

Title 20  
ZONING<sup>1</sup>

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1. For statutory authorization for cities to enact zoning ordinances, see RCW 35.63.110.



**Chapter 20.01****GENERAL PROVISIONS**

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**20.01.010 Title.**

The ordinance codified in this title and maps shall be known as, and may be cited and referred to as, “The City of Pacific Zoning Ordinance” in accordance with, and exercising the authority of, Chapter 35.63 RCW among others to:

A. Regulate and restrict the location and use of buildings, structures and land for residence, trade, commerce, industry and other purposes;

B. Regulate the height, number of stories, size, construction of buildings and other structures; the size of yards, courts and other open spaces; the density of population; and the setback of buildings along public streets and road rights-of-way;

C. For any or all of such purposes, divide the city of Pacific or any portion thereof into districts of such number, shape and area, or may establish such official maps as may be deemed best suited to carry out the regulations and provide for their enforcement. (Ord. 1505 § 11, 2001; Ord. 485 § 1.01, 1971).

**20.01.020 Purpose.**

Such regulations are deemed necessary in order to:

A. Promote the interest of health, safety, morals and the general welfare;

B. Secure safety from fire and to provide adequate open spaces for light and air;

C. Prevent the overcrowding of the land;

D. Avoid undue concentration of population;

E. Conserve and stabilize property values;

F. Promote the achievement of the comprehensive plan for the city of Pacific;

G. Stabilize expectations regarding future development of Pacific, thereby providing a

basis for wise decisions with respect to such development. (Ord. 485 § 1.02, 1971).

**20.01.030 Office of zoning administrator established.**

*Repealed by Ord. 1505.* (Ord. 485 § 12.01, 1971).

**20.01.040 Powers and duties of the enforcing officer.**

*Repealed by Ord. 1505.* (Ord. 485 § 12.02, 1971).

**20.01.050 Building inspector – Right of entry.**

*Repealed by Ord. 1505.* (Ord. 485 § 12.02, 1971).

**20.01.060 Building inspector – Custody of building permits.**

*Repealed by Ord. 1505.* (Ord. 485 § 12.02, 1971).

**20.01.070 Board of adjustment – Creation.**

*Repealed by Ord. 1505.* (Ord. 811 § 1, 1980; Ord. 485 § 12.08(1), 1971).

**20.01.080 Board of adjustment – Organization.**

*Repealed by Ord. 1505.* (Ord. 1214 § 1, 1993; Ord. 485 § 12.08.02, 1971).

**20.01.081 Board members – Attendance.**

*Repealed by Ord. 1505.* (Ord. 941 § 3, 1984).

**20.01.090 Board of adjustment – Absence or failure to function.**

*Repealed by Ord. 1505.* (Ord. 485 § 12.08.02, 1971).

**20.01.100 Duties of planning-zoning commission.**

*Repealed by Ord. 1505.* (Ord. 485 § 12.12, 1971).

## Chapter 20.04

### DEFINITIONS

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- 20.04.020 Access.
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#### **20.04.010 Generally.**

For the purpose of this title, certain words and terms used are defined as set forth in this chapter; provided, that where a word and a term in Chapter 20.06 PMC conflicts with a word or term in this chapter, the word or term in Chapter 20.06 PMC shall prevail.

All words used in the present tense include the future tense; all words in the plural number include the singular number, and all words in the singular number include the plural number.

Unless the natural construction of the wording indicates otherwise: The word “lot” includes the word “plot”; the word “building” includes the word “structure”; and the word “shall” is mandatory and not discretionary. The word “used” includes designed, intended or arranged to be used. Unless otherwise specified, all distances shall be measured horizontally. The word “city” means the city of Pacific, in King County, state of Washington; the term “city council” means the city council of Pacific; the term “building inspector” means the building inspector of the city. (Ord. 1361 § 11, 1998; Ord. 485 § 13.01, 1971).

#### **20.04.015 Abutting.**

“Abutting” means land having a common property line or district line or separated only

## **20.04.020**

by a private street, alley or easement. (Ord. 485 § 13.01, 1971).

### **20.04.020 Access.**

“Access” means the place, means or way by which pedestrians or vehicles shall have safe, adequate and usable ingress and egress to a property, use or parking space. (Ord. 485 § 13.01, 1971).

### **20.04.025 Accessory building.**

“Accessory building” means a subordinate building, the use of which is incidental to the use of the principal building on the same lot. (Ord. 485 § 13.01, 1971).

### **20.04.028 Accessory dwelling unit.**

“Accessory dwelling unit” means a dwelling unit on the same lot as a larger (the principal) single-family dwelling unit, and meeting the requirements of Chapter 20.92 PMC. (Ord. 1504 § 1, 2001).

### **20.04.030 Accessory use.**

“Accessory use” means a use incidental and subordinate to the principal use and located on the same lot or in the same building as the principal use. (Ord. 485 § 13.01, 1971).

### **20.04.035 Accessway.**

“Accessway” means an unobstructed way of specified width containing a drive or roadway which provides vehicular access within a mobile home park and connects to a public street. (Ord. 485 § 13.01, 1971).

### **20.04.040 Alley or lane.**

“Alley” or “lane” means a passageway open to public travel, not more than 30 feet wide, which affords generally a secondary means of vehicular access to abutting lots and is not intended for general traffic circulation. (Ord. 485 § 13.01, 1971).

### **20.04.045 Alterations.**

“Alteration” means a change or rearrangement of the structural parts of existing facilities, or an enlargement by extending the sides or increasing the height or depth, or the moving from one location to another. In buildings

for business, commercial, industrial or similar uses, the installation or rearrangement of partitions affecting more than one-third of a single floor area shall be considered an alteration. (Ord. 485 § 13.01, 1971).

### **20.04.050 Apartment house.**

“Apartment house” means a building or portion of a building arranged or designed to be occupied as three or more separate dwelling units. (Ord. 485 § 13.01, 1971).

### **20.04.051 Approved manufactured home.**

“Approved manufactured home” means a manufactured home which:

A. Is comprised of at least two fully enclosed parallel sections, each of not less than 12 feet wide by 36 feet long;

B. Was originally constructed with and now has a composition or wood shake or shingle, or similar roof of not less than 3:12 pitch;

C. Has exterior siding similar in appearance to siding materials commonly used on conventional site-built Uniform Building Code single-family residences;

D. Was originally constructed to meet the energy conservation standards issued by the U.S. Department of Housing and Urban Development on October 25, 1993; and

E. Is pit-set on the property with a maximum entry threshold of 18 inches above grade and otherwise installed in accordance with WAC 296-150B-200 through 296-150B-255. (Ord. 1221 § 1, 1995).

### **20.04.055 Automobile or mobile home sales area.**

“Automobile or mobile home sales area” means an open area, other than a street, used for the display, sale or rental of new or used motor vehicles or mobile homes in operable condition and where no repair work is done, but not including the rental of mobile homes as dwelling units there in the sales area. (Ord. 485 § 13.01, 1971).

### **20.04.060 Automobile repair, major.**

“Major automobile repair” means the general overhaul of motor vehicles; collision service including body, frame, or fender

straightening or repair; overall painting or paint shop. (Ord. 485 § 13.01, 1971).

#### **20.04.065 Automobile repair, minor.**

“Minor automobile repair” means the incidental body or fender work, or other minor repairs, painting, and upholstering, replacement of parts and motor service to passenger cars and trucks not exceeding one and one-half-ton capacity, but not including any operation named under PMC 20.04.060 or any similar operation. (Ord. 485 § 13.01, 1971).

#### **20.04.070 Automobile service station or filling station.**

“Automobile service station or filling station” means a retail place of business engaged in supplying goods and services essential to the normal operation of automobiles, such as: dispensing of automobile fuel and motor oil, vehicle washing and lubricating services, and the sale and servicing of tires, batteries, replacement items and other automotive accessories. This definition shall not be deemed to include such other things as body or fender work, painting or major automobile repairs, rental of mobile homes or equipment, sales of nursery products, or coupon redemption for or sales of merchandise not accessory to a motor vehicle. (Ord. 485 § 13.01, 1971).

#### **20.04.075 Automobile wrecking.**

“Automobile wrecking” means the dismantling or disassembling of used motor vehicles or mobile homes, or the storage, sale or dumping of dismantled, obsolete, or wrecked vehicles or their parts. (Ord. 485 § 13.01, 1971).

#### **20.04.080 Basement.**

“Basement” means that portion of a building between floor and ceiling, which is partly below and partly above grade, but so located that the vertical distance from grade to floor below is less than vertical distance from grade to ceiling. A basement, when designed for or occupied by business or manufacturing, shall be considered a story. (See Figure 2 on file with the city clerk.) (Ord. 485 § 13.01, 1971).

#### **20.04.085 Billboard.**

See sign defined in PMC 20.04.600. (Ord. 485 § 13.01, 1971).

#### **20.04.090 Board of adjustment.**

*Repealed by Ord. 1505.* (Ord. 485 § 13.01, 1971).

#### **20.04.095 Boardinghouse.**

“Boardinghouse” means a dwelling in which not more than four roomers, lodgers, and/or boarders are housed and fed. (Ord. 485 § 13.01, 1971).

#### **20.04.100 Building.**

“Building” means any structure having a roof, but excluding all forms of vehicles even though immobilized. When a use is required to be within a building, or where special authority granted pursuant to this title requires that a use shall be within an entirely enclosed building, then the term “building” means one so designed and constructed that all exterior walls of the structure shall be solid from the ground to the roofline, and shall contain no openings except for windows and doors which are designed so that they may be closed. (Ord. 485 § 13.01, 1971).

#### **20.04.105 Building height.**

A. In the neighborhood center, “building height” means the vertical distance from the finished grade measured five feet from the building, to the midpoint of the vertical dimension of the roof measured from the lowest portion of the roof to the peak of the roof or highest point of the parapet wall.

B. In all other areas of the city, “building height” means the vertical distance from the established grade to the highest point on the roof or parapet wall. (Ord. 1521 § 1, 2002; Ord. 485 § 13.01, 1971).

#### **20.04.110 Building inspector.**

“Building inspector” means a duly appointed officer of the city charged with the administration and enforcement of the provisions of this title. (Ord. 485 § 13.01, 1971).

## **20.04.115**

### **20.04.115 Building line.**

“Building line” means the line of that face, corner, roof or part of a building nearest the property line. (Ord. 485 § 13.01, 1971).

### **20.04.120 Building, principal.**

“Principal building” means a building in which is conducted the principal use of the building site on which it is situated. In any residential district any dwelling shall be deemed to be a principal building on the building site on which the same is located. (Ord. 485 § 13.01, 1971).

### **20.04.125 Building site.**

“Building site” means a total horizontal area within the property lines excluding external streets, public or private. (Ord. 485 § 13.01, 1971).

### **20.04.130 Bungalow court.**

“Bungalow court” means a group of dwellings connected or detached facing directly on a common court and used for month-to-month occupancy. (Ord. 485 § 13.01, 1971).

### **20.04.133 Cargo containers.**

A “cargo container” is a standardized, reusable vessel, designed without an axle or wheels, which was:

A. Originally, specifically, or formerly designed for or used in the packing, shipping, movement or transportation of freight, articles, goods or commodities; and/or

B. Designed for or capable of being mounted or moved on a rail car; and/or

C. Designed for or capable of being mounted on a chassis for movement by truck trailer or loaded on a ship. (Ord. 1524 § 1, 2002).

### **20.04.135 Carport.**

“Carport” means a stationary structure to house or protect motor vehicles owned or operated by the occupants of the principal building and which has at least 40 percent of the total area of its sides open to weather. (Ord. 485 § 13.01, 1971).

### **20.04.140 Cellar.**

“Cellar” means that portion of a building between floor and ceiling which is wholly or partly below grade and so located that the vertical distance from grade to the floor below is equal to or greater than the vertical distance from grade to ceiling. (See Figure 2 on file in the city clerk’s office.) (Ord. 485 § 13.01, 1971).

### **20.04.145 Certificate of occupancy.**

“Certificate of occupancy” means a permit to occupy a premises issued by the building inspector after inspection has verified compliance with the requirements and provisions of this title and applicable building codes. (Ord. 485 § 13.01, 1971).

### **20.04.150 Clinic.**

“Clinic” means a building designated and used for the medical, dental or surgical diagnosis or treatment of patients under the care of doctors and/or nurses. (Ord. 485 § 13.01, 1971).

### **20.04.155 Clinic, small animal.**

“Small animal clinic” means a business establishment in which veterinary services are rendered to small domestic pets on an outpatient basis with no overnight boarding allowed. (Ord. 485 § 13.01, 1971).

### **20.04.160 Club.**

“Club” means an incorporated or unincorporated association of persons organized for a social, fraternal, athletic, educational, literary or charitable purpose. Property occupied by a club shall be deemed to be semiprivate in character and shall be subject to the regulations governing public buildings and places, excluding groups organized primarily to render a service which is normally considered a business. (Ord. 485 § 13.01, 1971).

### **20.04.165 Commercial use.**

“Commercial use” means an activity with goods, merchandise or services for sale or involving a rental fee. (Ord. 485 § 13.01, 1971).



**20.04.170 Commercial vehicle.**

“Commercial vehicle” means a motor vehicle used for purposes other than a family car, such as a taxi, delivery, or service vehicle. (Ord. 485 § 13.01, 1971).

**20.04.175 Conditional or special use.**

A “conditional or special use” is a use permitted in one or more zones as defined by this title but which, because of characteristics peculiar to such use, or because of size, technological processes or equipment, or because of the exact location with reference to surroundings, streets, and existing improvements or demands upon public facilities, requires a special degree of control to make such uses consistent with and compatible to other existing or permissible uses in the same zone or zones. A conditional use is a form of special exception. (Ord. 485 § 13.01, 1971).

**20.04.180 Conditional use permit.**

A “conditional use permit” is the evidence of authority granted by the city to locate a conditional use at a particular location. (Ord. 1505 § 11, 2001; Ord. 485 § 13.01, 1971).

**20.04.185 Condominium apartment.**

See apartment house defined in PMC 20.04.050. (Ord. 485 § 13.01, 1971).

**20.04.190 Construction yard.**

“Construction yard” means an area on or immediately adjacent to a major construction or demolition site used on a temporary basis for the parking and storage of equipment used in the project, and the storage and preparation of materials and other items used in the project. Such yard may include construction offices and such shops as are necessary for work on the immediate project. (Ord. 485 § 13.01, 1971).

**20.04.195 Cooperative apartment.**

See apartment house defined in PMC 20.04.050. (Ord. 485 § 13.01, 1971).

**20.04.200 Corporation yard – Service yard.**

The terms “corporation yard” and “service yard” mean buildings and premises, including offices, used by any person or by the city for the storage, maintenance, repair and processing of equipment, materials and other items involved in construction or maintenance of physical facilities having permanently fixed locations or in the operation of fleets of rolling stock. (Ord. 485 § 13.01, 1971).

**20.04.205 Court.**

“Court” means an open, unoccupied space, other than a yard, on the same lot with a building or buildings and which is bounded on two or more sides by such buildings or building including the open space in a house or apartment, providing access to the units thereof. (Ord. 485 § 13.01, 1971).

**20.04.210 Day nursery.**

“Day nursery” means any institution, establishment or place in which are commonly received at one time three or more children not of common parentage, under the age of six years, for a period or periods not exceeding 12 hours, for the purpose of being given board, care or training apart from their parents or guardians for compensation or reward. (Ord. 485 § 13.01, 1971).

**20.04.215 Detached building.**

“Detached building” means a building surrounded on all sides by open space. (Ord. 485 § 13.01, 1971).

**20.04.220 Development site.**

A. “Development site” means either:

1. A lot of record existing on the effective date of the ordinance codified in this title;
2. A tract of land either unsubdivided or consisting of two or more contiguous lots of record, located within a single block which on the effective date of the ordinance codified in this title was in single ownership; or
3. A tract of land, located within a single block, which at the time of filing for a building permit (or, if no building permit is required, at the time of filing for a certificate of occu-

## **20.04.225**

pancy), is designated by its owner or developer as a tract, all of which is to be used, developed, or built upon as a unit under single ownership.

B. A development site, therefore, may or may not coincide with a lot as shown on the official tax maps of the city of Pacific or on any recorded subdivision plat or deed.

C. For the purpose of this definition, ownership of a development site is deemed to include a lease of not less than 50 years duration, with an option to renew such lease so as to provide a total lease of not less than 75-year duration.

D. A development site may be subdivided into two or more development sites, provided that all resulting development sites and all buildings thereon shall comply with all the applicable provisions of the ordinance codified in this title. If such development site, however, is occupied by a nonconforming structure, such development site may be subdivided, provided such subdivision does not create a new noncompliance or increase the degree of non-compliance of such structure. (Ord. 485 § 13.01, 1971).

### **20.04.225 District.**

“District” means a portion of the territory of the city within which certain uniform regulations and requirements, or various combinations thereof, apply under the provisions of this title. (Ord. 485 § 13.01, 1971).

### **20.04.230 Drive-in enterprise.**

“Drive-in enterprise” means a business activity or other use of land consisting of sales or service activity predominantly rendered to patrons who normally receive the products or utilize the services at least in part while in automobiles upon the premises. This definition includes, inter alia, automobile service stations, automobile car washes and drive-in restaurants. (Ord. 485 § 13.01, 1971).

### **20.04.235 Duplex.**

See dwelling, two-family defined in PMC 20.04.260. (Ord. 485 § 13.01, 1971).

### **20.04.240 Dwelling.**

“Dwelling” means a building or portion thereof which is occupied in whole or in part as a home, residence, or sleeping place, either permanently or temporarily by one or more families, but excluding hotels, motels and tourist courts. (Ord. 485 § 13.01, 1971).

### **20.04.245 Dwelling group.**

“Dwelling group” means a group of two or more dwellings, either detached or attached, located on a parcel of land in one ownership and having any yard or court in common. (Ord. 485 § 13.01, 1971).

### **20.04.250 Dwelling, multiple.**

“Multiple dwelling” means a building designed and used for occupancy by three or more families, all living independently of each other, and having separate housekeeping facilities for each family. (Ord. 485 § 13.01, 1971).

### **20.04.255 Dwelling, single-family.**

“Single-family dwelling” means a detached building designed or used exclusively for the occupancy of one family and having housekeeping facilities for only one family. Not more than four people in addition to the related family may be regularly lodged or furnished meals therein. “Single-family dwelling” does not include a mobile home, manufactured home or modular home. (See PMC 20.04.285.) (Ord. 1221 § 2, 1995; Ord. 485 § 13.01, 1971).

### **20.04.260 Dwelling, two-family – Duplex.**

“Two-family dwelling” or “duplex” means a building designed or used exclusively for the occupancy of two families living independently of each other and having separate housekeeping facilities for each family. (Ord. 485 § 13.01, 1971).

### **20.04.265 Dwelling unit.**

“Dwelling unit” means one or more habitable rooms which are occupied or which are intended or designed to be occupied by one family with housekeeping facilities for living, sleeping, cooking and eating. (Ord. 485 § 13.01, 1971).

**20.04.270 Electrical distribution substation.**

“Electrical distribution substation” means an assembly of equipment designed to receive energy from a high voltage distribution supply system, to convert it to a form suitable for local distribution and to distribute the energy to feeders through switching equipment designed to protect the service from the effects of faults. (Ord. 485 § 13.01, 1971).

**20.04.275 Essential use.**

“Essential use” means that use for the preservation or promotion of which the use district was created, and to which all other permitted uses are subordinate. (Ord. 485 § 13.01, 1971).

**20.04.280 Established grade.**

“Established grade” means the high point of the sidewalk at the front or side lot line as established by the city. (Ord. 485 § 13.01, 1971).

**20.04.283 Factory-built home.**

*Repealed by Ord. 1221.* (Ord. 982 § 1, 1985).

**20.04.284 Factory-built housing.**

“Factory-built housing” means any structure designed primarily for human occupancy other than a mobile home, the structure or any room of which is either entirely or substantially prefabricated or assembled at a place other than a building site. (See definitions of manufactured home, mobile home and modular home). (Ord. 1221 § 4, 1995; Ord. 999 § 1, 1986).

**20.04.285 Family.**

“Family” means one or more persons, related by blood, marriage, or adoption, or a group of not more than six persons (excluding servants) not related by blood or marriage, living together as a single housekeeping unit in a dwelling unit. (Ord. 485 § 13.01, 1971).

**20.04.290 Foster daily day care home.**

See day nursery defined in PMC 20.04.210. (Ord. 485 § 13.01, 1971).

**20.04.295 Garage, private parking.**

“Private parking garage” means a publicly or privately owned structure having one or more tiers used for the parking of automobiles for the tenants, employees or owners of the property for which the parking spaces contained in or on said garage are required by this title, and not open for use by the general public. (Ord. 485 § 13.01, 1971).

**20.04.300 Garage, public parking.**

“Public parking garage” means a publicly or privately owned structure having one or more tiers used for the parking of automobiles and open for use by the general public, either free or for remuneration. Public parking garages may include parking spaces for customers, patrons, or clients which are required by this title, provided the parking spaces are clearly identified as free parking space(s) for the building or use required to provide the spaces. (Ord. 485 § 13.01, 1971).

**20.04.305 Garage, repair.**

“Repair garage” means a building used for the storage, parking, care or repair of motor vehicles, or where such vehicles are kept for remuneration, hire or sale. (Ord. 485 § 13.01, 1971).

**20.04.310 Grade.**

“Grade” means the average of the finished ground level at the center of all walls of a building. In case walls are parallel to and within five feet of a sidewalk, alley or other public way, the aboveground level shall be measured at the elevation of the sidewalk, alley or public way. (See Figure 3 on file with the city clerk.) (Ord. 485 § 13.01, 1971).

**20.04.315 Gross floor area.**

“Gross floor area” means the sum of the gross horizontal areas of the floors of a building or buildings measured from the exterior faces of exterior walls and from the centerline of division walls. Floor area shall include: basement space, elevator shafts and stairwells at each floor, mechanical equipment rooms or attic spaces with headroom of seven feet six inches or more, penthouse floors, interior bal-

## **20.04.320**

conies and mezzanines, and enclosed porches. Floor area shall not include: accessory water tanks and cooling towers, mechanical equipment or attic spaces with headroom of less than seven feet six inches, exterior steps or stairs, terraces, breezeways and open spaces. (Ord. 485 § 13.01, 1971).

### **20.04.320 Guesthouse.**

“Guesthouse” means a detached structure, being an accessory to a one-family dwelling with not more than two bedrooms, having no kitchen facilities, and which shall be used and/or designed for use primarily by guest and/or servants for sleeping quarters only. (Ord. 485 § 13.01, 1971).

### **20.04.325 Home occupation.**

“Home occupation” means any occupation or profession carried on by a member of the family residing on the premises subject to standards prescribed in PMC 20.68.190. (Ord. 485 § 13.01, 1971).

### **20.04.330 Home – Rest, convalescent, for the aged.**

“Rest home,” “convalescent home,” and “home for the aged” mean any home operated similarly to a boardinghouse but not restricted to any number of guests or guest rooms, and in which nursing, dietary and other personal services are furnished to convalescents, invalids and aged persons, but in which homes are kept no persons suffering from an acute mental sickness or from a contagious or communicable disease, and in which homes are performed no surgery or other primary treatments such as are customarily provided in hospitals, and in which no persons are kept or served who normally would be admitted to a mental hospital. (Ord. 485 § 13.01, 1971).

### **20.04.335 Home, retirement.**

“Retirement home” means a place of residence for several families or individuals in apartment-like quarters, whether rented, cooperative, or condominium, which may feature services to retired persons such as limited nursing facilities, minimum maintenance liv-

ing accommodations, and recreation programs and facilities. (Ord. 485 § 13.01, 1971).

### **20.04.340 Hospital.**

“Hospital” means an establishment which provides accommodations, facilities and services over a continuous period of 24 hours or more for observation, diagnosis and care of two or more individuals, not related by blood or marriage to the operator, who are suffering from illness, injury, deformity or abnormality, or from any condition requiring obstetrical, medical or surgical services. (Ord. 485 § 13.01, 1971).

### **20.04.345 Hospital, small animal.**

“Small animal hospital” means a building or premises for the medical or surgical treatment of animals or pets, including dog, cat and veterinary hospitals, including the boarding of hospitalized animals, but excluding the boarding of animals not subjected to medical or surgical treatment. (Ord. 485 § 13.01, 1971).

### **20.04.350 Hotel, motel, motor hotel, tourist court.**

“Hotel, motel, motor hotel, tourist court” means any building or group of buildings used for transient residential purposes containing six or more guestrooms without housekeeping facilities which are intended or designed to be used, or which are used, rented or hired out to be occupied for sleeping purposes by guests. (Ord. 485 § 13.01, 1971).

### **20.04.355 Household pet.**

“Household pet” means animals or fowl customarily permitted in the house and kept for company or pleasure, including dogs, cats, canaries and similar pets. (Ord. 485 § 13.01, 1971).

### **20.04.360 Instructional home.**

“Instructional home” means a place for the care of babies, children, pensioners, or the aged, except those for mental therapy or for correction or detention. (Ord. 485 § 13.01, 1971).

**20.04.365 Kennel, commercial.**

“Commercial kennel” means any lot or building in which four or more dogs and/or cats at least four months of age are kept commercially for board or propagation or treatment. (Ord. 485 § 13.01, 1971).

**20.04.370 Kitchen.**

“Kitchen” means any room used or intended or designed to be used for cooking and/or preparation of food. (Ord. 485 § 13.01, 1971).

**20.04.375 Loading space.**

“Loading space” means an off-street space or berth on the same lot with a principal building or contiguous to a group of buildings for the temporary parking of commercial vehicles while loading or unloading, and which shall abut a street, alley or other appropriate means of ingress and egress. (Ord. 485 § 13.01, 1971).

**20.04.380 Lot.**

“Lot” means a parcel of land of at least sufficient size to meet minimum zoning requirements for use, coverage and area, and to provide such yards and other open spaces as are herein required; such lot shall have frontage on a public street, and may consist of:

- A. A single lot of record;
- B. A portion of a lot of record;
- C. A combination of complete lots of record, or complete lots of record and portions of lots of record;
- D. A parcel of land described by metes and bounds; provided that in case of division or combination there shall have been approval given to the division or combination by the commission under the conditions set forth in PMC Title 19. (Ord. 485 § 13.01, 1971).

**20.04.385 Lot, corner.**

“Corner lot” means either a lot or development site, bounded entirely by streets, or a lot which adjoins the point of intersection of two or more streets and in which the interior angle formed by the extensions of the street lines in the direction which they take at their intersections with lot lines other than street lines forms an angle of 135 degrees or less. In the event

that any street line is a curve at its point of intersection with a lot line other than a street line, the tangent to the curve at that point shall be considered the direction of the street line. (See Figure 6 on file with the city clerk.) (Ord. 485 § 13.01, 1971).

**20.04.390 Lot coverage.**

“Lot coverage” means that portion of a lot which, when viewed directly from above, would be covered by a building, or any part of a building, except any area covered by a structure where 50 percent or more of the perimeter of such structure is open from grade. (See Figure 4 on file with the city clerk.) (Ord. 485 § 13.01, 1971).

**20.04.395 Lot depth.**

“Lot depth” is the distance between the mid-points of straight lines connecting the foremost points of the side lot lines in front and the rear-most points of the side lot lines in the rear. (See Figure 5 on file with the city clerk.) (Ord. 485 § 13.01, 1971).

**20.04.400 Lot frontage.**

“Lot frontage” means that portion of a lot nearest the street. For the purpose of determining yard requirements, all sides of a lot adjacent to a street shall be considered frontage and yards shall be provided as indicated in PMC 20.04.685 through 20.04.705. (Ord. 485 § 13.01, 1971).

**20.04.405 Lot, interior.**

“Interior lot” means a lot or development site other than a corner lot with frontage only on one street. (See Figure 6 on file with the city clerk.) (Ord. 485 § 13.01, 1971).

**20.04.407 Lot, flag.**

“Flag lot” means a lot that accesses the street via a “flag staff” (or panhandle or pipestem) which is part of the lot. (Ord. 1489 § 2, 2001).

**20.04.410 Lot line, front.**

“Front lot line” means a property line contiguous with the street line. For corner lots, the front lot line shall be the narrowest street front-

## **20.04.415**

age or as shown on the official plat of the property. (See Figure 5 on file with the city clerk.) (Ord. 485 § 13.01, 1971).

### **20.04.415 Lot line, rear.**

“Rear lot line” means a lot line which is opposite and most distant from the front lot line. For a triangular or gore-shaped lot, the “rear lot line” means a line 10 feet in length within the lot which is parallel to the front lot line, or parallel to the chord of a curved front lot line, and a maximum distance from the front lot line. (See Figure 5 on file with the city clerk.) (Ord. 485 § 13.01, 1971).

### **20.04.420 Lot line, side.**

“Side lot line” means a property line which is not a front or rear lot line. (See Figure 5 on file with the city clerk.) (Ord. 485 § 13.01, 1971).

### **20.04.425 Lot of record.**

“Lot of record” means a lot shown as a part of a recorded subdivision, or any parcel of land described by metes and bounds in a recorded deed, record of survey or other appropriate document recorded in the office of the county auditor; except that no lot or parcel of land created without complying with the provisions of the land subdivision requirements of the state of Washington and PMC Title 19 is entitled to the waiver of this title. (Ord. 485 § 13.01, 1971).

### **20.04.430 Lot, through.**

“Through lot” means a lot or development site other than a corner lot with frontage on more than one street. Through lots with frontage on two streets may be referred to as “double-frontage” lots. (See Figure 6 on file with the city clerk.) (Ord. 485 § 13.01, 1971).

### **20.04.435 Lot width.**

“Lot width” means the distance between the side lot lines in that portion of the lot where a building can be built given the minimum setback requirements. The lot width shall meet the minimum lot width of 35 feet between the front and rear yard setbacks. (Ord. 1489 § 2, 2001; Ord. 485 § 13.01, 1971).

### **20.04.440 Mean depth.**

“Mean depth” means the depth of such lot measured approximately perpendicular to the fronting street and midway between the side-lines of such lot. (Ord. 485 § 13.01, 1971).

### **20.04.445 Mobile home.**

“Mobile home” means a factory-built dwelling built prior to June 15, 1976, to construction standards other than the HUD code, and acceptable under applicable state codes in effect at the time of construction or introduction of the home into the state. (Ord. 1221 § 5, 1995).

### **20.04.450 Mobile home park.**

“Mobile home park” means any privately owned place where two or more mobile homes used for human occupancy are parked within 500 feet of one another on a lot, tract or parcel of land under the same ownership. (Ord. 485 § 13.01, 1971).

### **20.04.455 Mobile home space.**

“Mobile home space” means a plot of land within a mobile home park designated for the accommodation of one mobile home. (Ord. 485 § 13.01, 1971).

### **20.04.456 Manufactured home.**

“Manufactured home” means a residential unit on one or more chassis for towing to the point of use and can be used with or without a foundation as a single-family dwelling unit on a year around basis, and which bears an insignia issued by a state or federal regulatory agency indicating that the manufactured home complies with all applicable construction standards of the U.S. Department of Housing and Urban Development definition of manufactured home. A manufactured home does not include a mobile home, modular home, commercial coach, recreational vehicle or a motor home. (Ord. 1221 § 6, 1995; Ord. 999 § 1, 1986).

### **20.04.458 Modular home.**

“Modular home” means a factory-assembled structure, constructed to the Uniform Building Code, which is designed to be used as

a dwelling when connected to the required utilities, does not contain its own running gear, and must be mounted on a permanent foundation. Modular home does not include a mobile home or manufactured home. (Ord. 1221 § 7, 1995; Ord. 999 § 1, 1986).

#### **20.04.460 Motel.**

A “motel” is a building or buildings, detached or in connected units, or designed as a single structure, the units of which are used as individual sleeping or dwelling units, having their own private toilet facilities and may or may not have their own kitchen facilities, and are designed primarily for the accommodation of transient automobile travelers. Accommodations for mobile homes are not included. This term includes tourist court, motor lodge, auto court, cabin court, motor inn and similar names. (Ord. 485 § 13.01, 1971).

#### **20.04.465 Motor hotel.**

“Motor hotel” means a specialized hotel designed and operated to provide hotel services and accommodations to the motoring public and where the sleeping accommodations normally do not exceed one week’s duration. (Ord. 485 § 13.01, 1971).

#### **20.04.468 Neighborhood center.**

“Neighborhood center” is a zoning overlay designation that applies to all property within 800 feet of the center of the intersection of 3rd Avenue SE and Milwaukee Boulevard. (Ord. 1521 § 2, 2002).

#### **20.04.470 Nonconforming building use.**

“Nonconforming building use” means the use of a building which was a lawful use at the time the ordinance codified in this title became effective but which use, because of the passage of the ordinance codified in this title, does not conform to the regulations of the district in which the use exists. (Ord. 485 § 13.01, 1971).

#### **20.04.475 Nonconforming land use.**

“Nonconforming land use” means the use of land which was a lawful use at the time the ordinance codified in this title became effective but which use, because of the passage of

the ordinance codified in this title, does not conform to the regulations of the district in which the use exists. (Ord. 485 § 13.01, 1971).

#### **20.04.480 Nonconforming use.**

“Nonconforming use” means a use which lawfully occupied a building or land at the time the ordinance codified in this title became effective and which does not conform with the use regulations of the district in which it is located. (Ord. 485 § 13.01, 1971).

#### **20.04.485 Open space.**

“Open space” means any part of a lot unobstructed from the ground upward. (Ord. 485 § 13.01, 1971).

#### **20.04.490 Outdoor advertising display.**

“Outdoor advertising display” means any card, cloth, paper, metal, painted, wooden, plaster, stone or other sign of any kind or character whatsoever placed for outdoor advertising purposes on the ground or on any tree, wall, bush, rock, post, fence, building, structure or thing whatsoever. The term “placed” as used in this section shall include erecting, constructing, posting, painting, printing, tacking, nailing, gluing, sticking, carving or otherwise fastening, affixing or making visible in any manner whatsoever. (Ord. 485 § 13.01, 1971).

#### **20.04.495 Outdoor living area.**

“Outdoor living area” means an outdoor or semi-outdoor area designed to provide a more pleasant and healthful environment for the occupants of a dwelling unit and the neighborhood in which such dwelling unit is located. It includes natural ground areas, paved or rooftop areas, balconies, porches, patios, terraces, verandas, or similar areas developed for active or passive recreational activities. For the purpose of measuring “outdoor living area” the following shall apply:

A. Outdoor living area is required at a ratio of 10 percent of the gross floor area of each dwelling unit. It may be provided as private or semiprivate space or a combination thereof.

1. Private space, open or roofed, which is accessible to the occupant of one dwelling

## 20.04.496

unit only must meet the following qualifications:

a. Minimum dimension shall be four and one-half feet, minimum area shall be 35 square feet.

b. Minimum height shall be seven feet.

c. At least 65 percent of the longest dimension shall be open and unobstructed.

2. Semiprivate space, open or roofed, which is accessible to all occupants of the building, and which may be provided on roof-tops of buildings or on parking structures, at grade or in any other way is subject to the following qualifications:

a. Minimum dimension shall be 10 feet, minimum area shall be 100 square feet.

b. Minimum height shall be seven feet.

c. At least 65 percent of the longest dimension shall be open and unobstructed.

B. That portion of exterior balconies which serves as required exits for the building shall not be considered as "outdoor living area." (Ord. 485 § 13.01, 1971).

## 20.04.496 Outdoor sales.

"Outdoor sales" means an open area used for the display, sale, or rental of goods and/or materials that are actively marketed and readily available for general public consumption. This does not include storage areas of materials that are sold elsewhere on the premises; salvage yards as defined by PMC 20.04.560; and motor vehicle and building material wrecking yards as defined by PMC 20.04.680. (Ord. 1524 § 2, 2002).

## 20.04.497 Panelized housing.

*Repealed by Ord. 1221.* (Ord. 999 § 1, 1986).

## 20.04.498 Outdoor storage.

"Outdoor storage" means the keeping of materials, supplies, equipment, machinery, and vehicles which are not currently licensed or able to operate on public streets or highways, in an open, uncovered yard or unenclosed building. This definition includes salvage yards as defined by PMC 20.04.560,

motor vehicle and building material wrecking yards as defined by PMC 20.04.680, but excludes outdoor sales as defined by PMC 20.04.496. (Ord. 1524 § 3, 2002).

## 20.04.500 Parking area, private.

"Private parking area" means privately or publicly owned property, other than streets and alleys, on which parking spaces are defined, designated or otherwise identified for use by the tenants, employees or owners of the property for which the parking area is required by this title and not open for use by the general public. (Ord. 485 § 13.01, 1971).

## 20.04.505 Parking area, public.

"Public parking area" means privately or publicly owned property, other than streets or alleys, on which parking spaces are defined, designated or otherwise identified for use by the general public, either free or for remuneration. Public parking areas may include parking lots which may be required by this title for retail customers, patrons and clients. (Ord. 485 § 13.01, 1971).

## 20.04.510 Parking space.

"Parking space" means a permanently maintained space with proper access for one standard size automobile as indicated in Chapter 20.28 PMC. (Ord. 485 § 13.01, 1971).

## 20.04.512 Impervious surface.

"Impervious surface" means a hard surface area which either prevents or retards the entry of water into the soil mantle as under natural conditions prior to development, and/or a hard surface area which causes water to run off the surface in greater quantities or at an increased rate of flow from the flow present under natural conditions prior to development. Common impervious surfaces include, but are not limited to, roof tops, walkways, patios, driveways, parking lots or storage areas, concrete or asphalt paving, gravel roads, packed earthen materials, and oiled macadam or other surfaces which similarly impede the natural infiltration of surface and stormwater runoff. Open, uncovered retention/detention facilities shall



not be considered as impervious for the purpose of this title. (Ord. 1302 § 2, 1996).

**20.04.515 Permitted use.**

“Permitted use” means any use authorized or permitted alone or in conjunction with another use in a specified district and subject to the limitations of the regulations of such use district. (Ord. 485 § 13.01, 1971).

**20.04.517 Prefabricated housing.**

*Repealed by Ord. 1221.* (Ord. 999 § 1, 1986).

**20.04.520 Primary use.**

“Primary use” means the principal or predominant use to which the property is or may be devoted, and to which all other uses on the premises are accessory. (Ord. 485 § 13.01, 1971).

**20.04.525 Professional offices.**

“Professional offices” are offices maintained and used as a place of business conducted by persons engaged in the healing arts for human beings, such as doctors and dentists (but wherein no overnight care for patients is given), and by engineers, attorneys, architects, accountants and other persons providing services utilizing training in and knowledge of the mental discipline as distinguished from training in occupations requiring skill or manual dexterity or the handling of commodities. (Ord. 485 § 13.01, 1971).

**20.04.530 Public utility.**

“Public utility” means a public service corporation performing some public service and subject to special governmental regulations, or a governmental agency performing similar services, the services by either of which are paid for directly by the recipients thereof. Such services shall include, but are not limited to, water supply, electric power, gas, and transportation for persons and freight. (Ord. 485 § 13.01, 1971).

**20.04.535 Recreation facilities.**

“Recreation facilities” are facilities, such as boat or yacht clubs, swimming pools, athletic

clubs, golf and country clubs, for the use of the general public and operated by the municipal corporation. (Ord. 485 § 13.01, 1971).

**20.04.537 Recreational vehicle.**

“Recreational vehicle” means a vehicle or portable structure built on a chassis and designed to be used for temporary occupancy or travel, recreational or vacation use. Said vehicles contain plumbing, heating and electrical systems which may be operated without connection to outside utilities. Recreational vehicles shall include, but are not limited to, campers, motor homes and travel trailers. (Ord. 999 § 1, 1986).

**20.04.540 Riding academy.**

“Riding academy” means any establishment where horses are kept for riding, driving or stabling for compensation or as an accessory use in the operation of a club, association, ranch or similar establishment. (Ord. 485 § 13.01, 1971).

**20.04.545 Roadside stand.**

“Roadside stand” means a temporary structure designed or used for the display or sale of agricultural products produced on the premises upon which such a stand is located. (Ord. 485 § 13.01, 1971).

**20.04.550 Roominghouse.**

See boardinghouse defined in PMC 20.04.095. (Ord. 485 § 13.01, 1971).

**20.04.555 Sales, wholesale.**

“Wholesale sales” means the sale of goods for resale, or the sale of goods produced or processed from raw or primary materials on the premises, or the sale of construction materials which require bulk delivery of the product. (Ord. 485 § 13.01, 1971).

**20.04.560 Salvage yard.**

“Salvage yard” means a place where waste, discarded or salvaged materials are brought, sold, exchanged, baled, packed, disassembled, or handled or stored, including auto wrecking yards, house wrecking yards, used lumberyards and places or yards for storage of sal-

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vaged house wrecking and structural steel materials and equipment; but not including such places where such uses are conducted entirely within a completely enclosed building, and not including pawnshops and establishments for the sale, purchase, or storage of used furniture and household equipment, used cars in operable condition or salvaged materials incidental to manufacturing operations. (Ord. 485 § 13.01, 1971).

