

CITY OF MARYSVILLE
Marysville, Washington
ORDINANCE NO. 3244

AN ORDINANCE OF THE CITY OF MARYSVILLE, WASHINGTON, RELATING TO AMENDMENTS TO THE CITY'S UNIFIED DEVELOPMENT CODE (MMC TITLE 22), AND THE MARYSVILLE GROWTH MANAGEMENT ACT COMPREHENSIVE PLAN, ORDINANCE NO. 3000, AS PREVIOUSLY AMENDED, RELATING TO INDUSTRIAL DESIGN STANDARDS INCLUDING AMENDMENTS TO MARYSVILLE MUNICIPAL CODE SECTIONS 22C.020.230, 22C.020.240, 22C.020.340, 22C.130.050, 22C.160.170, AND ADDING SECTION 22C.020.245, AND CONCURRENTLY REPEALING CHAPTERS 9 AND 10 OF THE SMOKEY POINT MASTER PLAN.

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 of Marysville regularly updates development standards to address changing needs and to maintain compliance with changes in Washington State (State) laws; and

WHEREAS, the City of Marysville is concurrently processing rezones for two significant areas known as the 'Smokey Point Area-wide Rezone' and the 'Quil Ceda Tannery Rezone,' respectively, which together comprise approximately 163 acres; and

WHEREAS, both the 'Smokey Point Area-wide Rezone' and the 'Quil Ceda Tannery Rezone' areas are currently subject to site and building design standards which are in place to promote quality site design and architecture, and enhance the image and identity of the community, which are Comprehensive Plan goals; and

WHEREAS, the 'Smokey Point Area-wide Rezone' will result in the rezone area being rezoned from General Commercial (GC) to Light Industrial (LI) with a General Commercial Overlay; and

WHEREAS, the 'Quil Ceda Tannery Rezone' will result in the rezone area being rezoned from 88-Mixed Use (88-MU) to Light Industrial (LI); and

WHEREAS, the only Light Industrial (LI) zoned area in the City of Marysville that currently has design standards is the Smokey Point Master Plan Area; and

WHEREAS, the City seeks to rezone the areas to better align with market conditions while also ensuring that the site design and architecture in these areas is not compromised; and

WHEREAS, to ensure that the site design and architecture in these areas is not compromised, the City has prepared a new code MMC Section 22C.020.245, Industrial site and building design standards; and

WHEREAS, to improve the image and identity of the community, the industrial design standards are also proposed to apply to buildings located within 150 feet of Smokey Point Boulevard, 152nd Street NE, 136th Street NE, and 128th Street due to their high visibility and the potential for buildings in these locations to significantly impact the aesthetics of the community; and

WHEREAS, to promote a more consistent and cohesive appearance to industrial areas where the industrial design standards will apply, and to simplify the administration of the industrial design standards, the new industrial design standards will also apply to the Smokey Point Master Plan Area, and the existing design standards set forth in Chapters 9 and 10 of the Smokey Point Master Plan will be concurrently repealed; 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 of Marysville has submitted proposed development regulation revisions to the Washington State Department of Commerce on October 24, 2022 (Material ID 2022-S-4476) seeking expedited review under RCW 36.70A.106(3)(b) and in compliance with the procedural requirements of RCW 36.70A.106; and

WHEREAS, on November 14, 2022 the City issued a State Environmental Policy Act (SEPA) Determination of Non-Significance (DNS) which addressed the environmental impacts of the Industrial Design Standards amendments, a non-project action proposal; and

WHEREAS, during public meetings on June 14 and October 25, 2022, the Planning Commission discussed proposed amendments related to the Industrial Design Standards; and

WHEREAS, on November 8, 2022, the Marysville Planning Commission held a duly-advertised public hearing, and recommended that the City Council adopt the proposed Industrial Design Standards and concurrent repeal of Chapters 9 and 10 of the Smokey Point Master Plan; 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, during the public meeting on November 28, 2022 the City Council discussed potential amendments related to the Industrial Design Standards and concurrent repeal of Chapters 9 and 10 of the Smokey Point Master Plan, and recommended approval of said changes; and

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

Section 1. Amendment of Municipal Code Section 22C.020.230. MMC Section 22C.020.230, entitled Commercial, industrial, recreation and public institutional zones – Purpose, is hereby amended as set forth in **Exhibit A**.

Section 2. Amendment of Municipal Code Section 22C.020.240. MMC Section 22C.020.240, entitled Commercial, industrial, recreation and public institutional zones design requirements – Applicability and interpretations, is hereby amended as set forth in **Exhibit B**.

Section 3. Adoption of a new code section Municipal Code Section 22C.020.245. A new MMC Section 22C.020.245, entitled Industrial site and building design standards, is hereby adopted as set forth in **Exhibit C**.

Section 4. Amendment of Municipal Code Section 22C.020.340. MMC Section 22C.020.340, entitled Special limitations in the business and commercial zones, is hereby amended as set forth in **Exhibit D**.

Section 5. Amendment of Municipal Code Section 22C.130.050. MMC Section 22C.130.050, currently entitled Development standards, is hereby amended as set forth in **Exhibit E**.

Section 6. Amendment of Municipal Code Section 22C.160.170. MMC Section 22C.160.170, entitled Freestanding signs, is hereby amended as set forth in **Exhibit F**.

