- (2) Along streets there will be a primary entrance and/or secondary entrances to the multifamily at street level with access to the sidewalk.
- (3) Maximum building heights shall be as shown on the PDO site plan.

- b. 33G.040 Parking: the requirement in subsection B4 that all off-street parking adjacent to a shared courtyard be within an enclosed garage will not apply to temporary/visitor parking that is located in a designated parking area separate from the courtyard.
 - c. 33G.050 Vehicular Access: section B2.a is modified to restrict driveway widths to no more than 50% of the width of the lot.
 - d. 33G.070.B. 6 and 7 Building Design is modified as follows: metal siding shall incorporate appropriate architectural detailing to add visual interest; precision block may be used if it is detailed with masonry, metal or other appropriate materials on the same wall surface; and high quality fiber cement systems may be used, such as Hardie board, for horizontal siding up to an exposure maximum of eight inches and with appropriate architectural detailing to add visual interest.
3. Off-street Parking. The following minimum parking shall be provided, rather than the number specified in EMC 19.34:
 - a. Multi-family and attached single-family: 1 parking space per unit with one or fewer bedrooms, and 1.5 parking spaces per unit with two or more bedrooms.
 4. 33G.060 Open Space. Open space in the Public Gathering Space/Public Plaza and any park or public recreational facility may be counted towards one-half the on-site open space requirements for that residential use, if such areas are located within 1,000 feet of the residential use.
 5. The Special Regulations in Table 5.1 in EMC 19.5 are not applicable.

D. Simpson Pad and Eclipse Mill Property – Residential Uses

1. All Development. Landscaping must be provided per Landscape Category B and EMC 19.35.
2. Multi-Family Residential on Simpson Pad. Multi-family residential units may be developed on up to 15% of the land area of the Simpson Pad in the locations shown on the PDO Site Plan.
3. Basic Standards/All Dwelling Units Other Than Single Family Detached Residential (i.e., Single Family Attached and Multi-Family Residential). The Core Residential Development and Design Standards (EMC 19.33G) shall apply to residential development other than single family detached units (and EMC 19.15 re Multifamily Development will not apply), modified as follows:

- a. The following table includes the basic development standards that supersede the standards of EMC 19.33G:

	Single Family Attached				Multifamily	
	Duplex (1)	Triplex (1)	Townhouse (1)	Rowhouse (1)	Simpson (2)	Eclipse (2)
Min Lot Area	None (1)	None (1)	None (1)	None (1)	None	None
Min Req'd Setbacks:						
Front	10'	10'	10'	10'	10'	10'
Front w/ Garage Entrance	N/A	N/A	N/A	N/A	N/A	N/A
Rear	None	None	None	None	None	None
Side Street	10'	10'	10'	10'	10'	10'
Side Interior	5'	5'	5'	5'	5'	5'
Min Lot Width	None	None	None	None	None	None
Min Lot Depth	None	None	None	None	None	None
Max Bldg Height	per site	per site	per site	per site	per site	per site
Max Resid Density (u/acre)	None	None	None	None	58/ac	58/ac
Min Landscaped Area	15%	15%	15%	15%	15%	15%
Open Space on Site	100sf/unit	100sf/unit	100sf/unit	100sf/unit	100sf/unit	100sf/unit

Footnotes

- (1) Standards for duplex, triplex, townhouse, and rowhouse units:
- a) No minimum lot area is required
 - b) All units and main entrances must front on a street or open space.
 - c) All units must have vehicular access from alley/lane. No curb cuts are allowed on the streets, alley/lane access only.
 - d) All required parking must be off the alley/lane.
 - e) A 10 foot setback is required from the street or open space.
 - f) Open spaces must have a minimum width of 20 feet.
 - g) Buildings must have a minimum separation of 10 feet when they are not attached.
 - h) The main entrance must be covered and a minimum of 36 square feet with a minimum dimension of 4'. This can be a porch, stoop or inset as long as at least two sides are open.
 - i) Standards for alleys/lanes. All alleys shall include landscaping. 20 square feet per unit including one tree per unit. There will be a concrete apron as a transition from the garage entrance and the drive lane. Garage walls shall utilize windows and structural modulations which include: trellises, overhangs, roof forms, and variation in elevations. (See picture examples in Residential Guidelines).
- (2) Along streets there will be a primary entrance and/or secondary entrances to the multifamily at street level with access to the sidewalk.
- b. 33G.020 B2 Height Limits: Maximum height limits shall be as shown on the PDO Site Plan. Buildings with roofs pitched at least five: twelve may exceed height limits by up to ten feet. Height means the vertical distance from the base elevation of a building to the highest point of the roof, exclusive of building appurtenances.
- c. 33G.040 Parking: the requirement in subsection B.4 that all off-street parking adjacent to a shared courtyard be within an enclosed garage will not apply to temporary/visitor parking that is located in a designated parking area separate from the courtyard.
- d. 33G.050 Vehicular Access: section B.2.a is modified to restrict driveway widths to no more than 50% of the width of the lot.
- e. 33G.070.B.6 and 7 Building Design is modified as follows: metal siding shall incorporate appropriate architectural detailing to add visual interest; precision block

