

City of Cheney
609 Second Street
Cheney, Washington 99004

CITY OF CHENEY, WASHINGTON

ORDINANCE NO. Y-9 (BP Zone & Self-Storage Design Standards)

**AN ORDINANCE AMENDING TITLE 21 ENTITLED "DESIGN STANDARDS" OF
THE CHENEY MUNICIPAL CODE AND PROVIDING FOR OTHER MATTERS
RELATED THERETO**

WHEREAS, to preserve the public health, safety, and general welfare, updates to the zoning title are needed to bring the code into compliance with the Comprehensive Plan, and overall growth of the community; and

WHEREAS, the amendment to CMC Title 21 will further the development of a better community with clearer definitions, clear illustrations, and cohesive development regulations that will encourage higher quality development.

NOW, THEREFORE, the City Council of the City of Cheney, Washington, do ordain as follows:

Chapter 21.12 – Zoning and Use Classifications

Section 1. **Amendment.** Section 21.12.030 entitled “Listing of use classifications” is hereby amended to read as follows:

A. *Residential use types.*

1. *Household living.* Living facilities for small groups (households) of people who are related or unrelated, featuring self-contained units including facilities for cooking, eating, sleeping, and hygiene. Tenancy is longer than 30 calendar days. Household structures include single-family detached and attached dwellings; duplexes; multi-family dwellings; and modular and manufactured housing units. Most types of senior housing, (e.g., congregate care or assisted living) are considered to be household living if residents live in self-contained units, even if there are also shared facilities within the building. The maximum number of people who may reside in any given dwelling unit shall be determined per the CMC.
2. *Group living.* Living facilities for groups of unrelated individuals that include at least one person residing on the site who is responsible for supervising, managing, monitoring and/or providing care, training or treatment of residents. Larger group living facilities may also be characterized by shared facilities for eating, hygiene and/or recreation. Examples include nursing/convalescent homes, residential care homes or centers; sororities/fraternities and convents/monasteries. Tenancy is typically 30 days or more. This would exclude detention and post-detention facilities (see CMC 21.12.030(E)(5), Detention Facilities).
3. *Transitional housing.* Public or non-profit living facilities for groups of unrelated individuals that include at least one person residing on the site who is responsible for supervising, managing, monitoring and/or providing care, training or treatment of residents where tenancy is typically less than 30 days. Examples include: homeless shelters and drug/alcohol treatment facilities. Can include associated soup kitchens or other on-site food preparation and service. Excludes private, for-profit-short-term housing (see CMC 21.12.030(C)(1), Commercial Lodging); and detention and post-detention facilities (see CMC 21.12.030(E)(5), Detention Facilities).
3. *Home occupation.* Commercial, office or other economic activity wholly contained within the residence or accessory building within which it is located, and is clearly subordinate to the primary residential use.

B. *Civic use types.*

1. *Basic utilities.* Unstaffed community infrastructure, including but not limited to water tanks, sewer pump stations, telephone exchanges, and electric power substations.
2. *Colleges, Institutions of higher education.* Accessory uses may include classrooms, laboratories, theaters, auditoriums, libraries, dormitories, eating facilities, bookstores, other small-scale retail, general offices, and parking. Such a facility that has regional or

state-wide significance is classified as an essential public facility by the provisions of the Growth Management Act

3. *Community recreation.* Public, private, and non-profit recreational, social and multi-purpose facilities that are open to the public for free or fee (including membership fees). Examples include: community centers; senior centers; health/fitness clubs; indoor or outdoor tennis/racquetball and soccer clubs and other sports fields; indoor/outdoor swimming pools; boat launches; golf courses, and shooting ranges. Accessory uses include clubhouses, pro shops, offices, locker rooms, restaurants/delis/concession stands, child care facilities, rest rooms, maintenance facilities, and parking.
4. *Cultural institutions.* Public or non-profit cultural facilities including libraries, museums, historic sites, and galleries.
5. *Day care.*
 - a. *Child care.* As defined by RCW Chapter 43.215:
 1. *Family child day care home.* A facility where a person regularly providing care during part of the 24-hour day to 12 or fewer children in the family abode of the person or persons under whose direct care the children are placed.
 2. *Child care center.* A person or agency that provides care for 13 or more children during part of the 24-hour day.
 - b. *Adult day care.* Provision of services, including respite, recreational, social and therapeutic activities, to disabled and/or elderly adults in a group setting. Categories include:
 1. *Residential adult day care.* Provision of adult day care services for five or fewer handicapped and/or elderly adults, with or without compensation, in the home of the provider.
 2. *Institutional adult day care.* Provision of adult day care services for six or more handicapped and/or elderly adults either in a residential or institutional, e.g., nursing home, setting.
6. *Emergency services.* Public safety facilities including police and fire stations, and emergency communications, but not including ambulance services.
7. *Human service facilities.* Any office, store, assembly place or facility, the general purpose of which is to provide human need services directly and at no or reduced cost to