Section 7. Repeal of Chapters 9 and 10 of the Smokey Point Master Plan. The City Council repeals Chapters 9 and 10 of the existing Smokey Point Master Plan that was adopted by Ordinance 2738, and amended by Ordinance 2922.

Section 8. Required Findings. The amendments to MMC Title 22 (consisting of amendments to MMC Sections 22C.020.230, 22C.020.240, 22C.020.340, 22C.130.050, and 22C.160.170, along with adoption of the new section 22C.020.245 and the repeal of Chapters 9 and 10 of the Smokey Point Master Plan) 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

Section 9. Amendment Tracking. MMC Section 22A.010.160, entitled "Amendments," is hereby amended as follows by adding reference to this adopted ordinance in order to track amendments to the City's Unified Development Code (all unchanged provisions of MMC 22A.010.160 remain unchanged and in effect):

"22A.010.160 Amendments.

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

Ordinance Title (description)

Effective Date

3244

Industrial design standards & repeal of Chapters 9 & 10 SPMP 12/7, 2022"

Section 10. 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 11. 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

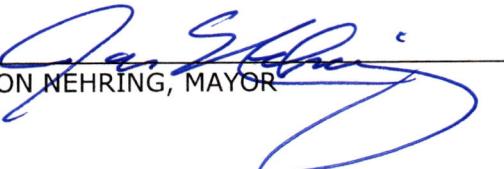
Section 12. Effective Date. This ordinance shall become effective five days after the date of its publication by summary.

PASSED by the City Council and APPROVED by the Mayor this 28th day of

November, 2022.

CITY OF MARYSVILLE

By:


JON NEHRING, MAYOR

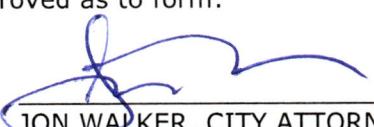
Attest:

By:


DEPUTY CITY CLERK, Genevieve Geddiss

Approved as to form:

By:


JON WALKER, CITY ATTORNEY

Date of Publication: 12.2.2022

Effective Date: 12.7.2022

(5 days after publication)

Exhibit A

22C.020.230 Commercial, industrial, recreation and public institutional zones – Purpose.

This section through MMC 22C.020.350390 ~~apply applies~~ to new commercial, industrial, and mixed use multifamily residential development as noted herein. The purpose of this section is to:

- (1) Encourage the realization and creation of a desirable and aesthetic environment in the city of Marysville;
- (2) Encourage and promote development which features amenities and excellence in site planning, streetscape, building design and contribution to community charm;
- (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, to create economic and social vitality and to encourage the linking of vehicle trips;
- (6) Develop commercial and mixed use areas that are safe, comfortable and attractive to pedestrians;
- (7) Reinforce 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;
- (12) Minimize the rate of crime associated with persons and property and provide for the highest standards of public safety through the implementation of crime prevention through environmental design (CPTED) principles in design review.

EXHIBIT B

22C.020.240 Commercial, industrial, recreation and public institutional zones design requirements – Applicability and interpretations.

(1) The intent of these design standards is to:

- (a) Provide building design that has a high level of design quality and creates comfortable human environments;
- (b) Incorporate design treatments that add interest and reduce the scale of buildings;
- (c) Encourage building design that is authentic and responsive to site conditions; and
- (d) Encourage functional, durable, and environmentally responsible buildings.

(2) Applicability.

- (a) The design standards in MMC Section 22C.020.245 apply to light industrial (LI) zoned properties as generally described below, and as depicted in Figures 1? and 2?:
 - (i) Within the Smokey Point Master Plan area;
 - (ii) With a general commercial (GC) overlay;
 - (iii) Located southwest of the intersection of 88th Street NE and State Avenue; and
 - (iv) Abutting State Avenue/Smokey Point Boulevard, 128th Street NE, 136th Street NE, and 152nd Street NE; provided that, design standards shall only apply to buildings located within 150 feet of these public streets for properties not subject to subsections (i) – (iii) above.

Figure 1?

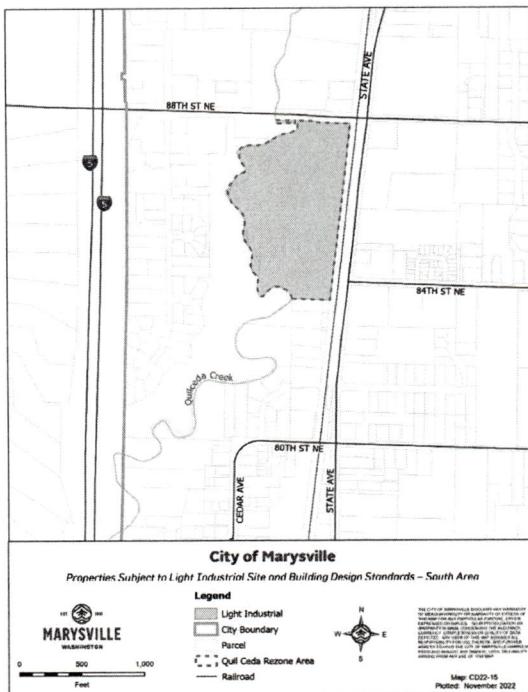
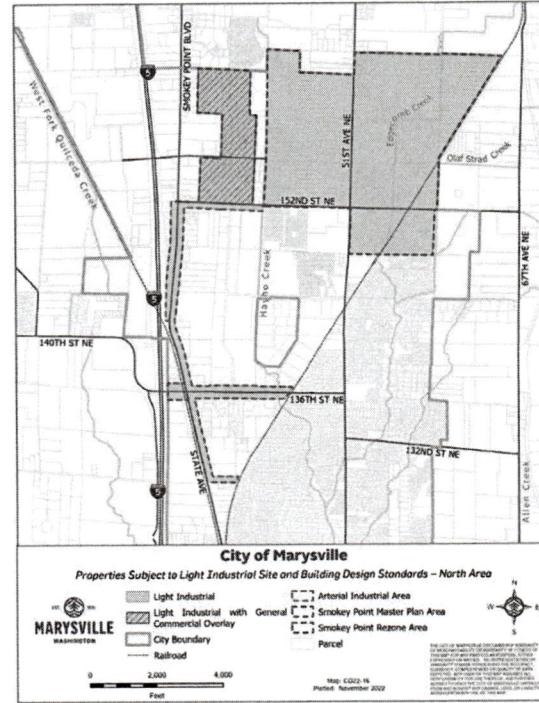