may be used if it is detailed with masonry, metal or other appropriate materials on the same wall surface; and high quality fiber cement panel systems may be used, such as Hardie board, for horizontal siding up to an exposure maximum of eight inches and with appropriate architectural detailing to add visual interest.

- f. Common open space, parks and public recreational facilities may be counted towards one-half the on-site open space requirements for a residential use (other than single family detached), if such areas are located within 1,000 feet of the residential use.
- g. The Special Regulations in Table 5.1 in EMC 19.5 are not applicable.

3. **Basic Standards/Single Family Detached Residential.** Single family detached residential development will be subject to the following code development standards:

- a. Cottage housing is permitted.
- b. The following table includes the basic development standards that supersede inconsistent standards of the Everett Municipal Code:

	Single Family Detached (3)			
	Single Family		Autocourt (2)(3)	Cottage
	Garage access from street (4)	Alley loaded (3)		
Min Lot Area	3000	2400	3000	*
Min Req'd Setbacks:				
Front	10'	10'	10'	*
Front w/ Garage Entrance	18'	N/A	N/A	*
Rear	10'	10' (1)	10'	*
Side Street	10'	10'	10'	*
Side Interior	5'	5' (1)	5'	*
Min Lot Width	50'	40'	50'	*
Min Lot Depth	60'	60'	60'	*
Max Bldg Height	per site	per site	per site	*
Max Resid Density (u/acre)	None	None	None	*
Min Landscaped Area	15%	15%	15%	*
Open Space on Site (5)	15x15=225sf	15x15=225sf	15x15=225sf	*

*Refer to 33G.100 Cottage Housing in the Everett Core Residential Development and Design Standards

- (1) No rear setback is required for garages on an alley/lane, including livable space above the garage. Where garages on alleys/lanes are attached, no side yard setback is required.
- (2) Standards for Autocourts
 - a) Autocourts may include up to 4 units, with two units fronting on the street space, and two units behind. There may be open space between the front lots and the street.
 - b) All vehicular access must be taken from the access drive.
 - c) Garages for the front units must be located on the back of the front lot and no parking in the front yard.
 - d) The primary residential entrances for the front lots must be oriented to the street.
 - e) The access drive must include a maximum of 20 feet wide paving with five foot setbacks between the paving/curb and the units.
- (3) The main entrance must be covered and a minimum of 36 square feet with a minimum dimension of 4'. This can be a porch, stoop or inset as long as at least two sides are open. The main entrance will also face / be oriented towards the street and/or open space.
- (4) Driveway for vehicles will be a maximum of 20 feet wide.
- (5) 225 square feet of open/private space on each lot with a maximum dimension of 15 feet by 15 feet is required and cannot be reduced in size.
- f) Garages may be attached in any setback between the autocourt lots. If they are not attached, a minimum 5 foot setback is required for garages (10 foot building separation).