### **20.04.565 Sanitarium and nursing home.**

See rest home defined in PMC 20.04.330. (Ord. 485 § 13.01, 1971).

### **20.04.570 School, commercial.**

“Commercial school” means a building where instruction is given to pupils in arts, crafts or trades, and operated as a commercial enterprise as distinguished from schools endowed and/or supported by taxation. (Ord. 485 § 13.01, 1971).

### **20.04.575 School – Elementary, junior or senior high.**

“Elementary, junior, or senior high school,” including public, private and parochial, means an institution of learning which offers instruction in several branches of learning and study required to be taught in the public schools by the Washington State Board of Education. (Ord. 485 § 13.01, 1971).

### **20.04.580 Secondary use.**

“Secondary use,” including incidental or accessory, means a minor or second use for which a lot, structure or building is designed or employed in conjunction with but subordinate to its primary use. (Ord. 485 § 13.01, 1971).

### **20.04.583 Secure community transition facility.**

“Secure community transition facility” is a residential facility for persons civilly committed and conditionally released to a less restrictive alternative under Chapter 71.09 RCW. A secure community transition facility has supervision and security, and either provides or ensures the provision of sex offender treatment services. Secure community transition facili-

ties include but are not limited to the facilities established pursuant to RCW 71.09.250 and any community-based facilities established under Chapter 71.09 RCW and operated by or under contract with the Washington State Department of Social and Health Services. (Ord. 1530 § 1, 2002).

### **20.04.585 Semiprivate facility.**

“Semiprivate facility” means any facility which a class or a group of the public is permitted to attend or use subject to the regulations of a club or other organization owning or regulating such facility. (Ord. 485 § 13.01, 1971).

### **20.04.590 Service building.**

“Service building” means a building housing communal toilet, laundry, and other sanitary facilities necessary for the health and convenience of mobile home park occupants. (Ord. 485 § 13.01, 1971).

### **20.04.595 Setback.**

“Setback” means the distances that buildings or uses must be removed from their lot lines. Setbacks shall be measured, where applicable, from proposed or actual public or private street right-of-way lines. No bay window, porch, or similar building appurtenance shall intrude into the required setback. Roof overhangs to a maximum of two feet may intrude into the required setback. (Ord. 1489 § 3, 2001; Ord. 485 § 13.01, 1971).

### **20.04.600 Sign.**

“Sign” means any device for visual communication that is used for the purpose of bringing the subject thereof to the attention of the public. (Ord. 485 § 13.01, 1971).

### **20.04.605 Solid planting.**

“Solid planting” means a planting of evergreen trees and shrubs which will prevent a thorough and unobscured penetration of sight or light. (Ord. 485 § 13.01, 1971).

### **20.04.610 Story.**

“Story” means that portion of a building included between the upper surface of any floor and the upper surface of the floor above,

except that the topmost story shall be that portion of a building included between the surface (upper) of the topmost floor and the ceiling above. (See basement defined in PMC 20.04.080 and cellar defined in PMC 20.04.140.) (Ord. 485 § 13.01, 1971).

**20.04.615 Story, half.**

“Half story” means any basement or cellar, except as provided in this title, which has less than six feet of its height above grade. (Ord. 485 § 13.01, 1971).

**20.04.620 Street.**

“Street” means an officially approved public thoroughfare or right-of-way dedicated, deeded or condemned which has been officially approved by the planning commission and accepted by the city council for use as such, other than an alley, which affords the principal means of access to abutting property, including avenue, place, way, drive, lane, boulevard, highway, road and other thoroughfare, except as excluded in this title. The word “street” includes all arterial highways, free-ways, traffic collector streets, and local streets. (Ord. 485 § 13.01, 1971).

**20.04.625 Street line.**

“Street line” means a lot line separating a street from other land. (See Figure 5 on file with the city clerk.) (Ord. 485 § 13.01, 1971).

**20.04.630 Structural alterations.**

“Structural alterations” means any change in load or stress of the loaded or stressed members of a building or structure. (Ord. 485 § 13.01, 1971).

**20.04.635 Structure.**

“Structure” means a combination of materials constructed and erected permanently on the ground or attached to something having a permanent location on the ground. Not included are residential fences less than six feet in width, retaining walls, rockeries and similar improvements of a minor character less than three feet in height. (Ord. 485 § 13.01, 1971).

**20.04.640 Temporary.**

“Temporary” means not having or requiring permanent attachment to the ground, or involving structures which have no required permanent attachment to the ground. (Ord. 485 § 13.01, 1971).

**20.04.645 Tourist home.**

“Tourist home” means a private residence having not more than three rooms for hire to transients for only sleeping accommodations and whose trade is seasonal in character. (Ord. 485 § 13.01, 1971).

**20.04.650 Trailer.**

See mobile home defined in PMC 20.04.445. (Ord. 485 § 13.01, 1971).

**20.04.655 Trailer camp or park.**

See mobile home park defined in PMC 20.04.450. (Ord. 485 § 13.01, 1971).

**20.04.660 Use.**

“Use” means the purpose for which land or buildings or structure now serves or for which it is occupied, maintained, arranged, designed or intended. (Ord. 485 § 13.01, 1971).

**20.04.665 Used car lot.**

“Used car lot” means any place outside a building where two or more automobiles are offered for sale or are displayed. (Ord. 485 § 13.01, 1971).

**20.04.670 Vacation trailer.**

“Vacation trailer” means a vehicle or structure equipped with wheels for highway use that is intended for limited human occupancy, is not being used for residential purposes, and is being used for vacation and recreational purposes. (Ord. 485 § 13.01, 1971).

**20.04.675 Variance.**

“Variance” is the means by which an adjustment is made in the application of the specific regulations of this title to a particular piece of property, which property because of special circumstances applicable to it is deprived of privileges commonly enjoyed by other properties in the same zone or vicinity and which

## **20.04.680**

adjustment remedies disparity in privileges. A variance is a form of special exception. (Ord. 485 § 13.01, 1971).

### **20.04.680 Wrecking yard – Motor vehicle and building material.**

“Motor vehicle and building material wrecking yard” means any premises used for the storage, dismantling or sale of either used motor vehicles, trailers, machinery and/or building materials, or parts thereof. (Ord. 485 § 13.01, 1971).

### **20.04.685 Yard.**

“Yard” means a required space on the same lot with a building, unoccupied and unobstructed from a point 30 inches above grade upward, except as otherwise provided herein. In any required yard through which automobile access is taken between a public or private parking area and a street, no fence, wall, hedge or other vegetation shall be permitted which materially impedes vision from a public sidewalk to automobiles backing from the parking area(s) across the public sidewalk. (Ord. 485 § 13.01, 1971).

### **20.04.690 Yard, front.**

“Front yard” means a yard extending between lot lines which intersect a street line, the depth of which is the minimum horizontal distance between the street line and a line parallel thereto on the lot. (See Figure 7 on file with the city clerk.) (Ord. 485 § 13.01, 1971).

### **20.04.695 Yard, rear.**

“Rear yard” means a yard extending across the rear of the lot between inner side yard lines. In the case of through lots and reversed frontage corner lots, there will be no rear yard. In the case of corner lots with normal frontage, the rear yard shall extend from the inner side yard line of the side yard adjacent to the interior lot to the rear line of the half-depth front yard. Depth of required rear yards shall be measured at right angles to a straight line joining the rearmost points of the side lot lines. The forward rear yard line of a required rear yard shall be parallel to the straight line so

established. (See Figure 7 on file with the city clerk.) (Ord. 485 § 13.01, 1971).

### **20.04.700 Yard, service.**

“Service yard” means an open area, usually paved, with access to a street or alley, to allow vehicular access to a building or use for purposes of loading or unloading equipment, freight, livestock or people. (Ord. 485 § 13.01, 1971).

### **20.04.705 Yard, side.**

“Side yard” means a yard extending from the rear line of the required front yard to the rear lot line. In the case of through lots, side yards shall extend from the rear lines of the front yards required. In the case of corner lots with normal frontage, there will be only one side yard, adjacent to the interior lot. In the case of corner lots with reversed frontage, the yards remaining after the full and half-depth front yards have been established shall be considered to be side yards. Width of required side yards shall be measured at right angles to a straight line joining the ends of front and rear lot lines on the same side of the lot. The inner side yard line of a required side yard shall be parallel to the straight line so established. (See Figure 7 on file with the city clerk.) (Ord. 485 § 13.01, 1971).

### **20.04.710 Zoning permit.**

*Repealed by Ord. 1505.* (Ord. 485 § 13.01, 1971).

**Chapter 20.06****USE CATEGORIES**

## Sections:

- 20.06.010 Generally.
- 20.06.020 Residential use category.
- 20.06.030 Civic use category.
- 20.06.040 Utilities use category.
- 20.06.050 Essential public facilities category.
- 20.06.060 Office/business use category.
- 20.06.070 Resource use category.
- 20.06.080 Commercial use category.
- 20.06.090 Industrial use category.
- 20.06.100 Accessory uses and structures.
- 20.06.105 Permitted outside storage in the C (commercial), NB (neighborhood business), and HC (highway commercial) districts.
- 20.06.107 Conditionally permitted outside storage in the C (commercial), NB (neighborhood business), and HC (highway commercial) districts.
- 20.06.110 Intermediate manufacturing and intermediate/final assembly.

**20.06.010 Generally.**

The terms in this chapter shall apply to Chapters 20.52, 20.54, 20.56, 20.58, 20.60 and 20.64 PMC. Some of the terms have “levels.” Where a term includes levels, the only permitted or conditional uses are the uses authorized by the levels. Where a term does not include levels, the permitted or conditional uses are the uses included within the definition of the term. The term “basic manufacturing” in PMC 20.06.090 contains “categories” rather than “levels.” The only permitted or conditional uses for the term “basic manufacturing” are the uses authorized by the categories. (Ord. 1361 § 12, 1998).

**20.06.020 Residential use category.**

The residential use category includes permanent or transient living accommodations for individuals, families, or people with special needs. The residential category has been separated into the following types based upon distinguishing features such as type of structure; number, age and special needs of individuals

who reside in the structure; and state and local licensing requirements.

A. Duplex. “Duplex” use type refers to residential dwelling units providing living accommodations for individual families that are either not attached to another dwelling unit by any means or are attached in pairs of two. Duplex units include stick-built, modular, and manufactured homes.

B. Fraternity and Sorority House. “Fraternity and sorority house” use type refers to living accommodations for unrelated individuals belonging to a fraternity or sorority who share a residential structure in affiliation with a school of higher education.

C. Group Home. “Group home” use type refers to living accommodations for up to 10 related or unrelated individuals with special needs who share a single-family detached dwelling unit. Individuals may be provided with a combination of personal care, social or counseling services, and transportation. Examples of uses include group homes for the physically or mentally challenged, foster homes, women’s shelters, drug abuse rehabilitation.

D. Mobile Home. “Mobile home” use type refers to factory-assembled structures which are equipped with the necessary service connections and serve as living accommodations for a family.

E. Mobile Home Park. “Mobile home park” use type refers to developments maintained under single or multiple ownership with unified control, where two or more spaces or pads are provided solely for the placement of mobile or manufactured homes which serve as living accommodations for families. Mobile home parks do not include mobile home subdivisions or recreational vehicle parks.

F. Multifamily Housing. “Multifamily housing” use type refers to three or more joined dwelling units which provide living accommodations for families. “Ground level multifamily” and “multiple level multifamily” are forms of multifamily housing.

G. Nursing Home. “Nursing home” use type refers to multi-unit or multi-bed facilities that are licensed or approved to provide living accommodations, health care, and medical supervision for 24 or more consecutive hours.

## 20.06.030

H. Senior Housing. “Senior housing” use type refers to living accommodations where at least one member of the family or an individual is age 55 or over and no member of the household is under 18 years of age. Housing types consist of independent living units comprised of grouped multifamily housing where elderly individuals or families reside and care for themselves. Assisted living facilities provide rooms, meals, personal care, supervision of self-administered medication, recreational activities, financial services, and transportation. (Ord. 1361 § 12, 1998).

### 20.06.030 Civic use category.

Civic use category includes facilities or services that are strongly associated with public need or social importance such as educational, cultural, medical, protective, and governmental.

A. Administrative Government Facilities and Services. “Administrative government facilities and services” use type refers to the executive, legislative, judicial, administrative, and regulatory activities of local, state, federal, and international governments that may perform public services and work directly with citizens. Typical uses include courthouses, human and social service offices, health offices, and government offices.

B. Day-Care Centers. “Day-care centers” use type refers to the commercial use of a building or any portion thereof for the care of individuals needing supervision and care on a less than 24-hour basis. The term shall also include facilities commonly known as pre-schools.

C. Community and Cultural Services. “Community and cultural services” use type refers to establishments primarily engaged in the provision of services that are strongly associated with community, social, or public importance. Typical uses include libraries, museums, art galleries, senior centers, community centers, performing arts theaters, community clubs and organizations, granges, blood banks, food banks, and shelters for the homeless. Also see essential public facilities, residential, and commercial use categories.

D. Educational Facilities. “Educational facilities” use type refers to educational ser-

VICES provided by public, private, or parochial institutions. Typical uses include elementary, junior, and senior high schools, community colleges, public and private colleges, universities, and private colleges not otherwise considered business or trade schools. Also see office/business use category and educational services use type.

E. Health Services. “Health services” use type refers to any health related facilities and services that are not listed elsewhere such as hospitals, surgical facilities, ambulance services, emergency medical facilities providing 24-hour walk-in services, and respite facilities for the elderly, terminally ill, or handicapped. Also see office/business use category-administrative professional office use type for medical and dental offices.

F. Postal Services. “Postal services” use type refers to mailing services provided by the United States Postal Service and serving neighborhoods, such as contract stations and branch post offices. Also see commercial use category, business services use type, and industrial use category, warehouse and distribution use type, for courier and parcel delivery.

G. Public Safety Services. “Public safety services” use type refers to public safety and emergency services such as police and fire protection services, correctional facilities, and animal control facilities such as the dog pound or humane society.

1. Level 1: Safety services requiring locations throughout the county such as police and fire.

2. Level 2: Animal control services, such as dog pounds or humane society facilities.

3. Level 3: Correctional facilities.

H. Recreation, Nonprofit. “Recreation, nonprofit” use type refers to publicly owned or nonprofit recreational areas and recreation facilities. Typical uses include neighborhood parks, community parks, regional parks, waterfront parks, open space, arboretums, small or special landscaped areas, community gardens, fairgrounds, zoos, and swimming pools. Rest areas associated with major transportation routes would also fall into this category. Also see commercial category-amusement and recreation use type for other types of recreation.

1. Level 1: Neighborhood parks and open space. Neighborhood parks range in size from approximately three to 10 acres. Open space may be unlimited in size and may or may not have public access.

2. Level 2: Community parks. Community parks exceed 10 acres in size.

3. Level 3: Regional parks. Regional parks exceed 40 acres in size.

4. Level 4: Linear trails. Linear trails are long, narrow parks used for walking, jogging, and bicycling. (Linear trails are exempt when located in existing rights-of-way.)

I. Religious Assembly. “Religious assembly” use type refers to religious services involving public assembly such as that which customarily occurs in synagogues, temples, and churches.

1. Level 1: Religious assembly with seating for 250 or fewer persons within the principal place of assembly.

2. Level 2: Religious assembly with seating for greater than 250 persons within the principal place of assembly.

J. Transportation. “Transportation” use type refers to the provision of public or semi-public transportation services. Typical uses include parking garages, park-and-ride lots, commercial parking lots, bus shelters, bus stations, bus transfer centers, passenger rail stations, ferry docks, and other types of public and quasi-public transportation facilities.

1. Level 1: Transportation uses serving residential neighborhoods such as bus shelters.

2. Level 2: Transportation uses serving communities and regions, such as passenger rail stations, parking facilities, school bus yards, bus barns, weigh stations, bus stations, and transfer centers.

3. Level 3: Heliports.

K. Utility or Public Maintenance Facilities. “Utility or public maintenance facilities” use type refers to facilities for open and enclosed storage and maintenance of vehicles, equipment, or related materials used in a utility or public facility activity.

1. Level 1: Facilities with a building of less than 1,000 square feet, without outdoor storage of equipment, materials, or vehicles.

2. Level 2: Facilities with a building of more than 1,000 square feet, or with outdoor storage. (Ord. 1361 § 12, 1998).

#### **20.06.040 Utilities use category.**

Utilities use category refers to facilities serving the public by means of an integrated system of collection, transmission, distribution, and processing facilities through more or less permanent physical connections between the plant of the serving entity and the premises of the customer. Included are systems for the delivery of natural gas, electricity, telecommunication services, for the collection of stormwater, and for the collection and disposal of sewage and refuse.

A. Communication or Cellular Facilities. “Communication or cellular facilities” use type refers to facilities used in the transmission of information by wire, radio, optical cable, electromagnetic, or other similar means. Communication facilities include central office switching units, remote switching units, telecommunications radio relay stations, and cellular communication facility support structures.

1. Level 1: Antennas or satellite dishes not exceeding 35 feet in height; structures not exceeding 2,500 square feet.

2. Level 2: Structures exceeding 2,500 square feet with or without antennas or satellite dishes not exceeding 35 feet in height.

B. Electrical Facilities. “Electrical facilities” use type refers to aboveground electrical transmission lines of an operating voltage of greater than 55 kV, and aboveground substations and switching stations. Electrical facilities are utility facilities that provide service in urban and rural areas. Also, see Section 18A.25.070, exempted uses.

C. Electrical Generation Facilities. “Electrical generation facilities” use type refers to facilities that generate or cogenerate electric energy by, or as a resource for, utilities engaged in the transmission and distribution of electricity to the public. Electrical generation facilities include hydropower facilities, thermal generation facilities such as cogeneration and combustion turbines, and other facilities employed to generate electric energy by or as a resource for utilities.

D. Natural Gas Facilities. “Natural gas facilities” use type refers to facilities engaged in the distribution and storage of natural gas. Natural gas gate stations, natural gas storage facilities, and interim propane storage systems fall within this use type.

1. Level 1: Interim propane storage facilities.

2. Level 2: Natural gas storage for transportation.

3. Level 3: Natural gas dispensing stations.

E. Organic Waste Processing Facilities. “Organic waste processing facilities” use type refers to any solid waste facility specializing in the controlled decomposition of organic solid waste and which requires a solid waste permit under Chapter 70.95 RCW. Typical uses include MSW composting facilities, composting facilities, and soil treatment facilities.

1. Level 1: Soil treatment facilities.

2. Level 2: Composting facility designed to handle more than 40 cubic yards.

3. Level 3: Mixed solid waste composting facility.

F. Pipelines. “Pipelines” use type refers to facilities engaged in the transmission of water, petroleum, oil, or natural gas.

G. Sewage Collection Facilities. “Sewage collection facilities” use type refers to facilities used to collect sewage, including but not limited to, wastewater transfer facilities, odor control structures, pump stations, and lift stations.

H. Sewage Treatment Facilities. “Sewage treatment facilities” use type refers to facilities used to treat any liquid or waterborne waste of domestic origin or a combination of domestic, commercial, or industrial origin, and which by its design requires the presence of an operator for its operation, including alternative treatment works and package treatment plants. Also included are all of the various types of associated equipment, structures, and operations as they are currently constructed and operating or will result from technology; including, but not limited to, administrative offices, storage, laboratories, public walkways, recreational and educational uses, and parking lots. It shall not include any facility

used exclusively by a single-family residence, septic tanks with subsoil absorption, industrial pretreatment facilities, privately owned treatment plants for industrial wastewater, or wastewater collection systems.

I. Stormwater Facilities. “Stormwater facilities” use type includes a conveyance, system of conveyances, or stormwater control facilities (including roads with drainage systems, catch basins, curbs, and gutters), ditches, man-made channels, storm drains, retention/detention facilities, and infiltration facilities which are designed or used for collection, storage, conveyance, and treatment of stormwater.

J. Waste Disposal Facilities. “Waste disposal facilities” use type refers to permanent disposal sites for solid waste. Typical uses include woodwaste, inert/demolition, MSW, special waste and biosolids landfills, and waste-to-energy facilities.

1. Level 1: Inert landfills.

2. Level 2: Inert landfills as accessory uses to mineral extraction sites.

3. Level 3: Woodwaste or demolition landfills.

4. Level 4: Special waste-to-energy facilities designed to burn more than 12 tons per day.

5. Level 5: MSW landfills, special waste landfills (including ash landfills, any landfill for special waste not previously identified and biosolids landfills), MSW waste-to-energy facilities.

K. Waste Transfer Facilities. “Waste transfer facilities” use type refers to solid waste facilities where solid waste is collected or subjected to interim processing before being transported to a permanent disposal site. Typical uses include recycling collection sites, drop box transfer stations, transfer stations, recyclables recovery facilities, waste separation recovery facilities, moderate-risk waste facilities, and tire piles.

1. Level 1: Recycling collection sites.

2. Level 2: Drop-box transfer stations.

3. Level 3: Transfer stations, waste separation recovery facilities, and moderate-risk waste facilities.

L. Water Supply Facilities. “Water supply facilities” use type refers to water purification



facilities, water storage facilities, wellheads, and pump stations.

1. Level 1: Wellheads, pump stations, and water purification facilities not exceeding 1,000 square feet of building area nor exceeding the building height for the zone; water storage facilities not exceeding a 1,000 square foot footprint nor exceeding the building height for the zone.

2. Level 2: Water purification facilities exceeding 1,000 square feet of building area or exceeding the building height for the zone; water storage facilities exceeding 1,000 square feet of building area or exceeding the building height for the zone. (Ord. 1361 § 12, 1998).

#### **20.06.050 Essential public facilities category.**

Essential public facilities are included on the State Office of Financial Management list of essential state public facilities that are required or likely to be built within the next six years. When such essential public facilities are proposed, the process set forth in Chapter 2 of the comprehensive plan for the siting of essential public facilities will be followed. (See RCW 36.70A.200, siting of essential public facilities). (Ord. 1361 § 12, 1998).

#### **20.06.060 Office/business use category.**

Office/business use category includes establishments serving businesses or individuals with a wide variety of services such as providing advice, reports, marketing, financial needs, engineering, research, management, and related services that are necessary to conduct personal or professional business.

A. Administrative and Professional Offices. “Administrative and professional offices” use type refers to offices, private firms, or organizations which provide professional or administrative services to individuals or businesses. Typical uses include employment services, property management services, title companies, law offices, engineering/surveying consulting firms, architecture and landscape architecture firms, advertising and public relations firms, medical and dental offices, diagnostic testing services, advertising agencies, travel agencies, talent agencies, insurance of-

fices, real estate offices, investment brokers, financial planners, banking services with or without drive-through facilities, offices for nonprofit and quasi-public agencies, and other business offices customarily associated with professional or administrative office services.

B. Educational Services. “Educational services” use type refers to educational services provided by public or private organizations or individuals with the primary purpose of preparing students for jobs in a trade or a profession. Typical uses include commercial/vocational schools, beauty and barber schools, business schools, and conservatories of art, ratio of ratio of a maximum floor area ratio of private organizations or individuals with the primary purpose of preparing students for jobs in a trade or a profession. Typical uses include commercial/vocational schools, beauty and barber schools, business schools, and conservatories of art, music or drama. (Ord. 1361 § 12, 1998).

#### **20.06.070 Resource use category.**

Resource use category includes the production or sale of plant and animal products and other resource-based industries such as forestry, mining, aquaculture, or the sale of products associated with resource-based industry.

A. Agricultural Sales. “Agricultural sales” use type refers to uses which involve the sales of agricultural supplies, including feed, grain, fertilizers, and farming equipment or the sale of agricultural products.

1. Level 1: Agricultural sales uses which involve the sale of goods such as produce, shrubbery, plants, eggs, wine, and dairy products in a farmer’s market format. Examples include produce stands, horticultural nurseries, and wineries.

2. Level 2: Agricultural sales uses which provide feed, grain, fertilizers, and small farming equipment sales and service. Examples include feed and grain stores.

3. Level 3: Agricultural sales uses which provide large farming equipment sales and services for items such as tractors and combines.

B. Agricultural Services. “Agricultural services” use type refers to businesses that support the agricultural industry and operate

primarily outside an office setting. Typical uses include soil preparation and soil testing services, farm and farm labor management services, landscape and crop fertilizing and spraying services, livestock veterinary services, and other commercial services which typically provide the personnel and equipment necessary to maintain agricultural productivity.

C. Animal Production, Boarding, and Slaughtering. “Animal production, boarding and slaughtering” use type refers to uses which involve the commercial raising of animals, the production of animal products, such as eggs or dairy products, the boarding of animals, and the slaughtering and processing of animals.

1. Level 1: Animal production, boarding, and slaughtering uses which involve the commercial raising or boarding of animals or production of animal products, such as eggs or dairy products produced on-site, on an agricultural or commercial basis, but excluding the slaughtering and processing of animals. Examples include grazing, ranching, dairy farming, commercial stables, riding academies, and breeding and boarding kennels.

D. Crop Production. “Crop production” use type refers to uses which involve the raising and harvesting of row crops, field crops, or tree crops on an agricultural or commercial basis, including packing, primary processing, and storage facilities.

1. Level 1: Crop production uses which involve the raising and harvesting of row crops, field crops, or tree crops on an agricultural or commercial basis. Examples include grain and vegetable crops, fruit trees, and horticultural nurseries.

2. Level 2: Crop production uses which involve the primary processing, packaging, and storage of agricultural products. Examples include fruit and vegetable packing and shipment plants, warehouses, fruit and vegetable cold storage plants, and other uses involved in the harvesting and primary processing of locally grown agricultural products. This use type does not include the processing of agricultural products described under the “food and related products use type” of the industrial category. For the purposes of this use type, primary processing means performing service on

crops subsequent to their harvest with the intent of preparing them for market or further processing.

E. Fish Hatcheries and Aquaculture. “Fish hatcheries and aquaculture” use type refers to uses which involve the production of finfish, shellfish, or other marine products within a confined space and under controlled feeding, sanitation, and harvesting procedures. Examples include salmon farms, oyster growing operations, and fish hatcheries.

F. Forestry. “Forestry” use type refers to uses which involve commercial harvesting of forest products, primary manufacturing of wood products, and scientific research related to management of forest lands.

1. Level 1: Forestry use types which involve commercial harvesting of forest products and scientific research related to management of forest lands. Examples include timber harvesting, gathering of forest products (e.g., bark, berries, mushrooms), silvicultural, and environmental research facilities.

2. Level 2: Forestry use types which involve the manufacturing of lumber and basic wood materials (examples include saw, lath, shingle, planing, plywood, drying kilns, and veneer mills) or involve processing of the lumber or wood materials into a consumer good. Examples include cabinets or other finished products made mainly from wood.

G. Mineral Extraction. “Mineral extraction” use type refers to uses which involve the mining of naturally occurring minerals, including metallic minerals, coal, nonmetallic minerals, and oil and gas, together with allied uses of rock crushing, screening, asphalt processing, and other auxiliary uses as approved by the planning commission. Examples include gold mines, coal mines, sand and gravel pits, rock quarries, oil and gas extraction. (Ord. 1361 § 12, 1998).

**20.06.080 Commercial use category.**

Commercial activities include the provision of services and the sale, distribution, or rental of goods that benefit the daily needs of the general public which are not otherwise classified as civic, office, or industrial activities. The commercial use category has been separated

into the following types based upon distinguishing features such as nature of business activity and type of goods or products sold or serviced. Any store or variety of stores exceeding 80,000 square feet shall be considered a commercial centers use type.

A. Adult Business. “Adult business” use type refers to establishments which provide entertainment, devices or services that are sexually explicit in nature and generate social impacts, thus, locationally sensitive to other uses, and where minors are excluded. Examples include adult arcades, adult bookstores, adult cabarets, adult motion picture theaters, adult novelty stores, escort services, massage parlors, and public bathhouses.

B. Amusement and Recreation. “Amusement and recreation” use type refers to establishments or places of business primarily engaged in the provision of sports, entertainment, or recreational services to the general public or members. Examples include marinas, video arcades, teen clubs, athletic clubs, swimming pools, billiard parlors, bowling alleys, ice or roller skating rinks, indoor movie theaters, drive-in theaters, miniature golf courses, golf courses, outdoor performance centers, sports arenas, and race tracks. Also see lodging use type, commercial use category, for camp sites and recreational vehicle parks.

1. Level 1: Indoor establishments not exceeding 5,000 square feet of total floor area.

2. Level 2: Indoor/outdoor facilities with a total floor area over 5,000 to 30,000 square feet; facilities, including parking lots, landscaped areas, together with accessory uses established on a lot or combination of lots up to three acres.

C. Billboards. “Billboards” use type refers to an advertising mechanism conveyed on a preprinted or hand painted changeable sign which directs attention to businesses, commodities, services, or facilities which are not sold, manufactured, or distributed from the property on which the sign is located.

D. Building Materials and Garden Supplies. “Building materials and garden supplies” use type refers to establishments primarily engaged in selling lumber and other building materials, paint, glass, and wallpaper,

hardware, nursery stock, and lawn and garden supplies. Establishments primarily selling these products for use exclusively by businesses or to other wholesalers or primarily selling plumbing, heating and air-conditioning equipment, and electrical supplies are classified in the wholesale trade use type, commercial use category.

1. Level 1: Establishments primarily engaged in the retail sale of basic hardware lines, such as tools, builders’ hardware, paint, and glass. Retail sales of nursery, lawn and garden supplies, and lumber may be an accessory use to hardware stores. Utilization of outdoor areas for display and storage purposes may occur as an accessory use. The total floor area is under 10,000 square feet.

2. Level 2: Establishments primarily engaged in selling lumber and a general line of building materials, nursery, lawn, and garden supplies to the public. General line of building materials may include rough and dressed lumber, flooring, molding, doors, frames, roofing, siding, shingles, wallboards, paint, brick, tile, and cement. Utilization of outdoor areas for display or storage purposes may occur as an accessory use. The total floor area ranges between 10,000 square feet and 80,000 square feet.

E. Bulk Fuel Dealers. “Bulk fuel dealers” use type refers to establishments that sell fuels to businesses and households for transportation, heating, and business purposes. Fuel dealers store or sell materials that are flammable, explosive, or toxic. Examples include propane gas sales, heating oil dealers, liquefied petroleum gas dealers, coal, wood, or other fuel dealers.

F. Business Services. “Business services” use type refers to uses primarily engaged in providing services to business establishments on a contract or fee basis. Examples include courier services, parcel delivery services, fax services, telegraph services, reproduction services, commercial art and photography services, stenographic services, and janitorial services.

G. Buy-Back Recycling Center. “Buy-back recycling center” use type refers to any small-scale business without industrial activity

which collects, receives, or buys recyclable materials from household, commercial, or industrial sources for the purpose of sorting, grading, or packaging recyclables for subsequent shipment and marketing (also see the industrial use category for recycling processor use type).

H. Commercial Centers. “Commercial centers” use type refers to any lot or combination of lots with a store or variety of stores, offices, and services integrated into a complex utilizing uniform parking facilities. A variety of goods are sold or services provided at these centers ranging from general merchandise to specialty goods and foods. Commercial centers can be grouped into two levels.

1. Level 1: Any store or commercial center containing a variety of stores with a cumulative floor area over 80,000 square feet and up to 200,000 square feet.

2. Level 2: Any commercial center containing a store or variety of stores with a cumulative floor area greater than 200,000 square feet.

I. Eating and Drinking Establishment. “Eating and drinking establishment” use type refers to establishments that sell prepared food and liquor and may also provide music. Examples include espresso stands, fast food restaurants, and full service restaurants.

J. Food Stores. “Food stores” use type refers to stores primarily engaged in the retail sale of a variety of canned and dry foods, fresh fruits and vegetables, or meats, poultry, and fish, and may include a variety of disposable nonfood products. Examples include meat and fish markets, vegetable markets, retail bakeries, dairy stores, and grocery stores.

1. Level 1: Total floor area up to 5,000 square feet.

2. Level 2: Total floor area over 5,000 and up to 40,000 square feet.

K. Lodging. “Lodging” use type refers to establishments that provide lodging services. Examples include hotels, motels, master planned resorts, and retreat centers.

1. Level 1: Camp sites and recreational vehicle parks.

2. Level 2: Hotels and motels.

L. Mobile, Manufactured and Modular Home and Office Sales. “Mobile, manufactured, and modular home and office sales” use type refers to those establishments that store and sell premanufactured homes and offices. The primary purpose is to provide sites for marketing and distribution.

M. Motor Vehicles and Related Equipment Sales/Rental/Repair and Services. “Motor vehicles and related equipment sales/rental/repair and services” use type refers to establishments or places of business engaged in the sales, leasing, or service of automobiles, trucks, motorcycles, recreational vehicles, and boats; or heavy equipment and supplies related to motor vehicles; and self-moving or commercial moving services.

1. Level 1: Gasoline service stations together with accessory automobile repair and convenience shopping, and car washes with a one-car capacity.

2. Level 2: Automotive repair shops and car washes. Typical uses include general repair shops, transmissions and engine rebuild shops, muffler shops, glass repair shops, automobile upholstery services, and lube/oil shops.

3. Level 3: On-site sales, lease, or rental of automobiles, trucks not exceeding three tons of vehicle weight, and recreational vehicles. Other activities include automobile body repair and painting facilities.

4. Level 4: Sales, lease, or rental of heavy truck and heavy equipment exceeding three tons of vehicle weight, supplies intended for outdoor use, and truck service stations. Typical use includes truck stops primarily designed for the service and fueling of heavy trucks and tractor trailer sales.

N. Personal Services. “Personal services” use type refers to uses primarily engaged in providing services to individuals. These services meet the needs on a daily, weekly, monthly, or less frequent basis. Examples include coin-operated laundries, dry cleaning drop-off/pick-up establishments, dry cleaners, beauty shops, barber shops, clothing alterations, tanning salons, travel agencies, funeral services, photographic studios, carpet and upholstery cleaners, taxi services, and personal

improvement services. Also see rental and repair services use type for other services.

1. Level 1: Establishments where total floor area does not exceed 2,500 square feet and do not involve outdoor storage of vehicles.

2. Level 2: Establishments where total floor area exceeds 2,500 square feet or involves outdoor storage of vehicles.

O. Pet Sales and Services. “Pet sales and services” use type refers to places of business primarily engaged in the retail sale, production, and services associated with small animals and household pets. Examples include pet stores, dog bathing and clipping salons, pet grooming shops, pet training centers, and veterinary hospitals for small animals and pets. See the resource use category, agricultural services use type, for regulations pertaining to large animal veterinary services. Also see resource use category, animal production, boarding and slaughtering use type, for breeding and boarding kennels.

1. Level 1: Retail and service establishments are always located completely indoors and are less than 2,500 square feet in total floor area.

P. Rental and Repair Services. “Rental and repair services” use type refers to establishments primarily engaged in the provision of repair services or closely related uses. Typical uses include upholstery shops, appliance repair shops, small engine and power tool rental and repair such as lawn mowers and chainsaws, vacuum cleaner repair, medical equipment rental and repair services, rental furnishings, and instrument repair services. Refer to motor vehicles and related equipment sales/rental/repair and services use type for automotive repair. Also see personal services use type for clothing alterations.

1. Level 1: Establishments that do not involve outdoor storage.

2. Level 2: Establishments that involve outdoor storage of equipment.

Q. Sales of General Merchandise. “Sales of general merchandise” use type refers to establishments that sell general merchandise including apparel and accessories, pharmaceuticals, optical goods, furniture and home furnishings, computers, and electronics. Also see building

materials and garden supplies use type for establishments primarily engaged in selling lumber and other building materials, paint, glass, wallpaper, hardware, nursery stock, and lawn and garden supplies.

1. Level 1: Total floor area up to 5,000 square feet.

2. Level 2: Total floor area over 5,000 and up to 30,000 square feet.

3. Level 3: Total floor area over 30,000 square feet and up to 80,000 square feet.

R. Storage. “Storage” use type refers to businesses engaged in the storage of items for personal and business use. Business activities other than rental of storage spaces are prohibited. Examples of personal storage uses include mini-warehousing and boat storage yards. For maintenance or repair of recreational vehicles or boats, also see the motor vehicles and related equipment, sales/rental/repair and services use type.

S. Wholesale Trade. “Wholesale trade” use type refers to establishments primarily engaged in selling merchandise to retailers; to industrial, commercial, institutional or professional business users; to other wholesalers; or acting as agents or brokers and buying for or selling merchandise to such individuals or companies. Typical wholesale trade establishments include wholesale merchants or jobbers and cooperative buying associations. Typical wholesale trade businesses are electrical distributors, plumbing supplies, heating and air-conditioning equipment supplies, lumber and construction materials supplies, professional and commercial equipment supplies.

1. Level 1: Establishments with total floor area of 10,000 square feet or less and indoor storage only.

2. Level 2: Establishments with total floor area of more than 10,000 to 80,000 square feet and with indoor or outdoor storage. (Ord. 1361 § 12, 1998).

#### **20.06.090 Industrial use category.**

Industrial use categories include the on-site production, processing, storage, movement, servicing, or repair of goods and materials. The harvesting and extraction of raw materials, e.g., agricultural, forest, mineral, etc., is

not included within the industrial use categories but is found within the resource use category. The industrial use categories typically have one or more of the following characteristics: relatively large acreage requirements, create substantial odor or noise, create heavy traffic passenger vehicle and/or truck volumes, employ relatively large numbers of people, and/or create visual impacts incompatible with residential development.

A. Basic Manufacturing. “Basic manufacturing” use type refers to uses that involve the primary processing of a raw or initially processed material into a product that requires additional processing, manufacture, or assembly in order to become a consumer good. The categories are:

1. The production of basic chemicals;
2. Petroleum and natural gas storage;
3. The manufacture of castings, foundry, and other basic metal products, and the manufacture of nails, spikes, and insulated wire and cable;
4. The tanning, curing, or storage of raw hides or skins;
5. The manufacture of cement, ready-mix concrete, cut stone, and crushed rock and other primary products from materials taken principally from the earth in the form of stone, clay, and sand;
6. The manufacture of asphalt and asphalt reclamation processes;
7. Soil remediation facilities;
8. Saw, lath, shingle, planing, plywood and veneer mills engaged in producing lumber and basic wood materials;
9. The manufacture of pulps from woods and other cellulose fibers and from rags;
10. Petroleum and natural gas refining and processing; and
11. The smelting and refining of ferrous and nonferrous metals from ore or scrap, rolling, drawing, and alloying metals.

B. Contractor Yards. “Contractor yards” use type refers to an area for construction or contracting business offices and the interior or outdoor storage, repair, or maintenance of heavy equipment, vehicles, and construction supplies and materials.

C. Food and Related Products. “Food and related products” use type refers to uses which involve the processing of nonanimal food materials, raw milk, ice manufacturing, and other food products manufacturing, processing, storage and packaging. Examples include: bakeries which distribute products to many retail outlets, creameries and other dairy products manufacturing without on-site dairy animals, soft drink bottling plants, feed and cereal mills, flour mills, vegetable oil manufacturing, refining or storage, yeast plants, and starch, glucose and dextrine manufacturing, and dry pet food, lard, pickles, sauerkraut, and vinegar manufacturing, sugar refining, breweries and distilleries. This use type does not include any food processing in which animals, slaughtered or live, are processed on site. Those uses are found under the animal production, boarding, and slaughtering use type.

1. Level 1: Breweries and wineries.
2. Level 2: All other uses in this use type.

D. Industrial Services and Repair. “Industrial services and repair” use type refers to uses involving the repair of medium and large sized products.

1. Level 1: Boats and trucks exceeding three tons of vehicle weight.
2. Level 2: Uses providing large scale or bulk services to commercial and industrial businesses but not directly to the consumer, e.g., clothes cleaning plants, bulk laundries, diaper services, power laundries, linen supply, dry cleaning plants, industrial launderers, other laundry and garment services, and industrial services related strictly to industrial uses, e.g., assaying, towing and tugboat services, water transportation services, physical and biological research testing laboratories, and industrial wastewater treatment facilities.

E. Intermediate Manufacturing and Intermediate/Final Assembly. See PMC 20.06.110.

F. Motion Picture/Television and Radio Production Studios. “Motion picture/television and radio production studios” use type refers to uses engaged in the production and distribution of motion pictures, production and distribution of television segments, radio and

television production of commercial spots, and other related activities.

G. Off-site Hazardous Waste Treatment and Storage Facilities. “Off-site hazardous waste treatment and storage facilities” use type refers to facilities that treat and store hazardous waste generated off-site and are authorized pursuant to Chapter 70.105 RCW. All contiguous land and structures used for recycling, reusing, reclaiming, transferring, storing, or treating hazardous wastes are included.