Figure 2?



- (b) These design standards in MMC 22C.020.250 apply to all new development within the following zones: general commercial (GC), community business (CB),

neighborhood business (NB), and mixed use (MU); provided that, development that is exclusively multi-family shall be subject to the design standards set forth in MMC 22C.010.290.

(b)c) The following activities shall be exempt from these design standards set forth in MMC 22C.020.245 and 22C.020.250:

- (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.

~~(c) These standards are intended to supplement the zoning standards in the Marysville Municipal Code. Where these standards and the zoning ordinance standards conflict, the city shall determine which regulation applies based on which is more in the public interest and more consistent with the comprehensive plan.~~

(3) 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 city's community development director (hereinafter referred to as "director") retains full authority to determine whether a proposal meets these standards. The director is authorized to promulgate guidelines, graphic representations, and examples of designs and methods of construction that do or do not satisfy the intent of these standards. ~~The following resources can be used in interpreting the guidelines: Site Planning and Community Design for Great Neighborhoods (Frederick D. Jarvis, 1993) and City Comforts (David Sucher, 1996).~~

(b) Many of these site and building design standards call for a building or site to feature one or more elements from a menu of items. In these cases, a single element, feature, or detail may satisfy multiple objectives. For example, a specially designed or fabricated covered entry with attractive detailing might be counted toward requirements for human scale, building corners, and building details.

(c) 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" 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" 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" mean that the action or characteristic is allowed and will usually be viewed as a positive element in the city's review.

(d) The project proponent may submit proposals that he/she feels 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.

EXHIBIT C

22C.020.245 Industrial site and building design standards.

(1) Applicability.

- (a) Prior to submitting a building permit application, all development to which these standards apply shall be required to submit a site plan and elevations addressing the standards in this section for administrative review and approval by the community development director.
- (b) The site and building design standards of this section apply to development in the light industrial zone.
- (c) The crime prevention through environmental design (CPTED) provisions of this section apply to all new commercial developments of over 12,000 square feet in building area.

(2) Site Layout and Building Orientation.

- (a) The site shall be planned to create an attractive and functional street edge that accommodates pedestrian access. Examples of ways that a development meets the requirements of this provision are to:
 - (i) Define the street edge with buildings, landscaping or other features.
 - (ii) Provide for building entrances that are visible from the street and primary parking area.
 - (iii) Provide for a sidewalk at least five feet wide if there is not space in the public right-of-way.
 - (iv) Provide building entries that are accessed from the sidewalk; preferably these access ways should be separated from the parking and drive aisles. If access traverses the parking lot, then it should be raised and clearly marked.
- (b) The front building façade shall be oriented towards at least one street. For sites that front multiple streets, buildings are encouraged to orient towards both streets; provided, that priority shall be given to streets that are more visible and/or provide a better opportunity for increased pedestrian activity as determined by the director.
- (c) Passenger vehicle parking should be located in front of the building near the entrance. Commercial vehicle parking should be located behind or to the side of buildings. Passenger and commercial vehicle accesses should be separated where allowed by the City's Engineering Design and Development Standards.
- (d) Service areas shall be located behind buildings, and screened in accordance with MMC Section 22C.120.160, Screening and impact abatement. Service courts are encouraged when the development includes multiple buildings, or as common facilities between sites when access is shared.
- (e) Large sites (over two acres) shall provide amenities for employees and visitors such as benches, weather protected seating areas, covered walkways, or other features that are integrated into the site design. On-site open space is encouraged to be provided. The number and type of amenities shall be approved by the Director based on site acreage, layout, and end users.

(3) Relationship of Buildings and Site to Adjoining Area.

- (a) Where adjacent buildings and neighborhoods are consistent with the comprehensive plan and desired community character, new buildings and structures should consider the visual continuity between the proposed and existing development with respect to building setbacks, placement of structures, location of pedestrian/vehicular facilities and spacing from adjoining buildings. Solar access of the subject and adjacent properties should be considered in building design and location.
- (b) Harmony in texture, lines and masses is encouraged.

- (c) Attractive landscape transition to adjoining properties shall be provided.
- (d) Public and quasi-public buildings and structures shall be consistent with the established neighborhood character.

(4) Landscape and Site Treatment.