individuals who do not have the means, ability or opportunity to obtain such services themselves. Offices or clinics where medical, dental, psychological or other such essential human services are provided shall not be considered human service facilities unless low or no cost services are provided to more than 50 percent of patients or clients.

8. *Medical centers.* Facilities providing inpatient, outpatient, emergency, and related ancillary services to the sick and infirm. Usually developed in campus setting. Accessory uses may include diagnostic and treatment facilities; laboratories; surgical suites; kitchen/food service facilities; laundry; housekeeping and maintenance facilities; administrative offices; and parking. Medical centers may also include free-standing offices for hospital-based and/or private-practice physicians and other allied health care professionals; these medical office buildings are regulated as offices. (see CMC 21.12.030(C)(6)(b)) Such a facility that has regional or state-wide significance is classified as an essential public facility by the provisions of the Growth Management Act.
9. *Parks/open space.* Lands that are maintained in a natural state and/or developed that are designed for public active and passive recreation. Examples include parks, public squares, recreational trails, nature preserves and cemeteries. Does not include areas in active cultivation (see CMC 21.12.030(E)(1), Agriculture/Horticulture).
 - a. *Neighborhood parks.* Small parks usually no greater than five acres designed to serve the immediate neighborhood. Access is on foot or bicycle with little or no on-site parking provided. Accessory uses may include low-impact outdoor playing/practice fields (without associated parking), playgrounds, sports courts, picnic areas, educational/interpretive facilities, walking/jogging paths, rest rooms, and seating areas. May collocate with schools.
 - b. *Community parks.* Larger parks typically six acres or larger designed to serve a larger geographic area than a neighborhood park. Access is on foot and by bicycle, transit, and vehicle. May contain one or more community recreation uses as defined in CMC 21.12.030(B)(3). Other accessory uses may include walking/jogging trails; picnic shelters; outdoor performance facilities; off-leash dog, bicycle, and skateboard parks; sports courts, community gardens; bicycle, pedestrian, and transit amenities; educational/interpretive facilities; viewpoints; concessions; rest rooms; caretaker and maintenance facilities; and parking. May collocate with schools.
 - c. *Regional parks.* Any park greater than 50 acres designed to serve regional needs. Accessory uses include any of the facilities found in neighborhood and community parks.

- d. *Trails*. Publicly accessible walking, jogging or bike trails that extend beyond the boundaries of a single subdivision or development project. Accessory uses may include signage/maps; interpretive centers; viewpoints; and trailhead facility, restrooms, and parking. Does not include trails or portions of trails created as part of neighborhood, community and regional parks.
- 10. *Postal service*. Refers to postal services and processing as traditionally operated by the U.S. Postal Service. Such facilities include customer sales, mail sorting, and fleet truck storage. Excludes profit-making parcel post or mail services (see CMC 21.12.030(C)(4)(b), General Retail, Personal Services).
- 11. *Religious institutions*. Permanent places of religious worship that may include related accessory uses that are clearly incidental and secondary to religious worship, congregation, and teaching such as administrative offices; child care centers/pre-schools; classrooms for religious instruction; auditoriums; social halls; rectories; and gymnasiums, playgrounds and other recreational facilities.
- 12. *Schools*. Public and private pre-school, kindergarten, elementary, middle, and high schools. Accessory uses include administrative offices; classrooms and laboratories; kitchen/cafeterias; auditoriums; gymnasium, swimming pools; playing fields and related indoor and outdoor physical education facilities; and storage and maintenance facilities. The programs and activities of other public and non-profit organizations including those associated with adult education, after-school care, recreation and social services may collocate in a school facility. Such a facility that has regional or state-wide significance is classified as an essential public facility by the provisions of the Growth Management Act.
- 13. *Social/fraternal and clubs/lodges*. Non-profit organizations with social, philanthropic and/or recreational functions and activities.
- 14. *Transportation facilities*. Bus, heavy rail transit stops and stations; and accessory bicycle parking. Excludes public streets and sidewalks; and heavy and light rail maintenance/switching yards (see CMC 21.120.030(D)(7), Railroad Yards). Such a facility that has regional or state-wide significance is classified as an essential public facility by the provisions of the Growth Management Act.
- 15. *Park and ride facilities*. Park and ride facilities means parking facilities that serve motorists transferring to or from urban public transportation vehicles or private car-pool vehicles.