H. Printing, Publishing, and Related Industries. “Printing, publishing, and related industries” use type refers to uses engaged in printing by one or more common processes, such as letterpress, lithography, or screen; services for the printing trade, such as bookbinding and platemaking; and publishing newspapers, books, and periodicals.

1. Level 1: Floor area devoted to printing/pressing operation not exceeding 5,000 square feet.

2. Level 2: Floor area devoted to printing/pressing operation in excess of 5,000 square feet.

I. Recycling Processor. “Recycling processor” use type refers to any large scale buy-back recycling business or other industrial activity which specializes in collecting, storing, and processing any waste, other than hazardous waste or municipal garbage, for reuse and which uses heavy mechanical equipment to do the processing. Examples include facilities where commingled recyclables are sorted, baled, or otherwise processed for transport off-site. Also see the commercial use category for buy-back recycling center use type.

J. Salvage Yards/Vehicle Storage Facilities. “Salvage yards/vehicle storage facilities” use type refers to uses that involve the salvage of wrecked vehicles, vehicle parts and appliances; and the storage of vehicles for purpose of wholesale trade or impoundment.

1. Level 1: Salvage yards/vehicle storage facilities uses dealing with storage and impound facilities for motor vehicles and salvage facilities for wrecked motor vehicles, vehicle parts, and appliances in which all vehicles and merchandise are stored within an enclosed building(s).

2. Level 2: Salvage yards/vehicle storage facilities uses dealing with storage and impound facilities for motor vehicles and salvage facilities for wrecked motor vehicles, vehicle parts, and appliances in which vehicles and merchandise are stored either within an enclosed building(s) or in a secure outdoor storage area.

K. Warehousing, Distribution, and Freight Movement. “Warehousing, distribution, and freight movement” use type refers to the large scale warehousing and distribution of manufactured or processed products for one or more businesses and the large scale distribution of raw, manufactured, or processed products for one or more businesses at a central location.

1. Level 1: Warehousing, distribution, and freight movement uses in which manufactured or processed products are stored either within a building serviced by loading docks or in secure outdoor storage areas. Such facilities typically transport products by truck or rail and are often located in close proximity to marine ports. Examples include: grocery chain distribution centers and parcel delivery distribution centers, storage of fabricated concrete blocks, finished lumber storage yard, new automobile storage areas.

2. Level 2: Warehousing, distribution, and freight movement uses in which raw materials, semi-processed materials, or fully manufactured or processed materials are stored either within buildings serviced by loading docks or in secure outdoor storage areas. Such facilities are not necessarily devoted to a single product and are usually located in close proximity to rail lines, marine ports, airports, or regional highways. Examples include raw log storage, shipping container yards. (Ord. 1361 § 12, 1998).

#### **20.06.100 Accessory uses and structures.**

A. Purpose. The purpose of this section is to allow accessory uses and structures and provide standards and conditions for regulating them.

B. Exemptions. See the appropriate section regarding specific development standards for the accessory uses exempted from this section.

C. General Standards. Accessory uses and structures customarily incidental to either principal residential or nonresidential uses and structures are allowed in all regulatory zones except as otherwise provided herein. The following provisions apply to all zone classifications:

1. In all zones there shall be no limit as to the number of accessory uses allowed on a lot, provided:

a. The accessory use is not specifically excluded from locating in the zone classification; and

b. The accessory use meets all regulatory requirements.

2. Accessory uses, other than fences and retaining walls, are prohibited from locating on a lot prior to a legal principal use.

a. Except as otherwise provided in this title, it is unlawful to construct, erect, or locate private garages, sheds, or other accessory structures in any zone classification without a lawfully permitted principal use on the same lot of record.

3. All accessory uses must be customarily incidental and subordinate to the principal building or use of the lot upon which it is located.

4. Where there is a question regarding the inclusion or exclusion of a particular accessory use within any zone classification, the public works administrator/engineer shall have the authority to make the final determination. The determination shall be based upon the general standards of this section and an analysis of the compatibility of the use or structural size and placement with consideration of the predominant surrounding land use pattern and with the permitted principal uses of the zone classification.

D. Residential Standards. Accessory uses and structures customarily incidental to principal residential uses and structures are allowed in all regulatory zones except as otherwise provided herein.

1. On residential lots less than one acre in size, no detached accessory structure or combination of detached accessory structures is permitted to exceed 1,000 square feet, subject to other provisions of this title.

2. Structures typically accessory to a dwelling unit, such as garages, greenhouses and storage buildings not exceeding 500 square feet and docks may be permitted without the principal residential use.

3. No accessory building shall exceed either two and one-half stories or 30 feet in height.

E. Accessory Use List. The following accessory uses are customarily found within one or more use categories.

1. Residential.

a. Carports or garages for the sole use of occupants of premises and their guests, attached or detached (without fee to guests), for storage of motor vehicles, boats, recreational vehicles, and/or planes;

b. Greenhouse, private and noncommercial;

c. Storage buildings for yard maintenance equipment and household goods; and

d. Recreational facilities for private use.

2. Civic. Refer to subsection (E)(9) of this section except for (E)(9)(k) uses applicable in more than one use category.

3. Utilities. Refer to subsection (E)(9) of this section except for (E)(9)(k) uses applicable in more than one use category.

a. Maintenance of the equipment, vehicles, and machinery used to support a principal use.

4. Essential Public Facilities.

a. Maintenance of the equipment, vehicles, and machinery used to support a principal use.

5. Office/Business. Refer to subsection (E)(9) of this section except for (E)(9)(k) uses applicable in more than one use category.

6. Resource.

a. Chippers, pole yards, log sorting and storage, and accessory uses customary in the harvesting and commercial production of forest products, e.g., scaling and weighing stations, storage and maintenance facilities;

b. Storage of agricultural products or equipment used on site;

c. Storage of fuels and chemicals used for commercial, agricultural, and forestry uses;



d. Surface impoundment for agricultural use;

e. Refer to uses applicable in more than one use category; and

f. Maintenance of the equipment, vehicles, and machinery used to support a principal use.

7. Commercial. Refer to subsection (E)(9) of this section except for (E)(9)(k) uses applicable in more than one use category.

a. Maintenance of the equipment, vehicles, and machinery used to support a principal use.

8. Industrial.

a. Refer to subsection (E)(9) of this section except for (E)(9)(k) uses applicable in more than one use category; and

b. Maintenance of the equipment, vehicles, and machinery used to support a principal use.

9. Accessory uses applicable to principal uses in more than one use category.

a. Antennae and satellite dishes for private telecommunication services;

b. Decks and patios;

c. Facilities used in grounds maintenance;

d. Food service facilities for use primarily by employees with no exterior advertisement of the facility;

e. Incidental storage of raw materials and finished products sold or manufactured on site;

f. Noncommercial recreational facilities and areas (indoor or outdoor), including swimming pools, for exclusive use by employees, patrons, or residents, depending upon the principal land use;

g. On-site hazardous waste treatment and storage;

h. Private docks and mooring facilities;

i. Retaining walls, freestanding walls, and fences;

j. Waste piles authorized by a solid waste permit; and

k. Dwelling units used exclusively for caretakers or superintendents and their families. (Ord. 1361 § 12, 1998).

**20.06.105 Permitted outside storage in the C (commercial), NB (neighborhood business), and HC (highway commercial) districts.**

Outside storage may not exceed an area equal to 10 percent of the floor area of the associated building, provided the storage is supplemental to the permitted use, located to the rear of the property, does not abut a street, and is separated by another use, such as a building or parking lot with landscaping, when adjacent to a residential zone. (Ord. 1524 § 6, 2002).

**20.06.107 Conditionally permitted outside storage in the C (commercial), NB (neighborhood business), and HC (highway commercial) districts.**

Outside storage that is supplemental to a permitted use may not exceed an area equal to 50 percent of the floor area of the associated building. Such storage shall be approved by the community development director, through the administrative use permit process, if:

A. It is located to the rear of the property and does not abut on a street; and

B. It is separated by another use such as a building or parking lot with landscaping when adjacent to a residential zone; and

C. Appropriate landscaping and other buffering measures is provided in order to ensure that visual impacts, noise, odor, dust, and other related impacts are contained within the site; and

D. Screening and buffering measures are provided. Such measures may include, but are not limited to, landscaping, berms, fencing, walls, additional setbacks, limitation on height of stored materials, and location of the storage area to eliminate visibility from adjoining streets and properties. (Ord. 1524 § 7, 2002).

**20.06.110 Intermediate manufacturing and intermediate/final assembly.**

“Intermediate manufacturing and intermediate/final assembly” use type refers to uses that involve intermediate processing of semi-processed material into a consumer good and to

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uses that involve the assembly of semi-processed and/or intermediate processed products into a consumer good. This use type refers to

the production, manufacture, fabrication or assembly of one or more of the following product types:

<b>USE CATEGORIES</b>	<b>OP</b>	<b>LI</b>	<b>C</b>	<b>HC</b>	<b>NB</b>	<b>HI</b>	<b>A</b>
Clothing and fabricated products	P	P	P	P		P	
Products manufactured by predominantly chemical processes and which are to be used for ultimate consumer consumption		C	C			P	
Products manufactured by predominantly chemical processes and which are to be used for further manufacture of other products		C	C			P	
Electronic computers, computer hardware components and related equipment, and other machine apparatus and supplies for the generation, storage, transmission, transformation and utilization of electrical energy		C	P			P	
Industrial and commercial machinery and equipment		P	P			P	
Finished products made entirely or mainly from wood for use in construction		P	P			P	
Paper and paperboard and its conversion into other paperboard products		P	P			P	
Ferrous and nonferrous metal products and a variety of metal and wire products manufacturing		P	P			P	
Products manufactured or assembled from plastic resins and from natural, synthetic or reclaimed rubber		C	C			P	
Paving and roofing materials, compounding lubricating oils and greases, rubber reclaiming, manufacture of synthetic rubber						P	
Instruments for measuring, testing, analyzing and controlling optical instruments, medical instruments and equipment, photographic equipment, watches and clocks, and supplies associated with the previous products	C	P	P			P	
Glass and glass products, clay products, pottery		P	P			P	
Concrete and gypsum products, abrasive and asbestos products and other secondary products from materials taken principally from the earth in the form of stone, clay and sand		C	C			P	
Woven and knit fabrics, and carpets and rugs from yarn	C	P	P	P		P	
Dyeing, finishing, coating, waterproofing and other treating of fiber, yarn and fabrics		C	P			P	
Felt, lace goods, non-woven fabrics, and miscellaneous textiles	C	P	P	P		P	
Equipment for transportation of people or cargo by land, air, rail or water		P	P			P	
Other manufacturing and/or assembly processes in which processed or semi-processed materials are made or assembled into consumer products and supplies associated with the previous products		C	C			P	

(Ord. 1361 § 12, 1998).

**Chapter 20.08**

**BUILDING PERMITS AND  
CERTIFICATES OF OCCUPANCY**

(Repealed by Ord. 1505)

**Chapter 20.12**

**APPEALS**

(Repealed by Ord. 1505)

**Chapter 20.16**

**VARIANCES**

(Repealed by Ord. 1505)

**Chapter 20.20**

**CONDITIONAL USE**

Sections:

- 20.20.010 Purpose.
- 20.20.020 Description.
- 20.20.030 Use permit prerequisite to building.
- 20.20.040 Applications.
- 20.20.050 General use permit criteria.
- 20.20.060 Compatibility with surrounding neighborhood.
- 20.20.070 Purpose of location, design and site planning.
- 20.20.080 Benefit to surrounding community.
- 20.20.090 Investigation.
- 20.20.100 *Repealed.*
- 20.20.110 *Repealed.*
- 20.20.120 *Repealed.*
- 20.20.130 Conditions.
- 20.20.140 –
- 20.20.200 *Repealed.*

**20.20.010 Purpose.**

It is recognized that certain types of uses require special consideration prior to their being permitted in a particular district. The reasons for requiring such special consideration involve, among other things, the size of the area required for the full development of such uses, the nature of the traffic problems incidental to operation of the use, and the effect such uses have on any adjoining land uses and on the growth and development of the community as a whole. (Ord. 485 § 12.10.01, 1971).

**20.20.020 Description.**

All uses permitted conditionally are declared to possess such unique and special characteristics as to make impractical their being included as outright uses in any of the various districts defined in this title. The authority for the location and operation thereof shall be subject to review and the issuance of a conditional use permit. The purpose of review shall be to determine that the characteristics of any such shall not be unreasonably incompati-

## **20.20.030**

ble with the type of uses permitted in surrounding areas, and for the further purpose of stipulating such conditions as may be reasonable so that the basic purposes of this chapter shall be served. Nothing construed herein shall be deemed to require the city to grant a conditional use permit. (Ord. 1505 § 11, 2001; Ord. 485 § 12.01, 1971).

### **20.20.030 Use permit prerequisite to building.**

No building permit shall be issued when a conditional use permit is required by the terms of this chapter unless a permit has been granted by the commission or city council and then only in accordance with the terms and conditions of the conditional use permit. Conditional use permits may be temporary or permanent for any use or purpose for which such permits are required or permitted by provisions of this chapter. (Ord. 485 § 12.10.02, 1971).

### **20.20.040 Applications.**

Application for a conditional use permit shall be made by the owner of the affected property, or his authorized agent, on an application form prescribed by the city. The application shall be accompanied by such information including, but not limited to, site and building plans, drawings and elevations, and operational data, as may be required to enable the pertinent criteria to be applied to the proposal. (Ord. 1505 § 11, 2001; Ord. 1180 § 22, 1992; Ord. 843 § 4, 1981; Ord. 485 § 12.10.03, 1971).

### **20.20.050 General use permit criteria.**

A conditional use permit may be granted only if the proposal conforms to all the general use permit criteria set forth in PMC 20.20.060 through 20.20.080 as well as to all other applicable use permit criteria. (Ord. 485 § 12.10.04, 1971).

### **20.20.060 Compatibility with surrounding neighborhood.**

The location, size, design, and operating characteristics of the proposed development will be compatible with and will not adversely

affect the livability or appropriate development of abutting properties and the surrounding neighborhood, with consideration to be given to harmony in scale, bulk, coverage, and density, to the availability of public facilities and utilities. Consideration will be given to the harmful effect, if any, upon desirable neighborhood character, to the generation of traffic and the capacity of surrounding streets, and to any other relevant impact of the development. (Ord. 485 § 12.10.04(A), 1971).

### **20.20.070 Purpose of location, design and site planning.**

The location, design, and site planning of the proposed development will provide a convenient and functional living, working, shopping, or civic environment, and will be attractive as the nature of the use and its location and setting warrants. (Ord. 485 § 12.10.04 (B), 1971).

### **20.20.080 Benefit to surrounding community.**

The proposed development will enhance the successful operation of the surrounding area in its basic community functions, or will provide an essential service to the community or region. (Ord. 485 § 12.10.04(C), 1971).

### **20.20.090 Investigation.**

The director shall cause to be made an investigation of facts bearing on the application necessary to provide information to insure a decision consistent with the intent of PMC 20.20.010 and 20.20.020 and the criteria in PMC 20.20.050 through 20.20.080. (Ord. 1505 § 11, 2001; Ord. 485 § 12.10.05, 1971).

### **20.20.100 Public hearings on applications – Generally.**

*Repealed by Ord. 1505.* (Ord. 1362 § 7, 1998; Ord. 1196 § 6, 1993; Ord. 843 § 5, 1981; Ord. 485 § 12.10.06(A), 1971).

### **20.20.110 Public hearings on applications – Mobile home parks.**

*Repealed by Ord. 1505.* (Ord. 485 § 12.10.06(B), 1971).

**20.20.120 Action by the commission.**

*Repealed by Ord. 1505.* (Ord. 485 § 12.10.07, 1971).

**20.20.130 Conditions.**

The city shall designate conditions in connection with the conditional use permit (CUP) as it deems necessary to secure the purpose of this chapter and may require the guarantees and evidence that such conditions will be complied with. Such conditions may include:

- A. Regulation of uses;
- B. Special yards, spaces;
- C. Fences and walls;
- D. Surfacing of parking areas to city specifications;
- E. Street dedications and improvements (or bonds);
- F. Regulation of points of vehicular ingress and egress;
- G. Regulation of signs;
- H. Landscaping and maintenance thereof;
- I. Maintenance of the grounds;
- J. Regulation of noise, vibration, odors, or other similar nuisances;
- K. Regulation of time for certain activities;
- L. Time period within which the proposed use shall be developed;
- M. Duration of use; and
- N. Such other conditions as will make possible the development of the city in an orderly and efficient manner in conformity with the intent and purposes set forth in this chapter. (Ord. 1505 § 11, 2001; Ord. 485 § 12.10.08, 1971).

**20.20.140 Effective date.**

*Repealed by Ord. 1505.* (Ord. 485 § 12.10.09, 1971).

**20.20.150 Appeals.**

*Repealed by Ord. 1505.* (Ord. 485 § 12.10.10, 1971).

**20.20.160 Application for conditional use permit – Filing fee.**

*Repealed by Ord. 1505.* (Ord. 1375 § 53, 1998; Ord. 1180 § 22, 1992; Ord. 1173 § 13, 1992; Ord. 843 § 6, 1981; Ord. 485 § 12.10.10, 1971).

**20.20.165 Consultant services – Fee and deposit.**

*Repealed by Ord. 1505.* (Ord. 1375 § 54, 1998; Ord. 1173 § 14, 1992; Ord. 1129 § 5, 1991).

**20.20.170 Appeal – Action by city council.**

*Repealed by Ord. 1505.* (Ord. 485 § 12.10.10, 1971).

**20.20.180 Adherence to approved plans.**

*Repealed by Ord. 1505.* (Ord. 485 § 12.10.11, 1971).

**20.20.190 Revocation.**

*Repealed by Ord. 1505.* (Ord. 485 § 12.10.12, 1971).

**20.20.200 Action on the appeals by the council.**

*Repealed by Ord. 1505.* (Ord. 485 § 12.10.13, 1971).

**Chapter 20.24**

**AMENDMENTS TO ZONING TITLE  
AND ZONING MAP<sup>1</sup>**

(Repealed by Ord. 1505)

**Chapter 20.28**

**NONCONFORMING USES**

Sections:

- 20.28.010 Continuation.
- 20.28.020 Existing permit.
- 20.28.030 Other regulations subject to this chapter.
- 20.28.040 Nonresidential buildings and structures.
- 20.28.045 Cargo containers – Loss of nonconforming status.
- 20.28.050 Destruction of building or structure housing nonconforming use.
- 20.28.060 *Repealed.*
- 20.28.065 Nonconforming mobile homes or manufactured homes.
- 20.28.070 Residential districts – Expansion – Discontinuation.
- 20.28.080 Residential districts – Time limit.
- 20.28.090 Repairs and maintenance.
- 20.28.100 Land – Time limit.
- 20.28.110 Land – Expansion.
- 20.28.120 Land – Discontinuance.
- 20.28.130 Occupancy permit.
- 20.28.140 District changes.

**20.28.010 Continuation.**

The lawful use of land existing on the effective date of the ordinance codified in this title, although such does not conform with the regulations specified by this title for the district in which such land is located, may be continued, provided that no such use shall be enlarged or increased or be extended to occupy a greater area than that occupied by such use at the time of the adoption of the ordinance codified in this title, and if any such use ceases, as herein provided, subsequent use of such land shall be in conformance to the regulations specified by this title for the district in which such land is located. (Ord. 485 § 2.09, 1971).

**20.28.020 Existing permit.**

To avoid undue hardship, nothing in this chapter shall be deemed to require a change in plans, construction, or use of any building on which a building permit in accordance with the

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1. Code reviser’s note: For rezone procedures, see PMC 16.28.110. For the procedure for other amendments to this title, see Chapter 16.32 PMC.

city building code has been legally issued prior to the effective date of adoption or amendment of the article codified in this chapter and upon which actual building construction has been carried on in accordance with the city's building code. (Ord. 485 § 2.09, 1971).

**20.28.030 Other regulations subject to this chapter.**

The provisions of all other chapters are subject to the provisions of this chapter. (Ord. 485 § 2.10, 1971).

**20.28.040 Nonresidential buildings and structures.**

Except in residential districts, nonconforming use of buildings or structures may be maintained subject to the following conditions, provided the building or structure is not abated, or specifically regulated by this and other chapters of this code.

A. No additions or enlargements shall be made to a nonconforming building or structure except:

1. Additions or enlargements required by law;
2. Additions or enlargements to existing dwellings, churches and schools if such otherwise conform to regulations then in effect for the district in which located, including height, yard and area provisions.

B. If any nonconforming building or structure is removed or destroyed voluntarily or involuntarily, every building or structure occupying the premises thereafter and any uses of such buildings, structures or premises shall conform to the regulations of the applicable district classification and the provisions of this chapter. (Ord. 485 § 2.10.01, 1971).

**20.28.045 Cargo containers – Loss of nonconforming status.**

Cargo containers that have been legally located on property prior to the adoption of Chapter 20.88 PMC shall be a legal nonconforming use of the property. Cargo containers shall lose legal nonconforming status under the following circumstances:

A. Any legal nonconforming cargo containers that are moved to a different location on

a site shall comply with the requirements of Chapter 20.88 PMC.

B. If legal nonconforming cargo containers are removed from a property, any subsequent cargo containers placed on the property shall comply with the requirements of Chapter 20.88 PMC. (Ord. 1524 § 5, 2002).

**20.28.050 Destruction of building or structure housing nonconforming use.**

A. Whenever, in any district, a building or structure occupied by a nonconforming use is damaged or destroyed by fire, explosion or other casualty to the extent of 50 percent or less of its replacement value, such building or structure may be restored, repaired or reconstructed, and the occupancy or use of such building or structure, or part thereof, which existed at the time of the destruction may be continued; provided, that such restoration, repair or reconstruction is commenced within 12 months from the date of such damage or destruction and is diligently prosecuted to completion.

B. Whenever, in a nonresidential district, a nonconforming single-family dwelling, actually used extensively for the occupancy of one family, and/or an accessory building to the single-family dwelling, whether attached to or detached from the single-family dwelling, is damaged or destroyed by fire, explosion or other casualty to an extent greater than 50 percent of its replacement value, such single-family dwelling and/or accessory building may be restored, repaired or reconstructed, and the single-family occupancy and/or accessory use which existed at the time of destruction may be continued; provided, that such restoration, repair or reconstruction is commenced within 12 months from the date of such damage or destruction and is diligently prosecuted to completion; and provided further, that such single-family dwelling and/or accessory building is made to conform with the height and parking area regulations for the RS-8 district, as set forth in Chapter 20.40 PMC. The single-family dwelling and/or accessory building may be restored, repaired or reconstructed to the original foundation footprint occupied at

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the time of the casualty or to the setback standards for the RS-8 district, whichever is least restrictive.

C. If a building or structure other than a single-family dwelling and/or accessory building governed by subsection B of this section is damaged or destroyed by fire, explosion or other casualty to an extent greater than 50 percent of its replacement value, it shall not be restored, repaired or reconstructed unless every portion of such building or structure is made to conform to the height, yard, parking area and use regulations of the district classification in which it is located.

D. For the purpose of this section, the "replacement value" of a building or structure shall be determined by the building official. (Ord. 1378 § 1, 1998; Ord. 485 § 2.10.02(A), 1971).

### **20.28.060 Destruction of building or structure housing nonconforming use – More than 50 percent.**

*Repealed by Ord. 1378.* (Ord. 485 § 2.10.02 (B), 1971).

### **20.28.065 Nonconforming mobile homes or manufactured homes.**

Any mobile home or manufactured home located in a residential district which is a legal nonconforming use may be replaced with an approved manufactured home or modular home that conforms to the applicable regulations of PMC Titles 17 and 20. (Ord. 1221 § 17, 1995).

### **20.28.070 Residential districts – Expansion – Discontinuation.**

A nonconforming commercial or industrial use of a building or structure in a residential district shall not be expanded or extended into any portion of such building or structure. If such nonconforming use is discontinued, any subsequent use of the building, structure or portion thereof shall conform to the regulations of this chapter and Chapter 20.32 PMC. (Ord. 485 § 2.10.03(A), 1971).

### **20.28.080 Residential districts – Time limit.**

In all residential districts, a nonconforming use shall be completely removed or converted to a conforming use within the time prescribed by the city council. It shall be the purpose of the city council to notify all such properties where such nonconforming uses are taking place that they are in violation within one year of the passage of the ordinance codified in this title. The commission shall conduct public hearings on the nonconforming use and set forth an amortization period of not less than five years nor more than 40 years, depending on the impact of the use on the neighborhood. Procedure for hearings and action by the commission and council shall be that outlined in Chapter 20.20 PMC, Conditional Uses. (Ord. 485 § 2.10.03(B), 1971).

### **20.28.090 Repairs and maintenance.**

Nothing in this chapter shall be deemed to prevent the repair or maintenance of any building or part thereof declared to be unsafe by any official charged with protecting the public safety, upon order by such official, but in no event shall such repair or maintenance prolong the time within which the nonconforming use thereof must terminate. (Ord. 485 § 2.10.04, 1971).

### **20.28.100 Land – Time limit.**

Where no principal buildings are used in connection with the nonconforming use of land, or where the only buildings are accessory or incidental to such use, the nonconforming use of such land shall be discontinued not later than three years after such use becomes nonconforming, and all uses thereafter shall conform to the regulations of the applicable district classification and the provisions of this chapter and Chapter 20.32 PMC. (Ord. 485 § 2.10.05(A), 1971).

### **20.28.110 Land – Expansion.**

A nonconforming use of land shall not be expanded or extended in any way either on the same or any adjoining land. (Ord. 485 § 2.10.05(B), 1971).



**20.28.120 Land – Discontinuance.**

The discontinuance of a nonconforming use of land or a change of a nonconforming use of land to some other kind of a nonconforming use constitutes abandonment and termination of the nonconforming use, and thereafter the use of the land must conform to the regulations of the applicable district classification. (Ord. 485 § 2.10.05(C), 1971).

**20.28.130 Occupancy permit.**

An occupancy permit is granted automatically hereby, so as to permit the continuation of the particular existing uses of any building, structure, improvement or premises existing in the respective districts immediately prior to the time the article codified in this chapter or any amendment thereof becomes effective if such existing use was not in violation of this title or any other ordinance or law. Whenever the district classification of any property is changed any property being used thereafter in the manner authorized by the variance or permit is a nonconforming use for the duration of the variance or permit. (Ord. 485 § 2.10.06, 1971).

**20.28.140 District changes.**

Whenever the boundaries of a district shall be changed so as to transfer an area from one district to another district of a different classification, the foregoing provisions shall also apply to any nonconforming uses existing therein. (Ord. 485 § 2.10.07, 1971).

**Chapter 20.32****DISTRICTS ESTABLISHED<sup>1</sup>**

## Sections:

- 20.32.010 Designated.
- 20.32.020 Establishment of districts.
- 20.32.025 Matrix of permitted and conditional uses.
- 20.32.030 Map – Boundaries to be shown.
- 20.32.040 Map – Division into units.
- 20.32.045 *Repealed.*
- 20.32.050 *Repealed.*
- 20.32.060 Boundaries – Uncertainty.
- 20.32.070 Boundaries – Street, alley and lot lines.
- 20.32.080 Boundaries – Unsubdivided property – Location determination.
- 20.32.090 Boundaries – Vacated street or alley.
- 20.32.100 Boundaries – Areas of dedicated streets or alleys – Railroad rights-of-way.
- 20.32.110 Applicability to public land.
- 20.32.120 Zoning of annexed areas.
- 20.32.130 Interim zoning.

**20.32.010 Designated.**

In order to classify, regulate, restrict and segregate the uses of lands and buildings, to regulate and restrict the height and size of buildings, to regulate the area of yards and other open spaces about buildings, and to regulate the density of population, the following classes of use districts and subdistricts are established:

**Use Districts**

- RO Residential open space
- RS-8 Single-family residential, 8,000 square feet
- RS-11 Single-family residential, 11,000 square feet
- RML Limited multiple-family residential
- RMH Multiple-family residential
- NB Neighborhood business
- HC Highway commercial

1. For statutory provisions authorizing establishment of restrictive use districts, see RCW 35.63.110.

**20.32.020**

**Use Districts**

- C Commercial
- OP Office park
- LI Light industrial
- HI Heavy industrial

(Ord. 1505 § 11, 2001; Ord. 1361 § 1, 1998; Ord. 1322 § 1, 1997; Ord. 485 § 2.01, 1971).

**20.32.020 Establishment of districts.**

A. On the effective date of the ordinance codified in this title the provisions of this chapter shall apply to and govern the use or maintenance or keeping of any land or other property in the city, exclusive of streets, alleys and public lands used or reserved for governmental purposes as provided by law.

B. The city shall be divided by the city council into parts, and each such part may be subdivided into units for purposes of imposing or establishing districts and subdistricts on land and property. Such parts or units may be zoned and rezoned whenever the city council, after investigation and report by the planning commission, finds that public convenience, the general welfare or good zoning practice justifies such action. (Ord. 485 § 2.02, 1971).

**20.32.025 Matrix of permitted and conditional uses.**

The matrix set forth below summarizes the permitted and conditional uses for the commercial districts of Chapters 20.52 (neighborhood business), 20.54 (office park), 20.56 (commercial), 20.58 (highway commercial), 20.60 (light industrial) and 20.64 (heavy industrial) PMC. The provisions of these chapters shall control over inconsistent parts of the matrix. For purposes of the matrix, the following acronyms shall refer to the following terms:

- OP Office Park
- NB Neighborhood Business
- LI Light Industrial
- HI Heavy Industrial
- C Commercial
- A Agriculture
- HC Highway Commercial
- P Permitted (where no number is present, all levels of the use type are allowed)
- C Requires conditional use permit
- G Grandfathered
- NOS No outdoor storage
- Number Refers to level of use type allowed

<b>USE CATEGORIES AND TYPES</b>	<b>OP</b>	<b>LI</b>	<b>C</b>	<b>HC</b>	<b>NB</b>	<b>HI</b>	<b>A</b>
<b>Residential Use Category</b>							
Duplex							
Fraternity and sorority house							
Group home							
Mobile home park							
Multifamily housing							
Nursing home							
Senior housing							
<b>Civic Use Category</b>							
Administrative and government facilities and services	P	P	P	P	P		
Day-care centers	P	P	P	P	P		
Community and cultural services	C	C	P	P	P		
Educational facilities	C	C	C	C	C		
Health services	P	P	P	P	P		

<b>USE CATEGORIES AND TYPES</b>	<b>OP</b>	<b>LI</b>	<b>C</b>	<b>HC</b>	<b>NB</b>	<b>HI</b>	<b>A</b>
Postal services	P	P	P	P	P		
Recreation, nonprofit	P1, 4	P1, 4	C4	C4	C4		
Religious assembly	C	C	C	C	C		
Public safety services	P1, 2	P1, 2; C3	P1, 2	P1	C1		
Transportation		P1; C2, 3	P1; C2, 3	P1; C2, 3	P1; C2, 3		
Utilities or public maintenance facilities	C1	P1, 2	P1; C2	P1; C2	C1, 2		
<b>Utilities Use Category</b>							
Communication or cellular facilities	P	P; C1, 2, 3	P1, 2	P1, 2	C1, 2		
Electrical facilities	C	C	C	C	C		
Electrical generation facilities							
Natural gas facilities		P1, 3	P1, 3	P1, 3	P1		
Organic waste processing facilities							
Pipelines	P	P	P	P	P		
Sewage collection facilities	P	P	P	C	P		
Sewage treatment facilities		C	C	C	C		
Stormwater facilities	P	P	P	P	P		
Waste disposal facilities							
Waste transfer facilities		P1; C2	P1; C2		P1; C2		
Water supply facilities	P1; C2	P	P1	P1	P1		
<b>Office/Business Use Category</b>							
Administrative and professional offices	P	P	P	P	C		
Educational services	C	C	P	P	C		
<b>Resource Use Category</b>							
Agricultural sales			P	P	P1		
Agricultural services	C	P	P	C			P1
Animal production, boarding and slaughtering		C1	C1				
Crop production	C1	P2	P	P2			P1
Fish hatcheries and aquaculture		C	C				
Forestry		P1; C2	P1; C2	P1			
Mineral extraction							
<b>Commercial Use Category</b>							
Adult business			C				
Amusement and recreation			P1, 2	P1, 2		P1, 2	
Billboards		C	C				

20.32.025

USE CATEGORIES AND TYPES	OP	LI	C	HC	NB	HI	A
Building materials and garden supplies		P	P	P	P1		
Bulk fuel dealers		C	C				
Business services	P	P	P	P	P		
Buy-back recycling center		P	P	C			
Commercial centers		C	P	C			
Eating and drinking establishment	P	P	P	P			
Food stores	P1; C2	P1, 2	P	P	P1		
Lodging			P1, 2	P2			
Mobile, manufactured and modular homes and office sales		P	P	C			
Motor vehicles and related equipment sales/rental/repair and services		P	P	P1, 2			
Personal services	C1	C	P	P	C1		
Storage	C	P	P				
Pet sales and services	P1	P1	P	P	C		
Rental and repair services		P	P	P	C1		
Sales of general merchandise		P	P	P	P1		
Wholesale trade	P1	P	P		C1		
<b>Industrial Use Category</b>							
Basic manufacturing		C3, 5	C3, 5			P	
Contractor yards		P	P			P	
Food and related products		C	P	C		P	
Industrial services and repair		P1	P1	C1		P	
Intermediate manufacturing and intermediate/final assembly (See PMC 20.06.110)							
Motion picture/television and radio production studios	C	P	P	P	C	P	
Off-site hazardous waste treatment and storage facilities						C	
Printing, publishing and related industries	P1	P1, 2	P1	P1		C	
Recycling processor		C	P				
Salvage yards/vehicle storage facilities						C	
Warehousing, distribution and freight movement		P	P			P	

(Ord. 1379 § 1, 1998; Ord. 1361 § 2, 1998).

**20.32.030 Map – Boundaries to be shown.**

The location and geographic boundaries of various districts and subdistricts shall be shown on a map or maps, setting forth the district and subdistrict classifications applicable to the land and property contained in the zoning map. (Ord. 485 § 2.03, 1971).

**20.32.040 Map – Division into units.**

The zoning map may, for convenience of use and for purposes of more readily identifying locations within such zoning map, be subdivided into units; and such parts and units may be separately employed for identification purposes when amending the zoning map or for any official reference to the zoning map. (Ord. 485 § 2.04, 1971).

**20.32.045 Adoption of revised zoning map.**

*Repealed by Ord. 1505.* (Ord. 1266 § 1, 1995; Ord. 877 § 1, 1982).

**20.32.050 Changes in boundaries.**

*Repealed by Ord. 1505.* (Ord. 485 § 2.05, 1971).

**20.32.060 Boundaries – Uncertainty.**

Where uncertainty exists as to the boundaries of any district as shown on any zoning map or part thereof, the rules set forth in PMC 20.32.070 through 20.32.100 shall apply. (Ord. 485 § 2.06, 1971).

**20.32.070 Boundaries – Street, alley and lot lines.**

Where such boundaries are indicated as approximately following street lines, alley lines or lot lines, such lines shall be construed to be such boundaries. (Ord. 485 § 2.06(A), 1971).

**20.32.080 Boundaries – Unsubdivided property – Location determination.**

In the case of unsubdivided property and where a zone boundary divides a lot, the locations of such boundaries, unless the same are indicated by dimensions, shall be determined by the use of the scale appearing on such zoning map. (Ord. 485 § 2.06(B), 1971).

**20.32.090 Boundaries – Vacated street or alley.**

Where a public street or alley is officially vacated, the zoning regulations applicable to abutting property on each side of the centerline shall apply up to the centerline of such vacated street or alley on each respective side thereof. (Ord. 485 § 2.06(C), 1971).

**20.32.100 Boundaries – Areas of dedicated streets or alleys – Railroad rights-of-way.**

Areas of dedicated streets or alleys and railroad rights-of-way, other than those designated on the zoning map as being classified in one of the districts provided in this title, shall be deemed to be unclassified and, in the case of railroad rights-of-way, permitted to be used solely for the purpose of accommodating tracks, signals, and other operative devices and the movement of rolling stock. (Ord. 485 § 2.06(D), 1971).

**20.32.110 Applicability to public land.**

Public land acquired by persons, firms or corporations, prior to the adoption of the ordinance codified in this title, shall be limited to the use for which the land was acquired and/or any established for the most restrictive abutting district. Development of public land acquired subsequent to the passage of the ordinance codified in this title shall conform to the district in which it is located. In the event public land is sold for private development it will be rezoned by the city to conform with the comprehensive plan prior to the sale. (Ord. 485 § 2.07, 1971).

**20.32.120 Zoning of annexed areas.**

In order to afford zoning protection to newly annexed areas where zoning regulations are not adopted before the annexation pursuant to RCW 35A.14.330, interim zoning classifications and regulations shall be established as provided in this chapter. The provisions of PMC 16.28.110 and Chapter 16.32 PMC regarding amendments to this title shall not apply to action authorized by this section. (Ord. 1268 § 1, 1995; Ord. 485 § 2.08, 1971).

**20.32.130 Interim zoning.**

An area annexed to the city shall be zoned in accordance with implementation of the comprehensive plan. (Ord. 1505 § 11, 2001; Ord. 1268 § 2, 1995; Ord. 485 § 2.08, 1971).

**Chapter 20.36**

**RO – RESIDENTIAL OPEN SPACE DISTRICT**

Sections:

- 20.36.010 Description and purpose.
- 20.36.020 Permitted buildings and uses.
- 20.36.030 Buildings and uses permitted conditionally.
- 20.36.040 Uses prohibited.
- 20.36.050 Height regulations.
- 20.36.060 Detached accessory buildings.
- 20.36.070 Lot area, lot width and yard requirements.
- 20.36.080 Maximum land coverage by buildings.
- 20.36.090 Corner lots.
- 20.36.100 Signs.
- 20.36.110 Parking.
- 20.36.120 *Repealed.*

**20.36.010 Description and purpose.**

The RO residential open space district is designed to promote and encourage the orderly development of steep hillside areas of the city by the application of regulations and requirements established to meet the particular problems associated with the development of steep hillside areas. (Ord. 485 § 3.01, 1971).

**20.36.020 Permitted buildings and uses.**

In the RO district the following buildings and uses are permitted as hereinafter specifically provided for by this chapter, subject to the general provisions and exceptions set forth in this chapter, and regulations set forth in Chapters 20.01, 20.08 through 20.24, 20.68 and 20.72 PMC:

- A. Accessory buildings and uses normal and incidental to the uses permitted in this chapter;
- B. Public buildings essential to the physical and economic welfare of an area. Rear and side yards for these uses shall be a minimum of 25 feet in width. No stockpiling or storage of materials shall be allowed;
- C. Single-family dwellings. (Ord. 485 § 3.02, 1971).

**20.36.030 Buildings and uses permitted conditionally.**

The city may grant a conditional use permit (CUP) for the following buildings and uses in accordance with the procedures set forth in Chapter 20.20 PMC:

- A. Libraries;
- B. Any other buildings or uses determined to be similar to those listed in PMC 20.36.020. Such other uses shall not have any different or more detrimental effect upon the adjoining neighborhood areas or landscape than the specifically permitted buildings and uses. (Ord. 1505 § 11, 2001; Ord. 1170 § 1, 1992; Ord. 485 § 3.03, 1971).

**20.36.040 Uses prohibited.**

The excavation, processing and removal of soil, peat, sand, gravel, rock (which may include the crushing thereof) or any other natural deposits of commercial value is prohibited in the RO district. (Ord. 485 § 3.04, 1971).

**20.36.050 Height regulations.**

No principal building shall exceed either two and one-half stories or 30 feet in height. (Ord. 485 § 3.05, 1971).

**20.36.060 Detached accessory buildings.**

Detached accessory buildings in the RO district shall not exceed one story or 15 feet in height, and shall not occupy more than 50 percent of the area of a rear and side yard, and shall not be closer than 10 feet to each other or the principal building. Accessory buildings shall comply with the front and side yard setbacks required for the principal building and shall maintain a five-foot setback from the interior lot line, except that a detached accessory building can be built to the interior lot line, provided a written mutual agreement of the abutting property owners on the property lines affected be filed with the city clerk. (Ord. 485 § 3.06, 1971).

**20.36.070 Lot area, lot width and yard requirements.**

The following minimum requirements shall be observed, except where increased for conditional use:

- A. Lot area, one acre;
- B. Lot width, 120 feet;
- C. Front yard, 60 feet from center of road right-of-way;
- D. Rear yards, 30 feet. Where a utility easement is recorded adjacent to a rear lot line, the yard shall be no less than width of the easement on the development site;
- E. Side Yards. All lots or development sites in the RO district shall have side yards of not less than 10 feet, except that where a utility easement is recorded adjacent to a side lot line, there shall be a side yard no less than the width of the easement. (Ord. 485 § 3.07, 1971).