- (a) Parking lot screening and interior landscaping shall be provided consistent with Chapter 22C.120 MMC. The following criteria shall guide review of plans and administration of the landscaping standards in the zoning code:
 - (i) The landscape plan shall demonstrate visual relief from large expanses of parking areas.
 - (ii) The landscape plan shall provide some physical separation between vehicular and pedestrian traffic.
 - (iii) The landscape plan shall provide decorative landscaping as a focal setting for signs, special site elements, and/or pedestrian areas.
 - (iv) In locations where plants will be susceptible to injury by pedestrian or motor traffic, they shall be protected by appropriate curbs, tree guards or other devices.
 - (v) Where building sites limit planting, the placement of trees or shrubs in parkways or paved areas is encouraged.
 - (vi) Screening of outdoor service yards and other places which tend to be unsightly shall be accomplished by use of walls, fencing, planting, berms or combinations of these.
 - (vii) Landscaping should be designed to create definition between public and private spaces.
 - (viii) Where feasible, the landscape plan shall coordinate the selection of plant material to provide a succession of blooms, seasonal color, and a variety of textures.
 - (ix) The landscape plan shall provide a transition in landscaping design between adjacent sites, within a site, and from native vegetation areas in order to achieve greater continuity.
 - (x) The landscape plan shall use plantings to highlight significant site features and to define the function of the site, including parking, circulation, entries, and open spaces.
 - (xi) Where feasible, the landscape plan shall integrate natural approaches to storm water management, including featured low impact development techniques.
- (b) Street Landscaping. Where the site plan includes streetscape plantings, the following guidelines apply:
 - (i) Sidewalks and pathways should be separated from the roadway by planting strips with street trees wherever possible.
 - (ii) Planting strips should generally be at least five feet in width. They should include evergreen shrubs no more than four feet in height and/or ground cover in accordance with the city of Marysville landscape standards (Chapter 22C.120 MMC) and Marysville administrative landscaping guidelines.
 - (iii) Street trees placed in tree grates may be more desirable than planting strips in key pedestrian areas.
 - (iv) Use of trees and other plantings with special qualities (e.g., spring flowers and/or good fall color) are strongly encouraged to unify development.
- (c) Exterior lighting shall be part of the architectural concept. Lighting shall enhance the building design and adjoining landscaping. Appropriate lighting levels shall be provided in all areas used by pedestrians or automobiles, including building entries, walkways, parking areas, circulation areas, and other open space areas, in order to ensure safety and security, and provide a distinctive character to the area. New

developments shall provide a lighting site plan which identifies lighting equipment, locations and standards, and implements the following design standards:

(i) All public areas shall be lighted with average minimum and maximum levels as follows:

- (A) Minimum (for low or nonpedestrian and vehicular traffic areas) of one-half foot candle;
- (B) Moderate (for moderate or high volume pedestrian areas) of one to two foot candles; and
- (C) Maximum (for high volume pedestrian areas and building entries) of four 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 shall be subject to the provisions set forth in MMC 22C.130.050(3)(d).

(iv) Pedestrian-scale lighting (light fixtures no taller than 15 feet) is encouraged in areas with high anticipated pedestrian activity. All fixtures over 15 feet in height shall be fitted with a full cut-off shield, be dark sky rated, and mounted no more than 25 feet above the ground with lower fixtures preferable so as to maintain a human scale. Lighting shall enable pedestrians to identify a face 45 feet away in order to promote safety.

(v) Light levels at the property line should not exceed 0.1 foot candles (fc) adjacent to business properties, and 0.05 foot candles adjacent to residential properties.

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.

(vi) Uplighting on trees and provisions for seasonal lighting are encouraged.

(vii) Accent lighting on architectural and landscape features is encouraged to add interest and focal points.

(5) Site Design Utilizing Crime Prevention Through Environmental Design (CPTED) Principles. Development that is subject to this section shall incorporate the following CPTED strategies into building design and site layout:

(a) Access Control. Guidance of people coming and going from a building or site by placement of real and perceived barriers. Provision of natural access control limits access and increases natural surveillance to restrict criminal intrusion, especially into areas that are not readily observable.

(b) Surveillance. Placement of features, uses, activities, and people to maximize visibility. Provision of natural surveillance helps to create environments where there is plenty of opportunity for people engaged in their normal behavior to observe the space around them.

(c) Territoriality/Ownership. Delineation of private space from semi-public and public spaces that creates a sense of ownership. Techniques that reduce the perception of areas as "ownerless" and, therefore, available for undesirable uses. Examples of ways in which a proposal can comply with CPTED principles are outlined in the CPTED Guidelines for Project Design and Review, prepared by the city.

(6) Building Design – Architectural Scale. The architectural scale standards are intended to encourage compatibility of structures with adjacent properties, to help the building fit in with its context, and to add visual interest to buildings.

(a) Façade Modulation. All new buildings shall provide modulation (measured and proportioned inflection or setback in a building's facade) on facades facing a public

street, trail, parking lot, park, or within one hundred (100) feet of and visible from a residential use in a residential zone as follows:

(i) Walls over 150 feet long must break up the length of the façade by providing vertical modulation at least eight feet deep and 20 feet long at appropriate intervals (on multi-story buildings, the modulation must extend through at least half of the building floors).

(ii) The minimum modulation depth detailed in subsection (7)(a)(i) of this section may be reduced to two feet if tied to a change in color or building materials, and/or roofline modulation.

(iii) The director may consider departures from these standards, provided the proposed treatment meets or exceeds the intent of these standards.