C. *Commercial use types*.

1. *Commercial lodging.* Residential facilities such as hotels, motels, rooming houses and bed-and-breakfast establishments where tenancy is typically less than one month. May include accessory meeting, convention facilities, and restaurants/bars.
2. *Eating and drinking establishments.* Establishments that sell prepared food and beverages for consumption on site or take-away including restaurants, delicatessens, bars, taverns, brew pubs, and espresso bars.
3. *Entertainment-oriented.*
 - a. *Adult entertainment.* Facilities including adult motion picture theaters; adult video/book stores; and topless, bottomless, and nude dance halls which include materials and activities characterized or distinguished by an emphasis on matters depicting specified sexual activities or anatomical areas.
 - c. *Indoor entertainment.* Commercial indoor facilities such as recreation facilities, skating rinks, bowling alleys, arcades, shooting ranges, movie, and live performance theaters.
 - d. *Outdoor/major event entertainment.* Facilities such as recreation facilities, auditoriums, stadiums, arenas, amphitheaters, convention centers, paintball facilities, and race tracks which provide athletic, cultural or entertainment events and exhibits for large groups generally exceeding 1,000 spectators.
4. *General retail.*
 - a. *Sales-oriented.* Establishments which provide consumer-oriented sales, leasing and rental of consumer, home and business goods including art; art supplies; bicycles; clothing; dry goods; electronic equipment; fabric; gifts; groceries; hardware; household products; jewelry; pets and pet products; pharmaceuticals; plant; printed materials; stationery; and videos. Excludes large-scale consumer products (see CMC 21.12.030(C)(4)(d), Bulk Sales); and those sold primarily outdoors (see CMC 21.12.030(C)(4)(e), Outdoor Sales).
 - b. *Personal services.* Establishments which provide consumer services such as banks and credit unions; barber and beauty shops; automated teller machines (ATMs) and related automated vending facilities; pet grooming; Laundromats and dry cleaners; copy centers; photographic studios; specialized instructional schools; trade/vocational schools; massage therapy; acupuncture; and mortuaries.
 - c. *Repair-oriented.* Establishments which engage in the repair of consumer and business goods including television and radios; bicycles; clocks; jewelry; guns; small

appliances and office equipment; tailors and seamstresses; shoe repair; locksmiths; and upholsterers.

- d. *Bulk sales.* Establishments which engage in the sales, leasing and rental of bulky items requiring extensive interior space for display including furniture, large appliances, and home improvement sales.
- e. *Outdoor sales.* Establishments that engage in sales requiring outdoor display and/or storage including lumberyards and nurseries.

5. *Motor vehicle related.*

- a. *Motor vehicle sales/rental.* Includes car, light and heavy truck, mobile home, boat and recreational vehicle sales, rental and service.
- b. *Motor vehicle servicing/repair.* Free-standing vehicle servicing and repair establishments including quick and general vehicle service, car washes and body shops not an accessory to new vehicle sales.
- c. *Vehicle fuel sales.* Establishments engaging in the sale of gasoline, diesel fuel, and oil products for cars, trucks, recreational vehicles, and boats.
- e. *Electric vehicle (EV) Basic Charging Station.* A slow to medium level charging station for electric vehicles that is typically accessory to another use, such as single family residences, apartments, and/or businesses. Level 1 (120 volt AC) is considered slow charging. Level 2 (240 volt AC) is considered medium charging.
- e. *Electric vehicle (EV) rapid charging station (commercial).* An industrial grade electrical outlet that allows for faster charging of electric vehicle batteries through higher power levels and that meets or exceeds any standards, codes, and regulations set forth by chapter RCW Chapter 19.28 and consistent with rules adopted under RCW 19.27.540. Such stations are also known as Level 3 facilities and are considered fast or rapid charging (480-volt AC), and are generally available to the public.
- f. *Electric vehicle (EV) battery exchange station.* A facility that will enable an electric vehicle with a swappable battery to enter a drive lane and exchange the depleted battery with a fully-charged battery. Such exchange stations may use a fully automated process, which meets or exceeds any standards, codes, and regulations set forth by RCW Chapter 19.27.