**20.36.080 Maximum land coverage by buildings.**

The maximum land coverage by buildings shall be as follows:

- A. Interior lots, 35 percent;
- B. Corner lots, 40 percent. (Ord. 485 § 3.08, 1971).

**20.36.090 Corner lots.**

Corner lots shall observe the minimum front yard setback requirements on one street side. One-half the minimum setback requirement shall be observed on the second street side. (Ord. 485 § 3.09, 1971).

**20.36.100 Signs.**

Only the following signs are permitted, subject to the following limitations:

- A. Nameplates not exceeding three square feet in area, containing the name and/or address of the occupant of the premises;
- B. One unlighted sign not exceeding six square feet in area pertaining only to the sale, lease or hire of only the particular building, property or premises upon which displayed, and for no more than three months. (Ord. 485 § 3.10, 1971).

**20.36.110 Parking.**

All uses shall conform to the general provisions and exceptions set forth in Chapter 20.72 PMC, Parking and Loading. (Ord. 485 § 3.11, 1971).

**20.36.120 Requirements subject to review and approval by the planning commission.**

*Repealed by Ord. 1505. (Ord. 485 § 3.12, 1971).*

**Chapter 20.40**

**RS – SINGLE-FAMILY RESIDENTIAL DISTRICTS**

Sections:

- 20.40.010 Description and purpose.
- 20.40.020 Permitted buildings and uses.
- 20.40.030 Buildings and uses permitted conditionally.
- 20.40.040 Height regulations.
- 20.40.050 Detached accessory buildings.
- 20.40.060 Lot area, lot width and yard requirements.
- 20.40.070 Maximum lot coverage.
- 20.40.080 Corner lots.
- 20.40.090 *Repealed.*
- 20.40.100 Area of interior lots.
- 20.40.110 Signs.
- 20.40.120 Parking.

**20.40.010 Description and purpose.**

The RS single-family residential districts are intended for medium density, urban single-family residential use. A stable and healthful environment, together with the full range of urban services, makes this the most important land use of the community. (Ord. 1488 § 1, 2001; Ord. 485 § 4.01, 1971).

**20.40.020 Permitted buildings and uses.**

In the RS districts the following buildings and uses are permitted as hereinafter specifically provided for by this chapter, subject to the general provisions and exceptions set forth in this chapter, and regulations set forth in Chapters 20.01, 20.08 through 20.24, 20.68 and 20.72 PMC:

A. Accessory buildings and uses normal and incidental to the uses permitted in this chapter;

B. Agricultural uses, limited to the following:

- 1. Berry and bush crops,
- 2. Flower gardening,
- 3. Orchards, tree crops, the raising and harvesting of,
- 4. Truck gardening, the raising and harvesting of vegetables for home consumption;

C. Churches, subject to PMC 20.68.660;



D. Home occupations, subject to PMC 20.68.180;

E. Parks, private and public, playgrounds, golf courses, driving ranges, or community centers, subject to PMC 20.68.670;

F. Public and semipublic buildings, essential to the physical and economic welfare of an area, such as fire stations, substations and pump stations. Rear and side yards for these uses shall be a minimum of 25 feet in width. No stockpiling or storage of materials shall be allowed;

G. Rooms, rented to not more than four persons other than those occupying a single-family dwelling, provided there is compliance with health and building code requirements;

H. Single-family dwellings;

I. Schools, public or private, elementary, junior and senior high, subject to PMC 20.68.670;

J. Modular homes, except in the RS-11 district located west of the West Valley freeway. (Ord. 1221 § 10, 1995; Ord. 982 § 2, 1985; Ord. 594 § 1, 1976; Ord. 485 § 4.02, 1971).

#### **20.40.030 Buildings and uses permitted conditionally.**

The city may grant a conditional use permit (CUP) for any of the following buildings and uses in accordance with the procedures set forth in Chapter 20.20 PMC:

A. Churches, when using existing buildings;

B. Day nurseries;

C. Group care homes;

D. Homes for the aged, including assisted and unassisted living facilities;

E. Hospitals;

F. Libraries;

G. Nursing homes;

H. Unassisted senior housing complexes, at densities supportable by available infrastructure and land use compatibility, within 2,000 feet walking distance of the Senior Center, measured from the center of the housing complex to the Senior Center entrance following pedestrian routes;

I. One accessory dwelling unit per lot (see PMC 20.92.055). (Ord. 1505 § 11, 2001; Ord.

1504 § 1, 2001; Ord. 1488 § 1, 2001; Ord. 1170 § 2, 1992; Ord. 485 § 4.03, 1971).

#### **20.40.040 Height regulations.**

No principal building shall exceed either two and one-half stories or 30 feet in height. (Ord. 485 § 4.04, 1971).

#### **20.40.050 Detached accessory buildings.**

Detached accessory dwellings and buildings in the RS districts shall not exceed the height limit pertaining to principal buildings, and shall not occupy more than 50 percent of the area of a rear and side yard, and shall not be closer than 10 feet to the principal building. New accessory buildings shall comply with all setbacks required for the principal building, except that (A) on lots not abutting an alley the minimum rear yard setback for nonresidential accessory buildings shall be five feet, and (B) an accessory dwelling unit may be built within or added to any existing accessory building built prior to July 31, 2001; provided, said existing accessory building is set back at least five feet from the rear property line; and provided, that any expansion to the foundation conforms to the setback requirements pertaining to the principal building. (Ord. 1504 § 2, 2001; Ord. 1501 § 1, 2001; Ord. 485 § 4.05, 1971).

#### **20.40.060 Lot area, lot width and yard requirements.**

The following minimum requirements shall be observed, except where increased for conditional use:

**20.40.070**

<b>Minimum Setback Requirements for RS-8 and RS-11</b>		
<b>Front Yard<sup>1</sup></b>	<b>Rear Yard<sup>2</sup></b>	<b>Side Yards</b>
22 ft.	20 ft.	One side yard setback shall be a minimum of 10 feet to permit the parking of recreational vehicles, boats, trailers, etc. The other side setback shall be a minimum of five feet, for a combined minimum of 15 feet. Where a utility easement is recorded adjacent to a side lot line, there shall be a side yard no less than the width of the easement, except that the street side of a corner lot shall be 15 feet.

1. Front yard dimensions may be adjusted in single-family residence districts where more than 50 percent of the average-size lots in a block fronting one side of a street or where the adjoining lots on each side of a single lot are developed with existing buildings (other than accessory buildings) having front yard setbacks less than the dimension required for the district.

2. Where a utility or stormwater easement is recorded adjacent to a rear lot line, the minimum yard shall be 20 feet or the width of the easement on the development site, whichever is greater.

(Ord. 1501 § 1, 2001; Ord. 1489 § 2, 2001; Ord. 1114 § 2, 1990; Ord. 695 § 2, 1978; Ord. 485 § 4.06, 1971).

**20.40.070 Maximum lot coverage.**

The maximum lot coverage shall be as follows:

- A. Interior lots, 35 percent;
- B. Corner lots, 40 percent. (Ord. 485 § 4.07, 1971).

**20.40.080 Corner lots.**

Corner lots shall observe the minimum front yard setback requirements on one street side. A 15-foot minimum setback requirement shall be observed on the second street side. (Ord. 1501 § 1, 2001; Ord. 485 § 4.08, 1971).

**20.40.090 Lots abutting an alley.**

*Repealed by Ord. 1501.* (Ord. 485 § 4.09, 1971).

**20.40.100 Area of interior lots.**

The area of an interior lot, removed from the street and having access thereto through a private lane, may use the land area within the lane as part of the total lot area only if the area of such lot, exclusive of the access lane, is not less than 90 percent of the district minimum requirements. (Ord. 485 § 4.10, 1971).

**20.40.110 Signs.**

Only the following signs are permitted, subject to the following limitations:

A. Nameplates not exceeding one square foot in area, containing the name of the occupant of the premises;

B. One unlighted sign not exceeding six square feet in area pertaining only to the sale, lease or hire of only the particular building, property or premises upon which displayed, and for no more than three months. (Ord. 485 § 4.11, 1971).

**20.40.120 Parking.**

All uses shall conform to the general provisions and exceptions set forth in Chapter 20.72 PMC, Parking and Loading. (Ord. 485 § 4.12, 1971).

**Chapter 20.44****RML – LIMITED MULTIPLE-FAMILY  
RESIDENTIAL DISTRICT**

## Sections:

- 20.44.010 Description and purpose.
- 20.44.020 Permitted buildings and uses.
- 20.44.030 Buildings and uses permitted conditionally.
- 20.44.040 Height regulations.
- 20.44.050 Lot area, lot width and yard requirements.
- 20.44.060 Maximum land coverage by buildings.
- 20.44.070 Corner lots.
- 20.44.080 Lots abutting an alley.
- 20.44.090 Parking.
- 20.44.100 Signs.

**20.44.010 Description and purpose.**

The RML limited multiple-family residential district is intended to encourage a more flexible use of the land and promote and maintain stable single-family residential areas. It is also the purpose of this classification to develop residential areas within the city which are characterized by higher residential densities and higher volumes of vehicular traffic that are characteristic in the RS districts. (Ord. 485 § 5.01, 1971).

**20.44.020 Permitted buildings and uses.**

In the RML district, the following buildings and uses are permitted as hereinafter specifically provided for by this chapter, subject to the general provisions and exceptions set forth in this chapter, and regulations set forth in Chapters 20.01, 20.08 through 20.24, 20.68 and 20.72 PMC:

- A. Accessory buildings and uses normal and incidental to the uses permitted in this chapter;
- B. Churches, subject to PMC 20.68.660;
- C. Duplexes;
- D. Home occupations, subject to PMC 20.68.180;
- E. Multiple-family dwellings;
- F. Open space;

G. Parks, private and public, playgrounds, golf courses, driving ranges or community centers, subject to PMC 20.68.670;

H. Planned unit developments, subject to Chapter 20.69 PMC;

I. Public and semipublic buildings essential to the physical and economic welfare of an area, such as fire stations, substations and pump stations. Rear and side yards for these uses shall be a minimum of 25 feet in width. No stockpiling or storage of materials shall be allowed;

J. Schools, public or private, elementary, junior and senior high, subject to PMC 20.68.670;

K. Single-family dwellings, approved manufactured homes and modular homes. (Ord. 1221 § 11, 1995; Ord. 485 § 5.02, 1971).

**20.44.030 Buildings and uses permitted conditionally.**

The city may grant a conditional use permit (CUP) for any of the following buildings and uses in accordance with the procedures set forth in Chapter 20.20 PMC:

- A. Churches, when using existing buildings;
- B. Day nurseries;
- C. Group care homes;
- D. Homes for the aged, including assisted and unassisted living facilities;
- E. Mobile home parks;
- F. Libraries;
- G. Nursing homes;
- H. Public parking areas;
- I. One accessory dwelling unit per lot (see Chapter 20.92 PMC). (Ord. 1505 § 11, 2001; Ord. 1504 § 1, 2001; Ord. 1170 § 3, 1992; Ord. 485 § 5.03, 1971).

**20.44.040 Height regulations.**

No building shall exceed two and one-half stories or 35 feet in height. (Ord. 1504 § 3, 2001; Ord. 1221 § 12, 1995; Ord. 1183 § 1, 1992; Ord. 485 § 5.04, 1971).

## **20.44.050**

### **20.44.050 Lot area, lot width and yard requirements.**

The following minimum requirements shall be observed, except where increased for conditional uses:

A. Lot area: 8,000 square feet or 4,000 square feet per dwelling unit, whichever is greater;

B. Front yard: 30 feet for single-family dwellings, approved manufactured homes and modular homes; 20 feet for all other uses;

C. Rear yards: 30 feet, except where a utility easement is recorded adjacent to a rear lot line, the yard shall be no less than the width of the easement on the development site;

D. Side Yards.

1. All lots or development sites in the RML district shall have side yards of not less than 10 feet except where a utility easement is recorded adjacent to a side lot line, and there shall be a side yard no less than the width of the easement; where an access easement exists, the side yard setback shall be measured from the near edge of said easement;

2. There shall not be less than 15 feet between each multifamily building or any other adjacent existing building used for residential purposes. This does not include a garage or carport attached to a residence building. (Ord. 1501 § 2, 2001; Ord. 1489 § 2, 2001; Ord. 1221 § 13, 1995; Ord. 1183 § 2, 1992; Ord. 1114 § 3, 1990; Ord. 752 § 1, 1979; Ord. 653 § 1, 1977; Ord. 485 § 5.05, 1971).

### **20.44.060 Maximum land coverage by buildings.**

The maximum land coverage by buildings shall be as follows:

A. Interior lots, 35 percent;

B. Corner lots, 40 percent. (Ord. 485 § 5.06, 1971).

### **20.44.070 Corner lots.**

Corner lots shall observe the minimum front yard setback requirements on one street side and one-half the minimum setback requirement on the second street side. (Ord. 485 § 5.07, 1971).

### **20.44.080 Lots abutting an alley.**

In a lot abutting an alley the required rear yard can be measured from the centerline of the alley. (Ord. 485 § 5.08, 1971).

### **20.44.090 Parking.**

All uses shall conform to the general provisions and exceptions set forth in Chapter 20.72 PMC, Parking and Loading. (Ord. 485 § 5.09, 1971).

### **20.44.100 Signs.**

Only the following signs are permitted, subject to the following limitations:

A. Nameplates not exceeding three square feet in area, containing the name and/or address of the occupant of the premises;

B. One unlighted sign not exceeding six square feet in area pertaining only to the sale, lease or hire of only the particular building, property or premises upon which displayed, and for no more than three months. (Ord. 485 § 5.10, 1971).

**Chapter 20.48****RMH – MULTIPLE-FAMILY  
RESIDENTIAL DISTRICT**

## Sections:

- 20.48.010 Description and purpose.
- 20.48.020 Permitted buildings and uses.
- 20.48.030 Buildings and uses permitted conditionally.
- 20.48.040 Building height regulations.
- 20.48.050 Lot area, lot width and yard requirements.
- 20.48.060 Maximum lot coverage.
- 20.48.070 Corner lots.
- 20.48.080 Lots abutting an alley.
- 20.48.090 Parking.
- 20.48.100 Signs.

**20.48.010 Description and purpose.**

The RMH multiple-family residential district as described herein provides for higher density, multiple-family housing. It is intended to be situated adjacent to major arterials and adjacent to commercial areas. (Ord. 485 § 6.01, 1971).

**20.48.020 Permitted buildings and uses.**

In the RMH district, the following buildings and uses are permitted as hereinafter specifically provided for by this chapter, subject to the general provisions and exceptions set forth in this chapter, and regulations set forth in Chapters 20.01, 20.08 through 20.24, 20.68 and 20.72 PMC:

- A. Accessory buildings and uses normal and incidental to the buildings and uses permitted in this chapter;
- B. Boardinghouses and roominghouses;
- C. Churches, subject to PMC 20.68.660;
- D. Clinics;
- E. Day nurseries;
- F. Duplexes;
- G. Group care homes;
- H. Homes for the aged;
- I. Home occupations, subject to PMC 20.68.180;
- J. Nursing homes;
- K. Multiple-family dwellings;

L. Parks, private and public, playgrounds, golf courses, driving ranges or community centers, subject to PMC 20.68.670;

M. Planned unit developments, subject to Chapter 20.69 PMC;

N. Professional offices;

O. Public and semipublic buildings essential to the physical and economic welfare of an area, such as fire stations, substations and pump stations. Rear and side yards for these uses shall be a minimum of 25 feet in width;

P. Public or private clubs, lodges or meeting halls;

Q. Public or private parking areas;

R. Schools, public or private, elementary, junior and senior high, subject to PMC 20.68.670;

S. Single-family dwellings, approved manufactured homes and modular homes. (Ord. 1221 § 14, 1995; Ord. 485 § 6.02, 1971).

**20.48.030 Buildings and uses permitted conditionally.**

The city may grant a conditional use permit (CUP) for any of the following buildings and uses in accordance with the procedures set forth in Chapter 20.20 PMC:

- A. Artists' studios;
- B. Hospitals;
- C. Hotels, motels and motor hotels;
- D. Libraries. (Ord. 1505 § 11, 2001; Ord. 1170 § 4, 1992; Ord. 485 § 6.03, 1971).

**20.48.040 Building height regulations.**

No building shall exceed either two and one-half stories or 35 feet in height. (Ord. 1504 § 4, 2001; Ord. 485 § 6.04, 1971).

**20.48.050 Lot area, lot width and yard requirements.**

The following minimum requirements shall be observed, except where increased for conditional uses:

A. Lot Area. The minimum lot area shall be 8,000 square feet;

B. Lot Area Requirements Per Dwelling Unit. The first two attached units require the minimum lot area of 4,000 square feet per unit; additional units require the minimum lot area of 2,200 square feet per unit. Where the devel-

## **20.48.060**

opment provides for a recreational area within the development such as tennis courts, swimming pool, recreation building, etc., the city may credit the development with up to an additional 200 square feet per unit;

C. Lot width: 70 feet at building line;

D. Front yards: 30 feet, from front property line;

E. Rear yards: 30 feet and in no case shall the distance between the rear lot line and building be less than one-half the height of the building for structures higher than two and one-half stories or 30 feet;

F. Side Yards.

1. All lots or development sites in the RMH district shall have side yards of not less than 10 feet.

2. There shall not be less than 20 feet between each multifamily building. This does not include a garage or carport attached to a residence building. (Ord. 1505 § 11, 2001; Ord. 1501 § 2, 2001; Ord. 1489 § 2, 2001; Ord. 1114 § 4, 1990; Ord. 754 § 1, 1979; Ord. 695 § 1, 1978; Ord. 654 § 1, 1977; Ord. 485 § 6.05, 1971).

## **20.48.060 Maximum lot coverage.**

No individual segregated lot or building site shall have more than 45 percent coverage by buildings to be erected thereon. (Ord. 753 § 1, 1979; Ord. 485 § 6.06, 1971).

## **20.48.070 Corner lots.**

Corner lots shall observe the minimum front yard setback requirements on one street side and one-half the minimum setback requirement on the second street side. (Ord. 485 § 6.07, 1971).

## **20.48.080 Lots abutting an alley.**

In a lot abutting an alley, the required rear yard space can be measured from the centerline of the alley. (Ord. 485 § 6.08, 1971).

## **20.48.090 Parking.**

All uses shall conform to the general provisions and exceptions set forth in Chapter 20.72 PMC, Parking and Loading. (Ord. 485 § 6.09, 1971).

## **20.48.100 Signs.**

Only the following signs are permitted, subject to the following limitations:

A. Nameplates not exceeding three square feet in area, containing the name and/or address of the occupant of the premises;

B. One unlighted sign not exceeding six square feet in area pertaining only to the sale, lease or hire of only the particular building, property or premises upon which displayed, and for no more than three months. (Ord. 485 § 6.10, 1971).

**Chapter 20.52****NB – NEIGHBORHOOD  
BUSINESS DISTRICT**

## Sections:

- 20.52.010 Description and purpose.
- 20.52.020 Permitted buildings and uses.
- 20.52.030 Conditional uses.
- 20.52.040 Building height regulations.
- 20.52.050 Lot area, lot width and yard requirements.
- 20.52.060 Maximum lot coverage.
- 20.52.070 Parking.
- 20.52.080 Signs.
- 20.52.090 Other required conditions.

**20.52.010 Description and purpose.**

The NB neighborhood business district is intended for commercial or office uses that generally serve the immediate neighborhood. Targeted customers can generally get to the businesses in this district by walking. Parking requirements are generally minimal. This district is typically appropriate to small shopping clusters or integrated shopping centers located within residential neighborhoods. (Ord. 1361 § 3, 1998; Ord. 485 § 7.01, 1971).

**20.52.020 Permitted buildings and uses.**

In the NB district, the following buildings and uses are permitted as hereinafter specifically provided for by this chapter and Chapter 20.06 PMC, subject to the general provisions and exceptions set forth in this chapter and regulations set forth in Chapters 20.01, 20.08 through 20.24, 20.68 and 20.72 PMC.

All uses except newsstands, private or public parking areas, nurseries, and service station pump islands shall be in an entirely closed building, unless otherwise specified by a conditional use permit.

- A. Accessory uses and structures;
- B. Administrative government facilities and services;
- C. Agricultural sales (level 1);
- D. Building materials and garden supplies (level 1);
- E. Business services;
- F. Community and cultural services;

- G. Day-care centers;
- H. Food stores (level 1);
- I. Health services;
- J. Natural gas facilities (level 1);
- K. Pipelines;
- L. Postal services;
- M. Sales of general merchandise (level 1);
- N. Sewage collection facilities;
- O. Stormwater facilities;
- P. Transportation (level 1);
- Q. Waste transfer facilities (level 1); and
- R. Water supply facilities (level 1). (Ord. 1361 § 3, 1998; Ord. 485 § 7.02, 1971).

**20.52.030 Conditional uses.**

In addition to the buildings and uses permitted conditionally in PMC 20.68.170, the city may grant a conditional use permit for any of the following buildings and uses in accordance with the procedures set forth in Chapter 20.20 PMC:

- A. Administrative and professional offices;
- B. Communication or cellular facilities (levels 1, 2);
- C. Electrical facilities;
- D. Educational facilities;
- E. Educational services;
- F. Motion picture/television and radio production studios;
- G. Personal services (level 1);
- H. Pet sales and services;
- I. Public safety services (level 1);
- J. Recreation, nonprofit (level 4);
- K. Religious assembly;
- L. Rental and repair services (level 1);
- M. Sewage treatment facilities;
- N. Transportation (levels 2 and 3);
- O. Utility or public maintenance facilities (levels 1 and 2);
- P. Waste transfer facilities (level 2);
- Q. Wholesale trade (level 1); and
- R. Any other buildings or uses determined to be similar to those listed in PMC 20.52.020. Such other uses shall not have any different or more detrimental effect upon the adjoining neighborhood areas than the specifically permitted buildings and uses. (Ord. 1505 § 11, 2001; Ord. 1361 § 3, 1998; Ord. 1170 § 5, 1992; Ord. 485 § 7.03, 1971).

## **20.52.040**

### **20.52.040 Building height regulations.**

In the NB district no principal use shall exceed either two and one-half stories or 30 feet in building height. (Ord. 1361 § 3, 1998; Ord. 485 § 7.04, 1971).

### **20.52.050 Lot area, lot width and yard requirements.**

The following minimum requirements shall be observed:

- A. Lot area: none.
- B. Lot width: none.
- C. Setback, state highways: 25 feet.
- D. Setback, major arterials: 25 feet.
- E. Setback, other roads: 30 feet.
- F. Setback, rear: 30 feet.
- G. Setback, side: 10 feet. (Ord. 1361 § 3, 1998; Ord. 485 § 7.05, 1971).

### **20.52.060 Maximum lot coverage.**

No maximum lot coverage is specified, except subject to Chapter 20.72 PMC, Parking and Loading, as to the amount of off-street parking required per use. (Ord. 1361 § 3, 1998; Ord. 485 § 7.06, 1971).

### **20.52.070 Parking.**

All uses shall conform to the general provisions and loading area standards of number, area, surface, screening, and maintenance as required in Chapter 20.72 PMC, Parking and Loading. (Ord. 1361 § 3, 1998; Ord. 485 § 7.07, 1971).

### **20.52.080 Signs.**

Signs, advertising structures, and area illumination are permitted, subject to Chapter 20.84 PMC, Sign Code. (Ord. 1394 § 2, 1998; Ord. 1361 § 3, 1998; Ord. 485 § 7.08, 1971).

### **20.52.090 Other required conditions.**

The following additional conditions shall apply in an NB district:

- A. In any NB district directly across the street from any residential district designated in this title, the parking and loading facilities shall be distant at least 20 feet from the street; provided, that the foregoing requirement of this section shall not apply where such residential district is separated from the NB district by

a street planned to have a right-of-way of 80 feet or more; provided further, that a screen wall and/or landscaping is established and maintained on the NB property.

B. All operations conducted on the premises shall not constitute a nuisance by reason of smoke, fumes, odor, steam, gases, vibrations, noise, hazards or other causes, beyond the property lines, and shall comply with the provisions of PMC 20.68.160.

C. All sites having a common boundary with a residentially classified property shall provide solid screen (Type I) landscaping in accordance with PMC 20.70.070(A). Public utility installations shall provide Type II landscaping.

D. All sites and activities in the NB district shall comply with Chapter 20.70 PMC, Landscaping. (Ord. 1361 § 3, 1998; Ord. 485 § 7.09, 1971).



**Chapter 20.54****OP – OFFICE PARK DISTRICT**

## Sections:

- 20.54.010 Description and purpose.
- 20.54.020 Permitted buildings and uses.
- 20.54.030 Conditional uses.
- 20.54.040 Building height regulations.
- 20.54.050 Lot area, lot width, and yard requirements.
- 20.54.060 Maximum lot coverage.
- 20.54.070 Parking.
- 20.54.080 Signs.
- 20.54.090 Other required conditions.

**20.54.010 Description and purpose.**

The OP office park district is intended to provide for those business uses of a professional office, wholesale, fabrication, and distribution nature which are capable of being constructed, maintained and operated in a manner uniquely designed to be compatible with adjoining residential, commercial or other less intensive land uses. Retail businesses and restaurants primarily servicing employees of the office park are also consistent with the purpose of the district. Strict zoning controls must be applied in conjunction with private covenants and unified control of land. (Ord. 1361 § 4, 1998).

**20.54.020 Permitted buildings and uses.**

In the OP district, the following buildings and uses are permitted as hereinafter specifically provided for by this chapter and Chapter 20.06 PMC, subject to the general provisions and exceptions set forth in this chapter and regulations set forth in Chapters 20.01, 20.08 through 20.24, 20.68 and 20.72 PMC.

All uses except newsstands, private or public parking areas, nurseries, and service station pump islands shall be in an entirely closed building unless otherwise specified by a conditional use permit.

- A. Accessory uses and structures;
- B. Administrative and professional offices;
- C. Administrative government facilities and services;
- D. Business services;

- E. Communication or cellular facilities;
- F. Day-care centers;
- G. Eating and drinking establishments;
- H. Food stores (level 1);
- I. Health services;
- J. Intermediate manufacturing and intermediate/final assembly in accordance with PMC 20.06.110;
- K. Pet sales and services;
- L. Pipelines;
- M. Planned commercial developments in accordance with Chapter 20.69 PMC;
- N. Postal services;
- O. Printing, publishing and related industries (level 1);
- P. Public safety services (levels 1, 2);
- Q. Recreation, nonprofit (levels 1, 4);
- R. Sewage collection facilities;
- S. Stormwater facilities;
- T. Water supply facilities (level 1); and
- U. Wholesale trade (level 1). (Ord. 1361 § 4, 1998).

**20.54.030 Conditional uses.**

In addition to the buildings and uses permitted conditionally listed in PMC 20.68.170, the city may grant a conditional use permit (CUP) for any of the following buildings and uses in accordance with the procedures set forth in Chapter 20.20 PMC:

- A. Agricultural services;
- B. Community and cultural services;
- C. Crop production (level 1);
- D. Eating and drinking establishments;
- E. Educational facilities;
- F. Educational services;
- G. Electrical facilities;
- H. Food stores (level 2);
- I. Intermediate manufacturing and intermediate/final assembly in accordance with PMC 20.06.110;
- J. Motion picture/television and radio production studios;
- K. Personal services (level 1);
- L. Religious assembly;
- M. Storage;
- N. Utilities or public maintenance facilities (level 1);
- O. Water supply facilities (level 2); and

## **20.54.040**

P. Any other buildings or uses determined to be similar to those listed in PMC 20.54.020. Such other uses shall not have any different or more detrimental effect upon the adjoining neighborhood areas than the specifically permitted buildings and use. (Ord. 1505 § 11, 2001; Ord. 1361 § 4, 1998).

### **20.54.040 Building height regulations.**

In the OP district no principal building shall exceed either two and one-half stories or 30 feet in building height. (Ord. 1361 § 4, 1998).

### **20.54.050 Lot area, lot width, and yard requirements.**

The following minimum requirements shall be observed:

- A. Lot area: none;
- B. Lot width: none;
- C. Setback, state highways: 30 feet;
- D. Setback, major arterials: 30 feet;
- E. Setback, other roads: 25 feet;
- F. Setback, rear: none except where the rear lot line abuts property zoned residential, a 40-foot setback shall be required;
- G. Setback, side: none except where the rear lot line abuts property zoned residential, a 40-foot setback shall be required. (Ord. 1361 § 4, 1998).

### **20.54.060 Maximum lot coverage.**

No maximum lot coverage is specified, except subject to Chapter 20.72 PMC, Parking and Loading, as to the amount of off-street parking required per use. (Ord. 1361 § 4, 1998).

### **20.54.070 Parking.**

All uses shall conform to the general provisions and loading standards of number, area, surface, screening and maintenance as required by Chapter 20.72 PMC, Parking and Loading. (Ord. 1361 § 4, 1998).

### **20.54.080 Signs.**

Signs, advertising structures, and area illumination are permitted, subject to Chapter 20.84 PMC, Sign Code. (Ord. 1394 § 2, 1998; Ord. 1361 § 4, 1998).

### **20.54.090 Other required conditions.**

The following additional conditions shall apply in an OP district:

A. In any OP district directly across the street from any residential district designated in this title, the parking and loading facilities shall be distant at least 20 feet from the street; provided, that the foregoing requirement of this section shall not apply where such residential district is separated from the OP district by a street planned to have a right-of-way of 80 feet or more; provided further, that a screen wall and/or landscaping is established and maintained on the OP property.

B. All operations conducted on the premises shall not constitute a nuisance by reason of smoke, fumes, odor, steam, gases, vibrations, noise, hazards or other causes, beyond the property lines, and shall comply with the provisions of PMC 20.68.160.

C. All sites and activities in the OP district shall comply with Chapter 20.70 PMC, Landscaping. (Ord. 1361 § 4, 1998).

**Chapter 20.56****C – COMMERCIAL DISTRICT**

## Sections:

- 20.56.010 Description and purpose.
- 20.56.020 Permitted buildings and uses.
- 20.56.030 Conditional uses.
- 20.56.040 Building height regulations.
- 20.56.050 Lot area, lot width and yard requirements.
- 20.56.060 Maximum lot coverage.
- 20.56.070 Parking.
- 20.56.080 Signs.
- 20.56.090 Other required conditions.

**20.56.010 Description and purpose.**

The C commercial district is intended for those uses which serve a larger public than the immediate neighborhood, including manufacturing, light industrial, retail and office uses. These uses are intended to have access to major arterials and SR-167, and can generate traffic on adjacent streets. Parking requirements are generally greater than for neighborhood uses. Uses found in this district include a wide range of retail sales, service and light industrial establishments serving both long-term and short-term needs in locations typically appropriate to commercial clusters near intersections or along major thoroughfares. (Ord. 1361 § 5, 1998; Ord. 485 § 8.01, 1971).

**20.56.020 Permitted buildings and uses.**

In the C district, the following buildings and uses are permitted as hereinafter specifically provided for by this chapter and Chapter 20.06 PMC, subject to the general provisions and exceptions set forth in this chapter and regulations set forth in Chapters 20.01, 20.08 through 20.24, 20.68 and 20.72 PMC.

1. Accessory uses and structures;
2. Administrative and professional offices;
3. Administrative government facilities and services;
4. Agricultural sales;
5. Agricultural services;
6. Amusement and recreation (levels 1, 2);
7. Building materials and garden supplies;
8. Business services;

9. Buy-back recycling centers;
10. Commercial centers;
11. Communication or cellular facilities (levels 1, 2);
12. Community and cultural services;
13. Contractor yards;
14. Crop production;
15. Day-care centers;
16. Eating and drinking establishments;
17. Educational facilities;
18. Food and related products;
19. Food stores;
20. Forestry (level 1);
21. Health services;
22. Industrial services and repair (level 1);
23. Intermediate manufacturing and intermediate/final assembly in accordance with PMC 20.06.110;
24. Lodging (levels 1, 2);
25. Mobile, manufactured, and modular home and office sales;
26. Motion picture/television and radio production studios;
27. Motor vehicles and related equipment sales/rental/repair and services;
28. Natural gas facilities (levels 1, 3);
29. Personal services;
30. Pet sales and services;
31. Pipelines;
32. Postal services;
33. Printing, publishing and related industries (level 1);
34. Public safety services (levels 1, 2);
35. Recycling processors;
36. Rental and repair services;
37. Sales of general merchandise;
38. Sewage collection facilities;
39. Storage;
40. Stormwater facilities;
41. Transportation (level 1);
42. Utility or public maintenance facilities (level 1);
43. Warehousing, distribution and freight movement;
44. Waste transfer facilities (level 1);
45. Water supply facilities (level 1); and
46. Wholesale trade. (Ord. 1361 § 5, 1998; Ord. 485 § 8.02, 1971).

## 20.56.030

### 20.56.030 Conditional uses.

In addition to the buildings and uses permitted conditionally in PMC 20.68.170, the city may grant a conditional use permit (CUP) for any of the following buildings and uses in accordance with the procedures set forth in Chapter 20.20 PMC:

A. Adult entertainment businesses, in the area west of State Route 167, south of the King/Pierce County line, east of West Valley Highway and north of 8th Street East;

B. Animal production, boarding, slaughtering (level 1);

C. Basic manufacturing (categories 3, 5);

D. Billboards;

E. Bulk fuel dealers;

F. Electrical facilities;

G. Educational facilities;

H. Fish hatcheries and aquaculture;

I. Forestry (level 2);

J. Intermediate manufacturing and intermediate/final assembly in accordance with PMC 20.06.110;

K. Public safety services (level 3);

L. Recreation, nonprofit (level 4);

M. Religious assembly;

N. Sewage treatment facilities;

O. Transportation (levels 2 and 3);

P. Utility or public maintenance facilities (level 2);

Q. Waste transfer facilities (level 2); and

R. Any other buildings or uses determined to be similar to those listed in PMC 20.56.020. Such other uses shall not have any different or more detrimental effect upon the adjoining neighborhood areas than the specifically permitted buildings and uses. (Ord. 1505 § 11, 2001; Ord. 1379 § 2, 1998; Ord. 1361 § 5, 1998; Ord. 1170 § 6, 1992; Ord. 485 § 8.03, 1971).

### 20.56.040 Building height regulations.

In the C district there shall be a building height limit of 50 feet. (Ord. 1361 § 5, 1998; Ord. 485 § 8.04, 1971).

### 20.56.050 Lot area, lot width and yard requirements.

The following minimum requirements shall be observed:

A. Lot area: none;

B. Lot width: none;

C. Setback, state highways: 10 feet (or per state requirement);

D. Setback, major arterials: 30 feet;

E. Setback, other roads: 25 feet;

F. Setback, rear: none (or per Uniform Building Code);

G. Setback, side: none (or per Uniform Building Code). (Ord. 1361 § 5, 1998; Ord. 485 § 8.05, 1971).

### 20.56.060 Maximum lot coverage.

No maximum lot coverage is specified, except subject to Chapter 20.72 PMC, Parking and Loading, as to the amount of off-street parking required per use. (Ord. 1361 § 5, 1998; Ord. 485 § 8.06, 1971).

### 20.56.070 Parking.

All uses shall conform to the general provisions and loading standards of number, area, surface, screening and maintenance as required by Chapter 20.72 PMC, Parking and Loading. (Ord. 1361 § 5, 1998; Ord. 485 § 8.07, 1971).

### 20.56.080 Signs.

Signs, advertising structures, and area illumination are permitted, subject to Chapter 20.84 PMC, Sign Code. (Ord. 1394 § 2, 1998; Ord. 1361 § 5, 1998; Ord. 485 § 8.08, 1971).

### 20.56.090 Other required conditions.

The following additional conditions shall apply in a C district:

A. In any C district directly across the street from any residential district designated in this title, the parking and loading facilities shall be distant at least 20 feet from the street; provided, that the foregoing requirement of this section shall not apply where such residential district is separated from the C district by a street planned to have a right-of-way of 80 feet or more; provided further, that a screen wall and/or landscaping is established and maintained on the C property.

B. All operations conducted on the premises shall not constitute a nuisance by reason of smoke, fumes, odor, steam, gases, vibra-

tions, noise, hazards or other causes, beyond the property lines, and shall comply with the provisions of PMC 20.68.160.

C. All sites and activities in the C district shall comply with Chapter 20.70 PMC, Landscaping. (Ord. 1361 § 5, 1998; Ord. 485 § 8.09, 1971).

## Chapter 20.58

### HC – HIGHWAY COMMERCIAL DISTRICT

#### Sections:

- 20.58.010 Description and purpose.
- 20.58.020 Permitted buildings and uses.
- 20.58.030 Buildings and uses permitted conditionally.
- 20.58.040 Building height regulations.
- 20.58.050 Lot area, lot width and yard requirements.
- 20.58.060 Maximum lot coverage.
- 20.58.070 Parking.
- 20.58.080 Signs.
- 20.58.090 Other required conditions.

#### **20.58.010 Description and purpose.**

The highway commercial district is intended to create, preserve and enhance areas containing commercial establishments and providing services and sale, distribution or rental of goods for the general public. The areas typically provide a variety of sites with highway access. (Ord. 1322 § 2, 1997).

#### **20.58.020 Permitted buildings and uses.**

In the HC district, the following buildings and uses are permitted as hereinafter specifically provided for by this chapter, subject to the general provisions and exceptions set forth in this chapter and regulations set forth in Chapters 20.01, 20.08 through 20.24, 20.68, 20.70 and 20.72 PMC. All uses shall be in an entirely closed building unless otherwise specified below or by a conditional use permit:

- A. Administrative government services;
- B. Day-care centers;
- C. Community, cultural services;
- D. Health services;
- E. Postal services;
- F. Public safety services, i.e., police and fire;
- G. Transportation uses serving residential neighborhoods, i.e., bus shelters;
- H. Utilities or public maintenance facilities i.e., facilities with a building of less than 1,000 square feet, without outdoor storage of equipment, materials, or vehicles;

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- I. Wireless communication facilities;
- J. Pipelines;
- K. Stormwater facilities;
- L. Water-supply facilities, i.e., wellheads, pump stations and water purification facilities not exceeding 1,000 square feet of building area nor exceeding building height for the district; water storage facilities not exceeding a 1,000 square foot footprint nor exceeding the building height for the district;
- M. Administrative and professional offices;
- N. Educational services;
- O. Agricultural sales;
- P. Amusement and recreation, i.e., indoor or outdoor establishments not exceeding 30,000 square feet of total floor area including landscaped areas, together with accessory uses established on a lot or combination of lots up to three acres;
- Q. Building materials and garden supplies;
- R. Business services;
- S. Eating and drinking establishments;
- T. Food stores;
- U. Lodging, i.e., hotels and motels;
- V. Gasoline service stations, automotive repair shops, car washes, all without outside storage;
- W. Personal services, i.e., coin-operated laundries, beauty shops, barber shops, clothing alterations, tanning salons, travel agencies, funeral services, and photographic studios;
- X. Pet sales and services;
- Y. Sales of general merchandise;
- Z. Motion picture, television and radio production studios;
- AA. Printing, publishing and related industries with floor area devoted to printing/pressing operation not exceeding 5,000 square feet. (Ord. 1322 § 2, 1997).

### 20.58.030 Buildings and uses permitted conditionally.

The city may grant a conditional use permit (CUP) for any of the following buildings and uses in accordance with the procedures set forth in Chapter 20.20 PMC:

- A. Educational facilities;
- B. Linear trails, long narrow parks used for walking, jogging and bicycling;
- C. Religious assembly;

D. Transportation uses serving communities and regions, i.e., passenger rail stations, parking facilities, school bus yards, bus barns, weigh stations, bus stations, transfer centers, heliports;

E. Utilities or public maintenance facilities, i.e., facilities with a building of more than 1,000 square feet, without outdoor storage;

F. Electrical facilities;

G. Sewage collection facilities;

H. Agricultural services;

I. Commercial centers selling a variety of goods or providing a variety of services, ranging from general merchandise to specialty goods and foods, i.e., any lot or combination of lots with a store or variety of stores, offices, and services integrated into a complex utilizing uniform parking facilities;

J. Mobile, manufactured and modular home sales;

K. Food and related product manufacturing;

L. Industrial services and repair;

M. Warehousing, distribution and freight movement;

N. Natural gas facilities, i.e., interim propane storage facilities or natural gas dispensing station. (Ord. 1505 § 11, 2001; Ord. 1322 § 2, 1997).

### 20.58.040 Building height regulations.

In the HC district no principal building shall exceed either two and one-half stories or 30 feet in height. (Ord. 1322 § 2, 1997).