(b) Façade Articulation. All new buildings shall provide façade articulation on facades facing a public street, trail, parking lot, park, or within one hundred (100) feet of and visible from a residential use in a residential zone as follows:

(i) Articulation of the building's base, middle, and top.

(A) The "base" shall be distinct at ground level through the use of articulation, or building materials that suggest stability and strength, such as stone, masonry, or concrete.

(B) The "middle" of the building shall be distinguished through a change in material or color, windows, or other architectural features.

(C) The "top" of the building shall emphasize a distinct profile or outline with elements such as a project parapet, cornice, variation in roofline, or other technique.

(ii) At least two of the following articulation features must be provided for every 60 feet of façade:

(A) Window fenestration.

(B) Weather protection.

(C) Change in roofline.

(D) Change in building material or siding.

(E) Vertical piers/columns.

(F) Trellises/art/living wall.

(G) Strong vertical and horizontal reveals, off-sets, or other three dimensional details; or

(H) Other methods that meet the intent of these standards.

Exception: Alternative articulation methods will be considered by the director provided such treatment meets or exceeds 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 effective in breaking up the facade into smaller components, then a greater distance between articulation intervals may be acceptable.

(c) Where the view of buildings from trails, parks, or residential zones is obscured due to the provision of high quality landscape screening and fencing, or existing vegetation or structures, the director may waive compliance with this section for the impacted facades.

(7) Building Materials. The building materials standards are intended to encourage the use of a variety of high-quality, durable materials that will enhance the visual image of the city; provide visual interest and distinct design qualities; and promote compatibility and improvement within surrounding neighborhoods through effective architectural detailing and the use of traditional building techniques and materials. The following standards apply:

(a) Building exteriors shall be constructed from high-quality, durable materials. Exterior building materials shall not project or reflect natural or artificial lighting or glare into residential areas. Exterior building materials shall be factory finished, stained, integrally colored, or otherwise suitably treated. Materials may include:

- (i) Split face or fluted concrete masonry units (CMU).
- (ii) Factory glazed concrete masonry units (CMU).
- (iii) Face brick.
- (iv) Stone veneer.
- (v) Insulated glazing and framing systems.
- (vi) Architectural pre-cast concrete.
- (vii) Painted or stained site-cast concrete.
- (viii) Architectural concrete.
- (ix) Factory finished, standing seam metal roofing (for pitched roofs only).
- (x) Architectural metal. Metal siding must have visible corner molding and trim, and must be factory finished with a matte, non-reflective surface.
- (xi) Alternative materials may be approved by the director; provided that, the design quality and permanence meet the intent of this section.

(b) Prohibited materials 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) Highly tinted or mirrored glass (except stained glass) covering more than 10 percent of the exterior of any building, or located at the ground level along the street.
- (ii) Corrugated fiberglass.
- (iii) Pre-fabricated metal buildings with corrugated metal siding.
- (iv) Plywood siding, including T-111 and similar siding. Board and batten is an exception.
- (v) Materials which project or reflect natural or artificial glare onto public streets (e.g. highly reflective sheet metal, etc.).
- (vi) Vinyl siding on the ground floor.
- (vii) Any sheet materials, such as wood or metal siding, with exposed edges or unfinished edges, or made of nondurable materials as determined by the director.

(8) Blank Walls.

(a) The blank wall standards are intended to: reduce the visual impact of large, undifferentiated walls; reduce the apparent size of large walls through the use of various architectural and landscaping treatments; enhance the character and identity of the city; and ensure that visible sides of buildings provide visual interest. A wall (including building facades and other exterior building walls) is defined as a blank wall if a ground floor wall or portion of a ground floor wall over six feet in height has a horizontal length greater than fifty (50) feet that does not have a significant building feature, such as a window, door, modulation, articulation, or other special wall treatment within that fifty (50) foot section.

(b) All blank walls within one hundred fifty (150) feet of and visible from: a parking lot or drive aisle (excluding service area parking), public street, trail, park, or residential use in a residential zone shall be treated in one or more of the following measures:

- (i) Incorporate windows or doors;
- (ii) Install a vertical trellis in front of the wall with climbing vines or plant materials sufficient to obscure or screen at least 50 percent of the wall's surface within three years; said landscaping shall be subject to a landscape maintenance security held for three years to ensure that the vines or plant materials

successfully establish. For large blank wall areas, the trellis must be used in conjunction with other treatments described below;

(iii) Provide a landscaped 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. Plant materials must be able to obscure or screen at least 50 percent of the wall's surface within three years; said landscaping shall be subject to a landscape maintenance security held for three years to ensure that the landscape materials successfully establish.;

(iv) Provide artwork (mosaic, mural, decorative masonry, metal patterns or grillwork, sculpture, relief or other art, etc.) over at least 50 percent of the blank wall surface. Artwork should be located in areas that have good visibility to the public, and artwork, particularly murals, are strongly encouraged to reflect the history and heritage of the City and State;

(v) Provide architectural features such as setbacks, indentations, overhangs, projections, articulated cornices, bays, reveals, canopies, or awnings;

(vi) Provide material variation, textural changes, brick or metal banding, or color changes;

(vi) Other method as approved by the director. For example, landscaping or other treatments may not be necessary on a wall that employs high-quality building materials (such as brick) and provides desirable visual interest.

(9) Building Entrances. The intent of the building entrances standards is to ensure that buildings are inviting and accessible, that entrances are easy to locate, and that pedestrian activity is encouraged.