6. *Office.*

- a. *General office.* Government, business and professional offices that operate during typical weekday hours. Examples include local, regional, state, and federal offices and agencies; veterinary clinics; medical and dental laboratories; blood collection centers; offices for attorneys, architects, accountants, engineers, stockbrokers, real estate agents, mortgage bankers, insurance brokers, and other consultants; headquarters offices; sales offices; radio, and television studios. Also includes painting, landscaping, building and janitorial contractors where the indoor storage of materials and equipment are incidental to the office use.
 - b. *Industrial office.* Industrial office businesses are characterized by activities that, while conducted in an office-like setting, are more compatible with industrial activities, businesses, and districts. Their operations are less service-oriented than other office uses and focus on the research, development, testing, production, processing, packaging, or assembly of goods and products, which may include digital products such as internet home pages, media content, designs and specifications, computer software, advertising materials, and others. They primarily provide products to other businesses. They do not require customers or clients to visit the site; any such visits are infrequent and incidental. Accessory uses may include parking, warehouses, and storage yards.
 - c. *Medical office.* Offices for physicians, dentists, chiropractors, and allied health care professionals; free-standing outpatient health care facilities; urgency clinics; naturopathic, and homeopathic facilities; and home health organizations that provide on-site services to patients and that generally operate during typical peak weekday hours.
 - d. *Coworking Space.* This is an office space arrangement in which workers of different companies share an office space, allowing cost savings and convenience through the use of common infrastructures, such as equipment, utilities, and receptionist and custodial services, and in some cases refreshments and parcel acceptance services.
7. *Non-accessory parking.* Any private or public vehicle parking, either paid or free, which is not accessory to a primary use. Includes public and private parking structures and lots; and free-standing fleet vehicle parking lots.
8. *Self-service storage.* Commercial operations that provide rental of storage space to the public. The storage areas are designed to allow private access by the tenant for storing or removing personal property. These facilities do not include moving and storage companies where there is no individual storage or where employees are primary movers of the goods to be stored (see CMC 21.12.030(D)(5), Warehouse/Freight Movement).

11. *Artisan and specialty goods production.* Small scale businesses that manufacture artisan goods or specialty foods. Small manufacturing production aims at direct sales rather than the wholesale market. This small-scale manufacturing use is intended to be allowed where compatible with the commercial and residential fabric of the city center. An allowance for public viewing or customer service space is required with artisan and specialty goods production. This use category includes the following uses: sugar and confectionary, fruit and vegetable preserving and specialty foods, bakeries and tortilla manufacturing; artisan leather, glass, cutlery, hand tools, wood, paper, ceramic, textile and yarn products; micro-breweries, micro-distilleries, and wineries.

D. *Industrial use types.*

1. *Industrial services.* Includes the repair and servicing of industrial and business machinery, equipment and/or products. Examples include; machine shops; welding shops; sales, repair, storage, salvage or wrecking of heavy machinery, metal and building materials; towing and vehicle storage; auto and truck salvage and wrecking; heavy truck servicing and repair; tire recapping and retreading; truck stops; building, heating, plumbing or electrical contractors; exterminators; janitorial and building maintenance contractors where the indoor storage of materials is more than incidental to the office use; fuel oil distributions; solid fuel yards; laundry, dry-cleaning and carpet cleaning plants; and photo-finishing laboratories.
2. *Manufacturing and production.* Includes production, processing, assembling, packaging or treatment of semi-finished or finished products from raw materials or previously prepared materials or components. Manufacturing production is intended for the wholesale market rather than for direct sales.
3. *Railroad yards.* A terminus of several light or heavy railroad lines where the loading, unloading, transshipment, switching, maintenance, and storage of rail cars is undertaken.
4. *Research and development.* Facility featuring a mix of uses including office, research laboratories, and prototype manufacturing. If the use contains no on-site manufacturing component, then it is considered general office (see CMC 21.12.030(C)(6)(a)).
5. *Warehouse/freight movement.* Uses involved in the storage and movement of large quantities of materials or products indoors and/or outdoors; associated with significant truck and/or rail traffic. Examples include free-standing warehouses associated with retail furniture or appliance outlets; household moving and general freight storage; cold storage plants/frozen food lockers; weapon and ammunition storage; major wholesale distribution centers; truck, marine and air freight terminals and dispatch centers; bus

barns; grain terminals; and stockpiling of sand, gravel, bark dust or other aggregate and landscaping materials.