- c. EMC Title 18 Land Division regulations are modified as follows:
 - i. 18.28.050 B.2 Public Use Reservations. Delete the last sentence that reads: “For single-family lots, no individual lot shall contain less than four thousand five hundred square feet after the dedication, excluding access easements.” Consistent with the Growth Management Act and the Everett Comprehensive Plan which encourage greater density within urban growth areas, there may be proposals for smaller lots (smaller than 4,500 SF).
 - ii. 18.28.080 Landscaping requirements. Delete subsections B2 and E which require a fence or hedge in the access drive buffer on a common property line adjacent to contiguous property. This requirement could be challenging and undesirable when doing an auto court type design. It also calls for 4-foot high fences which conflicts with the proposed Residential Design Guidelines which encourage fences under 3 feet 6 inches in certain areas.
 - iii. 18.28.220 Sign requirements. Delete subsection B which requires that “the sign identification name must be the same as the name of the recorded subdivision approved and on file in the Snohomish County auditor’s office.” The name recorded with the plat often does not match the marketing name.
 - iv. 18.28.250 Yard areas. Revise subsection A to reduce the required yard area to 225 square feet of private useable yard area, provided that (a) the required front and side yard setback areas shall not count towards any open space requirement; and (b) the open space shall be large enough to provide functional leisure or recreational activity and be no less than 15 feet in width and depth.
 - v. 18.28.250 Yard Areas. Subsection D will not apply. (This subsection allows the applicant to propose and the Director approve a reduction of up to fifty percent of the required yard area if an alternative such as additional common recreation area is provided.)
 - d. EMC 19.07 is superseded by the Everett Riverfront District Zoning Standards and Residential Design Guidelines.
 - e. The Special Regulations in Table 5.1 in EMC 19.5 are not applicable.
4. Maximum Building Height. Maximum height limits shall be per the PDO site plan as follows:
 - Simpson: 35’
 - Eclipse: 65’
 - Buildings with roofs pitched at least 5:12 may exceed height limits by up to ten feet.
 5. Off-street Parking. The following minimum parking requirements apply, rather than the numbers in EMC 19.34:
 - a. Multi-family, and attached single-family: 1 parking space per unit with one or fewer bedrooms, and 1.5 parking spaces per unit with two or more bedrooms.
 - b. Cottage housing (under 1500 square feet): 1 space per unit.
 - c. Detached single-family units: 2 parking spaces per unit.

- d. Visitor parking – a minimum of 12 stalls on Simpson Pad; best located next to open spaces and parks.
- e. Any lot smaller than 3,000 sf must take vehicle access from an alley or other secondary access.

E. All Riverfront Development - Sign Regulations

1. The developer will submit to the City a comprehensive signage plan, which is consistent with these Standards, including graphic design elements pursuant to Section 19.36.210 EMC. Graphic Design Elements include directional signage and street name markers, pedestrian trail markers, project tenant directories, kiosks, theme elements, and overall site image related exterior signage. This code section authorizes applications to the Planning Director for deviations from the signage requirements of the code when the applicant makes an exceptional effort toward creating harmony between the sign, the building and the site where it is located through use of a consistent design theme which compliments and enhances the surrounding environment, among other criteria. Sign Category B is the underlying sign category in the WC zone and will be used to determine size of signs other than the monument signs and identifying icon / landmark described below.
2. Monument site entry markers shall be located at major entries. These monument signs will be integrated with adequate site landscaping. Monument signs will integrate with the design elements of the Graphic Design Elements and the architecture of the development throughout the site.
3. A monument sign will be allowed at the entrance to the development on the west side of the bridge when you enter the development from 41st street. This monument will be used to identify the Riverfront District development and will be designed to integrate with the architecture of the district. The message will be limited to identification of the Riverfront District and may include identification of several tenants so long as the tenant identification is less prominent than identification of the District.
4. An identifying icon / landmark will be allowed on the Riverfront district site up to 100 feet in height so the site can be identified from I-5. This icon / landmark will identify the Riverfront District and become the icon or symbol of the Riverfront District. The design will be integrated into the architecture of the Riverfront District. The design of this icon / landmark will become the identifying symbol of the development. Examples are: the Seattle Space Needle, Mukilteo Light House, or the Campanile - Sather Tower at U.C. Berkeley.
5. The following signs are prohibited.
 - a. Pole mounted signs except directional and wayfinding signs are permitted.
 - b. Signs employing moving or flashing lights except for a cinema use. Cinemas may have changeable letter signage.
 - c. Signs employing exposed electrical conduits.
 - d. Ballast boxes or other equipment
 - e. Signs with luminous plastic letters.
 - f. Cardboard signs.
 - g. Roof mounted and temporary type signage.

- h. Cabinet signs except that the Planning Director may approve cabinet signs for tenants that are consistent with the overall intent of these standards, the design guidelines, and the comprehensive signage plan. Cabinet signs shall be incorporated into the architecture of the building and not be surface mounted on a wall as an attachment to the building.
- i. No off-premise signs, except public directional and site identification signs are permitted
- j. Back-lit translucent awnings.