(a) Distinctive entrance treatment. An architectural treatment that is distinctive and proportional to the façade must be provided by the primary building entrance. Distinctive entrance treatments may include, but are not limited to, a more prominent or higher roofline or parapet above the entrance, decorative columns or posts, or equivalent treatment as determined by the director.

(b) Weather protection. Weather protection at least five feet deep and at least eight feet above ground level is required over the primary building entrances. Weather protection at least three feet deep and at least eight feet above ground level is required over the secondary entrances (applies only to entrances used by the public). Entrances may satisfy the weather protection requirements by being set back into the building façade.

(c) Lighting. Pedestrian entrances must be lit to at least four foot candles as measured on the ground plane.

(d) Visibility and Accessibility. Building entrances must be prominent and visible from the surrounding streets and must be connected by a walkway to the public sidewalk. 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.

(e) Transparency. Entries must feature glass doors, windows, or glazing (window area) in or near the door so that the visitor and occupant can view people opening the door from the other side.

EXHIBIT D

22C.020.340 Special limitations in the commercial, industrial, business and commercial public institutional zones.

- (1) Where lighted signs and illuminated areas are permitted, such illuminating devices shall be shaded and/or directed so as not to visibly create a nuisance to any property in a residential zoning classification.
- (2) Mechanical equipment located on the roof, facade or external portions of a building shall be architecturally screened so as not to be visible from adjacent properties at street level or the public street.
- (3) Equipment or vents which generate noise or air emissions shall be located on the opposite side of the building from adjoining residentially designated properties.

EXHIBIT E

22C.130.050 Development standards. SHARE

(1) Purpose. The parking area layout standards are intended to promote safe circulation within the parking area and provide for convenient entry and exit of vehicles.

(2) Where These Standards Apply. The standards of this section apply to all vehicle areas whether required or excess parking.

(3) Improvements.

(a) Paving.

(i) In order to control dust and mud, all vehicle areas must be surfaced with a minimum all-weather surface. Such surface shall be specified by the city engineer. Alternatives to the specified all-weather surface may be provided, subject to approval by the city engineer. Gravel surfacing is not considered an all-weather surface.

(ii) The applicant shall be required to prove that the alternative surfacing provides results equivalent to paving. If, after construction, the city determines that the alternative is not providing the results equivalent to paving or is not complying with the standards of approval, paving shall be required.

(iii) Parks, agricultural and similar uses, and developments providing surplus parking are exempt from the all-weather surface requirement, provided, all surfacing must provide for the following minimum standards of approval:

(A) Gravel parking facilities shall be surfaced with no less than three inches of crushed gravel.

(B) Dust is controlled.

(C) Storm water is treated to city standards.

(D) Rock and other debris is not tracked off site.

(E) Driveway and approaches shall be paved with an all-weather surface, specified by the city engineer, from at least 20 feet back from the property line to the street.

(iv) Houses, Attached Houses and Duplexes. All driveways and parking areas must be covered in a minimum all-weather surface, specified by the city engineer. Gravel surfacing is not considered an all-weather surface.

(b) Striping. All parking spaces, except for stacked parking, must be striped in conformance with the minimum parking and aisle dimensions outlined in Table 2, except parking for single-family residences, duplexes and accessory dwelling units.

(c) Protective Curbs Around Landscaping. All perimeter and interior landscaped areas must have cast in place or extruded protective curbs along the edges. Curbs separating landscaped areas from parking areas may allow storm water runoff to pass through them. Tire stops, bollards or other protective barriers may be used at the front ends of parking spaces. Curbs may be perforated or have gaps or breaks. Trees must have adequate protection from car doors as well as car bumpers. This provision does not apply to single-family residences, duplexes and accessory dwelling units.

(d) Illumination. Parking lot illumination shall be provided for all parking lots containing 15 or more parking spaces, and shall comply with the following design standards:

(i) Parking lot lighting fixtures shall be full cut-off, dark sky rated and mounted no more than 25 feet above the ground, with lower fixtures preferable so as to maintain a human scale;

(ii) All fixtures over 15 feet in height shall be fitted with a full cut-off shield;

(iii) Pedestrian scale lighting (light fixtures no taller than 15 feet) is encouraged in areas of pedestrian activity. Lighting shall enable pedestrians to identify a face 45 feet away in order to promote safety;

(iv) Parking lot lighting shall be designed to provide security lighting to all parking spaces;

(v) Lighting shall be shielded in a manner that does not disturb residential uses or pose a hazard to passing traffic. Lighting should not be permitted to trespass onto adjacent private parcels nor shall light source (luminaire) be visible at the property line.

(4) Storm Water Management. Storm water runoff from parking lots is regulated by MMC Title 14, Water and Sewers.

(5) Parking Area Layout.

(a) Access to Parking Spaces.

(i) All parking areas, except stacked parking areas, must be designed so that a vehicle may enter or exit without having to move another vehicle.

(ii) Parking shall be designed so that automobiles do not back out into public streets.

(b) Parking Space and Aisle Dimensions.

(i) Parking spaces and aisles must meet the minimum dimensions contained in Table 2: Minimum Parking Space and Aisle Dimensions. Parking at any angle other than those shown is permitted, providing the width of the stalls and aisle are adjusted by interpolation between the specified standards.