6. *Waste-related.* Uses that receive solid or liquid wastes from others for disposal on the site or for transfer to another location, uses that collect sanitary wastes or use that manufacture or produce goods or energy from the composting of organic material. Examples include: recycling/garbage transfer stations; landfills; composting, energy recovery and sewage treatment plants; and hazardous waste handling and transfer facilities that do not treat or dispose of hazardous waste, as that term is defined in the Code of Federal Regulations, Title 40, Part 261. Such a facility that has regional or state-wide significance is classified as an essential public facility by the provisions of the Growth Management Act. Hazardous waste or disposal facilities are not included in this classification and are therefore not permitted in the City of Cheney.
7. *Wholesale sales.* Involves sales, leasing or rental of equipment or products primarily intended for industrial, institutional or commercial businesses. Businesses may or may not be open to the general public, but sales to the general public are limited. Examples include the sale or rental of machinery, equipment, building materials, special trade tools, welding supplies, machine parts, electrical supplies, janitorial supplies, restaurant equipment, and store fixtures; mail order houses; and wholesalers of food, clothing, auto parts, and building hardware.

E. *Other use types.*

1. *Agriculture/horticulture.* Open areas devoted to the raising of fruits, vegetable, nuts, nursery stock and/or flowers, including community gardens; may include on-site sales of products grown on the site. Excludes nurseries (see CMC 21.12.030(C)(4)(e), Outdoor Sales).
2. *Animal kennel/shelters.* Animal kennel and shelter facilities for the overnight boarding of dogs, cats and other domestic pets. Excludes veterinary clinics (see CMC 21.12.030(C)(6)(a), General Offices).
3. *Cemeteries.* Facilities for storing human remains. Accessory uses may include chapels, mortuaries, crematoria, mausoleums, administrative offices, maintenance facilities, and parking.
4. *Detention and post-detention facilities.* Uses which have the characteristics of group living but are devoted to the housing, training and supervision of those under judicial detention. Examples include prisons; jails; probation centers; juvenile detention homes; and related post-incarceration and half-way houses. Such a facility that has regional or

state-wide significance is classified as an essential public facility by the provisions of the Growth Management Act.

5. *Dog day care.* Dog day care shall mean any premises containing four or more dogs, which are five months or older, where these domestic animals are dropped off and picked up daily for temporary care on site and where they may be groomed, trained, exercised, and socialized, but are not kept or boarded overnight, bred, sold or let for hire. Excludes animal kennel/shelters (See CMC 21.12.030(E)(2), Animal Kennel/Shelters).
6. *Mining.* Uses that mine or extract mineral or aggregate resources from the ground for off-site use. Accessory uses may include storage, rock crushing, sorting, and transfer facilities.
7. *Rail lines/utility corridors.* The regional corridors in public or private ownership dedicated for use by rail lines; above-grade or underground power or communication lines; water, sewer and storm sewer lines or similar services.
8. *Temporary uses.* Uses that are generally a few days or less located on private property outside of the public right-of-way. These can include things such as farmers markets, Christmas tree lots, pumpkin patches, and vendors related to EWU activities.
9. *Wireless communication facilities.* Includes publicly- and privately-owned towers and related transmitting equipment for television; AM/FM radio; cellular and two-way radio and microwave transmission; and related ancillary equipment buildings. Does not include radio/television transmission facilities that are part of the public safety network (see CMC 21.12.030(B)(6), Emergency Services). Does not include amateur (ham) radio antennas or towers.

Chapter 21.36 – Light Industrial (IL) & Business Park (BP) Zones

Section 3. **Amendment.** Section 21.36.020 entitled “List of zoning districts” is hereby amended to read as follows:

- A. *BP: Business Park.* The business park zoning district provides for appropriate locations for the development of industries that provide job opportunities, and have low off-site impacts. These industries shall produce limited noise, vibration, odor, and glare. Most operations shall be within buildings. Buildings shall be attractive and the grounds pleasing. Design and development standards in the BP zone have been adopted to ensure that developments will be well-integrated, attractively landscaped, and pedestrian friendly.
- B. *I-L: Light Industrial District.* The light industrial zoning district provides for appropriate locations for clean industries including industrial service, manufacturing,

research/development, warehousing activities, general office uses and limited retail. These activities may require rail access and have some outdoor storage. Light industrial areas generally include larger lots and relaxed building coverage requirements.