### 20.58.050 Lot area, lot width and yard requirements.

The following minimum requirements shall be observed:

- A. Lot area: None;
- B. Lot width: None;
- C. Setback – State highways: None;
- D. Setback – Major arterials: 30 feet;
- E. Setback – Other roads: 25 feet;
- F. Setback – Rear: None except when rear lot lines of the districts are common with property zoned residentially, rear and yards of not less than 15 feet shall be required opposite the residential district;

G. Setback – Side yard: None except when rear lot lines of the districts are common with property zoned residentially, rear and yards of not less than 15 feet shall be required opposite the residential district. (Ord. 1322 § 2, 1997).

**20.58.060 Maximum lot coverage.**

No maximum lot coverage is specified, except subject to Chapter 20.72 PMC, Parking and Loading, as to the amount of off-street parking required per use. (Ord. 1322 § 2, 1997).

**20.58.070 Parking.**

All uses shall conform to the general provisions and loading area standards of number, area, surface, screening and maintenance as required by Chapter 20.72 PMC, Parking and Loading. (Ord. 1322 § 2, 1997).

**20.58.080 Signs.**

Signs, advertising structures, and area illumination are permitted, subject to the Sign Code, Chapter 20.84 PMC. (Ord. 1394 § 2, 1998; Ord. 1322 § 2, 1997).

**20.58.090 Other required conditions.**

The following additional conditions shall apply in a HC district.

A. In any HC district directly across the street from any residential district designated in this title, the parking and loading facilities shall be distant at least 20 feet from the street; provided, that the foregoing requirement of this section shall not apply where such residential district is separated from the HC district by a street planned to have a right-of-way of 80 feet or more; provided further, that a screen wall and/or landscaping is established and maintained on the HC property.

B. All operations conducted on the premises shall not constitute a nuisance by reason of smoke, fumes, odor, steam, gases, vibrations, noise, hazards or other causes, beyond the property boundary lines, and shall comply with the provisions of PMC 20.68.160.

C. All sites having a common boundary line with a residential classified property shall have erected and maintained a view-obscuring wall, fence, or coniferous hedge not less than

five feet, nor more than six feet, in height for screening purposes and controlling access. Where the wall of a building is on such common property line, no separate wall or fence need be installed along that portion of the boundary occupied by the building. Public utility installations need only fence and screen, with appropriate materials such as base plantings of coniferous shrubs or trees and climbing coniferous plant materials on the fences to minimize the commercial character of such installation, with the area surrounding the fenced and screened enclosure landscaped and planted to create a parklike atmosphere.

D. All sites and activities in the HC district shall comply with Chapter 20.70 PMC, Landscaping. (Ord. 1322 § 2, 1997).

**Chapter 20.60**

**LI – LIGHT INDUSTRIAL DISTRICT**

Sections:

- 20.60.010 Description and purpose.
- 20.60.020 Permitted buildings and uses.
- 20.60.030 Conditional uses.
- 20.60.040 Building height regulations.
- 20.60.050 Lot area, lot width and yard requirements.
- 20.60.060 Maximum lot coverage.
- 20.60.070 Parking.
- 20.60.080 Signs.
- 20.60.090 Performance standards.
- 20.60.100 Greenbelt.
- 20.60.110 Required open space.
- 20.60.120 Parking and loading – Proximity to residential district.
- 20.60.130 Exterior storage of raw materials and waste products.
- 20.60.140 Landscaping.
- 20.60.150 *Repealed.*

**20.60.010 Description and purpose.**

The LI light industrial district is intended for those industrial uses that can be completely performed on the site with minimum impact to the surrounding neighborhood. They require a high degree of landscaping and buffering, especially from adjacent residential uses. The district is intended for a wide range of light manufacturing and related uses, and is typically appropriate to sites with good rail or highway access. (Ord. 1361 § 6, 1998; Ord. 485 § 9.01, 1971).

**20.60.020 Permitted buildings and uses.**

In the LI district, the following buildings and uses are permitted as hereinafter specifically provided for by this chapter and Chapter 20.06 PMC, subject to the general provisions and exceptions set forth in this chapter and regulations set forth in Chapters 20.01, 20.08 through 20.24, 20.68 and 20.72 PMC.

- 1. Accessory uses and structures;
- 2. Administrative and professional offices;
- 3. Administrative government facilities and services;
- 4. Agricultural services;

- 5. Building materials and garden supplies;
- 6. Business services;
- 7. Buy-back recycling centers;
- 8. Communication or cellular facilities;
- 9. Contractor yards;
- 10. Crop production (level 2);
- 11. Day-care centers;
- 12. Eating and drinking establishments;
- 13. Food stores (levels 1, 2);
- 14. Forestry (level 1);
- 15. Health services;
- 16. Industrial services and repair (level 1);
- 17. Intermediate manufacturing and intermediate/final assembly in accordance with PMC 20.06.110;
- 18. Mobile, manufactured, and modular home and office sales;
- 19. Motion picture/television and radio production studios;
- 20. Motor vehicles and related equipment sales/rental/repair and services;
- 21. Natural gas facilities (levels 1, 3);
- 22. Pet sales and services (level 1);
- 23. Pipelines;
- 24. Postal services;
- 25. Printing, publishing and related industries (levels 1, 2);
- 26. Public safety services (levels 1, 2);
- 27. Recreation, nonprofit (levels 1, 4);
- 28. Rental and repair services;
- 29. Sales of general merchandise;
- 30. Sewage collection facilities;
- 31. Storage;
- 32. Stormwater facilities;
- 33. Transportation (level 1);
- 34. Utility or public maintenance facilities (levels 1, 2);
- 35. Warehousing, distribution and freight movement;
- 36. Waste transfer facilities (level 1);
- 37. Water supply facilities; and
- 38. Wholesale trade. (Ord. 1361 § 6, 1998; Ord. 1017 § 5, 1987; Ord. 485 § 9.02, 1971).

**20.60.030 Conditional uses.**

In addition to the buildings and uses permitted conditionally in PMC 20.68.170, the city may grant a conditional use permit (CUP) for any of the following buildings and uses in



accordance with the procedures set forth in Chapter 20.20 PMC:

- A. Animal production, boarding, slaughtering (level 1);
- B. Basic manufacturing (categories 3, 5);
- C. Billboards;
- D. Bulk fuel dealers;
- E. Commercial centers;
- F. Communication or cellular facilities (levels 1, 2, 3);
- G. Community and cultural services;
- H. Electrical facilities;
- I. Educational facilities;
- J. Educational services;
- K. Fish hatcheries and aquaculture;
- L. Food and related products;
- M. Forestry (level 2);
- N. Intermediate manufacturing and intermediate/final assembly in accordance with PMC 20.06.110;
- O. Personal services;
- P. Public safety services (level 3);
- Q. Recreation, nonprofit (level 4);
- R. Recycling processor;
- S. Religious assembly;
- T. Secure community transition facilities;
- U. Sewage treatment facilities;
- V. Transportation (levels 2 and 3);
- W. Waste transfer facilities (level 2); and
- X. Any other buildings or uses determined to be similar to those listed in PMC 20.60.020. Such other uses shall not have any different or more detrimental effect upon the adjoining neighborhood areas than the specifically permitted buildings and uses. (Ord. 1530 § 2, 2002; Ord. 1505 § 11, 2001; Ord. 1361 § 6, 1998; Ord. 1221 § 15, 1995; Ord. 485 § 9.03, 1971).

#### **20.60.040 Building height regulations.**

In the LI district the building height limit shall be 40 feet. (Ord. 1361 § 6, 1998; Ord. 485 § 9.04, 1971).

#### **20.60.050 Lot area, lot width and yard requirements.**

The following minimum requirements shall be observed:

- A. Lot area: none;
- B. Lot width: none;

C. Setback, state highways: 10 feet (or per state requirement);

D. Setback, major arterials: 30 feet;

E. Setback, other roads: 25 feet;

F. Setback, rear: none (or per Uniform Building Code); however, when abutting residential zones the setback shall be 40 feet; when abutting a residential use there shall be a 10-foot building setback including Type I landscaping or solid screen board fencing. Fencing shall be required 50 feet beyond the adjacent residence or to the property line, whichever is less. The fence shall be maintained and constructed in such a manner that will not create a vision hazard for ingress and egress of the site;

G. Setback, side: none (or per Uniform Building Code); however, when abutting residential zones the setback shall be 40 feet; when abutting a residential use there shall be a 10-foot building setback including Type I landscaping or solid screen board fencing. Fencing shall be required 50 feet beyond the adjacent residence or to the property line, whichever is less. The fence shall be maintained and constructed in such a manner that will not create a vision hazard for ingress and egress of the site. (Ord. 1457 § 2, 2000; Ord. 1361 § 6, 1998; Ord. 485 § 9.05, 1971).

#### **20.60.060 Maximum lot coverage.**

No maximum lot coverage is specified, except subject to Chapter 20.72 PMC, Parking and Loading, as to the amount of off-street parking required per use. (Ord. 1361 § 6, 1998; Ord. 485 § 9.06, 1971).

#### **20.60.070 Parking.**

All uses shall conform to the general provisions and loading standards of number, area, surface, screening and maintenance as required by Chapter 20.72 PMC, Parking and Loading. (Ord. 1361 § 6, 1998; Ord. 485 § 9.07, 1971).

#### **20.60.080 Signs.**

Signs, advertising structures, and area illumination are permitted, subject to Chapter 20.84 PMC, Sign Code. (Ord. 1394 § 2, 1998; Ord. 1361 § 6, 1998; Ord. 485 § 9.08, 1971).

## **20.60.090**

### **20.60.090 Performance standards.**

All uses shall conform to the general provisions concerning performance standards as required by PMC 20.68.160. (Ord. 485 § 9.09, 1971).

### **20.60.100 Greenbelt.**

All sites having a common boundary line with a residential zone property shall have planted and maintained a view-obscuring coniferous greenbelt of shrubs, trees and native vegetation not less than six feet in height nor less than 10 feet in width, for screening purposes and controlling access. (Ord. 1457 § 3, 2000; Ord. 485 § 9.10(A), 1971).

### **20.60.110 Required open space.**

Additional open space, both as to amount and location on the premises, may be required in connection with this and other related codes pertaining to such matters as off-street parking, loading areas, convenient and safe circulation of vehicles and pedestrians, and traffic matters such as vision clearance, ingress and egress, lighting and drainage. (Ord. 485 § 9.10 (B), 1971).

### **20.60.120 Parking and loading – Proximity to residential district.**

In an IL district directly across a street or thoroughfare from a residential district designated in the comprehensive plan, the parking and loading facilities shall be distant by at least 20 feet from the street, and the buildings and structures at least 50 feet from the street; provided, however, that this requirement shall not apply when the street or thoroughfare is provided on one or both sides with a service road developed in accordance with the provisions of PMC Title 19. (Ord. 485 § 9.10(C), 1971).

### **20.60.130 Exterior storage of raw materials and waste products.**

Exterior storage of raw or primary materials, waste products and construction materials shall be prohibited in that area of the property between the front of the principal building, or buildings, and the public street on which the principal building, or buildings, fronts. Any

such exterior storage elsewhere on the property shall be screened by fencing or landscaping treatment in such a manner that it shall not be visible from any public street. The adequacy and appropriateness of such screening shall be determined by the director. (Ord. 1505 § 11, 2001; Ord. 485 § 9.10(D), 1971).

### **20.60.140 Landscaping.**

All sites and activities in the LI district shall comply with Chapter 20.70 PMC, Landscaping. (Ord. 1361 § 8, 1988).

### **20.60.150 Hazardous waste defined.**

*Repealed by Ord. 1361.* (Ord. 1044 § 2, 1988).

**Chapter 20.64****HI – HEAVY INDUSTRIAL DISTRICT**

## Sections:

- 20.64.010 Description and purpose.
- 20.64.020 Permitted buildings and uses.
- 20.64.030 Conditional uses.
- 20.64.040 Building height regulations.
- 20.64.050 Lot area, lot width and yard requirements.
- 20.64.060 Maximum lot coverage.
- 20.64.070 Parking.
- 20.64.080 Signs.
- 20.64.100 Performance standards.
- 20.64.110 Greenbelt.
- 20.64.120 Required open space.
- 20.64.130 Parking and loading – Proximity to residential district.
- 20.64.140 Exterior storage of raw materials and waste products.
- 20.64.150 Landscaping.

**20.64.010 Description and purpose.**

The HI heavy industrial district is intended for areas containing manufacturing or related uses which are potentially incompatible with most other establishments, and is typically appropriate to areas which are most distant from residential areas and which have extensive rail or shipping facilities. Uses permitted within this district often bear significant impact on the surrounding area and require extensive separation and buffering for abatement. (Ord. 1361 § 9, 1998; Ord. 485 § 10.01, 1971).

**20.64.020 Permitted buildings and uses.**

In the HI district, the following buildings and uses are permitted as hereinafter specifically provided for by this chapter and Chapter 20.06 PMC, subject to the general provisions and exceptions set forth in this chapter and regulations set forth in Chapters 20.01, 20.08 through 20.24, 20.68 and 20.72 PMC.

- A. Amusement and recreation (levels 1, 2);
- B. Basic manufacturing;
- C. Contractor yards;
- D. Food and related products;
- E. Industrial services and repair;

F. Intermediate manufacturing and intermediate/final assembly in accordance with PMC 20.06.110;

G. Motion picture/television and radio production studios; and

H. Warehousing, distribution and freight movement. (Ord. 1361 § 9, 1998; Ord. 485 § 10.02, 1971).

**20.64.030 Conditional uses.**

In addition to the buildings and uses permitted conditionally in PMC 20.68.170, the city may grant a conditional use permit (CUP) for any of the following buildings and uses in accordance with the procedures set forth in Chapter 20.20 PMC:

A. Off-site hazardous waste treatment and storage facilities;

B. Printing, publishing and related industries;

C. Salvage yards/vehicle storage facilities; and

D. Any other buildings or uses determined to be similar to those listed in PMC 20.64.020. Such other uses shall not have any different or more detrimental effect upon the adjoining neighborhood areas than the specifically permitted buildings and uses. (Ord. 1505 § 11, 2001; Ord. 1361 § 9, 1998; Ord. 485 § 10.03, 1971).

**20.64.040 Building height regulations.**

In the HI district there shall be a building height limit of 50 feet. (Ord. 1361 § 9, 1998; Ord. 1221 § 16, 1995; Ord. 485 § 10.04, 1971).

**20.64.050 Lot area, lot width and yard requirements.**

The following minimum requirements shall be observed:

- A. Lot area: none;
- B. Lot width: none;
- C. Setback, state highways: 10 feet (or per state requirement);
- D. Setback, major arterials: 25 feet;
- E. Setback, other roads: 25 feet;
- F. Setback, rear: none (or per Uniform Building Code);

## **20.64.060**

G. Setback, side: none (or per Uniform Building Code). (Ord. 1361 § 9, 1998; Ord. 485 § 10.05, 1971).

### **20.64.060 Maximum lot coverage.**

No maximum lot coverage is specified, except subject to Chapter 20.72 PMC, Parking and Loading, as to the amount of off-street parking required per use. (Ord. 1361 § 9, 1998; Ord. 485 § 10.06, 1971).

### **20.64.070 Parking.**

All uses shall conform to the general provisions and exceptions concerning off-street parking and loading area standards of number, area, surface, screening, and maintenance, as required by Chapter 20.72 PMC, Parking and Loading. (Ord. 1361 § 9, 1998; Ord. 485 § 10.07, 1971).

### **20.64.080 Signs.**

Signs, advertising structures, and area illumination are permitted, subject to Chapter 20.84 PMC, Sign Code. (Ord. 1394 § 2, 1998; Ord. 1361 § 9, 1998; Ord. 485 § 10.08, 1971).

### **20.64.100 Performance standards.**

All uses shall conform to the general provisions concerning performance standards as required by PMC 20.68.160. (Ord. 485 § 10.10, 1971).

### **20.64.110 Greenbelt.**

All sites having a common boundary line with a residentially classified property shall have planted and maintained a view-obscuring coniferous greenbelt of shrubs, trees and native vegetation not less than six feet in height nor less than 10 feet in width, for screening purposes and controlling access. Greenbelt requirements as herein provided shall be complied with within a period of six months from the effective date of the ordinance codified in this title. (Ord. 485 § 10.11 (A), 1971).

### **20.64.120 Required open space.**

Additional open space, both as to amount and location on the premises, may be required in connection with this and other related codes

pertaining to such matters as off-street parking, loading areas, convenient and safe circulation of vehicles and pedestrians, and traffic matters such as vision clearance, ingress and egress, lighting and drainage. (Ord. 485 § 10.11(B), 1971).

### **20.64.130 Parking and loading – Proximity to residential district.**

In any IH district directly across a street or thoroughfare from a residential district designated for future residential use in the comprehensive plan, the parking and loading facilities shall be distant at least 20 feet from the street, and the buildings and structures at least 50 feet from the street; provided, however, that this requirement shall not apply when the street or thoroughfare is provided on one or both sides with a service road developed in accordance with the provisions of PMC Title 19. (Ord. 485 § 10.11(C), 1971).

### **20.64.140 Exterior storage of raw materials and waste products.**

Exterior storage of raw or primary materials, waste products and construction materials shall be prohibited in that area of the property between the front of the principal building, or buildings, and the public street on which the principal building, or buildings, fronts. Any such exterior storage elsewhere on the property shall be screened by fencing or landscaping treatment in such a manner that it shall not be visible from any public street; the adequacy and appropriateness of such screening shall be determined by the director. (Ord. 1505 § 11, 2001; Ord. 485 § 10.11(D), 1971).

### **20.64.150 Landscaping.**

All sites and activities in the HI district shall comply with Chapter 20.70 PMC, Landscaping. (Ord. 1361 § 10, 1998).

**Chapter 20.68****GENERAL REGULATIONS**

## Sections:

- 20.68.010 Description and purpose.
- 20.68.020 Building height exceptions – Through lots.
- 20.68.030 Roof structures.
- 20.68.040 General yard regulations.
- 20.68.050 Open space and yards around buildings.
- 20.68.060 Special setback for garages.
- 20.68.070 Common property line.
- 20.68.080 Fences.
- 20.68.090 Greenbelt.
- 20.68.100 Height of fences and walls.
- 20.68.110 Front yard fence and wall waivers.
- 20.68.120 Lot area exception.
- 20.68.130 Principal buildings and uses and accessory buildings.
- 20.68.140 Lot coverage, parking coverage, outdoor living area requirements.
- 20.68.150 Yard exceptions and permitted intrusions into required yards.
- 20.68.160 Performance standards.
- 20.68.170 Uses subject to conditional use permit in any district.
- 20.68.180 Home occupations – Intent.
- 20.68.190 Home occupations – Standards.
- 20.68.200 *Repealed.*
- 20.68.210 *Repealed.*
- 20.68.220 *Repealed.*
- 20.68.230 –
- 20.68.570 Reserved.
- 20.68.580 Miscellaneous uses.
- 20.68.590 Swimming pools.
- 20.68.600 Storage of junk and debris not permitted in residential district.
- 20.68.610 Storage of commercial vehicles in residential district prohibited.
- 20.68.620 Location of gasoline pumps.
- 20.68.630 Flammable liquid storage.
- 20.68.640 Additional height allowed for public buildings.
- 20.68.650 *Repealed.*
- 20.68.660 Churches.
- 20.68.670 Public and private parks, playgrounds, trails and schools.

- 20.68.680 Setbacks where comprehensive plan sets a street width.
- 20.68.690 Secure community transition facilities.
- 20.68.700 Flag lots.

**20.68.010 Description and purpose.**

The provisions of this chapter are of general application for the various buildings and uses to one or more of the designated districts. It is the intent of this chapter to promote and protect property values and to provide for the health, safety and welfare of the citizenry. (Ord. 485 § 11.01, 1971).

**20.68.020 Building height exceptions – Through lots.**

A. On through lots having a depth of 150 feet or less, the building height thereon may be measured from the adjoining sidewalk level on either street.

B. On through lots having a depth of more than 150 feet, the height regulations and basis of height measurements for the street permitting the greater height shall apply to a depth of not more than 150 feet from such street. (Ord. 485 § 11.04.01(A), 1971).

**20.68.030 Roof structures.**

Roof structures for the housing of elevators, stairways, tanks, ventilating fans and similar equipment required to operate and maintain the building, fire or parapet walls, skylights, towers, flagpoles, chimneys, smokestacks, wireless masts, TV antennas, steeples and similar structures may be erected above the height limits prescribed in each of the use districts, provided that no roof structure, feature or any other device above the prescribed height limit shall be allowed or used for the purpose of providing additional floor space. (Ord. 485 § 11.04.01(B), 1971).

**20.68.040 General yard regulations.**

Yard requirements for property abutting partial or future street rights-of-way:

A. Except as provided in paragraph B of this section, no building shall be erected on a lot which abuts a street having only a portion of its required width dedicated, unless the

## **20.68.050**

yards provided and maintained in connection with such building have a width and/or depth needed to complete the street width plus the width and/or depth of the yards required on the lot by each use district.

B. Where a precise plan of the comprehensive plan adopted pursuant to law includes the plans for the widening of existing streets, the connecting of existing streets, or the establishment of new streets, the placement of buildings and the establishment of yards where required by each use district shall relate to the future street boundaries as determined by the precise plans or the comprehensive plan. (Ord. 485 § 11.04.02(A), 1971).

### **20.68.050 Open space and yards around buildings.**

A. No yard or open space provided around any building shall be considered as providing a yard or open space for any other building.

B. No yard or open space on adjoining property shall be considered as providing required yard or open space for another lot or development site.

C. No front yards provided around any building shall be used for public or private parking areas or garages, or other accessory buildings, except as specifically provided in PMC 20.72.050. (Ord. 485 § 11.04.02(B), 1971).

### **20.68.060 Special setback for garages.**

There shall be provided at least 20 feet of driveway, accessway or maneuvering space as measured through the center of the driveway, accessway, or maneuvering space from the street line to the foremost point of any building or portion of building that is designed or intended or which could be construed to be used for the temporary or permanent parking of motor vehicles, provided the building is wholly enclosed on three or more sides. The purpose of this requirement is to require parking of motor vehicles wholly on private property. (Ord. 485 § 11.04.02(C), 1971).

### **20.68.070 Common property line.**

When the common property line separating two or more contiguous lots is covered by a

building or a permitted group of buildings, or when the placement of a building or buildings with respect to such common property line or lines does not fully conform to the required yard spaces on each side of such common property line or lines, such lots shall constitute a single development site and the yards as required by each use district shall then not apply to such common property lines. (Ord. 485 § 11.04.02(D), 1971).

### **20.68.080 Fences.**

Fences a maximum of six feet high may be built on the rear and side property lines to the front corner of the building, and across the front of the property in line with the front corner of the building. A four-foot-high fence may be built along the side property line to the street right-of-way, and along the right-of-way across the front. Corner lots must observe a 10-foot setback on both streets if the fence is of sight-obstructing material. If nonobstructing material is used the fence may be built along the right-of-way. Where fence heights greater than those contained herein are directed, the greater shall apply. (Ord. 953 § 1, 1984; Ord. 691 § 1, 1978; Ord. 485 § 11.04.03(A), 1971).

### **20.68.090 Greenbelt.**

Greenbelt or sight-obscuring constructions, where required by provisions in this title, shall be of dense coniferous plantings, or climbing varieties of nondeciduous vines on permanently installed aluminum mesh fencing or architectural fencing of such design and material that retains its attractiveness with nominal maintenance. Fences which deprive adjacent properties of a natural view of a landscape which is a contributing factor in the value of the land, are prohibited. (Ord. 485 § 11.04.03 (B), 1971).

### **20.68.100 Height of fences and walls.**

In any commercial or industrial district, fences or walls not to exceed eight feet in height may be located or maintained in any yard, except on corner lots where the 20-foot setback is required on both streets. (Ord. 485 § 11.04.03(C), 1971).

**20.68.110 Front yard fence and wall waivers.**

Waiver of the front yard requirements and the wall and fence provisions may be obtained by appeal to the board of adjustment, upon application by any person who proves he can provide equal esthetic qualities by other means. The board of adjustment shall consider such application on the basis of esthetic value of the substitute plan. The substitute plan must:

A. Provide adequate vision clearance for automobiles, both those passing on the street and those leaving the development site;

B. Include landscaping;

C. Provide a front yard of at least six feet along at least half the frontage; and

D. Not be detrimental to the public health, safety or welfare, or be materially injurious to properties or improvements in the vicinity.

The board of adjustment shall use the above-stated regulations and other criteria it deems appropriate in any such waiver. (Ord. 485 § 11.04.03(D), 1971).

**20.68.120 Lot area exception.**

A. The owner of a recorded lot which has less total area than required for building by this chapter may apply for a building permit which shall be granted if the owner demonstrates either of the following:

1. That the lot in question has been a recorded portion of a recorded subdivision in King County, Washington, before December 31, 1969, and the owner does not have contiguous lot(s) which could be utilized to supply the required area and/or the owner is unable to acquire a contiguous lot(s) which would supply the required area; or

2. Lots of development size which, as a process of their creation, were approved with substandard area by the city.

B. This section shall affect only the requirements for lot size, and will have no effect on setback requirements or other requirements prescribed by this chapter. (Ord. 1505 § 11, 2001; Ord. 852 §§ 1, 2, 1981; Ord. 485 § 11.04.04, 1971).

**20.68.130 Principal buildings and uses and accessory buildings.**

A. Hereinafter, any building which is the only building on a lot is a principal building.

B. In any residential district, there shall be only one principal use per lot or development site, provided that home occupations shall be allowed where permitted.

C. In any residential district, there shall be no more than two accessory buildings on any lot or development site. (Ord. 485 § 11.04.05, 1971).

**20.68.140 Lot coverage, parking coverage, outdoor living area requirements.**

For all buildings and uses the following shall mean the maximum permitted lot coverage, maximum coverage of public or private parking areas or garages, and/or combined maximum lot and parking coverage required in the various districts expressed in percentage of the area of the lot or development site in which district such coverage is permitted or required. Outdoor living area is required, as indicated below by the minimum percentage. This minimum should never be confused with being the maximum.

A. Maximum Lot Coverage.

RML, 40 percent;

RMH, 45 percent;

B. Maximum Parking Area Coverage.

RML and RMH, 30 percent;

C. Combined Maximum Lot and Parking Area Coverage.

RML, 60 percent,

RMH, 70 percent;

D. Minimum Outdoor Living Area.

RML and RMH, 10 percent of the gross floor area of the dwelling.

Combined coverage figure permits more flexibility in district coverage regulations. (Ord. 485 § 11.04.06, 1971).

**20.68.150 Yard exceptions and permitted intrusions into required yards.**

The following intrusions may project into required yards to the extent and under the conditions and limitations indicated:

## 20.68.160

A. Depressed Ramps. In any district, open-work fences, hedges, guard railings or other landscaping or architectural devices for safety protection around depressed ramps or stairs may be located in required yards provided that such devices are not more than three and one-half feet in height;

B. Accessory Buildings. In any case where a through lot has a depth of not more than 140 feet, accessory buildings may be located in one of the required front yards provided that every portion of such accessory building is not less than 10 feet from the nearest street line;

C. Projecting Building Features. The following building features may project into the required front yard no more than five feet and into the required interior yards no more than two feet provided that such projections are no closer than three feet to any interior lot line:

1. Eaves, cornices, belt courses, sills, awnings, buttresses or other similar features;

2. Chimneys and fireplaces, provided they do not exceed eight feet in width;

3. Porches, platforms or landings which do not extend above the level of the first floor of the building. (Ord. 485 § 11.04.07, 1971).

### 20.68.160 Performance standards.

Any dissemination incident to a permitted use shall comply with the standards established in this section:

A. The noise emanating from premises used for industrial activities shall be muffled so as not to become objectionable due to intermittent beat, frequency or shrillness, and where an industrial use adjoins a residential district, the noise loudness measured at the boundary line shall not exceed 40 decibels between the hours of 11:30 p.m. and 6:00 a.m. and 60 decibels at other hours.

B. Industrial and exterior lighting shall not be used in such a manner that produces glare on public highways and neighboring property. Arc welding, acetylene torchcutting or similar processes shall be performed so as not to be seen from any point beyond the outside of the property.

C. In terms of fire and safety hazards, the storage and handling of flammable liquids, liquefied petroleum, gases and explosives shall

comply with rules and regulations falling under the jurisdiction of the city fire chief, the laws of the state and other local ordinances: Bulk storage of inflammable liquids below ground shall be permitted, and the tank shall be located not closer to the property line than the greatest dimension (diameter, length or height) of the tank.

D. Provisions must be made for necessary shielding or other preventative measures against interferences occasioned by mechanical, electrical, electronic and nuclear equipment, uses, or processes with electrical apparatus in nearby buildings or land uses.

E. The emission of obnoxious odors of any kind shall not be permitted nor the emission of any toxic or corrosive fumes or gases. Dust created by an industrial operation shall not be exhausted or wasted into the air.

F. The emission of smoke or particulate matter of a density equal to or greater than number 3 on the Ringelmann Chart as currently published and used by the U.S. Bureau of Mines is prohibited at all times.

Dust and other types of air pollution borne by the wind from such sources as storage areas and roads shall be minimized by appropriate landscaping, paving, oiling or other acceptable means. Emission of particulate matter in excess of 0.2 grain per cubic foot of conveying gas or air measured at any property line is prohibited.

G. Smoke Emission Rates. The rate of emission of particulate matter from all sources on any property shall not exceed a net weight of one pound per acre of property during any one hour.

H. Liquid and solid wastes, storage of animal or vegetable waste which attract insects or rodents or otherwise create a health hazard, shall be prohibited. No waste products shall be exposed to view from eye level from any property line.

I. Open Storage. All storage shall be located within an area not closer than 20 feet from the street right-of-way line and shall be enclosed with a heavy wire fence or of a similar type, with the top of the fence not less than six feet above the adjoining street level, or by



an attractive hedge or board fence at least six feet high.

In case of the open storage of lumber, coal, or other combustible material, a roadway shall be provided, graded, surfaced and maintained from the street to the rear of the property, to permit free access of fire trucks at any time. (Ord. 485 § 11.05, 1971).

**20.68.170 Uses subject to conditional use permit in any district.**

The following uses shall require a conditional use permit issued at a public hearing in accordance with Chapter 16.26 PMC, before the location and operation thereof is permitted:

- A. Airports and landing fields;
- B. Amusement parks;
- C. Carnivals and circuses, if established for more than two weeks, except those in conjunction with a county fair or other outdoor governmentally sponsored event;
- D. Cemeteries;
- E. Facilities for the care and/or lodging of alcoholics;
- F. Garbage dumps, sanitary landfills;
- G. Heliports and helistops;
- H. Jails or penal farms;
- I. Mental hospitals;
- J. Pound, dog or cat;
- K. Racetracks, including dragstrips and go-cart tracks;
- L. Sewage treatment plants.

Where a use is not authorized or where ambiguity exists concerning the appropriate classification or procedure for the establishment of a particular use or type of development within the meaning and intent of this section, the use or type of development may be established by conditional use permit in accordance with the provisions of Chapter 20.20 PMC, until such time as this section is amended. (Ord. 485 § 11.06, 1971).

**20.68.180 Home occupations – Intent.**

A. The home occupation provision is included in recognition of the needs of many people who are engaged in small-scale business ventures which could not be sustained if it were necessary to lease commercial quarters for them, or which, in the nature of the home

occupation, cannot be expanded to full-scale employment, e.g., mothers who must support and remain at home with preschool children, etc.

B. It is the intent of this title that full-scale commercial or professional operations, which would ordinarily be conducted in a commercial or industrial district, continue to be conducted in such a district and not at home. (Ord. 485 § 11.07, 1971).

**20.68.190 Home occupations – Standards.**

Home occupation standards means any occupation or profession carried on by a member of the family residing on the premises, provided the following conditions are satisfied:

- A. No sign is used other than a nameplate not over one square foot in area.
- B. There is no display that will indicate from the exterior that the building is being used in whole or in part for any purpose other than a dwelling.
- C. There is no outside storage of materials other than plant materials.
- D. There is a restriction of not more than three children plus family for day nurseries. (Day nurseries with more than three children shall be permitted as outlined in this title).
- E. There are no outside paid employees.
- F. The building shall retain the characteristics of a residence.
- G. The use shall not destroy the residential character of the neighborhood. (Ord. 485 § 11.07.01, 1971).

**20.68.200 Home occupations – Complaint procedures.**

*Repealed by Ord. 1505.* (Ord. 485 § 11.07.02, 1971).

**20.68.210 Home occupations – Action by planning commission.**

*Repealed by Ord. 1505.* (Ord. 485 § 11.07.03, 1971).

**20.68.220 Home occupations – Appeals.**

*Repealed by Ord. 1505.* (Ord. 485 § 11.07.04, 1971).

## 20.68.580

### 20.68.230 – 20.68.570 Reserved.<sup>1</sup>

#### 20.68.580 Miscellaneous uses.

The regulations set forth in PMC 20.68.590 through 20.68.660 qualify or supplement, as the case may be, the regulations within districts stated elsewhere in this title. (Ord. 485 § 11.09, 1971).

#### 20.68.590 Swimming pools.

Swimming pools not completely enclosed within a building having solid walls shall be set back at least five feet from the property lines and shall be completely surrounded by a fence which will have a height of at least five feet. There shall be no openings larger than 36 square inches, except for the gates which shall be equipped with self-closing and self-latching devices. (Ord. 485 § 11.09.01, 1971).

#### 20.68.600 Storage of junk and debris not permitted in residential district.

A. No yard or other open space surrounding an existing building in any residential district, or which is hereafter provided around any building in any residential district, shall be used for the storage of junk, debris or obsolete vehicles; and no land shall be used for such purposes, except as specifically permitted herein.

B. Where this regulation is in conflict with other ordinances, the more stringent regulation shall apply. (Ord. 485 § 11.09.02, 1971).

#### 20.68.610 Storage of commercial vehicles in residential district prohibited.

A. The storage of commercial automobiles and the storage of trucks and construction equipment such as bulldozers, graders, cement mixers, compressors, etc., shall not be permitted on any lot in any residential district, provided that construction equipment may be stored on a lot during the construction of a building thereon, but not to exceed one year.

B. Where this regulation is in conflict with other ordinances, the more stringent regulation shall apply. (Ord. 485 § 11.09.03, 1971).

#### 20.68.620 Location of gasoline pumps.

Gasoline pumps shall be set back not less than 20 feet from any street line to which the pump island is at right angles, and 14 feet from any street line to which the pump island is parallel, and not less than 12 feet from any residential district boundary line. If the pump island is set on an angle on the property with respect to the street, it shall be so located that automobiles stopping for service will not extend over the property line. In no case shall gasoline pumps be set closer than 14 feet from any street line.

Canopies when supported by a column may be located within the setback, but not closer to a street than 14 feet. Projection within 14 feet from a street shall be deemed to be a marquee. (Ord. 485 § 11.09.04, 1971).

#### 20.68.630 Flammable liquid storage.

No flammable liquid may be stored unless and until the storage is found to be complying with the fire prevention code and approved by the fire department. No flammable liquids shall be stored in aboveground tanks which exceed 500 gallons capacity, except in the IL and IH zones. (Ord. 485 § 11.09.05, 1971).

#### 20.68.640 Additional height allowed for public buildings.

Public buildings, public utility buildings, public and parochial schools and churches may be erected to any height provided the building is set back from required building setback lines at least one foot for each additional foot of building height above the maximum height otherwise permitted in the zone in which the building is located. (Ord. 485 § 11.09.06, 1971).

#### 20.68.650 Temporary uses of land and structures.

*Repealed by Ord. 1505.* (Ord. 485 § 11.09.07, 1971).

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1. Code reviser's note: Ordinance 1505 places former PMC 20.68.230 through 20.68.570, concerning planned unit developments, in Chapter 20.69 PMC.

**20.68.660 Churches.**

In approving a permit for churches, the following conditions must be met:

- A. All buildings on the site do not cover more than 35 percent of the lot area;
- B. Front yards comply with requirements of the district in which it is located;
- C. Buildings shall be no closer than 10 feet to any property line;
- D. On interior lots, the required side yards may be used to provide off-street parking areas and on corner lots, the interior side yard may be so used. In no case may the required front yard or side yard on the side street be used for off-street parking;
- E. All lights provided to illuminate any parking area or building shall be so arranged as to direct light away from any adjoining premises;
- F. A solid wall or view-obscuring fence or coniferous hedge, not less than five feet or more than six feet, be installed and maintained on any property line common with or abutting any residentially classified property;
- G. Dedication and improvement of public streets and conveyance or dedication of public utility easement as determined by the city. (Ord. 485 § 11.09.08, 1971).

**20.68.670 Public and private parks, playgrounds, trails and schools.**

- A. The purpose of this section is:
  - 1. To foster the appropriate location and layout of public and private parks, playgrounds and recreational areas;
  - 2. To harmonize the various features and facilities of parks and playgrounds with the surrounding area, so as to produce sound, stable, residential neighborhoods;
  - 3. To foster a coordination of public recreational facilities on the part of the city, the school districts, and other public and semipublic agencies.
- B. Approvals Necessary – Plans.
  - 1. The director may take any plans for a new public or private park, playground, trail or school to the planning commission and park board for advisory review, preferably at a joint meeting.

2. An application for approval of a permit shall be accompanied by plans showing the general layout and location of roadways, entrances and exits, walks, paths, and buildings and structures; the general layout and location of landscaped areas, play areas, play apparatus areas, hard-surfaced areas, off-street parking, drainage, water supply, sewerage and other features of design.

## C. Standards and Requirements.

1. Trees, shrubs, grass and other forms of landscaping shall be provided in sufficient quantities to insure a park-like appearance.

2. Facilities involving lights shall be so located, and the lights shall be designed and located so that glare and discomfort will not be unreasonably detrimental to surrounding land uses.

3. Off-street parking areas and other facilities which attract or are intended to accommodate spectators, shall be screened or located so that the detrimental effects of noise and traffic on any surrounding residential area will be kept to a minimum. Further, no required front yard of the lot on which the building is located shall be used for play or parking purposes.

4. The entire layout and design of the park and playground shall be so arranged as to harmonize with the objectives and characteristics of the zone in which the park and playground are located.

5. Adequate ingress and egress shall be provided for both vehicles and pedestrians which the park, playground or school is intended to serve.

6. All buildings shall maintain a setback of 25 feet from all private property boundaries.

D. Dedication and improvement of public streets and conveyance or dedication of public utility easements shall be determined by the city. (Ord. 1505 § 13, 2001; Ord. 485 § 11.10, 1971).

**20.68.680 Setbacks where comprehensive plan sets a street width.**

A. The establishment of planned transportation facilities, to include street designations, street widths and building setback lines is necessary in order to insure that there will be ade-

## 20.68.690

quate amounts of light and air, and to provide for adequate visibility when entering or leaving the streets, to provide for a proper setting for buildings away from the noise and fumes of traffic, to promote safety, to reduce congestion, and to provide space for landscaping, both now and in the future when all streets and highways have been widened to their ultimate width.

B. If the comprehensive plan establishes a planned width for a given street or class of streets, such width determination shall be used in calculating the required yards and building setback lines set forth in this title.

C. Whenever a front or side yard is required for a building abutting on a street which according to the comprehensive plan will be widened or constructed, the depth of such front or side yard shall be measured from the planned street line. (Ord. 1505 § 13, 2001; Ord. 485 § 11.11, 1971).

### 20.68.690 Secure community transition facilities.

The following siting and performance standards shall apply to all secure community transition facilities (SCTFs) as defined in RCW 71.09.020:

A. Maximum Number of Residents. No SCTF shall house more than 15 persons, excluding resident staff.

B. Siting Criteria. As an essential public facility of regional or statewide importance, any SCTF shall be sited consistent with the essential public facilities process in the Pacific comprehensive plan. This area is generally south of County Line Road. Such facilities should be located in relationship to transportation facilities in a manner appropriate to their transportation needs. Extensive buffering from adjacent uses may be required.

1. The lot line of any new or expanding SCTF shall not be located:

a. Within 330 feet of any residential zone and/or within 600 feet from any existing residential use in the light industrial or commercial zone;

b. Within 1,000 feet from any group residence facility as defined by PMC 20.06.020; and

c. Within one mile from any existing SCTF, work release, prerelease, or similar facilities as defined in RCW 71.09.250(8) and (9);

d. Adjoining, immediately across a street or parking lot from, or within the line of sight of a risk potential activity and facilities as defined in RCW 71.09.020 as amended (i.e., schools, day cares, libraries, parks, school bus stops);

e. In addition, the following are defined as risk potential activities: safe walking zones from schools as defined by the Auburn School District.

2. The distances provided in this subsection shall be measured by following a straight line, without regard to intervening buildings, from the nearest point of the property parcel upon which the proposed use is to be located or expanded, to the nearest point of the parcel of property or the land use district boundary line from which the proposed land use is to be separated.

3. Should the funding for this facility be cut, the facility and all occupants shall immediately be removed from the city.

C. Each facility shall provide on-site dining, on-site laundry or laundry service, and on-site recreation facilities to serve the residents.