F. Landfill Site Landscaping and Screening Requirements

1. User guide.

Development on the landfill pad poses significant challenges which impact the feasibility of implementing many of the landscape requirements as outlined in the EMC. Most significantly any improvements must be designed to avoid water infiltration. Therefore, the following requirements have been established to provide more feasible standards to achieve an effective landscape plan with optimal results given the challenges development atop a landfill poses. For the purposes of this project the following requirements supersede any conflicting codes found under the EMC.

The attached Landscape Category Diagrams (Figures 1 and 2) designate particular landscape categories for each specific area within this project. The landscape categories are Public Plazas/ Town Green, Main Street, Secondary Streets, Parking Field, and Buffers. This chapter establishes the requirements for each landscape category and the minimum landscaping requirements for all uses. It also establishes minimum buffers between certain uses, and provides a method for modification of the requirements of this chapter.

2. Purpose.

Landscaping will serve both an aesthetic and environmental function as it is intended to provide visual interest, soften the appearance of development, and achieve soil stability to prevent erosion. The purpose of this chapter is to enhance compatibility between land uses and zones; screen undesirable views which have a blighting effect upon adjoining streets and properties; provide a visual buffer and physical separation between land uses of varying intensities on abutting properties; minimize the impacts of noise, light and glare; temper the extremes of microclimates; provide privacy; reduce dust; reduce the visual monotony of large expanses of paved parking lots; implement the policies of the Everett general plan; reduce storm water runoff and pollution of surface waters, reduce erosion and sedimentation; conserve energy; aid in regulating vehicle circulation; and improve vegetation to the extent feasible.

3. Application of this chapter.

The planning department shall review and may approve, disapprove or approve with modification all site/landscape plans for all uses and developments which are required to provide landscaping in accordance with the requirements of individual zones and the provisions of this chapter. This chapter shall apply under the following circumstances:

- a. New Development. All new uses shall provide landscaping in accordance with the requirements of this chapter when a particular landscape category applies to that use, or when a particular landscape category and/or additional specific landscaping requirements are imposed as part of a discretionary permit review process.
- b. Expansions of or Alterations to Existing Uses. The requirements of this section shall apply to remodeling or expansion of existing uses when the value of the new construction or alteration occurring within a two-year period is equal to or greater than thirty-five percent of the assessed value of the existing structure. Where conformance with this section would create a nonconformity of parking standards or would conflict with the location of existing buildings on the lot, the planning director shall determine how the code is to be applied (see also EMC 19.38.070.A). In determining how to apply the landscaping requirements in such circumstances, the planning director shall use the following criteria in deciding which of the landscaping requirements to adjust, listed in the order of highest importance:
 - i. Compliance with street frontage landscaping standards of this agreement;
 - ii. Compliance with perimeter landscaping standards of this agreement;
 - iii. Compliance with internal area of parking lot standards of this agreement;
 - iv. Compliance with other landscaping standards of this title.
- c. Change of Use or Occupancy. When the use of a building or lot changes to another use which does not involve expansion or remodeling as provided in subsection B of this section, such use need not provide additional landscaping except under the circumstances that additional off-street parking is required, in which case the landscaping required by Section G.6 shall be required for all new parking spaces or parking facilities provided.

If the location of existing buildings prevents conformance with the requirements of this chapter, the land developer and planning director shall determine an agreement on how the code is to be applied.

- d. All uses subject to the requirements of this section shall also be designed in accordance with EMC 19.39.165 for transportation compatibility, excluding the exceptions listed in EMC 19.39.165.

4. Location of landscaping.

- a. Landscaping shall be located where indicated by Figures 1 and 2. Pedestrian walkways shall be permitted to cross required landscape areas and not counted towards landscape area. Landscaping will be consistent with the Planting Strategy Diagram and the PDO site plan. Optional designs may be considered and are allowed which will be superior in their results.
- b. Main Street areas will have Type III Landscaping and be consistent with the Planting Strategy Diagram and PDO site plan. Minimum width of landscape areas will be six feet except landscape areas may go to as narrow as 2 feet wide next to buildings.
- c. Public Plaza / Town Green will have Type VI Landscaping with minimum width of 6 feet wide except landscape areas may go to as narrow as 2 feet wide next to buildings.
- d. Secondary Street will have Type III Landscaping and be a minimum of ten feet in width.