Section 4. Amendment. Section 21.36.030 entitled “Permitted Uses” is hereby amended to read as follows:

A. *Types of uses.* For the purposes of this chapter, there are four kinds of uses:

1. A permitted (P) use is one that is permitted in the zone outright, subject to all of the applicable provisions of this title.
2. A limited (L) use is permitted in the zone outright providing it is in compliance with special requirements, exceptions or restrictions.
3. A conditional use (C) is a permitted use subject to review and conditions through the process set forth in Chapters 21.58 CMC and Title 23 CMC, governing Conditional Uses and Decision-Making Procedures, respectively.
4. A prohibited use (N) is not permitted in the zoning district under any circumstances.

B. *Use table.* A list of permitted, limited, conditional, and prohibited uses in the BP and I-L Districts is presented in Table 21.36.030-1.

Table 21.36.030-1 Industrial Districts Use Table		
Use	BP	I-L
Residential - CMC 21.12.030(A)		
Household Living	N	L ¹
Group Living	C	N
Transitional Housing	C	N
Home Occupation	N	L ²
Housing Types		
Single Dwelling, Attached	N	L ¹
Single Dwelling, Detached	N	L ¹
Accessory Dwelling Units	N	N

Duplexes	N	N
Townhouse	N	N
Multi-Dwelling Units	N	N
Manufactured Homes	N	N
Civic (Institutional) - CMC 21.12.030(B)		
Basic Utilities	P	P
Colleges	P	N
Community Recreation	P	P
Cultural Institutions	N	P
Day Care		
-Child Care Center	L ⁶	N
-Adult Day Care	C	N
Emergency Services	P	P
Human Service Facilities	C	P
Medical Centers	C	P
Parks/Open Space		
-Neighborhood Parks	C	C
-Community Parks	C	C
-Regional Parks	C	C
-Trails	C	C
Postal Service	C	P
Religious Institutions	N	C
Schools	L ⁶	C
Social/Fraternal Clubs	N	N
Transportation Facility	P	P
Commercial - CMC 21.12.030(C)		
Commercial Lodging	P	P
Eating/Drinking Establishments	L ⁶	P

Entertainment-Oriented		
-Adult Entertainment	N	N
-Indoor Entertainment	C	P
-Major Event Entertainment	C	P
General Retail		
-Sales-Oriented	C	P
-Personal Services	C	P
-Repair-Oriented	C	P
-Bulk Sales	C	P
-Outdoor Sales	C	P
Motor Vehicle Related		
-Motor Vehicle Sales/Rental	C	P
-Motor Vehicle Servicing/Repair	C	P
-Vehicle Fuel Sales	C	P
-EV Basic Charging Stations (accessory)	P	P
-EV Rapid Charging Stations (accessory)	P	P
-EV Battery Exchange Stations	P	P
Office		
-General	P	P
-Medical	P	P
-Industrial	P	P
-Co-work Office Space	P	P
Non-Accessory Parking	C	P
Self-Service Storage	C ⁵	P ⁵
Self-Service Storage with Co-work Office Space	L ⁵	P
Industrial - CMC 21.12.030(D)		
Industrial Services	P	P
Manufacturing and Production	P	P
Railroad Yards	N	P

Research and Development	P	P
Warehouse/Freight Movement	C	P
Wholesale Sales	P	P
Waste-Related	C	P
Other - CMC 21.12.030(E)		
Agriculture/Horticulture	P	P
Animal Kennel/Shelters	C	P
Animal Rendering Facility	N	N
Cemeteries	N	C
Detention and Post-Detention Facilities	C	C
Dog Day Care	C	C
Foundries	N	N
Mining	N	C
Rail Lines/Utility Corridors	P	P
Temporary Uses	L ³	L ³
Wireless Communication Facilities	C ⁴	C ⁴
¹ Household living allowed as a caretaker's quarters only. ² Subject to the provisions of CMC Chapter 25.850, Home Occupations. ³ Subject to provisions in CMC Chapter 25.870, Temporary Uses. ⁴ Subject to provisions in CMC Chapter 25.880, Wireless Communication Facilities. ⁵ Subject to provisions in CMC Chapter 21.36.050, Setback and Building Height. Cannot cover more than 15% (land area) of the BP Zone and front Fred John's Way. ⁶ Allowed in conjunction with other development as a supporting use.		

Section 5. Amendment. Section 21.36.050 entitled “Setback and Building Height” is hereby amended to read as follows:

21.36.050 - Setback and building height.