D. Each facility shall provide two and one-half parking spaces for each resident.

E. The buildings shall be set back at least 30 feet from all property lines.

F. Building height is limited to 35 feet.

G. A conditional use permit application for an SCTF shall be accompanied by the following:

1. The siting process used for the SCTF, including alternative locations considered;

2. An analysis showing that utmost consideration was given to potential sites such that siting the facility will have no undue impact on any one racial, cultural, or socio-economic group, and that there will not be a resulting concentration of similar facilities in a particular neighborhood, community, jurisdiction, or region;

3. Proposed mitigation measures to reduce impacts on the area of the site;

4. A detailed security plan for the facility and the residents;

5. Proposed operating rules for the facility; and

6. A schedule and analysis of all public input solicited or to be solicited during the siting process, including assurance that comments are reviewed and have been or will be adequately responded to.

H. These submitted materials shall be reviewed by the community development director, chief of police, public works director, city engineer in consultation with the city attorney. The community development director shall include in any recommendation on the requested conditional use permit an analysis of the proposal as they may relate to the findings of fact required under PMC 20.20.080 through 20.20.130. (Ord. 1530 § 3, 2002).

#### **20.68.700 Flag lots.<sup>1</sup>**

Flag lots (see definition of “lot, flag”) are allowed, provided that:

A. The flagstaff (or panhandle or pipestem) shall be at least 25 feet wide, except that when the location of an existing structure would prohibit the development of a flag lot, the width of the flagstaff may be reduced to 20 feet if the minimum side yard requirements are met.

B. The area of a flag lot’s flagstaff (or panhandle or pipestem) shall count toward the minimum lot size only if the area of such lot, exclusive of the flagstaff, is not less than 75 percent of the district minimum requirements.

C. A flag lot’s front yard setback shall be measured from the rear edge of the flagstaff (or panhandle or pipestem), not from the street right-of-way.

D. A sight-obscuring fence and a minimum of three feet width of landscaping shall be installed on at least one side of the flagstaff (or panhandle or pipestem).

E. A minimum of 10 feet width of landscaping shall be installed on the side of the flagstaff (or panhandle or pipestem) opposite the fence. (Ord. 1489 § 2, 2001).

1. Code reviser’s note: Ordinance 1489 adds these provisions as PMC 20.68.600. The section has been editorially renumbered to prevent duplication of numbering.

## **Chapter 20.69**

### **PLANNED UNIT DEVELOPMENTS**

Sections:

- 20.69.010 Planned unit development regulations and procedure.
- 20.69.020 Developments for which approval is required.
- 20.69.030 Planned unit (residential) development (PUD) – Size of parcel.
- 20.69.040 Planned commercial development – Size of parcel.
- 20.69.050 Combination commercial and residential – Size of parcel.
- 20.69.060 Planned industrial developments – Size of parcel.
- 20.69.070 *Repealed.*
- 20.69.080 Permitted buildings and uses.
- 20.69.090 Development standards.
- 20.69.100 Performance standards.
- 20.69.110 Outdoor living area.
- 20.69.120 Height guidelines.
- 20.69.130 Underground utilities.
- 20.69.140 Density increase over regulations of parent zone.
- 20.69.150 Traffic access – Projects of 10 acres or more.
- 20.69.160 Impact upon service requirements.
- 20.69.170 Requirements for residential projects – Contained developments.
- 20.69.180 Multiple land use projects – Nonresidential districts – Conditional uses.
- 20.69.190 Conditional uses not to dominate permitted uses.
- 20.69.200 Multiple land use project – Including residential uses.
- 20.69.210 Multiple land use project – Residential uses – Transition area.
- 20.69.220 Distribution of facilities without reference to lot lines.
- 20.69.230 Waiver or reduction of yard and other dimensional requirements.
- 20.69.240 Dedication and maintenance of facilities.
- 20.69.250 Recreation facilities.

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- 20.69.260 Outdoor living area – Association of owners or tenants.
- 20.69.270 Streets.
- 20.69.280 Easements.
- 20.69.290 Permit procedure.
- 20.69.300 Application.
- 20.69.310 –
- 20.69.350 *Repealed.*
- 20.69.360 Other requirements.
- 20.69.370 *Repealed.*

### **20.69.010 Planned unit development regulations and procedure.**

The purposes of these regulations are to encourage the appropriate development of tracts of land sufficiently large to allow comprehensive planning, and to provide flexibility in the application of certain regulations in a manner consistent with the general provisions of the zoning regulations, thereby promoting a harmonious variety of uses, the economy of shared service and facilities, compatibility of surrounding areas, and the creation of attractive, healthful, efficient and stable environments for living, shopping or working.

It is further purpose of this section:

A. To take advantage of advances in technology, architectural design, functional land use design;

B. To recognize the problems of population density, distribution and circulation, and to allow a deviation from rigid established patterns of land uses, but controlled by defined policies and objectives;

C. To produce a comprehensive development equal to or better than that resulting from traditional lot by lot land use development;

D. To permit flexibility of design in the placement and uses of buildings and open spaces, circulation facilities and off-street parking areas, and to more efficiently utilize potentials of sites characterized by special features of geography, topography, size or shape;

E. To permit flexibility in height of buildings but still requiring a development to maintain a ratio of site area to dwelling units that will be in harmony with the area in which the proposed development is to be located. (Ord. 1505 § 12, 2001; Ord. 485 § 11.08, 1971. Formerly 20.68.230).

### **20.69.020 Developments for which approval is required.**

The following developments referred to in this section are permitted only upon the granting of a planned unit development permit as outlined in PMC 20.69.300. Other large, integrated developments are permitted without such a permit, but shall be subject to all regulations generally applying in the district in which they are located. (Ord. 1505 § 12, 2001; Ord. 485 § 11.08.01, 1971. Formerly 20.68.240).

### **20.69.030 Planned unit (residential) development (PUD) – Size of parcel.**

Planned residential developments may be established in residential districts on parcels of land which are suitable for and of sufficient size to be planned and developed in a manner consistent with the purposes and objectives of PMC 20.69.030 through 20.69.080. For those planned unit developments which are located in the RS districts, the site shall include not less than 10 acres of contiguous land, unless the city finds that the property of less than 10 acres be suitable by virtue of its unique historical character, topography, or other natural features, or by virtue of its qualifying as an isolated problem area. (Ord. 1505 § 12, 2001; Ord. 485 § 11.08.02 (A)1, 1971. Formerly 20.68.250).

### **20.69.040 Planned commercial development – Size of parcel.**

Planned commercial developments may be established in commercial districts on parcels of land which are suitable for and of sufficient size to plan and develop them and that are consistent with the purposes and objectives of PMC 20.69.030 through 20.69.080. Planned commercial developments shall be subject to the standards and requirements contained in PMC 20.69.030 through 20.69.080 and may be authorized in conjunction with a request for reclassification, provided that the applicant agrees in writing to the terms and conditions contained herein, and provided further that the reclassification is consistent with the compre-

hensive plan. (Ord. 1505 § 12, 2001; Ord. 485 § 11.08.02(A)2, 1971. Formerly 20.68.260).

**20.69.050 Combination commercial and residential – Size of parcel.**

Combination commercial and residential developments shall be established in residential and commercial zones on parcels of land which are suitable for and of sufficient size to be planned and developed in a manner consistent with the purpose and objectives of PMC 20.69.030 through 20.69.080. (Ord. 1505 § 12, 2001; Ord. 485 § 11.08.02(A)3, 1971. Formerly 20.68.270).

**20.69.060 Planned industrial developments – Size of parcel.**

Planned industrial developments may be established in any industrial district on parcels of land which are suitable for and of sufficient size to be planned and developed in a manner consistent with the purposes and objectives of PMC 20.69.030 through 20.69.080. (Ord. 1505 § 12, 2001; Ord. 485 § 11.08.02(A)4, 1971. Formerly 20.68.280).

**20.69.070 Planning process for development.**

*Repealed by Ord. 1505.* (Ord. 485 § 11.08.02(B), 1971. Formerly 20.68.290).

**20.69.080 Permitted buildings and uses.**

The following buildings and uses are permitted as hereinafter specifically provided and/or referred to in other chapters. The buildings and uses may be permitted either singly or in combination, although the combination may require a zoning classification change.

A. Planned Unit Residential Developments.

1. Accessory buildings and uses;
2. Duplexes;
3. Dwellings, tri-plex or quad-plex;
4. Dwellings, single-family;
5. Open space;
6. Public and semipublic buildings and/or structures essential to the physical and economic welfare of an area, such as fire stations, substations and pump stations;

7. Public or private clubs, lodges or meeting halls;

8. Public or private parks, playgrounds, golf courses, driving ranges or community centers;

9. A commercial service, supported mainly from planned unit development.

B. Commercial and Industrial Developments. Buildings and uses permitted in planned commercial or industrial developments shall be governed by the buildings and uses permitted in the district in which such development occurs. Other buildings and uses may be allowed as determined by the planning commission under a conditional use permit, provided they are listed in the text of the district regulations applicable to the development.

C. Commercial-Residential Developments.

1. Commercial uses proposed for a combination commercial-residential development shall be governed by the procedure in subsection B of this section;

2. Residential uses proposed for a combination commercial-residential development shall be governed by the list of uses in subsection A of this section, as exceptions to uses normally permitted in commercial districts. (Ord. 1505 § 12, 2001; Ord. 485 § 11.08.02(C), 1971. Formerly 20.68.300).

**20.69.090 Development standards.**

In addition to or as a greater requirement to the regulations normally found in the district, the regulations set forth in PMC 20.69.100 through 20.69.160 shall apply to all developments for which a permit is required by PMC 20.69.020. (Ord. 1505 § 12, 2001; Ord. 485 § 11.08.03, 1971. Formerly 20.68.310).

**20.69.100 Performance standards.**

Any commercial or industrial uses in the development shall be subject to the applicable provisions of the performance standards in PMC 20.08.030. (Ord. 1505 § 12, 2001; Ord. 485 § 11.08.03(A), 1971. Formerly 20.68.320).

**20.69.110 Outdoor living area.**

Outdoor living area shall be provided in the following manner:

## **20.69.120**

A. In all residential developments or in combination residential-commercial developments, 30 percent of the entire site area shall be devoted to outdoor living area and shall be in common or shared outdoor living area.

B. Outdoor living area required by this section may, at the discretion of the city, be dedicated to the city, as either rights in fee or easement, without jeopardizing the density or other development standards of the proposed development, provided the size and amount of the proposed dedication meets the criteria of the city for neighborhood parks built to A.D.A. standards. The square footage of land dedicated for public parks shall be deemed a part of the development site for the purpose of computing coverage density. The purpose of this section is to provide adequate light, air, open space, and recreational facilities to occupants of such development. (Ord. 1505 § 12, 2001; Ord. 485 § 11.08.03(B), 1971. Formerly 20.68.330).

### **20.69.120 Height guidelines.**

The height regulations of each district shall prevail except that the city may further limit height in land areas and buildings around the perimeter of the project which shall be in keeping with the zoning and regulations of the adjoining properties.

A. That portion of the development adjoining single-family zoning shall require perimeter project development of single lots and detached single-family houses meeting the regulations of the adjoining zoning.

B. That portion of the development adjoining multifamily zoning shall require perimeter project development of density, building height and size, yard spaces, similar to the regulations of the adjoining zoning.

C. That portion of the development site where protection of scenic vistas is desirable shall require height regulations to prevent encroachments, which would occur with conventional RS or RMH district development. (Ord. 1505 § 12, 2001; Ord. 485 § 11.08.03(C), 1971. Formerly 20.68.340).

### **20.69.130 Underground utilities.**

In any development which is primarily designed for or occupied by dwellings (including commercial/residential developments), all electric and telephone facilities, fire alarm conduits, street light wiring, and other wiring, conduit and similar facilities shall be placed underground by the developer, unless waived by the city. (Ord. 1505 § 12, 2001; Ord. 485 § 11.08.03(D), 1971. Formerly 20.68.350).

### **20.69.140 Density increase over regulations of parent zone.**

The development shall be allowed an increase in density of not to exceed 10 percent over the regulations of the parent zone in which the development is located, except as more restrictive regulations may be prescribed as a condition of approval of a planned unit development permit pursuant to PMC 20.69.300. The total average residential density of the project will be compatible with the comprehensive plan. (Ord. 1505 § 12, 2001; Ord. 485 § 11.08.03(E), 1971. Formerly 20.68.360).

### **20.69.150 Traffic access – Projects of 10 acres or more.**

Projects of 10 acres or more which funnel traffic to a principal access point shall connect at that point to a through-circulation major residential or higher-traffic capacity street. (Ord. 1505 § 12, 2001; Ord. 485 § 11.08.03(F), 1971. Formerly 20.68.370).

### **20.69.160 Impact upon service requirements.**

The population composition of the development will not alter adversely the impact upon school or other municipal service requirements as anticipated under the existing basic zoning and comprehensive plan. (Ord. 1505 § 12, 2001; Ord. 485 § 11.08.03(G), 1971. Formerly 20.68.380).



**20.69.170 Requirements for residential projects – Contained developments.**

In projects exclusively residential (multi-family or single-family), the land characteristics and development plans shall be such that:

A. The development can be essentially independent and contained, physically disassociated from surrounding properties by topography or existing woods or other means, and by its direction of orientation. Such insulation should effectively protect the project from existing or future surrounding development and effectively protect existing or future surrounding development from being affected by the project. Under such conditions maximum variations in concept, design, density, or zoning adjustments may be permitted.

B. All residential projects may propose concepts such as:

1. Four-unit dwelling clusters with party walls and one side and one front yard for each unit;
2. Town or row houses with party side walls;
3. Double row houses with party side and rear walls;
4. Condominium ownership in multi-family buildings;
5. Public or private access lanes;
6. Varied-lot-size subdivisions;
7. Establishment of greenbelts or other open areas, of community buildings or recreation facilities. (Ord. 1505 § 12, 2001; Ord. 485 § 11.08.04, 1971. Formerly 20.68.390).

**20.69.180 Multiple land use projects – Nonresidential districts – Conditional uses.**

In nonresidential districts (commercial, business, industrial) the conditional uses proposed in a multiple use project shall be secondary to permitted uses and be:

- A. Effectively insulated from adjoining properties by solid wall separation;
- B. Internally oriented;
- C. Surrounded by uses permitted by the underlying zoning. (Ord. 1505 § 12, 2001; Ord. 485 § 11.08.05(A), 1971. Formerly 20.68.400).

**20.69.190 Conditional uses not to dominate permitted uses.**

Conditional uses in multiple land use projects shall not be designed to dominate surrounding permitted uses by incorporating oversized advertising signs, intense lighting, increased building height, or other devices which focus attention on location. (Ord. 1505 § 12, 2001; Ord. 485 § 11.08.05(B), 1971. Formerly 20.68.410).

**20.69.200 Multiple land use project – Including residential uses.**

In single-family residential districts removed from nonresidential districts, multiple land use projects which include residential uses shall:

A. Limit the floor area of nonresidential uses to one-half of one percent of the gross land area of the development.

B. Limit nonresidential uses to those business facilities which can be related in size and service principally to the project, such as grocery, delicatessen, drugs, and specialty shops such as sports, arts, antiques, or professional offices, such as doctors (clinics), architects, lawyers, and the project administration offices. Such uses should be in ground floor locations and in buildings comparable in size, in character with, and of similar architectural style as the single-family buildings in the project. (Ord. 1505 § 12, 2001; Ord. 485 § 11.08.05(C), 1971. Formerly 20.68.420).

**20.69.210 Multiple land use project – Residential uses – Transition area.**

In single-family or multifamily residential districts located in zoning transition areas, immediately abutting and adjoining nonresidentially zoned property, multiple land use projects which include residential uses shall:

- A. Orient nonresidential uses and their automobile circulation and parking only towards the adjoining nonresidential district;
- B. Limit nonresidential uses to ground floor locations;
- C. Limit nonresidential uses to 50 percent of the total ground floor building area;

## **20.69.220**

D. Provide residential uses on all perimeters adjoining residential districts;

E. Projects of total community size (200 acres or more) should include sites for community services such as schools, churches, libraries, utilities, parks and recreation. (Ord. 1505 § 12, 2001; Ord. 485 § 11.08.05(D), 1971. Formerly 20.68.430).

### **20.69.220 Distribution of facilities without reference to lot lines.**

Individual buildings, accessory buildings, off-street parking and loading facilities, open space, and landscaping and screening may be located without reference to lot lines save the boundary lines of the development, except that required parking spaces serving residential uses shall be located within 200 feet of the building containing the living units served. (Ord. 1505 § 12, 2001; Ord. 485 § 11.08.06, 1971. Formerly 20.68.440).

### **20.69.230 Waiver or reduction of yard and other dimensional requirements.**

Except as otherwise provided in PMC 20.69.090 through 20.69.160, the minimum lot area, width, and frontage, height and yard requirements otherwise applying in the district shall not dictate the strict guidelines for development of the planned unit development but shall serve to inform the designers of the importance of developing a project that will be in harmony with the character of the surrounding neighborhood. (Ord. 1505 § 12, 2001; Ord. 485 § 11.08.07, 1971. Formerly 20.68.450).

### **20.69.240 Dedication and maintenance of facilities.**

The city may, as a condition of approval for any development for which a permit is required by PMC 20.69.020, require that portions of the tract or tracts under consideration be set aside, improved, conveyed or dedicated for the uses described in PMC 20.69.250 through 20.69.280. (Ord. 1505 § 12, 2001; Ord. 485 § 11.08.08, 1971. Formerly 20.68.460).

### **20.69.250 Recreation facilities.**

The city may require that suitable area for parks or playgrounds be set aside, improved or

permanently reserved for the owners, residents, employees or patrons of the development. (Ord. 1505 § 12, 2001; Ord. 485 § 11.08.08(A), 1971. Formerly 20.68.470).

### **20.69.260 Outdoor living area – Association of owners or tenants.**

Whenever private outdoor living area is provided, the city shall require that an association of owners or tenants be created into a nonprofit corporation under the laws of the state which shall adopt such articles of incorporation and bylaws and adopt and impose such declaration of covenants and restrictions on such outdoor living areas and/or common areas that are acceptable to the city. The association shall be formed and continued for the purpose of maintaining such outdoor living area. Such an association, if required, may undertake other functions. It shall be created in such a manner that owners of property shall automatically be members and shall be subject to assessments levied to maintain the outdoor living area for the purposes intended. The period of existence of such association shall be not less than 20 years, and it shall continue thereafter and until majority vote of the members shall terminate it. (Ord. 1505 § 12, 2001; Ord. 485 § 11.08.08(B), 1971. Formerly 20.68.480).

### **20.69.270 Streets.**

The city may require that the right-of-way width designated by the official street map be dedicated to the city. Such other streets necessary to the proper development of adjacent properties may also be required. (Ord. 1505 § 12, 2001; Ord. 485 § 11.08.08(C), 1971. Formerly 20.68.490).

### **20.69.280 Easements.**

Easements necessary to the orderly extension of public utilities may be required as a condition of approval. (Ord. 1505 § 12, 2001; Ord. 485 § 11.08.08(D), 1971. Formerly 20.68.500).

### **20.69.290 Permit procedure.**

Planned unit development permits shall be Type V permits. (Ord. 1505 § 12, 2001. Formerly 20.68.505).

**20.69.300 Application.**

The PUD application shall include:

A. A statement describing the general character of intended development along with such other pertinent information as may be necessary to a determination that the contemplated arrangement or use makes it desirable to apply regulations and requirements differing from those ordinarily applicable under this title;

B. A general development plan of the project showing at least the following information or such additional information as may be required by the director in a specific situation, in sufficient detail to allow the city to apply the criteria for approval as hereinafter set forth:

1. An accurate map of the project area, including its relationship to surrounding properties;

2. Statistical data on total size of project area, area of open space, density computation and proposed number of residential units, population analysis, market analysis, economic analysis, impact upon municipal services and other data pertinent to the comprehensive evaluation of the proposed development;

3. The pattern of public and/or private roads, driveways, parking facilities, and pedestrian circulation features, with design standards in compliance with adopted city standards;

4. The size, arrangement, and location of lots of proposed building groups;

5. The type, size and location of structures;

6. The location of sanitary sewer and water facilities;

7. Architectural drawings and sketches illustrating the design and character of the proposed structures together with the usage to be contained therein and approximate location of all entrances thereto and height and gross floor area thereof;

8. The location of recreational and open space areas and areas reserved or dedicated for public uses such as school, park, etc.;

9. General landscape treatment;

10. Existing topography and storm drainage pattern and proposed storm drainage system showing basic topographic changes;

11. General outline of intended organizational structure related to property owner's association, deed restrictions, and provisions of services; and

12. A legal boundary survey. (Ord. 1505 § 12, 2001; Ord. 1375 § 55, 1998; Ord. 1173 § 17, 1992; Ord. 843 § 9, 1981; Ord. 485 § 11.08.09, 1971. Formerly 20.68.510).

**20.69.310 Consultant services – Fee and deposit.**

*Repealed by Ord. 1505.* (Ord. 1375 § 56, 1998; Ord. 1173 § 18, 1992; Ord. 1129 § 7, 1991. Formerly 20.68.515).

**20.69.320 Hearing.**

*Repealed by Ord. 1505.* (Ord. 843 § 10, 1981; Ord. 485 § 11.08.10, 1971. Formerly 20.68.520).

**20.69.330 Forwarding.**

*Repealed by Ord. 1505.* (Ord. 485 § 11.08.11, 1971. Formerly 20.68.530).

**20.69.340 Approval.**

*Repealed by Ord. 1505.* (Ord. 485 § 11.08.12, 1971. Formerly 20.68.540).

**20.69.350 Changes.**

*Repealed by Ord. 1505.* (Ord. 485 § 11.08.13, 1971. Formerly 20.68.550).

**20.69.360 Other requirements.**

A. A project which plats or subdivides land for sale and individual ownership shall properly record the plat with the King County auditor prior to the issuance of any building permits or authorization to commence construction.

B. A project proposing multiple land uses in a residentially zoned area shall complete construction of 50 percent of the residential part of the project prior to the issuance of building permits for any nonresidential construction.

C. The application for a building permit or other authorization to commence work on the project shall be accompanied by:

1. A written statement defining the work starting date and the project completion date,

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signed by the party responsible for the construction of the project;

2. Any bond required by the commission guaranteeing completion of a specific defined portion of the project as authorized and approved, and/or a standard plat bond if subdivision and sale of lots is a part of the project;

3. Deeds to any land or properties intended for public ownership and use in the completed project;

4. A complete project site plan and construction plans and specifications for the initial buildings;

5. The building administrator shall find that the plans submitted for construction comply with the conditions of approval by the planning commission and the city council;

6. Upon approval of the plans by the building inspector and issuance of permits, work may commence. (Ord. 1505 § 12, 2001; Ord. 485 § 11.08.14, 1971. Formerly 20.68.560).

### **20.69.370 Termination.**

*Repealed by Ord. 1505.* (Ord. 485 § 11.08.15, 1971. Formerly 20.68.570).

## **Chapter 20.70**

### **LANDSCAPING**

#### Sections:

- 20.70.010 Findings and intent.
- 20.70.020 Purpose of provisions.
- 20.70.030 Authority.
- 20.70.040 Landscape plan approval.
- 20.70.045 *Repealed.*
- 20.70.050 Landscape performance requirements.
- 20.70.060 General landscaping requirements.
- 20.70.070 Types of landscaping.
- 20.70.080 Parking lots.
- 20.70.090 Maintenance.
- 20.70.100 *Repealed.*
- 20.70.110 Regulations by zoning district.
- 20.70.120 Protection of significant trees.
- 20.70.130 Restoration of significant trees.
- 20.70.140 Installation requirements.
- 20.70.150 Alternative landscape options.
- 20.70.160 Bonds/security requirements.

### **20.70.010 Findings and intent.**

Landscaping in urban and industrial areas provides an opportunity for a balanced and harmonious environment for both the local citizens of a community as well as the resident wildlife species of an area. Man has the ability to shape and mold his environment to meet his needs, but often foregoes the need of other species sharing his environment. Proper selection and arrangement of landscaping can emphasize the buildings it surrounds, be pleasing to the eye and still be useful to the birds with a surprising rate of success. By providing a diversity of trees, shrubs and grasses, one can increase the chances of providing a balanced habitat for a greater variety of wildlife, while at the same time provide an aesthetic, pleasing, visual environment in the urbanized areas for man. A large variety of trees and shrubs are available to meet the needs of well-balanced landscape plans. It is recommended that 50 percent of all landscape plans be comprised of trees and shrubs indigenous to the Pacific Northwest. (Ord. 1361 § 13, 1998; Ord. 985 § 1, 1986).

**20.70.020 Purpose of provisions.**

The purpose of this chapter is to achieve the following:

A. Provide an opportunity for the development of a pleasing visual environment in the city from the viewpoint of the local resident and the visitor passing through the city;

B. Insure the preservation of land values;

C. Encourage the preservation of existing topographic patterns that contribute to the beauty and utility of a development;

D. Provide not only for the health, safety and general welfare of the citizens and minimize discordant and unsightly surroundings, but also to provide for the beauty and balance of the city, as are the proper and necessary concerns of local government;

E. Provide adequate control over the application of landscaping standards so the above objectives are accomplished in the most effective manner; and

F. Break up visual blight created by large expanses of barren asphalt which makes up a typical parking lot. (Ord. 1361 § 13, 1998; Ord. 985 § 2, 1986).

**20.70.030 Authority.**

The director shall have the authority to waive specific requirements or impose additional requirements in unique or special circumstances to assure the fulfillment of the stated purpose of this chapter and to allow for flexibility and innovation of design. Special circumstances or unique conditions shall be reviewed with the director prior to submittal of a landscape plan. Examples of special conditions might include:

A. Preservation of unique wildlife habitat;

B. Preservation of natural or native areas;

C. Compliance with special easements;

D. Renovation of existing landscaping;

E. Unique site uses. (Ord. 1505 § 13, 2001; Ord. 1361 § 13, 1998; Ord. 985 § 3, 1986).

**20.70.040 Landscape plan approval.**

A building permit shall not be issued until the landscaping plan, when applicable, has been approved. At the time of plan review, the director shall review specific landscape requirements with the owner or the owner's rep-

resentative and shall designate the type of landscaping required for the specific site plan proposed. (Ord. 1505 § 13, 2001; Ord. 1361 § 13, 1998; Ord. 985 § 4, 1986).

**20.70.045 Landscape plan review – Fee and deposit.**

*Repealed by 1505.* (Ord. 1375 § 67, 1998).

**20.70.050 Landscape performance requirements.**

A. Failure to complete all of the required landscaping shall be cause for nonissuance of the certificate of occupancy.

B. It shall be the responsibility of the project manager or business owner to contact the building inspector upon completion of the landscaping work and request an inspection. The building inspector shall be provided nursery receipts to confirm species and quantities of plants planted prior to inspection. (Ord. 1361 § 13, 1998; Ord. 985 § 5, 1986).

**20.70.060 General landscaping requirements.**

The following general and minimum site screening standards shall be required in all districts where landscaping is mandatory:

A. Landscaped areas shall include liberal use of evergreen or deciduous trees and shrubs, perennial or annual flowers, gravel, river rock, driftwood, rockeries, lawn, or a combination of such materials. Native shrubs and vegetation shall be used wherever possible and practical.

B. Bark mulch, gravel, or other nonvegetative material shall only be used in conjunction with landscaping to assist vegetative growth and maintenance or to visually complement plant material and shall not exceed 35 percent of the landscape area. Calculation of the non-vegetative area shall be shown on the landscape plan. Nonvegetative material is not a substitute for plant material. No artificial lawn or shrubbery will be permitted in landscaped areas.

C. Landscaping shall not conflict with the safety of those using adjacent sidewalks or with traffic safety. Safety features of landscap-

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ing shall be discussed at the time of plan review, if necessary.

D. Quantity, arrangement and types of plants installed shall be appropriate to the size of the required landscape area and purpose of planting area as noted in PMC 20.70.070.

E. Required landscape areas shall be provided with adequate drainage.

F. Slopes shall not exceed a three to one ratio (width to height) in order to decrease erosion potential and assist in ease of maintenance.

G. All portions of a lot not devoted to building, parking, storage or accessory uses shall be landscaped in a manner appropriate to the stated purpose of this chapter.

H. All required landscaping depths shall be measured from the property line into the property. All required landscaping areas shall extend to the curb line or the street edge. A crushed rock, bark mulch, or paved path or trail in lieu of landscaping shall be required where appropriate as determined by the director.

I. Required landscape areas which are inappropriate to landscape due to the existence of railroad facilities or other features on-site shall be relocated first to another lot line, or second, to an equal-sized area in another portion of the lot to be determined by the director upon review with the owner or developer.

J. Each individual landscaped area between 40 square feet and 100 square feet or less shall include at least one tree a minimum of six feet in height. Where more than one tree is required for an individual landscaping area in excess of 100 square feet, the number of trees may be dispersed throughout the area or clustered together.

K. Where a fire hydrant is located, shrubs 18 inches in height or less must be placed a minimum of five feet away from the hydrant. Shrubs or trees larger than 18 inches in height must be placed a minimum of 20 feet away from a hydrant.

L. All ingress/egress easements which provide corridors to the subject lot not adjacent to a public right-of-way shall be considered the same as public right-of-way. Landscape requirements for easement corridors shall be

the same as those required adjacent to public rights-of-way.

M. All trash containers shall be screened from abutting properties and/or streets by a 100 percent sight-obscuring fence or wall and appropriate landscaping.

N. Landscaping shall be placed outside of sight-obscuring or 100 percent sight-obscuring fences unless determined by the community development department that such arrangement would be detrimental to the stated purpose of this chapter.

O. All property abutting SR 167 shall be landscaped to a minimum depth of 10 feet with Type III landscaping unless a larger area is required elsewhere in this chapter.

P. Potentially tall trees shall not be planted under power lines. (Ord. 1505 § 13, 2001; Ord. 1489 § 1, 2001; Ord. 1361 § 13, 1998; Ord. 985 § 6, 1986).

### 20.70.070 Types of landscaping.

The four types of landscaping are described below and depicted in the sketches at the end of this chapter.

#### A. Type I Landscaping – Solid Screen.

1. Intent. This subsection is intended to provide the requirements for a physical and visual separator between incompatible uses or intensities/densities. Examples of use: where office park zone borders a residential zone.

2. Description. Type I landscaping is a “full screen,” which functions as a visual barrier. Minimum design requirements are:

a. An earthen berm a minimum of 3.5 feet high, measured from street curb or the crown of the adjacent paved way for road frontages or existing grade for interior lot lines. Mounds of earth used for berming should not exceed a slope of three horizontal feet to one vertical foot and a minimum of five feet wide. The berm shall be planted in the following manner:

i. Vegetative ground cover shall cover a minimum of 50 percent of the landscape strip area at maturity. Inert ground cover such as wood chips, bark, decorative rock or other appropriate inert organic material shall be used between plantings. Lawns seeded and

sodded are prohibited from use on earthen berms.

ii. A solid wall of trees and/or dense hedge with a mix of deciduous and evergreen trees placed to form a continuous screen within five years, with a minimum depth of 10 feet.

iii. At least 70 percent evergreen plants.

iv. Coniferous and broadleaf trees may include a mixture of sizes but shall not be less than four feet in height at time of planting. Tree material at time of planting shall be of mature size within five years of installation. Maximum mature height shall be 10 feet. Evergreen trees shall be spaced no more than 15 feet on center.

v. Deciduous trees may include a mixture of sizes but shall be fully branched, have a minimum caliper of two inches and a minimum height of eight feet at time of planting. Tree material at time of planting shall be of sufficient size to meet the minimum height and screening requirements of the landscape level within five years of installation. Minimum mature height shall be 10 feet. Deciduous trees shall be spaced no more than 20 feet on center.

vi. Shrubs may include a mixture of sizes but shall not be less than gallon size containers at time of planting. Evergreen shrubs shall be spaced no more than four feet apart and to achieve a height of six feet within five years.

b. Street Frontage Landscaping. Street trees shall be planted behind the utility easement (back of the sidewalk) along the property frontage. Shrubs, and/or groundcover shall be planted along the property frontage within city right-of-way adjacent to the subject property. The type and location of plantings shall be determined by the city. Vegetative ground cover shall cover a minimum of 50 percent of the landscaping strip area at three years and attain 100 percent coverage within five years. The type and location of plantings shall be determined by the director. Street trees located back of the utility easement shall be planted on a maximum of 30 feet on center and to be a minimum two and one-half-inch caliper

upon planting. Upon review and approval by the director, street frontage landscaping may vary in width, with a minimum of five feet, provided the total required amount is provided on site. Applicants are strongly encouraged to utilize plant material native to the Pacific Northwest and introduced plants common to the Pacific Northwest, in order to retain the natural character of the region and to use plants that are best suited to the climate of the Pacific Northwest. Applicants are strongly encouraged to utilize drought tolerant plants that do not require regular irrigation after the planting season.

#### B. Type II Landscaping – Filtered Screen.

1. Intent. Type II landscaping is a “filtered screen” which functions as a visual separator. Filtered screening is intended to reduce incompatibility between uses, for example, between utility facilities and residences.

2. Description. Type II landscaping shall consist of:

a. A mix of evergreen and deciduous trees and shrubs spaced to create a filtered screen within three years;

b. At least 50 percent deciduous trees and at least 30 percent evergreen trees;

c. Evergreen trees spaced no more than 15 feet on center;

d. Deciduous trees spaced no more than 20 feet on center;

e. Evergreen shrubs spaced no more than five feet apart and that achieve a height of six feet within three years; and

f. Ground cover.

Street frontage landscaping shall be located behind the sidewalk, with a minimum depth of 10 feet.

#### C. Type III Landscaping – See-Through Buffer.

1. Intent. Type III landscaping is a “see-through buffer” which functions as a partial visual separator to soften the appearance of streets, parking areas and building elevations. See-through buffering is intended for use between streets and a land use, for example, along streets in the neighborhood business district.

2. Description. Type III landscaping shall consist of:

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- a. A mix of evergreen and deciduous trees spaced to create a continuous canopy within 10 years;
- b. At least 50 percent deciduous trees and no more than 65 percent;
- c. Trees spaced no more than 25 feet on center;
- d. Evergreen shrubs spaced no more than four feet apart that do not exceed a height of four feet at maturity; and
- e. Ground cover.

Street frontage landscaping can be located in front or behind the sidewalk, with a minimum depth of 10 feet, and with street areas located behind the utility easement.

### D. Type IV Landscaping – Parking Area Landscaping.

1. Intent. Type IV landscaping is “parking area landscaping” which provides shade and visual relief, and maintains clear sight lines within parking areas.

2. Description. Type IV landscaping shall consist of:

- a. Canopy-type deciduous trees or broadleaf evergreen trees, evergreen shrubs and a mix of evergreen and deciduous ground covers planted in wells or strips;
- b. Shrubs that do not exceed a height of four feet at maturity;
- c. Plantings contained in planting wells or strips having an area of at least 100 square feet and with narrowest dimensions of at least five feet in width;
- d. Planting wells or strips which each contain at least one tree; and
- e. Ground cover.

3. Street frontage landscaping can be located in front of or behind the sidewalk with the street trees located behind the utility easement. Stormwater management control structures, including detention ponds and biofiltration swales, may be permitted in landscape areas subject to approval of the director.

4. All tree species planted under Puget Sound Energy (PSE) power lines shall be in accordance with PSE planning trees guidelines. (Ord. 1505 § 13, 2001; Ord. 1361 § 13, 1998; Ord. 985 § 7, 1986).

### 20.70.080 Parking lots.

Parking areas shall comply with requirements for Type IV landscaping under PMC 20.70.070. (Ord. 1361 § 13, 1998; Ord. 985 § 8, 1986).

### 20.70.090 Maintenance.

A. All landscaping and screening areas shall be maintained in a healthy, growing condition. Broken, dead, or dying trees, shrubs, or plants shall be replaced immediately. All landscaping and screening areas shall be maintained reasonably free of weeds and trash.

B. Sprinkling systems for watering landscaped areas will be encouraged.

C. Any trees, shrubs, or plants which are susceptible to injury by pedestrian or motor traffic should be protected by appropriate curbs, tree guards, or other protective devices.

D. The building inspector or his designated representative is authorized and empowered to notify the owner of any property required to be landscaped or the agent, tenant, lessee, or assignee of any such owner that said landscaping is not being adequately maintained and the specific nature of such failure to maintain. The notice shall specify the date by which said maintenance must be accomplished and shall be sent by certified mail, addressed to the owner at the owner’s last known address. Non-compliance with this notice by the specified date shall constitute authorization by the property owner for the building inspector to use the necessary resources to bring the landscaping into compliance with this chapter. Cost for this work will be billed to the property owner. (Ord. 1361 § 13, 1998; Ord. 985 § 9, 1986).

### 20.70.100 Appeals.

*Repealed by Ord. 1505.* (Ord. 1361 § 13, 1998; Ord. 985 § 10, 1986).

### 20.70.110 Regulations by zoning district.

A. Residential Open Space, RO. All uses, with the exception of single-family residences and minor utility facilities, shall provide Type III landscaping. Minor utility facilities shall provide Type II landscaping.

B. Single-Family Residential, RS-8 and RS-11. All uses, with the exception of single-



family residences and minor utility facilities, shall provide Type III landscaping. Minor utility facilities shall provide Type II landscaping.

C. Limited Multiple-Family Residential, RML, and Multiple-Family Residential, RMH. Type III landscaping shall be provided along streets a minimum of 10 feet abutting public right-of-way. Type IV landscaping shall be provided for parking areas. Open green area shall occupy no less than 25 percent of the area of the parking lot.

D. Neighborhood Business District, NB. Type III landscaping shall be provided along streets. A planting strip not less than five feet in depth of Type IV landscaping shall be provided for parking areas. The perimeter of properties abutting a residential district shall be landscaped to a minimum depth of 10 feet.

E. Highway Commercial District, HC. Type IV landscaping shall be provided, except bordering residential districts, where Type I landscaping shall be provided. A 10-foot strip of Type III landscaping shall be provided adjacent to freeway rights-of-way.

F. Office Park District, OP. Type I landscaping shall be provided where bordering residential districts. Type III landscaping shall be provided along streets and where abutting other districts. Type IV landscaping shall be provided for parking areas. A minimum of 20 feet of Type I landscaping shall be provided where abutting residential districts.

G. Commercial District, C. Type I landscaping shall be provided where bordering residential districts. Type III landscaping shall be provided along streets and where abutting other districts. Type IV landscaping shall be provided for parking areas.

H. Light Industrial District, LI. Type I landscaping shall be provided where bordering residential districts. Type III landscaping shall be provided along streets and where abutting other districts. Type IV landscaping shall be provided for parking areas.

I. Heavy Industrial District, HI. A minimum of 20 feet of Type III landscaping within the front yard and a minimum of 15 feet of Type III landscaping within the side yard shall be provided. Type I landscaping shall be provided where bordering the residential districts.

Type III landscaping shall be provided along streets and where abutting other districts. Type IV landscaping shall be provided for parking areas. (Ord. 1505 § 13, 2001; Ord. 1382 § 1, 1998; Ord. 1361 § 13, 1998; Ord. 985 § 11, 1986).

#### **20.70.120 Protection of significant trees.**

To provide the best protection for significant trees, applicants:

A. Shall provide during the construction stage either:

1. A temporary five-foot-high fence; or
2. A line of five-foot-high, orange colored, two-by-four stakes placed no more than 10 feet apart.

B. Shall place the fence or stakes in a line generally corresponding to the drip line of any significant tree(s) to be retained.

C. Shall construct a rock well if the grade level around the tree is to be raised by more than one foot. The diameter of the well shall be equal to the diameter of the trunk plus five feet.

D. Shall not install impervious surfaces, excavate, store, or drive equipment within the area defined by such fencing or stakes.

E. Shall not lower the grade level within the larger of the two areas defined as follows:

1. The drip line of the tree(s); or
2. An area around the tree equal to one foot diameter for each inch of tree trunk diameter measured four feet above the ground.

F. May use alternative protection methods if determined by the city to provide equal or greater tree protection. (Ord. 1361 § 13, 1998).

#### **20.70.130 Restoration of significant trees.**

Significant trees which would otherwise be retained, but which were damaged or destroyed by fault of the applicant shall be replaced in a manner determined by the director. (Ord. 1505 § 13, 2001; Ord. 1361 § 13, 1998).

#### **20.70.140 Installation requirements.**

All landscaping and required irrigation shall be installed prior to issuance of a final certificate of occupancy, final inspection or in accordance with the conditions of preliminary plat approval. (Ord. 1361 § 13, 1998).

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**20.70.150 Alternative landscape options.**

The following alternative landscape options are permitted only as approved by the director:

A. Incorporation of existing vegetation to augment new plantings in the planting design.

B. Reduction of Type I landscaping by no more than 20 percent when incorporating solid-screen wood fences, hedges, architectural barriers or berms into the landscape design. The reduced landscaping in such cases shall be reallocated to other portions of the site.