- e. Residential / Commercial Buffer will have Type I Landscaping and contain a minimum 15 feet wide landscaped area without a fence or a minimum of 10 feet wide landscaped area with a fence.
- f. Parking Field will have Type III Landscaping and be a minimum of ten feet in width.
- g. Native Buffer will be Native Plants and planted consistent with wetland / buffer plans and may be Type IV will be used when the area is not part of the wetland / buffer areas.
- h. Hillside Buffer will have Type II Landscaping and be on both sides of the 41st Street access into the site.
- i. Building Buffer will have Type II Landscaping and be a minimum of two feet wide.
- j. Arterial Buffer will have Type II Landscaping and be a minimum of six feet wide.
- k. Railroad Buffer will be Type V Landscaping and be a minimum of five feet wide.

5. Landscaping type requirements.

This section defines the landscape type requirements for this project. Each type is applied to a landscape category as defined by Figures 1 and 2. For more specific requirements or exemptions from these requirements see section G.6..

The minimum required landscaping shall consist of plant material including lawn, other living ground cover, shrubs, grasses and trees appropriate to the conditions in which they are placed. Considerations regarding soil, water, and sun/ shade requirements as well as plant form and structure shall be made for proper selection and placement of plant material.

Landscaping may include other organic and/or inorganic soil-stabilizing materials such as rockeries, retaining walls or other similar slope and soil stabilization devices as site conditions dictate. Non organic components shall not exceed 20% of the landscape area

Shrubs, grasses and living ground cover shall be chosen and planted to attain a coverage of ninety percent within three years of planting. Shrubs shall be a minimum of eighteen inches high at the time of planting and shall be planted at a density of five shrubs per one hundred square feet of that portion of the landscape area which is not planted in lawn. Landscaping located within public rights-of-way shall be mutually agreed upon by the Everett Planning department and the developer, prior to planting, as part of the review of landscape plans required by Section G.7. Irrigation systems shall not be located within public right-of-way unless approved by the public works department.

- a. **Type I: Visual Screen.** While it is not anticipated that such an application will be common within the limits of this project, Type I landscaping is intended to provide a dense sight barrier to significantly separate uses and zoning districts. It shall generally consist of a mix of predominantly evergreen planting material. The choice and spacing of planting material shall be such that they will form a sufficient screen to obscure sight through the screen within three years after planting. Where a sight obscuring fence is desired, chain-link fencing with slats shall not be considered to be sight-obscuring. Type I landscaping shall consist of the following:

- i. A minimum of two staggered rows of evergreen plant material planted along the entire length of the required buffer. Plant material shall be chosen and spaced so as to form an effective visual screen which creates an effective sight-obscuring barrier within three years of planting. Screening shall be a minimum of six feet high at the time of planting.
 - ii. Type I landscaping may include a solid wood fence or masonry wall, or combination of wood and masonry, six feet in height and located along the property line.
 - iii. The entire width of the required buffer shall be landscaped. The remaining area which is not planted with the sight-obscuring barrier shall be planted with shrubs, grasses, ground cover, and lawn. Shrubs shall be a minimum of eighteen inches high at the time of planting. Shrubs and ground cover shall be planted to attain a coverage of ninety percent of the planting area within three years.
 - iv. A minimum of 15 feet wide landscaped area without a fence or a minimum of 10 feet wide landscaped area with a fence.
- b. **Type II: See-through Buffer.** Type II landscaping is intended to create a visual separation between uses and zones. Type II landscaping shall consist of:
- i. A mix of tall evergreen and deciduous plant material, with no more than thirty percent being deciduous, a minimum of six feet in height planted at intervals to achieve the equivalent quantities of 40 feet on center at Building Buffer and 25 feet on center at Arterial Buffer.
 - ii. A mix of evergreen and deciduous shrubs or grasses with not more than thirty percent being deciduous, a minimum of eighteen inches high at the time of planting, planted at a density of five per one hundred square feet of planting area, together with other living ground cover planted to attain a coverage of ninety percent within three years of planting.
- c. **Type III: Ornamental Effects Landscaping.** Type III landscaping is intended to provide a visual separation of uses from streets; and visual separation of compatible uses so as to soften the appearance of the development from public streets along street frontages and soften the appearance of parking areas, buildings, and other improvements. Type III landscaping shall consist of:
- i. Tall deciduous or spreading evergreen plant material planted in wells or strips with a mix of living evergreen and deciduous ground covers, grasses, and low shrubs. Tall evergreen and deciduous plant material shall have a minimum height of six feet at the time of planting. Tall plant material shall be spaced at intervals or in groupings to achieve the equivalent of 60 feet on center at Main Street and 20 feet on center at other non-retail frontage areas.
 - ii. Shrubs, grasses, and living ground cover shall be chosen and planted to attain a coverage of ninety percent within three years of planting. Shrubs, and grasses shall be a minimum of eighteen inches high at the time of planting and shall be planted at a density of five per one hundred square feet of that portion of the landscape area which is not planted in lawn.
- d. **Type IV: Native Buffer Landscaping.** Type IV landscaping is intended to provide a visual transition between the project and adjacent natural or restored areas. Type IV landscaping shall consist of:

- i. Native plant material with a mix of evergreen and deciduous ground covers, grasses, and low shrubs. Evergreen and deciduous plant material shall have a minimum size of 4”
- ii. Shrubs, grasses, and living ground cover shall be chosen and planted to attain a coverage of seventy-five percent within three years of planting. Shrubs, and grasses shall have a minimum size of 4” (@ 24” o.c.) container at the time of planting and shall be planted at a density of fifty per one hundred square feet
- e. **Type V: Railroad Screen Landscaping.** Type V landscaping is intended to provide a visual screen of the existing railroad tracks along Loop Road. Type V landscaping shall consist of:
 - i. Evergreen plant material suitable for maintenance as hedge.
 - ii. Evergreen plant material shall be chosen and planted to attain 100% view blockage up to six feet in height within three years of planting. Evergreen plant material shall have a minimum size of 30” height at the time of planting and shall be spaced at a maximum of 5’ on center. The minimum width of the landscape area will be 5 feet. See cross section for Snohomish Shores Road.
- f. **Type VI: Public Plaza / Town Green.** Type VI landscaping is intended to allow for ease of pedestrian flow and retail flexibility. These areas will consist primarily of hardscape with an accent of plant material. Type VI landscaping shall consist of:
 - i. Paved surface of concrete or other suitable material that provides a stable walking surface.
 - ii. A minimum of 20% planted area per open space. Plant material may consist of a combination of evergreen and deciduous plants and consistent with the Planting Strategy Diagram and PDO site plan. Minimum width of landscape areas is six feet except for areas next to buildings which may go down to two feet wide.
 - iii. Shrubs, grasses, and living ground cover shall be chosen and planted to attain a coverage of ninety percent within three years of planting. Shrubs and grasses shall be a minimum of twelve inches high at the time of planting and shall be planted at a density of eight per one hundred square feet of that portion of the landscape area which is not planted in lawn.

6. Landscape Requirements for Specific Areas & Conditions

The purpose of this section is to establish the requirements for providing visual relief along the variety of uses located within this project.

- a. **Off-Street Parking.**
 - i. Parking areas which front on a street right-of-way shall provide a minimum six foot wide landscaped area along the entire street frontage, except for driveways, planted to a minimum of Type III standards.
 - ii. The required landscaping may be installed in the public right-of-way at the west boundary road and at 36th Street. For other areas, the property owner may apply for permission for all of the landscaping area to be placed within public right-of-way. In those areas, use of the public right-of-way will be only when approved by the Planning Department.
 - iii. Plantings used to satisfy the requirements of note 2 of this subsection may be placed on street right-of-way behind the sidewalk line if the property owner provides the city with a written release of liability in a form which is acceptable to

the city attorney for damages which may be incurred to the landscape area by public use of the right-of-way and the landscape area is maintained by the property owner.

- iv. Because of the challenges posed by the site conditions there shall be no requirement for trees within parking lots. Rather, a minimum cumulative planting area of 100 square feet of Type III planting for every 10 parking spaces shall be required. Calculations resulting in a fraction larger than one-half shall be rounded up to the next whole number. Additionally, no parking stall shall be further than 100 feet from a planting area.
- v. All planting areas bordering driveways and parking areas shall be protected by curbing, wheelstops or other similar protective devices. Such protective devices shall be shown on landscape plans.