A. *Development standards.* Development standards in industrial zoning districts are contained in Table 21.36.050-1.

Table 21.36.050-1 Development Standards		
Standard	BP	I-L
Minimum Lot Size	None	None
Maximum Lot Coverage	n/a — See CMC 1.36.050(C)	n/a
Minimum Lot Width	None	None
Minimum Lot Depth	None	None
Minimum Setbacks		
— Any yard abutting a Residential zoning district	2' setback for every foot in height	50'
— Any yard across the street from a Residential zoning district	20'	30'
— Any yard abutting or across the street from zoning district other than a Residential zoning district	20'	20'
If abutting another Industrial zoning		
— Front	20'	20'
— Side Street	15'	15'
— Side	10'	10'
— Rear	0'	0'
Maximum Height	45'	85'
Minimum Landscaping Requirement (percentage of total net area)	15%	10%'

B. Specific development standards related to the I-L Zone

1. *Screening.* Site obscuring-fencing or landscaping of sufficient height to screen the industrial use or ten feet, whichever is less, shall be provided between the IL zone and any adjoining residential lot.
2. *Pedestrian connection.* Industrial properties within this zone which are served by public transit shall provide a six-foot-wide pedestrian connection from the main entrances to the public sidewalk. Where a pedestrian connection crosses vehicle area, the paving material must be different than that of the vehicle area paving.

- C. *Specific development standards related to the BP Zone.*
1. *Height exceptions.* Chimneys, flag poles, and other similar items with a width, depth, or diameter of five feet or less are allowed to a maximum height of 55 feet. Radio and television antennas, utility power poles, and public safety facilities are exempt from the height limit.
 2. *Mechanical equipment.* All rooftop mechanical equipment and enclosures of stairwells that provide rooftop access must be set back at least 15 feet from all roof edges. Equipment and enclosures that cumulatively covers no more than ten percent of the roof area may extend ten feet above the height limit.
 3. *Main entrance.* The main entrance of the primary structure must face the street lot line. Where there is more than one street lot line, the entrance may face either of them or the corner.
 4. *Street facing facade.*
 - a. *Window standard.* At least 15 percent of the ground floor area of each facade that faces a street lot line must be windows. The ground floor is the first ten feet measured from grade.
 - b. *Ground floor standard.* The ground level of a building that is over 16 feet in height must be visually distinct from upper stories. This may be accomplished by a cornice above the ground level, changes in material or texture, or a row of clerestory windows on the street facing elevation.
 - c. *Base standard.* Buildings must have a base. The base must be at least two feet above grade and be distinguished from the rest of the building by a different color or material.
 4. *Setback exceptions.* Minor projections allowed. Minor features of a building, such as eaves, chimneys, fire escapes, bay windows, and uncovered decks or balconies, may extend into a required building setback up to 20 percent of the depth of the setback.
 5. *Front yard.*
 - a. *Passenger vehicle parking.* Parking for passenger vehicles, those vehicles commonly used by employees and customers, shall be located behind, beside, or in front of the building.
 - b. *Large vehicle parking and maneuvering.* Parking and maneuvering for large vehicles, those vehicles commonly used for the transporting of goods, shall be located beside

or behind the building. Large vehicle areas shall not be located between the building and the street with the following exception. Loading docks may be located on the street side of a building if they are no more than 50 percent of the total street-facing facade and located flush with or behind the main street-facing wall of the building.

- c. *Outdoor storage.* Outdoor storage may not be located closer to the street than the main building.
 - d. *Mechanical equipment.* No mechanical equipment may be located closer to the street than the main building.
 - e. *Refuse and recycling.* No refuse or recycling collection areas may be located closer to the street than the main building.
6. *Pedestrian connection.* A six-foot-wide pedestrian connection must be provided from the main entrances to the public sidewalk. Where a pedestrian connection crosses vehicle areas, the paving material must be different than that of the vehicle area paving.
7. *Outdoor storage.* Outdoor storage areas must be screened with a six-foot-high sight-obscuring fence.
8. *Landscaping.*
- a. *Minimum landscaped area.* A minimum of 15 percent of the property must be landscaped. Landscaping in the right-of-way adjacent to the site may count towards the minimum requirement.
 - b. *Minimum screening.* Parking areas abutting a street must provide a six-foot-wide planting strip between the parking area and the public sidewalk. If street trees are present, this area is exempt from the minimum tree requirement.
 - c. *Minimum landscaping.* One tree and three shrubs are required for every 300 square feet of required landscaped area. Any area not planted with trees and shrubs shall be planted with ground cover plants.
 - d. *Buffer landscaping.* Property lines abutting residentially zoned property must have a ten-foot wide landscape buffer. The buffer must contain evergreen shrubs that have a mature height of no less than six feet and be planted in a manner that creates a sight-obscuring screen.
9. *Parking.*