C. Incorporation in the design of berms of at least three feet in height for width reduction. (Ord. 1505 § 13, 2001; Ord. 1361 § 13, 1998).

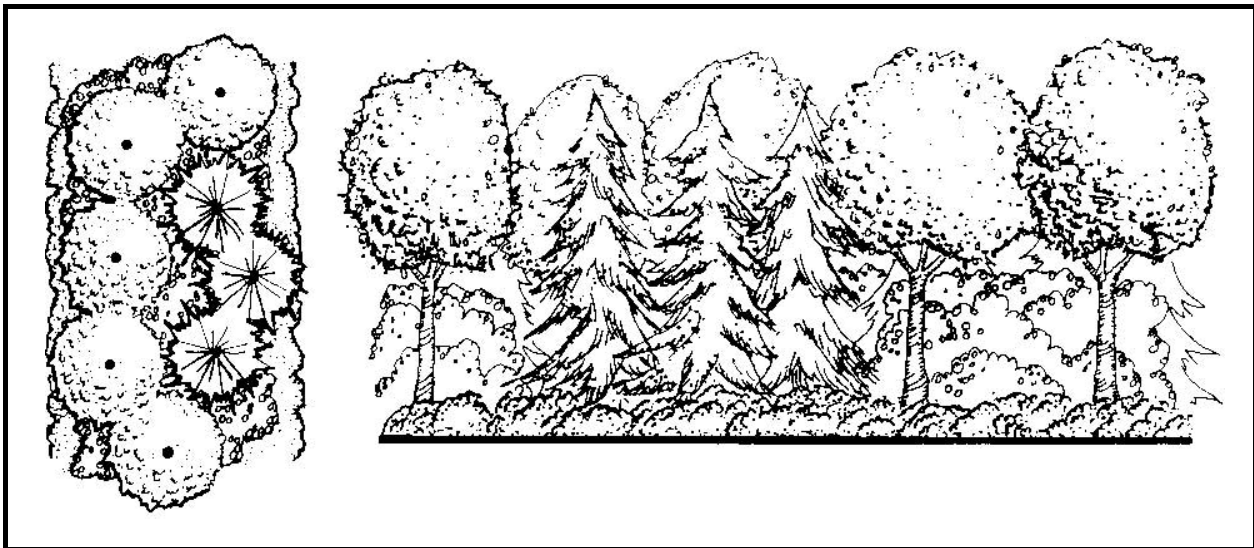
**20.70.160 Bonds/security requirements.**

A. If landscaping is not installed prior to an application for a temporary or final certificate of occupancy, and the director determines that the landscaping was not or cannot be installed due to weather or other circumstances beyond

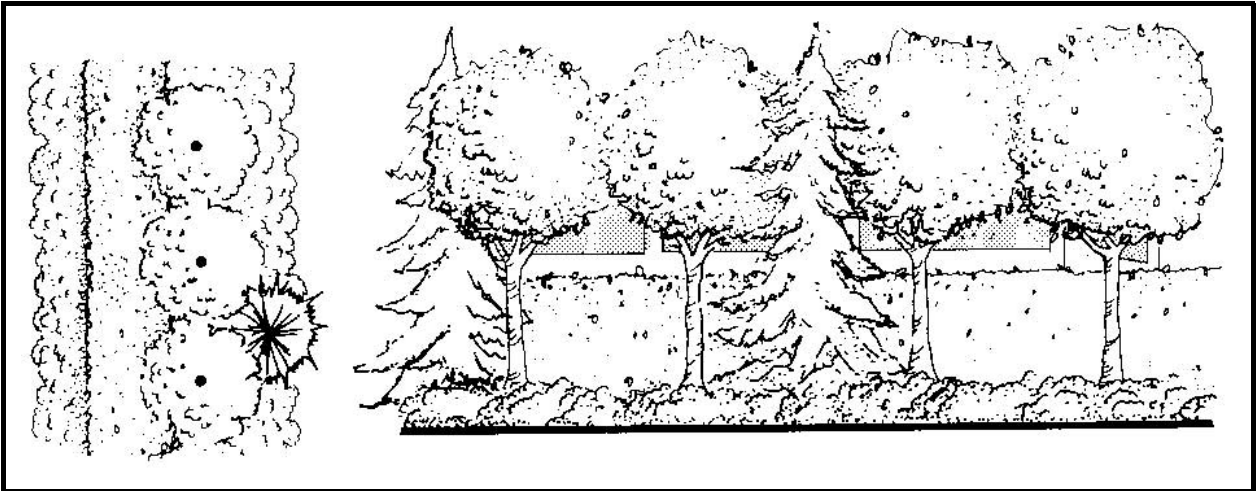
the control of the applicant, the director may approve deferral of landscaping installation upon the filing of a landscape bond, letter of credit, or other suitable financial guarantee that is approved by the director. The amount of the landscape bond or other financial guarantee shall equal 150 percent of the estimated cost of the required landscaping, irrigation and labor. The cost estimate shall be determined by the director.

B. Prior to issuance of a final certificate of occupancy, a maintenance bond or other acceptable financial guarantee equal to 30 percent of the replacement cost of the required landscaping shall be submitted. The replacement cost shall be determined by the director. The bond shall be maintained for a three-year period, at which point the director shall determine if the bond shall be released or is needed for maintenance within the landscaped areas. (Ord. 1505 § 13, 2001; Ord. 1361 § 13, 1998).

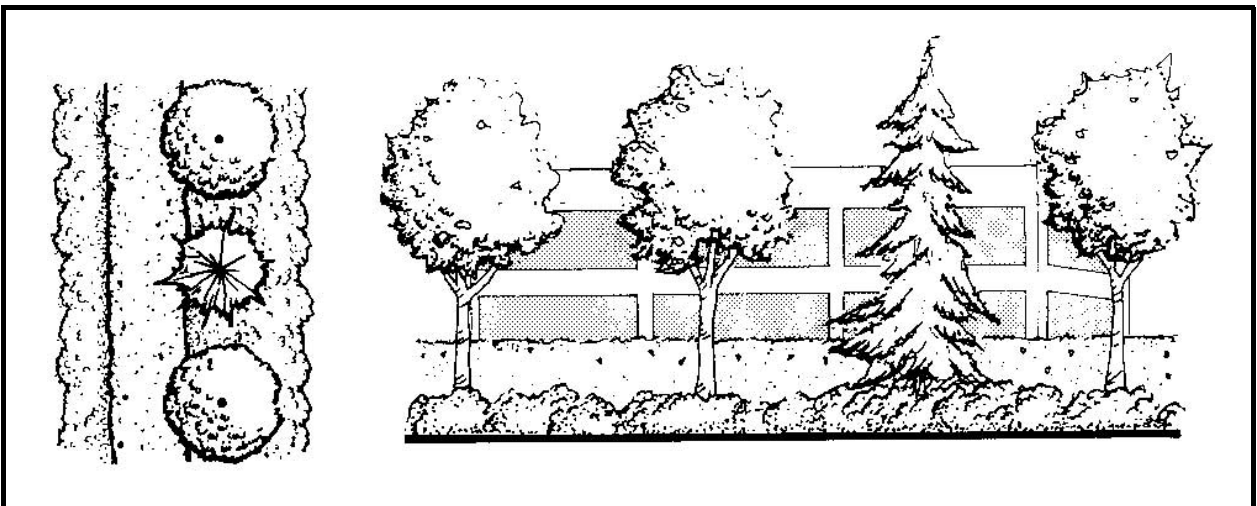
**TYPE I LANDSCAPING**



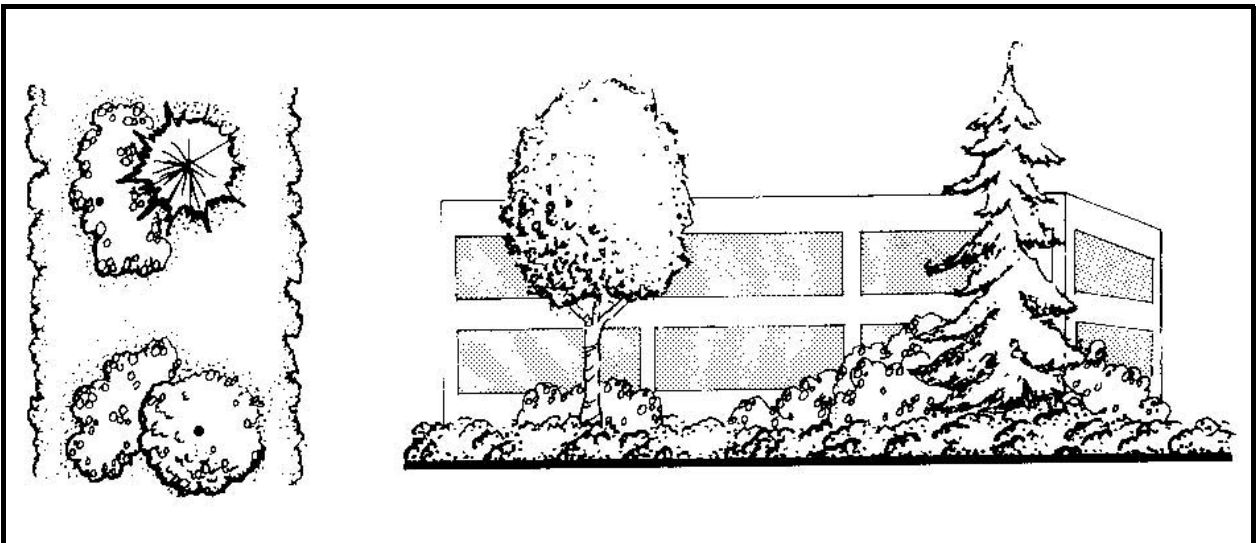
**TYPE II LANDSCAPING**



**TYPE III LANDSCAPING**



**TYPE IV LANDSCAPING**



**Chapter 20.72**

**PARKING AND LOADING**

Sections:

- 20.72.010 Description and purpose.
- 20.72.020 Size of parking spaces.
- 20.72.030 Location.
- 20.72.040 Expansion and enlargement.
- 20.72.050 Parking area design.
- 20.72.060 Plan for proposed parking area.
- 20.72.070 Traffic-control devices.
- 20.72.080 Minimum dimensions.
- 20.72.090 Landscaping.
- 20.72.100 Screening.
- 20.72.110 Lighting of areas.
- 20.72.120 Maintenance.
- 20.72.130 Parking spaces required.
- 20.72.140 Parking requirements for uses not specified.
- 20.72.150 Loading areas.

**20.72.010 Description and purpose.**

The provisions of this chapter are of general application for the various buildings and uses to one or more of the designated districts. It is the intent of this chapter to promote and protect property values and to provide for the health, safety and welfare of the citizenry. (Ord. 485 § 11.01, 1971).

**20.72.020 Size of parking spaces.**

Each off-street parking space shall have a net area of not less than 200 square feet, exclusive of driveways or aisles, and shall be of usable shape and condition; to determine on a gross area basis, 300 square feet shall be allowed per vehicle. If the required parking space for a one- or two-family dwelling is not provided in a covered garage, then such space shall be not less than 200 square feet, and shall be so located and/or constructed that it may later be covered by a garage structure in accordance with the provisions of this title and the city building code. (Ord. 485 § 11.02.01, 1971).

**20.72.030 Location.**

Off-street parking shall be provided on the development site for all RO, RS, RML, RMH, NB, HC, C, OP, LI and HI zones. All required

parking must be under the same ownership as the development site served, except through special covenant agreements as approved by the city attorney, which bind the parking to the development site. (Ord. 1361 § 14, 1998; Ord. 485 § 11.02.02, 1971).

**20.72.040 Expansion and enlargement.**

Whenever any building is enlarged in height or in ground coverage, off-street parking shall be provided for the expansion or enlargement in accordance with the requirements of the schedule, provided, however, that no parking space need be provided in the case of enlargement or expansion where the number of parking spaces required for such expansion or enlargement is less than 10 percent of the parking spaces specified in the schedule for the building. Nothing in this provision shall be construed to require off-street parking spaces for the portion of such building existing at the time of passage of the ordinance codified in this title. (Ord. 485 § 11.02.03, 1971).

**20.72.050 Parking area design.**

A. All public or private parking areas or garages except those required in conjunction with a single-family dwelling on a single lot shall be designed, laid out and constructed in accordance with the provisions of this section.

1. In any district, driveways or accessways providing ingress and egress to or from public or private areas or parking spaces shall be permitted, together with any appropriate traffic-control devices, in any required yard.

2. In any residential district, public or private parking areas and parking spaces shall not be permitted in any required yard except as provided herein:

a. Required parking spaces shall be permitted on driveways in the required front yard in conjunction with any single-family or two-family dwelling on a single lot.

b. Motor homes, vacation trailers, boat trailers, camperettes, and all other vehicles not in daily use are restricted to parking in the front yard setback for not more than 48 hours; and motor homes, vacation trailers, boat

trailers, camperettes and all other vehicles not in daily use are permitted to be located in the required rear and side yards.

c. Public or private parking areas, parking spaces or any building, or portion of any building intended for parking which is developed or maintained in conjunction with any building or use permitted or as a use permitted in any residential district shall be permitted in any rear and side yard that abuts an alley, provided the parking areas, structures or spaces shall comply with the parking diagram, Figure 1, on file with the city clerk.

3. In any commercial or industrial district except NB, public or private parking areas or parking spaces shall be permitted in any required yard, except when rear and side yards of the districts are common with property zoned residentially, then parking areas shall be not less than 10 feet from the lot line.

B. Nothing provided herein shall require compliance with this section for any completely automatic, unattended parking device or any attended public or private parking area.

C. All public or private parking areas and parking spaces, except those required in conjunction with a single-family or two-family dwelling on a single lot, shall be designed and laid out to conform to the minimum standards as set forth in Figure 1, Minimum Parking Lot Requirements, on file with the city clerk.

D. Groups of three or more parking spaces, except those in conjunction with single-family or two-family dwellings on a single lot shall be served by a service drive so that no backward movement or other maneuvering of a vehicle within a street, other than an alley, will be required. Service drives shall be designed and constructed to facilitate the flow of traffic, provide maximum safety in traffic access and egress and maximum safety of pedestrians and vehicular traffic on the site, but in no case shall two-way and one-way driveways be less than 20 feet and 12 feet respectively.

E. Public parking areas provided in excess of the requirements of this section or as a use permitted shall be designed and laid out in conformance to Figure 1, on file with the city clerk.

F. All public and private parking areas, except those in conjunction with a single-fam-

ily dwelling or a duplex on a single lot, shall be hard-surfaced with a minimum of two inches of asphalt concrete over four inches of crushed rock and six inches base material. Such surfacing requirement shall also apply to vehicle storage areas and loading areas; provided, that areas used for long-term storage of vehicles and/or equipment may, at the city's discretion, be improved with an impervious surface other than asphalt. (Ord. 1302 § 1, 1996; Ord. 1009 § 1, 1987; Ord. 485 § 11.02.04, 1971).

#### **20.72.060 Plan for proposed parking area.**

The plan of the proposed parking area shall be submitted to the building inspector at the time of the application for the building for which the parking area is required. The plan shall clearly indicate the proposed development, including location, size, shape, design, curb cuts, lighting, landscaping, construction details, and other features and appurtenances required. (Ord. 485 § 11.02.05, 1971).

#### **20.72.070 Traffic-control devices.**

All traffic-control devices such as parking stripes designating car stalls, directional arrows or signs, bull rails, curbs, and other developments, shall be installed and completed as shown on the approved plans. Hard-surfaced parking areas shall use paint or similar devices to delineate car stalls and directional arrows. Where pedestrian walks are used in parking lots for the use of foot traffic only, they shall be curbed, or raised six inches above the lot surface. All driveways, off-street parking areas and public off-street areas immediately adjacent to a service driveway which leads to a hard-surface public street shall be hard surfaced with a minimum of two inches of asphaltic concrete. (Ord. 1009 § 2, 1987; Ord. 485 § 11.02.05(A), 1971).

#### **20.72.080 Minimum dimensions.**

Minimum dimensions of off-street parking areas shall be not less than as shown on Figure 1, Minimum Parking Lot Requirements, on file with the city clerk. (Ord. 485 § 11.02.05 (B), 1971).

**20.72.090**

**20.72.090 Landscaping.**

Landscaping shall be included as a part of lot design and shall include tree and shrub plantings within and around the parking area at approximately 70 feet on center each way. (Ord. 485 § 11.02.05(C), 1971).

**20.72.100 Screening.**

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 nor more than six feet where the parking lot for any nonresidentially zoned development has a common boundary with any residentially classified property. (Ord. 1009 § 3, 1987; Ord. 485 § 11.02.05(D), 1971).

**20.72.110 Lighting of areas.**

Lighting of areas for off-street parking shall be arranged so as not to constitute a nuisance or hazard to passing traffic and where the lots share a common boundary with any residentially classified property, the illuminating devices shall be so shaded and directed to play their light away from residentially classified property. (Ord. 485 § 11.02.05(E), 1971).

**20.72.120 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, and repair of traffic-control devices, signs, light standards, fences, walls, surfacing material, curbs and railings. (Ord. 485 § 11.02.05(F), 1971).

**20.72.130 Parking spaces required.**

The number of off-street parking spaces required shall be no less than as set forth in the following:

Use	Parking Space Required
<b>Residential Types</b>	
A. Dwelling, single-family	Two for each dwelling unit on a single lot
B. Dwellings, two-family or multiple	Two for each dwelling unit where fractioned, next highest full unit

Use	Parking Space Required
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C. Motels	One for each guest room
D. Rooming and/or boarding houses	One for each guest room

**Institutional Types**

A. Churches, clubs, lodges	One for every four fixed seats or every eight feet of bench length or every 28 square feet where no permanent seats or benches are maintained – in main auditoriums (sanctuary or place of worship)
B. Libraries	One for each 250 square feet of gross floor area
C. Nursing homes, homes for the aged, group care homes	One for each five beds
D. Schools – Elementary	One for each employee and faculty member

**Commercial Types**

A. Retail establishments, except as otherwise specified	One for each 300 square feet of gross floor area
B. Barber and beauty shops	One for each 75 square feet of gross floor area
C. Bowling alleys	Six for each bowling lane
D. Pharmacies	One for each 150 square feet of gross floor area
E. Retail stores handling bulky merchandise, household furniture, or appliance repair shops	One for each 600 square feet of gross floor area
F. Offices not providing services	One per four employees or one services per 400 square feet of gross floor area
G. Food and beverage places with sale and consumption on the premises:	
if less than 4,000 square feet floor area	One per 200 square feet of gross floor area
if over 4,000 square feet floor area	Twenty plus one per 100 square feet gross floor area in excess of 4,000 square feet
H. Medical and dental offices	One per each 150 square feet of gross floor area
I. Office buildings, business and professional offices with onsite customer service	One for every 400 square feet of gross floor area

Use	Parking Space Required
J. Establishments or enterprises of a recreational or an entertainment nature:	
1. Spectator type, e.g., auditoriums, assembly halls, theaters, stadiums, places of public assembly	One parking space for each four seats
2. Participating type, e.g., skating rinks, dance halls	One for each 75 square feet of gross floor area
3. Establishments for the sale of and consumption on the premises of food and beverages	One for each 60 square feet of gross floor area

**Industrial Types**

A. Except as specifically mentioned herein, industrial uses listed as permitted in the industrial districts:	
IL and IH	One for each 500 square feet of gross floor area
B. Wholesale and storage operations	One for each 700 square feet of gross floor area
C. Laboratories and research facilities	One for each 800 square feet of gross floor area
D. Machinery or equipment sales	One for each 1,000 square feet of gross floor area

(Ord. 485 § 11.02.06, 1971).

**20.72.140 Parking requirements for uses not specified.**

The parking space requirements for buildings and uses not set forth herein shall be determined by the director and such determination shall be based upon the requirements for the most comparable building or use specified herein. (Ord. 1505 § 13, 2001; Ord. 485 § 11.02.07, 1971).

**20.72.150 Loading areas.**

Each off-street loading space shall measure not less than 30 feet by 12 feet and shall have an unobstructed height of 14 feet 6 inches and shall be made permanently available for such purposes, and shall be surfaced, improved and maintained as required in PMC 20.72.050 through 20.72.110. Required loading spaces shall be in conformance with the following:

A. Freight terminals, industrial or manufacturing establishments, retail or wholesale stores or storage warehouses or any similar use which have, or intends to have, 10,000 square feet or more shall provide truck loading or unloading berths:

Square Feet of Aggregate Gross Floor Area	Required Number of Berths
10,000 to 15,999	1
16,000 to 39,999	2
40,000 to 65,000	3
each add'l 16,000	1 additional.

B. Office buildings, restaurants or similar uses which have, or intend to have, an aggregate gross floor area of 40,000 square feet or more shall provide truck loading or unloading berths:

Square Feet of Aggregate Gross Floor Area	Required Number of Berths
40,000 to 59,999	1
60,000 to 99,999	2
100,000 to 160,000	3
each add'l 60,000	1 additional.

(Ord. 1009 § 4, 1987; Ord. 485 § 11.03, 1971).

Chapter 20.74

ADULT MOTION PICTURE THEATERS

Sections:

20.74.010 Definitions.

20.74.020 Permitted in IL zone only.

20.74.030 Where prohibited in IL zone.

20.74.010 Definitions.

A. "Adult motion picture theater" means an enclosed building used for presenting motion-picture films, video cassettes, cable television, or any other such visual media, distinguished or characterized by an emphasis on matter depicting, describing or relating to "specified sexual activities," or "specified anatomical areas," as defined in this section, for observation by patrons therein.

B. "Specified anatomical areas" means:

1. Less than completely and opaquely covered human genitals, pubic region, buttock and female breast below a point immediately above the top of the areola; and

2. Human male genitals in a discernible turgid state, even if completely and opaquely covered.

C. "Specified sexual activities" means:

1. Human genitals in a state of sexual stimulation or arousal;

2. Acts of human masturbation, sexual intercourse or sodomy;

3. Fondling or other erotic touching of human genitals, pubic region, buttock or female breast.

D. "Used," in the definition of "adult motion-picture theater" herein, describes a continuing course of conduct of exhibiting "specific sexual activities" and "specified anatomical areas" in a manner which appeals to a prurient interest. (Ord. 1017 § 1, 1987).

20.74.020 Permitted in IL zone only.

Adult motion picture theaters shall be a permitted use only in an IL zone district subject to the restrictions provided in PMC 20.74.030. (Ord. 1017 § 2, 1987).

20.74.030 Where prohibited in IL zone.

A. Adult motion picture theaters are prohibited within the area circumscribed by a circle which has a radius consisting of the following distances from the following specified uses or zones:

1. Within, or within 600 feet of any residential zone (RMH, RML or RS) or any single-family or multiple-family residential use;

2. One thousand feet of any public or private school;

3. One thousand feet of any church or other religious facility or institution;

4. One thousand feet of any public park zone.

B. The distances provided in this section shall be measured by following a straight line, without regard to intervening buildings, from the nearest point of the property parcel upon which the proposed use is to be located, to the nearest point of the parcel of property or the land use district boundary line from which the proposed land use is to be separated.

C. Violation of the use provisions of this section is declared to be a public nuisance per se, which shall be abated by the city attorney by way of civil abatement procedures only, and not by criminal prosecution.

D. Nothing in this section is intended to authorize, legalize or permit the establishment, operation or maintenance of any business, building or use which violates any city ordinance or statute of the state of Washington regarding public nuisances, sexual conduct, lewdness, or obscene or harmful matter or the exhibition or public display thereof. (Ord. 1017 § 3, 1987).



**Chapter 20.76**

**INTERPRETATION AND ENFORCEMENT**

(Repealed by Ord. 1505)

**Chapter 20.78**

**LAND USE ACTION NOTICE BOARD INSTALLATION**

(Repealed by Ord. 1505)

**Chapter 20.80**

**WIRELESS COMMUNICATION FACILITIES**

Sections:

- 20.80.010 Purpose.
- 20.80.020 Definitions.
- 20.80.030 Exemptions.
- 20.80.040 Recognition of industry needs.
- 20.80.050 Preferences.
- 20.80.060 Towers shall be designed for co-location.
- 20.80.070 View protection.
- 20.80.080 Other design standards.
- 20.80.090 When a CUP is required – Criteria.
- 20.80.100 CUP application requirements.
- 20.80.110 Third-party review.
- 20.80.120 On-going inspections.
- 20.80.130 Removal upon abandonment.

**20.80.010 Purpose.**

The purpose of this section is to facilitate wireless communication, as required by the Telecommunications Act of 1996, while protecting the community from harmful effects, including visual impact. (Ord. 1503 § 2, 2001).

**20.80.020 Definitions.**

A. “Attached wireless communication facility” means a WCF in which the antenna:

- 1. Is attached, as an incidental use, to a pre-existing structure such as a building, water tank, utility pole, or WCF tower (see “co-location”); and
- 2. Is either an omni-directional whip antenna no more than seven inches in diameter and nor more than 16 feet tall, or a panel or parabolic antenna or antenna array no more than 12 square feet in total area.

B. “Co-location” means use of a freestanding WCF site by more than one service provider. Typically, a second antenna array is added to the tower and additional equipment is installed at the base of the tower.

C. “Freestanding WCF” means a WCF in which the antenna is supported by a structure designed for that purpose.

D. “Provider” means wireless communication service provider.

## 20.80.030

E. "Stealth antenna" means an antenna designed to be invisible to the average observer due to location in buildings, trees, etc., or due to technologies that render objects invisible.

F. "Wireless communication facility (WCF)" means an unstaffed facility for the transmission or reception of radio frequency signals, other than the exempt facilities listed in the following section. A WCF typically includes an antenna or antenna array, an antenna support structure, and an equipment cabinet. (Ord. 1503 § 2, 2001).

### 20.80.030 Exemptions.

The following shall not be considered WCFs, and shall be exempt from this chapter:

A. Industrial processing equipment and scientific or medical equipment using frequencies regulated by the FCC.

B. Radar systems for military and civilian communication and navigation.

C. Wireless radio facilities for emergency communications in the event of disaster.

D. Licensed amateur (ham) radio antennas.

E. Television antennas and satellite dish antennas for reception within individual homes or businesses.

F. Mobile WCFs, or "cells on wheels," placed in service for a maximum of one week or during an emergency declared by the city. (Ord. 1503 § 2, 2001).

### 20.80.040 Recognition of industry needs.

The city recognizes that:

A. In order to cover their service areas, providers require a network of WCFs;

B. The technology operates by line-of-sight transmission; and

C. Individual WCFs making up the network require available sites with road access, electric power, and land-based telephone lines or microwave link capability. (Ord. 1503 § 2, 2001).

### 20.80.050 Preferences.

In reviewing WCF proposals, the city shall give preference as follows, in descending order. The city shall permit WCFs of lower

preference only if WCFs of higher preference cannot be reasonably accomplished.

A. Stealth antennas;

B. WCFs attached to structures other than towers;

C. WCFs attached to (co-located on) existing towers;

D. New freestanding towers. (Ord. 1503 § 2, 2001).

### 20.80.060 Towers shall be designed for co-location.

Freestanding WCFs shall be designed to accommodate the antennas of at least two providers. Wireless communication providers proposing new freestanding towers shall notify other providers of the potential for co-location on their proposed tower. Providers, lessees, and agents thereof shall cooperate in good faith to accommodate co-location with competitors. If a dispute arises about the feasibility of co-locating, the director may require a third-party technical study at the expense of either or both parties. (Ord. 1503 § 2, 2001).

### 20.80.070 View protection.

A. In order to protect views of the Mt. Rainier skyline, the location and height of the proposed WCF shall be such that no portion of the WCF is visible against the sky above the ridge or slope running along the east edge of the White (Stuck) River Valley, nor against the backdrop of Mt. Rainier, as viewed from five feet above ground level at any residentially or commercially zoned property in Pacific. Applicants shall demonstrate compliance with this requirement by means of visual simulations.

B. WCFs shall not be subject to the height limits of the various zones, provided that:

1. PMC 20.80.070(A) is complied with;

2. The proposed WCF's height is the minimum necessary to fulfill the site's function within the provider's system and facilitate the proposed number of co-located WCFs.

C. WCFs shall be as visually unobtrusive as possible given available design alternatives. The city may require that towers be painted inconspicuous colors or be located among trees.

D. Attached WCFs shall be architecturally compatible with the structures to which they are attached, and shall be designed to blend in rather than stand out, protrude, or project.

E. No lights or signals shall be permitted on WCF towers unless required by the FCC or FAA.

F. The city shall require landscaping as necessary to screen structures or equipment at the base of a tower from public view. (Ord. 1503 § 2, 2001).

#### **20.80.080 Other design standards.**

A. The proposed site shall be superior to other available sites.

B. WCFs shall be set back from property lines in accordance with the requirements of the zones in which they are located.

C. WCFs shall comply with all applicable state and federal standards and regulations, as amended from time to time, including applicable building codes and Electronic Industries Association standards.

D. Providers shall be responsible for the elimination of interference with other communication signals.

E. Freestanding WCFs shall not be speculative, but rather immediately necessary for the proper functioning of the provider's system.

F. Freestanding WCFs shall be fenced or equipped with anti-climbing devices to exclude unauthorized personnel. In residential zones, the color of chain link fencing shall match the color of the tower.

G. WCFs shall not be located in water body buffers, wetlands, or wetland buffers as defined in the Pacific Municipal Code. (Ord. 1503 § 2, 2001).

#### **20.80.090 When a CUP is required – Criteria.**

A. Freestanding WCFs shall be a conditional use in all zones, provided all this chapter's sections are complied with.

B. Attached WCFs shall be a permitted use in all permitted zones, provided the director finds that the attachment does not violate any requirements or conditions relating to the pre-existing structure.

C. A conditional use permit (CUP) shall not be required for a second or subsequent WCF co-locating on a tower provided it complies with the initial conditional use permit and does not increase the height of the tower.

D. If a conditional use permit is required, compliance with this chapter shall constitute criteria in addition to the conditional use permit criteria stated in Chapter 20.20 PMC. (Ord. 1503 § 2, 2001).

#### **20.80.100 CUP application requirements.**

In addition to information generally required for conditional use permit (CUP) applications, applications for CUPs for free-standing WCFs shall include:

A. A map(s) of the area to be served by the tower or antenna, showing the proposed facility and other existing WCFs;

B. An evaluation of the prospect of attaching (co-locating) the antennas to existing structures or WCF towers in the vicinity;

C. A signed statement that the applicant will:

1. Diligently negotiate in good faith to co-locate additional WCFs by other providers on the same tower or site; and

2. Remove the facility after abandonment as required by this chapter;

D. A site plan, in plan and elevation view, showing existing and proposed features, including support structure(s), access, landscaping, fencing, lighting, and height and color(s) of the proposed facility;

E. Computerized photo-simulations of the proposed WCF demonstrating compliance with PMC 20.80.070(A);

F. Copies of environmental documents required by any federal agency, including the environmental assessment required by FCC Paragraph 1.1307;

G. A legal description of the parcel;

H. Proof of FCC licensing, if required by the FCC, and proof that the license holder, if not the applicant, has agreed to lease the site from the applicant;

I. Letters from providers that have WCF towers in the area stating that they cannot co-locate the proposed facility on their tower(s); and

## 20.80.110

J. Other evidence demonstrating compliance with this chapter as required by the director. (Ord. 1503 § 2, 2001).

### 20.80.110 Third-party review.

In processing a WCF permit application, the city may retain the services of independent technical experts to verify compliance. The applicant shall bear the cost of such technical review. (Ord. 1503 § 2, 2001).

### 20.80.120 On-going inspections.

The facility operator shall conduct ongoing safety inspections as required by Electronic Industries Association and FCC standards, and shall give copies of inspection reports to the director. (Ord. 1503 § 2, 2001).

### 20.80.130 Removal upon abandonment.

WCFs shall be removed within one year of cessation of operation for 60 or more consecutive days. If an abandoned WCF is not removed, the city may have it removed at the owner's expense. (Ord. 1503 § 2, 2001).

## Chapter 20.82

### CODE ENFORCEMENT

#### Sections:

- 20.82.010 Applicability of chapter.
- 20.82.020 Enforcement of the code – Infractions established.
- 20.82.030 Duty to enforce.
- 20.82.040 Investigation and enforcement.
- 20.82.050 Notice of violation and corrective order.
- 20.82.060 Notice of violation and corrective order – Time to comply.
- 20.82.070 Notice of violation and corrective order – Review by enforcement officer.
- 20.82.080 Notice of violation and corrective order – Failure to comply.
- 20.82.090 Notice of infraction – Contents – Issuance – Service.
- 20.82.100 Notice of infraction – Filing.
- 20.82.110 Notice of infraction – Uncontested – Effect.
- 20.82.120 Notice of infraction – Response.
- 20.82.130 Notice of infraction – Failure to respond or appear – Default judgment.
- 20.82.140 Notice of infraction – Contested hearing.
- 20.82.150 Notice of infraction – Mitigation hearing.
- 20.82.160 Judgment – Fine – Restitution – Restoration – Costs – Attorney's fees.
- 20.82.170 Enforcement of judgments.
- 20.82.180 Stop work order.
- 20.82.190 Emergency order.
- 20.82.200 Stop work order – Emergency order – Failure to comply.
- 20.82.210 Abatement.
- 20.82.220 Criminal penalties.
- 20.82.230 Definitions.

### 20.82.010 Applicability of chapter.

A. The provisions of this chapter, adopted pursuant to the authority of Chapter 7.80 RCW, apply to enforcement of Chapter 8.28 PMC, PMC Titles 17, 20, 21 and 23 and to enforcement of codes adopted by reference in

those titles and chapters. For purposes of this chapter, such titles and chapters are referred to as the “code.” Nothing herein is intended to preclude the city from pursuing any legal or equitable relief necessary to protect the public health, welfare or safety.

B. Infractions established in other chapters of Pacific’s Municipal Code, other than traffic infractions, shall be governed by PMC 20.82.090 through 20.82.170, 20.82.210 and 20.82.220. The city administrator shall designate the enforcement officer(s) for such chapters. (Ord. 1409 § 1, 1999).

**20.82.020 Enforcement of the code –  
Infractions established.**

A. The code shall be enforced as provided in this chapter.

B. The code shall be enforced for the benefit of the health, safety and welfare of the general public, and not for the benefit of any particular person or class of persons.

C. Any person who violates the code shall have committed a civil infraction and shall be proceeded against as provided herein.

D. The Pacific municipal court shall have jurisdiction to hear and determine civil infractions, to issue process and to enforce its orders and its judgments all as provided in Chapters 3.50 and 7.80 RCW. (Ord. 1409 § 1, 1999).

**20.82.030 Duty to enforce.**

A. The city community development director is designated as the “enforcement officer” responsible for enforcing the code. With the prior approval of the city administrator, the community development director may call upon other city employees and officers to assist in enforcement.

B. Upon presentation of proper credentials, the enforcement officer may, with the consent of the owner or occupier of a building or premises, or pursuant to a lawfully issued inspection warrant, enter at reasonable times any building or premises subject to the consent or warrant, in order to perform the duties imposed by the code.

C. The obligation of complying with the requirements of the code rests with the owner, occupier or other person responsible for the

condition of the land and buildings within the scope of the code.

D. The requirements placed upon the enforcement officer or any city officer by this chapter are not intended to impose any duty upon the city or any of its officers or employees which would subject them to damages in a civil action. (Ord. 1409 § 1, 1999).

**20.82.040 Investigation and enforcement.**

A. The enforcement officer shall investigate any structure or use which the enforcement officer believes does not comply with the code.

B. Whenever the enforcement officer determines that a violation of the code has occurred there shall be served upon the responsible person either:

1. A notice of violation and corrective order; or
2. A notice of infraction.

C. The enforcement officer shall issue a notice of violation and corrective order, unless the person cited has been served with a prior notice of violation, the person cited has committed prior violations of the code, the person is cited for failing to comply with a stop work order or an emergency order, or the violation creates an immediate threat to public health, safety or welfare. (Ord. 1409 § 1, 1999).

**20.82.050 Notice of violation and  
corrective order.**

A. Whenever the enforcement officer determines that the code has been violated, a notice of violation and corrective order shall be served upon the person responsible for the condition, unless this chapter requires issuance of a notice of infraction. The notice of violation shall:

1. Separately identify each violation;
2. Identify any necessary corrective action and a time for compliance;
3. Advise of the right of review; and
4. Advise that any subsequent violations shall be prosecuted as a civil infraction and may result in criminal prosecution.

B. The notice shall be served by personal service or by certified mail.

## 20.82.060

C. Whenever possible, a copy of the notice shall be posted at a conspicuous place on the property.

D. A copy of the notice shall be mailed to all property owners or resident within 300 feet of the property.

E. The enforcement officer may mail or deliver to all residential and/or nonresidential rental units on the property a notice informing each recipient of the notice of violation and corrective order, stop work order or emergency order and the applicable requirements and procedures. (Ord. 1409 § 1, 1999).

### **20.82.060 Notice of violation and corrective order – Time to comply.**

A. The time for taking corrective action shall be established taking into consideration:

1. The violation(s);
2. Permits needed to take corrective action;
3. The difficulty of the corrective action; and
4. Other circumstances, including cost, deemed relevant by the enforcement officer.

B. The notice of violation and corrective order is final, unless a request for review is filed with the enforcement officer within three business days from the date of the notice of violation and corrective order in case of personal service, otherwise within five business days; provided, that the enforcement officer may grant review whenever that officer is satisfied that failure to seek timely review was for good cause. (Ord. 1409 § 1, 1999).

### **20.82.070 Notice of violation and corrective order – Review by enforcement officer.**

A. Any person affected by a notice of violation and corrective order may obtain administrative review thereof by filing a timely written request with the enforcement officer. Upon receipt of such request the enforcement officer shall notify the person(s) served with the notice and the complainant, if any, of the date, place, and time of the review, which shall be not be less than five days nor more than 10 days after the request is received. Emergency

or stop work orders issued in conjunction with a notice of violation and corrective order are not subject to administrative review.

B. The review will be an informal proceeding at which the enforcement officer shall explain the reasons for issuing the notice of violation and corrective order and consider information presented by any affected person. Any person affected by the notice of violation and corrective order may submit written material to the enforcement officer no later than two days before the date scheduled for the review.

C. The enforcement officer may sustain the notice of violation and corrective order; withdraw the notice of violation and corrective order; modify the notice of violation of violation and corrective order; or continue the review to a date certain for presentation of additional information.

D. The enforcement officer shall issue an order containing the decision within five days of the date the review is completed and mail the same to each affected person. The decision of the enforcement officer is final. (Ord. 1409 § 1, 1999).

### **20.82.080 Notice of violation and corrective order – Failure to comply.**

A. The enforcement officer shall issue a stop work order in any case where there is a failure to comply with a notice of violation and corrective order or a notice of violation and corrective order modified after administrative review.

B. A failure to comply with a notice of violation and corrective order or a notice of violation and corrective order modified after administrative review is an infraction subject to a fine of \$250.00 per day from the date set for compliance in the corrective order until compliance with the corrective order is achieved.

C. It is a defense to an infraction filed under subsection B of this section, if the person named in the infraction establishes by a preponderance of the evidence that the violation for which the notice of violation and corrective order was issued did not occur. (Ord. 1409 § 1, 1999).

**20.82.090 Notice of infraction – Contents – Issuance – Service.**

A. Whenever the enforcement officer determines that a violation of the code has occurred and that a notice of infraction should be issued as provided in PMC 20.82.040(C), there shall be served upon the owner or other responsible person a notice of infraction that shall:

1. State that the notice of infraction represents a determination that a civil infraction has been committed by the person cited, and that the determination is final unless contested;

2. State that a civil infraction is not a criminal offense and that imprisonment may not be imposed as a sanction;

3. Separately identify each infraction and the fine imposed for each violation, and explain the possible responses to the notice of infraction and how each may be exercised;

4. Identify any necessary corrective action and a time for compliance;

5. State that with regard to a contested infraction, the city shall bear the burden of proving by a preponderance of the evidence at a hearing that the violation(s) occurred, and that at such hearing the alleged violator may call witnesses, including the enforcement officer, and present evidence; and that with regard to a request for a hearing on mitigating circumstances, the person cited will be deemed to have committed the infraction and will not be allowed to subpoena witnesses;

6. State that the person must respond within 15 days of the date of the notice and require that the person named in the notice of infraction sign a promise to respond; and

7. State that a failure to respond or appear as promised will result in the entry of a default judgment in the amount of the fine, and that failure to respond or to appear as promised is a misdemeanor punishable by a fine and/or imprisonment.

B. The notice of infraction may be issued upon certification that there is probable cause to believe the infraction occurred:

1. By the enforcement officer; or

2. By the city prosecutor if the enforcement officer files a written statement that the civil infraction was committed in the officer's

presence or a written statement establishing that the officer has reasonable cause to believe the civil infraction was committed.