7. Landscape plan requirements.

- a. The applicant shall submit three sets of landscape plans for review by the planning department. The landscape plan may be incorporated into the site development plan or provided separately. No permit for use which is subject to the requirements of this section shall be issued until the landscape plan for such use has been approved by the planning department.
- b. The landscape plan shall be drawn to a scale which is appropriate to accurately depict the following information:
 - i. The species names of all plants proposed to be used;
 - ii. The number, size and spacing of all proposed plants and the height of trees and shrubs at the time of planting;
 - iii. The lot area and the total area of the lot required to be landscaped;
 - iv. The area of the lot proposed to be landscaped;
 - v. Method of irrigation of required landscape areas and schematic of irrigation system;
 - vi. Location and dimensions of planting areas;
 - vii. Details of any required berms or fences;
 - viii. The location of any proposed or required pedestrian walkways.

8. General landscape requirements.

The following standards shall apply to all areas which are required to be landscaped by this chapter:

- a. Trees.
 - i. Deciduous trees shall have a trunk diameter of at least one and one-half inches measured at six inches above the ground, and shall be a minimum of six feet in height at the time of planting.
 - ii. Evergreen trees shall be at least six feet high at the time of planting.
- b. Tall Shrubs. Tall Shrubs shall be a minimum of six feet in height at the time of planting.
- c. Shrubs & Grasses. Nonflowering shrubs and grasses shall be at least two gallon size and at least eighteen inches high at the time of planting.
- d. Ground Covers.

- i. Ground cover includes low-growing, living plant materials such as perennials, grass, and similar plants. For purposes of this title, chipped wood, bark, similar mulching materials or nonliving artificial plant materials are not acceptable substitutes for required ground cover.
- ii. In order to accomplish ninety percent coverage of bare soil by ground cover within three years, spacing for ground cover shall be as follows:
 - a) Two and a half-inch pots—twelve inches on center;
 - b) Four-inch pots—eighteen inches on center;
 - c) One-gallon pots—twenty-four inches on center;
 - d) Alternative spacing of particular species may be approved by the city if documentation concerning the effectiveness of the ground cover is submitted with the landscape plan.
 - e) Plant Materials, Size, Characteristics. All plant materials, sizes and characteristics shall be in accordance with the current American Association of Nurserymen Standards.

9. Installation and security requirements.

- a. Landscaping required pursuant to this title shall be installed in accordance with the approved landscape plan prior to the issuance of a certificate of occupancy. An applicant may request a temporary certificate of occupancy for an exception to this requirement. If a temporary certificate is issued, all required landscaping shall be installed within six months after issuance of the temporary certificate of occupancy. The planning department shall require a performance assurance device, as described in EMC 19.40, prior to issuing a temporary certificate of occupancy.
- b. Prior to issuance of a final certificate of occupancy, the planning department shall verify that the landscaping is installed in accordance with the approved landscape plan.
- c. If the installation of the required landscaping or screening is not completed within the period specified, the security may be used by the city to contract for completion of the installation. Upon completion of the installation, any portion of the remaining security shall be returned.
- d. The planning department shall perform the final landscape and screening inspection prior to any security being returned. Any portion of the landscaping not installed properly shall cause the certificate of occupancy to be withheld or revoked until the project is completed or cause the security to be used by the city.

10. Maintenance and enforcement.

- a. All landscape areas required by this title shall be maintained in accordance with the following standards:
 - i. All landscape areas shall be provided with an irrigation system, except for self-sustaining natural growth occurring in the vicinity of the development. The planning director may waive the requirement for an irrigation system when existing mature vegetation would be harmed by installation of an irrigation system for that portion of the required landscape area where the mature vegetation is located.

- ii. All landscaping shall be maintained with respect to pruning, trimming, mowing, watering, insect control, fertilizing, or other requirements to create a healthy growing condition, attractive appearance, and to maintain the purpose of the landscape type.
 - iii. Dead, diseased, stolen, vandalized or damaged plants shall be replaced within three months, with the plants indicated on the approved landscape plan.
 - iv. All landscaped areas shall be maintained reasonably free of weeds and trash.
 - v. All required landscaping which is located within public right-of-way shall be maintained by the abutting property owner.
 - vi. All corner lots shall maintain a vision clearance triangle. See EMC 19.39.070.C for additional standards.
- b. A maintenance assurance device, as described in EMC 19.40, shall be required by the planning department to ensure that landscaping will be installed and maintained for two years, according to the approved plans and specifications.

Figure 1



Figure 2