- a. *Purpose.* The parking standards ensure adequate space for parking vehicles and bicycles.
- b. *Vehicle parking minimum.* One parking space is required per 750 square feet of non-warehouse, industrial building floor area. One parking space is required per 500 square feet of office building floor area.
- c. *Vehicle spaces.* All required and non-required parking spaces provided must meet the space and aisle dimensions as described in CMC 21.40.040.
- e. *Bicycle parking standard.* Two bicycle spaces must be provided on every site. Every required space must have a rack designed in such a way that the frame of the bike is supported by the rack and a U-lock can be used to lock the frame of the bicycle to the rack. Bicycle spaces provided must be two feet by six feet and allow for a bicycle to be moved in and out of a space without moving another bicycle.
- f. *Paving.* All required and non-required areas used for maneuvering and parking vehicles must be paved.

10. *Signs.*

- a. *Prohibited signs.* The following signs are prohibited: Signs which by coloring, shape, wording or location resemble or conflict with traffic control signs or devices, signs that create a safety hazard for pedestrian or vehicular traffic, flashing signs and reader-boards, signs attached or placed on a vehicle or trailer, roof-mounted signs, pole signs.
- b. *Exempt signs.* Directional signs, real estate signs, political signs.
- c. *Wall/fascia signs.* One wall or fascia sign is allowed per business with a maximum area of 32 square feet each. Signs may not project above the roof line.
- d. *Monument signs.* One monument sign is allowed per lot with a maximum height of six feet and a maximum area of 40 square feet.
- e. *Awning signs.* One awning sign is allowed per business with a maximum area of 32 square feet each.
- f. *Portable signs.* One portable sign, commonly known as an A-board or sandwich board sign is allowed per business with a maximum area of eight square feet. Portable signs are allowed between the public sidewalk and the building. Portable signs are not allowed on public sidewalks or in public right-of-way.

11. *Self-Storage Facility Design Standards*

- a. Architectural Features. Architectural features are to be consistent with the character of the surrounding neighborhood. The following are minimum standards.
 - 1. Exterior vertical surfaces require fifty percent of the area to be materials such as decorative brick veneer, stone, stucco, textured block, tin and other materials which reflect commercial design elements.
 - 2. Fencing is required to be low-maintenance material and articulation at intervals no greater than twenty feet.
 - 3. A building or series of buildings parallel with and adjacent to residentially zoned or developed property or street frontage must have staggered setbacks for every seventy feet of lineal development. The setback alternates between the minimum and the minimum plus ten feet for every seventy feet of lineal development. There must be at least ten feet of separation between buildings.
- b. Landscaping and Screening. The following landscaping and screening requirements apply to all mini-storage facilities:
 - 1. All setback areas shall be landscaped with a variety of trees, shrubs and ground cover plants consistent with Type II landscaping as defined under chapter CMC 21.42 Landscaping and Screening.
 - 2. A landscape plan prepared by a landscape architect licensed by the state of Washington and approved by the planning services department shall be required prior to the issuance of any building permits for a mini-storage facility.
 - 3. A performance bond or other device acceptable to the City, in the amount of twenty-five percent of the estimated value of the required landscaping, to remain in effect for two years to assure full establishment of the plantings must be tendered before a certificate of occupancy is issued.
 - 4. All use of the site shall comply with the City noise standards stated in CMC 9A.10, Nuisances.
 - 5. In the I-L zones, outdoor storage of vehicles shall be allowed only if it can be demonstrated that the storage items will be screened from view of the adjoining right-of-way or adjacent residences.

Section 6. **Severability.** If any section, sentence, clause or phrase of this ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 7. **Effective Date.** This ordinance shall become effective thirty (30) days after its passage, approval, and publication.

Introduced this _____ day of _____, 2022.

Passed by the City Council this _____ day of _____, 2022.

Approved by the Mayor this _____ day of _____, 2022.

Chris Grover, Mayor

ATTEST:

Cynthia L. Niemeier, City Clerk

APPROVED AS TO FORM:

Stanley M. Schwartz, City Attorney