C. The notice of infraction shall be served upon the person named in the notice:

1. By the enforcement officer at the time of issuance; or

2. By the enforcement officer or the prosecuting attorney filing the notice of infraction with the court, whereupon the court shall have the notice served either personally or by certified mail. If the notice of infraction served by mail is returned to the court as undeliverable, the court shall issue a summons. (Ord. 1409 § 1, 1999).

**20.82.100 Notice of infraction – Filing.**

A notice of infraction shall be filed in the municipal court within 48 hours of the date of the notice, excluding Saturdays, Sundays and holidays. (Ord. 1409 § 1, 1999).

**20.82.110 Notice of infraction – Uncontested – Effect.**

Unless contested as provided herein, the notice of infraction constitutes a determination that the person named in the notice of infraction committed the violation. (Ord. 1409 § 1, 1999).

**20.82.120 Notice of infraction – Response.**

A. A person who receives a notice of infraction shall respond to the court, in person or by mail, within 15 days of the date the notice was served.

B. A person named in a notice of infraction who does not intend to contest the notice shall respond by completing the appropriate section of the notice and returning it to the court by the date required, along with a check or money order in the amount of the prescribed fine. An appropriate order shall be entered into the court records and a copy thereof furnished to the city planner.

C. A person named in the notice of infraction who does intend to contest the notice shall respond by completing the appropriate section of the notice and returning it to the court by the date required.

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D. A person named in a notice of infraction who does not intend to contest the notice, but who wishes to plead mitigating circumstances shall respond by completing the appropriate section of the notice and returning it to the court by the date required.

E. Whenever a notice is contested or mitigating circumstances are pleaded, the court shall schedule a hearing no sooner than 14 days nor more than 120 days from the date of the notice of infraction. (Ord. 1409 § 1, 1999).

### **20.82.130 Notice of infraction – Failure to respond or appear – Default judgment.**

The court shall enter an order of default and impose the maximum fine on each violation whenever a person named in the notice of infraction fails either to respond or to appear at a requested hearing. (Ord. 1409 § 1, 1999).

### **20.82.140 Notice of infraction – Contested hearing.**

A. A hearing held to contest a notice of infraction shall be without a jury.

B. The court may consider the notice of infraction and any sworn statement submitted by the enforcement officer in lieu of personal appearance and testimony. The person named in the notice of infraction may appear through counsel, subpoena witnesses, including the enforcement officer, present evidence, and examine witnesses.

C. The city shall bear the burden of proving by a preponderance of the evidence that the violation was committed and that the person named in the notice of infraction committed the violation.

D. If the court determines that the city failed to establish that the violation was committed it shall enter an order dismissing the notice. If the court determines that the violation was committed it shall enter an order as provided herein.

E. The court's decision may be appealed to the superior court according to the Rules for Appeal of Decisions of Courts of Limited Jurisdiction. (Ord. 1409 § 1, 1999).

### **20.82.150 Notice of infraction – Mitigation hearing.**

A hearing to present mitigating circumstances shall be an informal proceeding in which the notice may not be contested and neither party may subpoena witnesses. After considering the information presented, the court shall enter an appropriate order, which may not be appealed. (Ord. 1409 § 1, 1999).

### **20.82.160 Judgment – Fine – Restitution – Restoration – Costs – Attorney's fees.**

A. Upon a finding that the violation occurred, the court shall enter judgment requiring:

1. Payment of a fine of not more than \$250.00 for each violation;
2. Restitution, including restoration of property, in an appropriate case; and
3. Payment of court costs as defined by rule or statute.

B. The court may waive or suspend the monetary penalty for an infraction; and whenever the court determines that person has insufficient funds to pay the penalty, it may impose community service in lieu of the penalty at the rate of state minimum wage per hour.

C. Unless appealed, judgment amounts are payable immediately; provided, that the court may grant an extension of time for good cause shown.

D. In every case the prevailing party shall be awarded its reasonable attorney's fees. (Ord. 1409 § 1, 1999).

### **20.82.170 Enforcement of judgments.**

A. Judgments entered under authority of this chapter shall be enforced in the same manner as other civil judgments.

B. Whenever a judgment is not satisfied, the court shall notify the city prosecutor, who shall proceed to enforce the judgment. The city prosecutor shall notify the enforcement officer of the failure to pay. The enforcement officer shall notify other city department directors and no further city permits shall be issued to the judgment debtor until the judgment is satisfied. (Ord. 1409 § 1, 1999).



**20.82.180 Stop work order.**

Whenever a continuing violation of this code materially impairs the enforcement officer's ability to secure compliance with this code, or threatens the health or safety of the public, the enforcement officer shall issue a stop work order identifying the violation and prohibiting any work or other activity at the site. (Ord. 1409 § 1, 1999).

**20.82.190 Emergency order.**

Whenever any use or activity is in violation of the code and threatens the health and safety of the occupants of the premises or the public, the enforcement officer shall issue an emergency order directing that the use or activity be discontinued and that the violation be corrected. The emergency order shall specify the time for compliance and shall be posted in a conspicuous place on the property, if posting is physically possible.

Any condition described in the emergency order that is not corrected within the time specified is a public nuisance and the enforcement officer shall abate such nuisance as provided by law. The cost of such abatement shall be recovered from the owner or person responsible, or both, in the manner provided by law. (Ord. 1409 § 1, 1999).

**20.82.200 Stop work order – Emergency order – Failure to comply.**

A failure to comply with a stop work order or an emergency order is an infraction subject to a fine of \$250.00 per day from the date of the order until compliance with the order is achieved. (Ord. 1409 § 1, 1999).

**20.82.210 Abatement.**

A. The city may abate a condition that was caused or continues to be a violation when a notice of violation or notice of infraction has been issued that requires corrective action, the time for correction specified in the notice or any modified notice has passed without the condition being corrected, and the notice has not been appealed or the notice has been affirmed by a court.

B. Whenever any violation of a code causes a condition, the existence of which constitutes

an immediate and emergent threat to the public health, safety, or welfare or the environment, the city may summarily and without prior notice abate the condition. Notice of such abatement, including the reason for the abatement, shall be given to the person responsible for the violation as soon as reasonably possible after the abatement.

C. Using any lawful means, the city may enter upon the subject property and may remove or correct the condition that is subject to abatement. The city may seek such judicial process as it deems necessary to effect the removal or correction of such condition.

D. The costs, including incidental expenses of correcting the violation, shall be billed to the person responsible for the violation and/or the owner, lessor, tenant or other person entitled to control, use, or occupy the property and shall become due and payable to the city within 10 calendar days of the date of billing. The term "incidental expenses" includes but it is not limited to personnel costs, both direct and indirect, costs incurred in documenting the violation, hauling, storage and disposal costs, and actual expenses and costs of the city in preparing notices, specifications and contracts, and in accomplishing and/or contracting and inspecting the work. The costs shall be a joint and separate obligation of each person billed. If the costs are not paid when due, the city may collect the costs by use of all appropriate legal remedies, including an action in municipal court. (Ord. 1409 § 1, 1999).

**20.82.220 Criminal penalties.**

A. Any person named in a notice of infraction who fails to respond or who wilfully violates a signed promise to appear in court is guilty of a misdemeanor.

B. Any person who violates the code and who has been found to have committed two code infractions in the preceding 10 years shall be guilty of a gross misdemeanor.

C. Any person who wilfully fails to comply with a court order entered pursuant to this chapter shall be guilty of a gross misdemeanor. (Ord. 1409 § 1, 1999).

**20.82.230 Definitions.**

A. "Certified mail," whenever used in this chapter, includes "return receipt requested, to the person's last known address."

B. "Enforcement officer" means the city employee appointed pursuant to PMC 20.82.030 as city officer to perform the duties imposed by this chapter. The term "enforcement officer" includes any representative designated by the city as provided herein.

C. "Person" means any natural person, partnership, L.L.C., corporation, association, public agency, or other legal entity. (Ord. 1409 § 1, 1999).

**Chapter 20.84**

**SIGN CODE<sup>1</sup>**

Sections:

- 20.84.010 Definitions.
- 20.84.020 Applicability.
- 20.84.030 General.
- 20.84.040 Permits.
- 20.84.050 Monument and freestanding signs.
- 20.84.060 Building-mounted signs and parapet-mounted signs.
- 20.84.070 Number of primary signs.
- 20.84.080 Buildings on more than one street.
- 20.84.090 Incidental signs.
- 20.84.100 Directional signs.
- 20.84.110 Temporary and special signs.
- 20.84.120 Political headquarters signs.
- 20.84.130 Political signs on private property that is not a headquarters.
- 20.84.140 Off-premises signs.
- 20.84.150 Exempt signs or displays.
- 20.84.160 *Repealed.*
- 20.84.170 Prohibited signs.
- 20.84.180 *Repealed.*
- 20.84.190 *Repealed.*

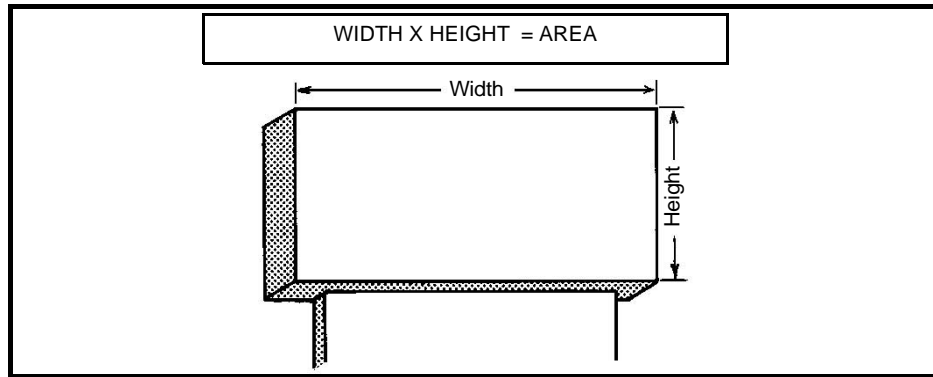
**20.84.010 Definitions.**

1. "Area of surface of sign" means the greatest area of a sign, visible from any one viewpoint, excluding sign support structures which do not form part of the sign proper or the display. "Surface area" includes only one face of a multiple-faced sign. The surface area of the sign is determined by the area of the smallest rectangle or circle that will enclose the sign. For signs without a frame or backing, the area(s) of the individual letters or symbols shall be used. See Figure A.

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1. Code reviser's note: For adoption of the Uniform Sign Code, see Ch. 17.22 PMC.

**Figure A – Sign Surface Area Calculation**



2. “Billboard” means, generally, a large outdoor advertising sign with two structural supports, containing a message, commercial or otherwise, unrelated or related to any use or activity on the property on which the sign is located but not including attached directional signs (not within the billboard face) as defined herein.

3. “Building-mounted sign” means a sign or multiple-face sign attached to the face of building or marquee. See Figure B.

4. “Canopy” means a structure freestanding or affixed to a building which affords protection from the elements to persons or property thereunder.

5. “Canopy sign” means any sign or awning erected upon, against, or directly above a canopy. See Figure C.

6. “Construction sign” means an informational sign which identifies the architect, engineers, contractors and other individuals of firms involved with the construction of a building, or announcing the character of the

building or enterprise, which is erected during the building construction period.

7. “Directional sign” means a single- or double-faced sign not exceeding nine square feet in surface area designed to guide or direct pedestrian or vehicular traffic to an area, place or convenience.

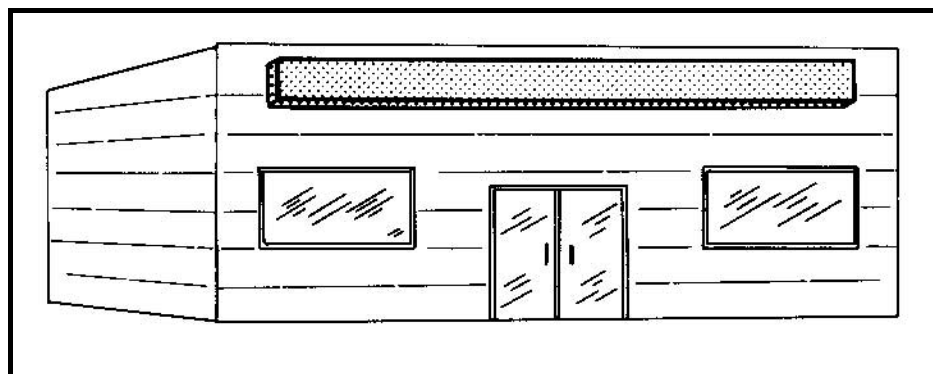
8. “Facade” means the entire building front, or street wall face, including grade to the top of the parapet or eaves, and the entire width of the building elevation.

9. “Freestanding sign” means a sign that has one or two (architecturally covered) columns supporting a sign and limited to the height standards established in this code. See Figure D.

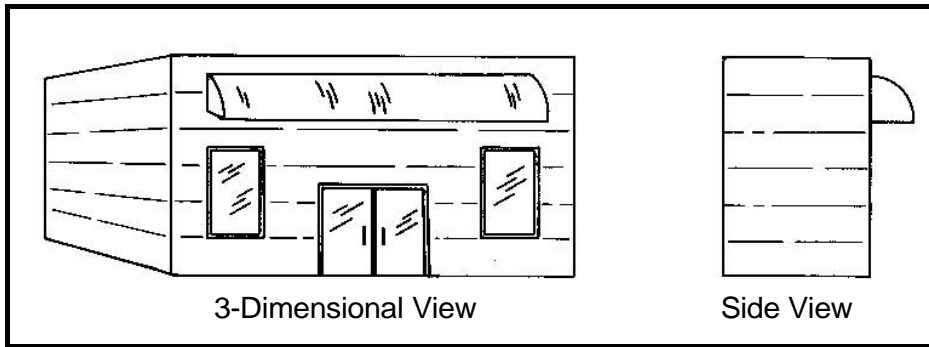
10. “Grade (ground level)” means the elevation of the street nearest to the sign.

11. “Height of sign” means the vertical distance from the grade to the highest point of a sign or any vertical protection thereof, including its supporting columns.

**Figure B – Building-Mounted (Wall) Sign**



**Figure C – Canopy Sign**



12. “Incidental sign” means small signs, nine square feet or less in surface area, of a nonconforming nature, intended primarily for the convenience of the public. Included are signs designating restrooms, address numbers, hours of operation, entrances to buildings, directions, help wanted, public telephone, etc. Also included in this group of signs are those designed to guide or direct pedestrians or vehicular traffic to an area or place on the premises or a business building or development by means of a directory designating names and addresses only. Promotional signs are not considered incidental signs.

13. “Marquee” means a covering structure projecting horizontally from and attached to a building, affording protection from the elements to persons or property thereunder. Also considered an extension of a building-mounted sign.

14. “Monument sign” means a ground-mounted, fixed sign with a height ranging from five to 15 feet above the grade level. The base (not included in the sign surface area calculation)

) is attached to the ground as a wide base of solid construction. The base shall be included in the calculation of the sign height. See Figure E.

15. “Multiple-occupancy building” means a single structure housing more than one retail business office or commercial venture.

16. “Multiple building complex” means a group of structures housing more than one type of retail business, office or commercial venture, and generally under one ownership and control.

17. “Noncommercial public service sign” means noncommercial signs devoted to religious, charitable, cultural, governmental or educational messages including, but not limited to, the advertisement of events sponsored by either a governmental agency, school, church, civic or fraternal organization, or other organizations engaged in activities for profit.

18. “Parapet” means that portion of a building wall which extends above the roof of the building.

**Figure D – Freestanding Sign**

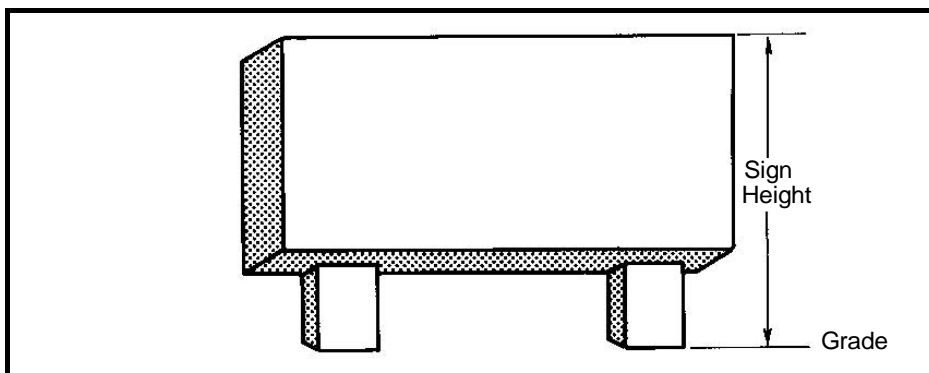
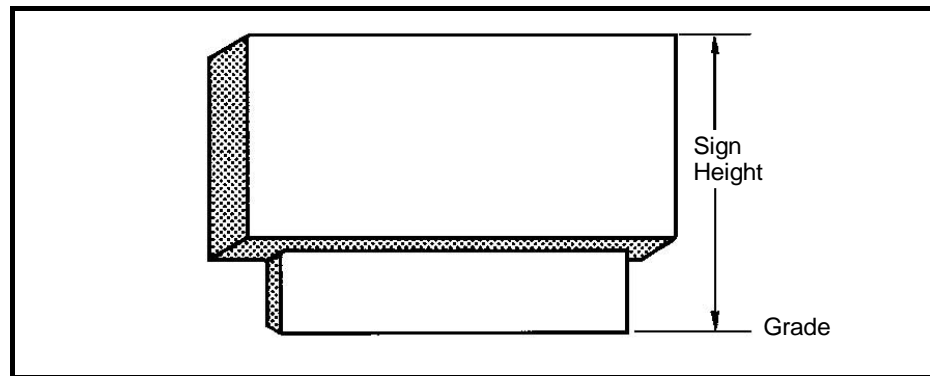


Figure E – Monument Sign



19. “Parapet sign” means any sign erected upon the parapet of a building/ventilation equipment.

20. “Penthouse” means a structure on top of a building roof which houses an elevator shaft or similar structure.

21. “Political sign” means signs advertising a candidate or candidates for public elective office or a political party, or sign urging a particular vote on a public issue decided by ballot.

22. “Portable sign” means any sign made of any material, including paper, cardboard, wood or metal, which is capable of being moved easily and is not permanently affixed to the ground, structure or building. This also includes sidewalk or sandwich board signs, except those worn by a person.

23. “Primary sign(s)” means all signs which are not exempt from this chapter.

24. “Property line” means the line denoting the limits of legal ownership of a property.

25. “Reader board” means a sign or part of a sign on which the letters are readily replaceable such that the copy can be changed from time to time at will.

26. “Sign” means all surfaces/structures (permitted, exempt, or prohibited) regulated by this chapter that have letters, figures, design, symbols, trademark or devices intended to attract attention to any activity, service, place, subject, person, firm, corporations, public performance, article, machine or merchandise, whatsoever.

27. “Single-occupancy building” means a commercial building or structure with one

major enterprise. A building is classified a “single-occupancy” only if:

a. It has only one occupant;

b. It has no wall in common with another building;

c. It has no part of its roof in common with another building.

28. Special Signs. See “Temporary and special signs.”

29. “Subdivision signs” means signs used to identify a land development of a residential nature.

30. Surface Area. See “Area of surface of sign.”

31. “Surface area of facade” means the area of that continuous front, side or back surface, including doors and windows, but excluding any roof area and structures or elevators or air-conditioning equipment thereon.

32. “Temporary and special signs” means a nonpermanent sign intended for use for a period of time; includes any banner, pennant or advertising display constructed of canvas, fabric, wood, plastic, cardboard or wallboard, with or without a frame. Different types of temporary and special signs included in this category are construction signs, grand opening displays, real estate signs, open house signs, residential land subdivision signs and subdivision directional signs.

33. “Window sign” means all signs located inside and affixed to or within three feet of a window of a building, whether temporary or permanent, lighted or unlighted, which may be viewed from the exterior of the building. The term does not include merchandise located

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within three feet of a window. (Ord. 1394 § 1, 1998).

### 20.84.020 Applicability.

The standards contained in this chapter apply to signs located in the office park (OP), light industrial (LI), commercial (C), heavy industrial (HI), neighborhood business (NB), and highway commercial (HC) zoning districts. (Ord. 1394 § 1, 1998).

### 20.84.030 General.

A. In general, signs should be scaled to the building to which the sign is related. Accordingly, this chapter contains regulations on area, number and height of signs which are a function of the size of the building to which the sign is related.

B. Each enterprise in a multiple building complex which is composed of single- and/or multiple-occupancy buildings shall be permitted the primary signs described in PMC 20.84.050 and 20.84.060, and may combine signage needs into a single monument or free-standing sign not to exceed 85 square feet in area and 15 feet in height.

C. Each enterprise shall display and maintain on-premises street number identification; provided, that a permit shall not be required for number identification.

D. A sign and its projections shall not obstruct vehicular or pedestrian traffic sight. No sign shall be located so as to be hazardous to a motorist's ingress or egress from parking areas or any way open to the public.

E. All signs, including signs heretofore installed, shall be constantly maintained in a state of security, safety and repair. If any sign is found not to be so maintained or is insecurely fastened or otherwise dangerous, it shall be the duty of the owner and/or occupant of the premises on which the sign is fastened to repair or remove the sign within five days after receiving notice from the public works administrator or designee. The premises surrounding a monument or freestanding sign shall be free and clear of rubbish and any landscaping area free of weeds.

F. Landscaping for Monument and Free-standing Signs. All primary monument and

freestanding signs shall include, as part of their design, general landscaping and curbs about their base to prevent automobiles from hitting the sign-supporting structure and to improve the overall appearance of the installation.

G. All sign users shall permit the periodic inspection of their signs by the city upon request.

H. All signs shall comply with Chapter 17.22 PMC (mechanical code and sign code).

I. Whenever two provisions of this chapter conflict with regard to size or placement of a sign, the more restrictive provision shall apply. (Ord. 1505 § 13, 2001; Ord. 1394 § 1, 1998).

### 20.84.040 Permits.

A. Except as otherwise permitted by this chapter, no sign shall be erected, altered or relocated without a valid permit issued by the city. Applications for sign permits shall be submitted to the director, together with the fee established by resolution. The application shall state the content of the sign, shall include a site plan showing the location of the signs, position of buildings and landscaped areas, and the elevation, configuration, and size of the sign, and shall state any other information requested by the city.

B. Legally established signs that include changeable copy are exempt from the permit requirement for altering the changeable copy. (Ord. 1505 § 13, 2001; Ord. 1394 § 1, 1998).

### 20.84.050 Monument and freestanding signs.

A. Any monument or freestanding sign must be "integrated," that is, all elements of the sign must be incorporated in a single design. Auxiliary projections or attachments not a part of a single design are prohibited. Monuments and freestanding signs may be illuminated through internal and external illumination. Internal or external illumination shall not create glare on adjacent traffic corridors. If external illumination is used, the light source shall be shielded so that the lamp is not visible from adjacent properties or public streets. The director, prior to issuance of a building permit, shall approve the type of external illumination.

B. Setbacks for monument and freestanding signs shall be as follows:

Interior Lots

5 feet from the front property line.  
10 feet from the side property lines.

Corner Lots

5 feet from all property lines.

C. Sign height shall be measured based on street monument grade. The maximum sign height for monument and freestanding signs shall be as follows:

LI, C, HC and HI zones

15 feet.

OP zone

10 feet.

NB zone

5 feet.

D. The maximum surface area for monument and freestanding signs shall be as follows:

LI, C, HC and HI zones

85 square feet per face.

OP zone

40 square feet per face.

NB zone

15 square feet per face.

E. No signs shall protrude above the height of the building. (Ord. 1505 § 13, 2001; Ord. 1394 § 1, 1998).

**20.84.060 Building-mounted signs and parapet-mounted signs.**

A. The maximum surface area for building-mounted or parapet-mounted signs shall be as follows:

LI, C, HC and HI zones

10 percent of the area of the facade.

NB or OP zones (except multiple-occupancy buildings in the OP zones)

20 square feet.

Multiple-occupancy buildings in the OP zones

10 percent of the area of the facade.

B. In addition, the following conditions apply to building-mounted signs or parapet-mounted signs:

1. In multiple-occupancy buildings, the facade area for each tenant or user is derived by measuring only the surface area of the exterior facade of the premises actually used by the tenant or user. The sign displayed by the tenant or user must be located on the facade that was used to determine the size of the sign, except as provided in this section.

2. Sign Height – Parapet Signs. The height of any parapet sign shall not extend above the highest exterior wall of the building. Additionally, no parapet sign can be extended above the highest roof ventilation structure.

3. Any building-mounted sign shall not project more than six feet from the face of the building to which the sign is attached. Any structural supports shall be an integral part of the design or concealed from view.

4. Any building-mounted signs shall be limited in content and message to identify the building and the name of the firm, or the major enterprise, and principal product and/or service information.

5. All parapet signs must be manufactured in such a way that they appear to be a part of the building itself. (Ord. 1394 § 1, 1998).

**20.84.070 Number of primary signs.**

A business may not have more than one monument or freestanding sign. The number of building-mounted signs and parapet-mounted signs shall be limited by the surface area of the building facade. (Ord. 1394 § 1, 1998).

**20.84.080 Buildings on more than one street.**

A. Buildings located on more than one street are entitled to one monument or freestanding sign per street.

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B. When a building is located on intersecting streets, two monument or freestanding signs are permitted if they are located on two different streets and are separated more than 100 feet measured in straight line between signs. Otherwise, only one monument sign is permitted. The setback limitations under PMC 20.84.050 must be met. (Ord. 1394 § 1, 1998).

### 20.84.090 Incidental signs.

Incidental signs are not included in the number of primary signs so long as the incidental signs do not exceed nine feet in surface area. (Ord. 1394 § 1, 1998).

### 20.84.100 Directional signs.

Directional signs shall not exceed nine square feet in surface area and may be located only on the premises to which the sign is intended to guide or direct pedestrian or vehicular traffic. Off-premises directional signs may be approved through a variance process described in Chapter 20.16 PMC, when the applicant has demonstrated that the property is located or configured such that on-premises directional signs are inadequate to reasonably apprise the public of the location of the enterprise. (Ord. 1394 § 1, 1998).

### 20.84.110 Temporary and special signs.

Temporary and special signs or displays are nonpermanent in nature and are intended for use only for a short period of time. The category includes any banner, pennant or advertising display constructed of canvas, fabric, wood, plastic or other semi-durable material, with or without a frame. The following temporary and special signs are allowed without obtaining a permit under this chapter, with the following limitations:

A. Construction Signs. One construction sign (which may be double-face) is permitted per construction project for each public street upon which the project fronts. The sign shall be removed upon completion of the construction. No construction sign shall exceed 32 square feet in surface area or 10 feet in height, nor be located closer than 10 feet from the property line or closer than 30 feet from the property line of the abutting owner. The sign

shall be removed upon completion of the construction phase.

B. Grand Opening Displays. Temporary signs, posters, banners, strings of lights, clusters of flags, blinking lights, balloons and searchlights are permitted for one week only to announce the opening of a completely new enterprise or the opening of an enterprise under new management. All such materials shall be removed immediately upon the expiration of one week (seven consecutive days). Use of the above-described devices within the limits specified shall be an exception to the general prohibition on these devices in this code. For further limitations on searchlights, see PMC 20.84.170(H). Such displays are not exempt from permit requirements, and are permitted only where the enterprise so advertised is allowed under this code.

C. Real Estate Signs. All exterior real estate signs must be of wood or plastic or other durable materials. The permitted signs, with applicable limits, are as follows:

1. Undeveloped Property "For Sale or Rent" Signs. Signs advertising undeveloped commercial or industrial property "For Sale or Rent" shall be limited to one single-faced or double-faced sign per street frontage. Signs may be displayed while the property is actually for sale or rent. The sign may not exceed 16 square feet in surface area, or a height of eight feet.

2. Developed Property "For Sale or Rent" Signs. Signs advertising developed commercial or industrial property "For Sale or Rent" shall be limited to one single-faced or double-faced sign per street frontage. Signs may be displayed while the property is actually for sale or rent. The sign may not exceed 16 square feet in surface area, or a height of eight feet.

D. Banners for Advertising Products and Services. The total sign area for banners shall not exceed 32 square feet. No banner may be posted for more than 45 days in any year.

E. Sandwich Boards for Advertising Products and Services. Only one sandwich board sign is allowed per business. Sandwich boards may only be posted during business hours for the business. The height and placement of the



sign may not obstruct vehicular or pedestrian traffic. The sign is limited to only two faces and may not exceed nine square feet per face. (Ord. 1394 § 1, 1998).

**20.84.120 Political headquarters signs.**

A. Party Headquarters for Candidate or Ballot Issue. On-premises political signs are permitted on the premises of political headquarters so long as the signs meet the requirements of this chapter.

B. On-premises political signs are permitted on the premises of the headquarters of a candidate for public elective office (whether partisan or nonpartisan) or at the headquarters of persons supporting or opposing a public issue decided by ballot. Such signs shall be removed within seven days after the general election. (Ord. 1394 § 1, 1998).

**20.84.130 Political signs on private property that is not a headquarters.**

A. Signs, posters or bills promoting or publicizing candidates for public office or issues that are to be voted upon in a primary, general or special election may be displayed on private property without obtaining a permit under this chapter until seven days following the immediately subsequent general election; provided, that signs, posters or bills promoting unsuccessful candidates in a primary election shall be removed within seven days following the primary election. It shall be the responsibility of the campaign officer or responsible campaign official to have the signs, posters or bill removed.

B. Political Signs Not Allowed on Public Property. It is unlawful for any person to paste, paint, affix or fasten on any utility pole, the sidewalk, roadway, or any public building or structure any such sign, poster, bill or other advertising device when such facilities are located on public property or within public easements.

C. Public Notices Unaffected. Nothing in this section shall be construed to prohibit the placement of public notices required by law.

D. The display of any political sign in violation of this chapter or any portion or part

thereof, shall be presumed to have been done at the direction and request of the campaign officer or responsible official. (Ord. 1394 § 1, 1998).

**20.84.140 Off-premises signs.**

All signs shall be located on the property containing the enterprise advertised by the sign, unless the applicant establishes the following criteria:

A. Where the business can demonstrate, by means of a site or location plan that horizontal visibility from the street is impaired by other buildings or structures or due to distance or because exposure to passing traffic is limited;

B. Where the business is not a home occupation or otherwise limited as to signage by this chapter;

C. Only one off-premises sign may be approved per business location or site;

D. There shall be a maximum total of two signs on any affected property at any time;

E. The requested sign shall provide sufficient vision clearance for vehicular and pedestrian traffic; and

F. The requested sign shall be constructed of durable materials and be esthetic in appearance and quality. (Ord. 1394 § 1, 1998).

**20.84.150 Exempt signs or displays.**

The following signs or displays are exempt from this chapter:

A. Traffic or pedestrian control signs or signals, or signs in the public right-of-way indicating scenic or historic points of interest which are erected by or on the order of a public officer in the performance of public duty;

B. Signs required by law;

C. Noncommercial public service signs, official public notices, official court notices or official police notices;

D. The flag of a government or noncommercial institution such as a school;

E. Signs in the interior of a building more than three feet from the closest window or not facing a window;

F. Plaques, tablets or inscriptions indicating the name of a building, its date of erection, or other commemorative information, which are an integral part of the building structure or

## 20.84.160

are attached flat to the face of the building, which are nonilluminated, and which do not exceed three square feet in surface area;

G. "No Trespassing," "No Dumping," "No Parking," "Private Property" and other on-site informational warning signs, which shall not exceed three square feet in surface area;

H. Reasonable seasonal decorations within the appropriate public holiday season, however, such displays shall be removed promptly at the end of the public holiday season;

I. The flag of a commercial institution; no more than one flag (excluding flags of nationality) is permitted per business premises the flag shall not exceed 20 square feet in surface area, and shall be let loose to fly in the breeze;

J. Sculptures, fountains, mosaics and design features which do not incorporate advertising or identification;

K. Sandwich-board signs worn by a person while walking the public ways of the city;

L. Reasonable temporary decorations and signs for the purpose of announcing or supporting a nonprofit sponsored community fair, festival or event. Such decorations and signs may be displayed no more than 14 calendar days prior to and during the fair, festival or event. (Ord. 1394 § 1, 1998).

### 20.84.160 Nonconforming signs.

*Repealed by Ord. 1505.* (Ord. 1394 § 1, 1998).

### 20.84.170 Prohibited signs.

The following signs or displays are prohibited, unless otherwise approved by this chapter. Prohibited signs are subject to removal by the city at the owner's or user's expense.

A. Window signs containing material unrelated to the merchandise for sale or service performed by the person or business on whose premises or property the sign is located; provided, however, on-premises signs may call the attention of the public to public holidays or community events, the time and temperature.

B. Signs which purport to be, or are an imitation of, or resemble an official traffic sign or signal or which bear the words, "stop," "caution," "danger," "warning" or similar words.

C. Signs which, by reason of their size, location, content, coloring or manner of illumination, may be confused with or construed as a traffic control sign, signal or device, or the light of any emergency police, fire or ambulance) or radio equipment vehicle; or which obstruct the visibility of any traffic or street sign or signal device.

D. Signs which rotate or have part(s) which move or revolve except the movement of the hands of a clock.

E. Signs, balloon-signs/symbols or displays or banners, clusters of unauthorized flags, posters, pennants, ribbons, streamers, strings of lights, spinners, twirlers or propellers, flashing, rotating or blinking lights, chasing or scintillating lights, flares, balloons, bubble machines and similar devices of a carnival nature, or containing elements creating sound or smell. Exception: certain of these devices are permitted on a limited basis as seasonal public holiday decorations under PMC 20.84.150(H) or for grand openings of new businesses under PMC 20.84.110(B).

F. Signs identifying, or window signs advertising activities, products, businesses or services which have been discontinued for more than 60 days on the premises upon which the signs are located.

G. Private signs on utility poles as prohibited by state law.

H. Searchlights, except if:

1. They are used by any business or enterprise once yearly for a maximum period of seven consecutive days or for purposes of the grand opening of a new enterprise or an enterprise under new management for a maximum period of seven consecutive days.

2. The beam of the searchlight does not flash against any building or does not sweep an arc greater than 45 degrees from vertical.

I. Signs for which a permit has been granted under conditions with which the permittee does not comply.

J. Signs for which a permit has been granted and subsequently revoked for cause by the city.

K. Directional signs, except where specifically authorized under provisions of this chapter.

L. Signs erected, altered or relocated (excluding copy charge) without approval by the city of any other governmental agency which require a permit by law.

M. Off-site signs in public right-of-way or located on private property when they exceed the number of signs allowed within that zoning district. Additionally, any incidental sign in regard to off-site signs shall not be permitted.

N. Billboards.

O. Canopy signs. (Ord. 1394 § 1, 1998).

**20.84.180 Appeals.**

*Repealed by Ord. 1505.* (Ord. 1394 § 1, 1998).

**20.84.190 Enforcement.**

*Repealed by Ord. 1505.* (Ord. 1394 § 1, 1998).

**Chapter 20.88**

**CARGO CONTAINERS**

Sections:

20.88.010 Where allowed and regulations.

**20.88.010 Where allowed and regulations.**

Cargo containers shall be stored within the heavy industrial district (HI) and the light industrial district (LI), subject to the following provisions:

A. Cargo containers shall be stacked no more than two containers high.

B. Cargo containers shall be stacked in a manner that no doors are accessible or shown to the exterior of the stack.

C. Cargo container storage sites shall be fenced with a minimum of an eight-foot high industrial fence on the outside of the required landscaping to prevent vandalism.

D. Container storage areas shall have Type II landscaping as defined by PMC 20.70.070; except that, along the street frontage(s), Type III landscaping shall be provided.

E. Cargo containers shall stair step from the periphery of the site.

F. There shall be a minimum 20-foot wide service drive on two sides of the site located inside of the landscaping (in addition to the street frontage side), with an emergency fire truck turn-around at the end of the emergency drives. The turn-around may be eliminated if the emergency access drive is placed on three sides of the storage site excluding street frontages.

G. An on-site turn-around shall be provided for semi-trucks loading on the site.

H. Two additional on-site parking spaces shall be provided for semi-trucks.

I. The property owner or lessee shall provide written certification that the cargo containers are empty and do not contain any residue of inflammable or hazardous materials. (Ord. 1524 § 4, 2002).

Chapter 20.92

ACCESSORY DWELLING UNITS<sup>1</sup>

Sections:

- 20.92.010 Purpose.
- 20.92.050 Where permitted.
- 20.92.060 Design standards.
- 20.92.070 Deed restriction.

**20.92.010 Purpose.**

The purpose of this chapter is to:

- A. Create affordable housing units;
- B. Allow related people to live in close proximity while maintaining separate dwelling units;
- C. Provide homeowners with a means of companionship and security;
- D. Provide increased choice of housing for a variety of lifestyles, including young families and retirees;
- E. Increase density in order to better utilize existing streets, utilities, transit, and other public infrastructure; and
- F. Ensure that ADUs are designed so as not to destabilize neighborhoods or lower property values. (Ord. 1504 § 1, 2001).

**20.92.050 Where permitted.**

“Accessory dwelling units” shall be conditional uses in certain zones, as determined by the lists of conditional uses of the various zones. (Ord. 1504 § 1, 2001).

**20.92.060 Design standards.**

Accessory dwelling units shall:

- A. Be on the same lot as a larger, principal dwelling unit, whether attached to it or detached;
- B. Contain no more than 60 percent of the floor area of the principal dwelling, nor more than 1,200 square feet, excluding any related garage and stair areas;
- C. Share the principal residence’s utility connection and utility accounts if attached, and not share if detached;

D. Be equipped with two off-street parking spaces in addition to the spaces required for the principal dwelling unit;

E. Be allowed only so long as the owner or contract purchaser of the lot resides in the accessory or principal dwelling unit;

F. Meet all building, electrical, fire, plumbing and other applicable code requirements;

G. Be designed to maintain the appearance of the existing single-family residence;

H. Be consistent with the color, roof pitch, siding, and windows of the principal residence, whether the accessory dwelling unit is attached or detached; and

I. Have their entrances on the side or rear of the building, not visible from the street. (Ord. 1504 § 1, 2001).

**20.92.070 Deed restriction.**

Upon issuance of a conditional use permit for an ADU, the property owner shall record with the appropriate county recording office a notarized deed restriction. Such deed restriction shall be in a form specified by the director, and shall include the restrictions and limitations contained in this chapter and any further conditions attached to the conditional use permit. The property owner shall submit proof that the deed restriction has been recorded prior to issuance of a certificate of occupancy. (Ord. 1504 § 1, 2001).

1. Code reviser’s note: Ordinance 1504 adds these provisions as Chapter 20.84. The chapter has been editorially renumbered to prevent duplication of numbering.

**Chapter 20.94****REGULATION OF SNOUT HOUSES**

Sections:

20.94.010 Purpose.

20.94.050 Definition.

20.94.070 Regulations.

**20.94.010 Purpose.**

A. To limit the development of snout house along the public streets of the city.

B. To achieve a streetscape that contributes to lessening the impacts of the snout houses.

C. To promote livability in the streetscape, front porches are encouraged to be developed to permit the front of the entrance wall of the residence to be farther to the rear of the front of the garage. (Ord. 1537 § 1, 2003).

**20.94.050 Definition.**

A “snout house” is a residence constructed with the front door wall more than eight feet behind the front of the garage, except as permitted in these regulations. (Ord. 1537 § 1, 2003).

**20.94.070 Regulations.**

Residences shall comply with the following to reduce the impact of the snout house:

A. There shall be no more than eight feet from the front of the garage to the front door wall.

B. To encourage front porches to reduce the impact of the snout house, the eight-foot setback may be measured from the middle or median of the depth of any covered front porch to provide for a greater depth to the front entrance wall, when the porch has a minimum width of eight feet. There is no maximum width required for the front porch.

C. There shall be no deep well entrance to a setback front door from the front entrance wall more than one-half the depth of the front porch. The front door shall be encouraged to be seen easily from the streetscape.

D. In any subdivision there shall be no more than 15 percent of the residences constructed as snout houses to permit the con-

struction of snout houses on lots with shapes that lend themselves to a snout house.

E. In developments where snout houses are constructed, there shall be no snout houses permitted to be side by side.

F. In developments where there are snout houses there shall not be any snout houses across the street from one another on any of the three lots directly opposite the snout house, including the lot directly in front of the snout house and the lots on either side of the lot directly across the street from the snout house.

G. The attached Exhibit “A”<sup>1</sup> reflects the development of a residence that is permitted with a front wall setback behind the garage wall. (Ord. 1537 § 1, 2003).

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1. Code reviser’s note: Exhibit “A” is available for public review and examination in the city clerk’s office.