(ii) Turning Radii. The minimum allowable inside vehicle turning radius in parking and driveway areas shall be 20 feet unless fire or solid waste apparatus access is necessary, in which case the minimum inside radius shall be 30.5 feet and the outside radius shall be 46 feet or as required by the fire district or solid waste division. Turning radii are not necessarily the radii or curbs around islands and other improvements.

(iii) On dead-end aisles, aisles shall extend five feet beyond the last stall to provide adequate turnaround.

(iv) The community development director may grant a deviation from the parking space and aisle dimensions outlined in Table 2: Minimum Parking Space and Aisle Dimensions, whenever (a) there exists a lot with one or more structures on it constructed before the effective date of this title, and (b) a change in use that does not involve any enlargement of a structure is proposed for such lot, and (c) the parking space and aisle dimensions that would be applicable as a result of the proposed change cannot be satisfied on such lot because there is not sufficient area available on the lot that can practicably be used for parking dimensional standards. To grant a deviation, the community development director must make the following findings:

(A) That the granting of the deviation will not create a safety hazard or loading of vehicles on public streets in such a manner as to interfere with the free flow of vehicular and pedestrian traffic within the public right-of-way.

(B) That the granting of the deviation will not create a safety hazard or any other condition inconsistent with the objectives of this title.

Table 2: Minimum Parking Space and Aisle Dimensions

Angle	Width	Curb Length	1-Way Aisle Width	2-Way Aisle Width	Stall Depth
0 degrees (parallel)	8 feet	21 feet	12 feet	22 feet	8 feet
30 degrees	8 feet, 6 inches	17 feet	12 feet	22 feet	15 feet
45 degrees	8 feet, 6 inches	12 feet	12 feet	22 feet	17 feet

Table 2: Minimum Parking Space and Aisle Dimensions

Angle	Width	Curb Length	1-Way Aisle Width	2-Way Aisle Width	Stall Depth
60 degrees	8 feet, 6 inches	9 feet, 9 inches	16 feet	22 feet	18 feet
90 degrees	8 feet, 6 inches	8 feet, 6 inches	22 feet	22 feet	18 feet

Note: Dimensions of parking spaces for the disabled are regulated by the building code. See MMC 22C.130.050(5)(e).

(c) Pedestrian Access and Circulation. Developments must provide specially marked or paved walkways through parking lots, as depicted in Figures 1 through 4. Parking lot walkways shall allow for access so pedestrians and wheelchairs can easily gain access from public sidewalks and bus stops to building entrances through the use of raised concrete, stamped concrete, colored concrete, or pervious pavement sidewalks, or pedestrian paths which are physically separated from vehicle traffic and maneuvering areas. The director may allow pedestrian pathways to be striped if it can be demonstrated that the pathways are not used by, or accessible to, the public.

Generally, walkways should be provided every four rows and a maximum distance of 180 feet shall be maintained between paths. Where possible, align the pathways to connect with major building entries or other sidewalks, pathways, and destinations. The pathways must be a minimum of five feet wide, universally accessible and meet ADA compliant standards. On narrow infill lots, the director may authorize a pathway that is less than five feet wide provided that the minimum ADA width is met.

Figure 1

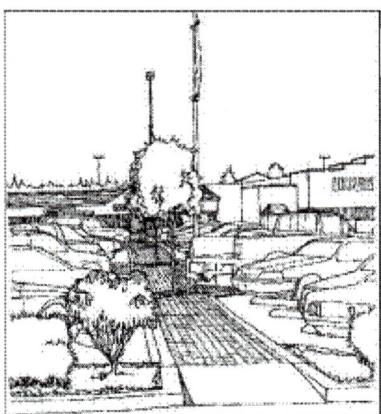


Figure 2



Figure 3

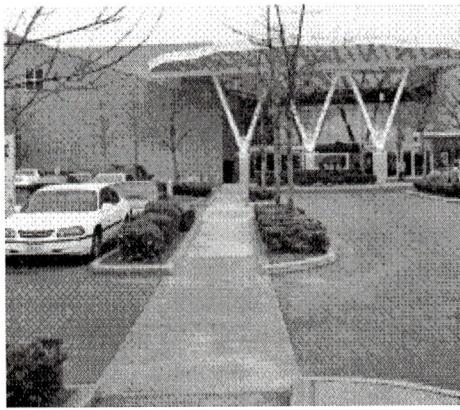
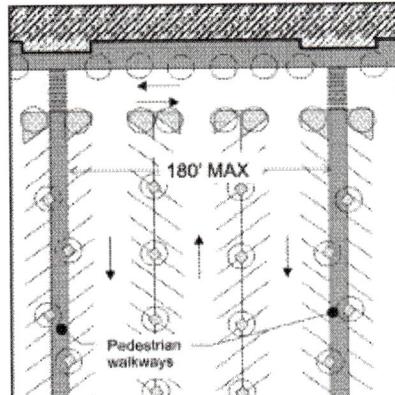


Figure 4



(d) Location. Parking areas should be located and designed to consider impacts to the streetscape. Except for adult facilities as defined by MMC 22A.020.020, on-site parking shall be located at the sides and rear of buildings or complexes. For adult facilities, on-site parking shall be located where most visible from both the streetscape and the public access to the adult facility.

(e) Parking for Disabled Persons. The building official regulates the following disabled person parking standards and access standards through the building code and the latest ICC/ANSI A117.1 standards for accessible and usable buildings and facilities:

- (i) Dimensions of disabled person parking spaces and access aisles;
- (ii) The minimum number of disabled person parking spaces and circulation routes;
- (iii) Location of disabled person parking spaces and circulation routes;
- (iv) Curb cuts and ramps including slope, width and location; and
- (v) Signage and pavement markings.

(f) A portion of a standard parking space may be landscaped instead of paved, as follows:

- (i) The landscaped area may be up to two feet of the front of the space as measured from a line parallel to the direction of the bumper of a vehicle using the space. Any vehicle overhang must be free from interference from sidewalks, landscaping, or other required elements;
- (ii) Landscaping must be ground cover plants; and
- (iii) The landscaped area counts toward parking lot interior landscaping requirements and toward any overall site landscaping requirements. However, the landscaped area does not count toward perimeter landscaping requirements.

(g) Ingress and Egress Provisions. The layouts of parking areas are reviewed for compliance with the curb cut and access restrictions outlined in the Marysville engineering design and development standards (EDDS).

(6) Parking Area Landscaping and Screening. All landscaping must comply with the standards of Chapter 22C.120 MMC. In addition, screening in the form of a solid masonry wall, architectural fences or dense coniferous hedges shall be erected or planted and maintained to a height of not less than five feet where a parking lot has a common boundary line with any residentially zoned property.

(7) Maintenance. Maintenance of all areas provided for off-street parking shall include removal and replacement of dead and dying trees, grass and shrubs, removal of trash and weeds, repair of traffic-control devices, signs, light standards, fences, walls, surfacing materials, curbs and railings, and inspection, cleaning and repair of pervious surfacing materials and drainage facilities when applicable.

EXHIBIT F

22C.160.170 Freestanding signs.



(1) The basic allowance for freestanding signs shall be limited to one square foot of sign area for each lineal foot of street frontage not to exceed 200 square feet of sign area per street frontage and 75 square feet per sign face.



(2) The maximum height of freestanding signs is outlined in Table 1; provided, that monument signs shall not exceed 12 feet in height. Additionally, when the regulations of a subarea, master plan or special overlay district conflict, unless specifically indicated otherwise, the regulations of the subarea, master plan or special overlay district shall supersede the height requirements outlined in Table 1.

Table 1: Freestanding Signs – Maximum Height

Zoning District										
NB	CB	GC	DC	MS	FLEX	MU	LI	GI	REC	P/I
4 feet	25 feet	25 feet	6 feet	6 feet	6 feet	12 feet	25 feet	25 feet	4 feet	15 feet

(3) No portion of a freestanding sign shall be in, or project over, a public right-of-way, and the minimum setback shall be five feet, subject to sight distance review at intersections and driveways.

(4) Single-occupancy complexes are allowed one freestanding sign per street frontage.

(5) Multi-occupancy complexes are allowed one freestanding sign per access driveway for the complex. However, multi-occupancy complexes with only one access driveway shall be allowed one additional freestanding sign, as long as the freestanding sign advertises a different business or businesses located on site and can be spaced at least 150 feet apart.

(6) All pole, or pylon, sign supports shall be enclosed or concealed in accordance with the design criteria outlined in subsection (11) of this section.



(7) Pole, or pylon, signs are prohibited in the CB-WR, NB, MU and REC zones.

(8) Pole, or pylon, signs are prohibited in the commercial and industrial zones located along the 51st Avenue NE, Grove Street, 88th Street NE, 116th Street NE, 156th/152nd Street NE, 156th Street NE, and 160th Street NE corridors, and for properties located north of 152nd Street NE and east of Smokey Point Boulevard; provided that, properties that have direct frontage on Smokey Point Boulevard may have pole, or pylon, signs on their Smokey Point Boulevard frontage.

(9) Pole, or pylon, signs are prohibited on CB-zoned properties located adjacent to 64th Street NE (SR 528) and 84th Street NE from approximately 83rd Avenue NE to SR 9.

(10) Pole, or pylon, signs are prohibited within the boundary of the downtown master plan.

(11) Design and Materials.

(a) The base of a freestanding sign and all pole or pylon sign supports shall be constructed of durable high-quality materials such as stone, brick, textured concrete, decorative steel, or other quality materials and a design that relates to and/or complements the design of on-site buildings and/or is coordinated with other site design elements. This limitation does not apply to structural elements that are an integral part of the overall design such as decorative metal or wood.

(b) Freestanding signs must integrate a top, middle, and bottom element. The top could include a distinctive sign cap and/or include the name of a multi-tenant center. The middle can include a consistent framing technique for an individual sign or multiple signs in a multi-tenant center. The bottom could include a distinctive base design with special materials and/or design.

- (c) The architecture and composition of a freestanding sign structure must provide visual interest and detail for both pedestrian and motorists at both automotive- and pedestrian-scale speed and perception.
- (d) The color, shape, material, lettering and other architectural details of freestanding signs shall be harmonious with the character of the primary structure.
- (e) No angle irons, guy wires or braces shall be visible except those that are an integral part of the overall design.
- (f) One square foot of landscaping is required per one square foot of sign face. Landscaping shall include a decorative combination of ground cover and shrubs to provide seasonal interest in the area surrounding the sign. Landscaping shall be well maintained at all times of the year. The director may reduce the landscaping requirement where the signage incorporates stone, brick, or other decorative materials.
- (g) Departures to this subsection (11) will be considered by the director, provided the design complies with other standards herein and integrates a distinctive, high-quality design that contributes to the visual character of the area.