

COMPREHENSIVE ZONING PLAN
for the
CITY OF REDMOND, WASHINGTON

Explanation of numbering used in this ordinance.

The numbers or groups of numbers separated by decimal points are designated by names as follows:

00	Chapter	
00.0	Topic	
00.0.0	Section	
00.0.0 (1) or (a)	singularly or in succession	Subsection

For purposes of cross reference a subsection is designated a section as:
Section 00.0.0 (1).

COMPREHENSIVE ZONING PLAN

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ORDINANCE NO. 310

AN ORDINANCE establishing comprehensive zoning regulations for the City of Redmond, Washington; establishing land use regulations and districts (zoning) within the incorporated limits of the City of Redmond; providing for the administration, enforcement and amendment thereof; providing penalties for the violations of its provisions; and repealing ordinances or parts of ordinances in conflict herewith.

Whereas, the City Council of Redmond, pursuant to the provisions of Chapter 35.63 R.C.W. has heretofore created and established a City Planning Commission; and

Whereas, the City Planning Commission has heretofore developed a Comprehensive Land Use Plan for the City of Redmond which has been duly adopted by the City Council; and

Whereas, the City Planning Commission has divided the City into zones or districts and has prepared regulations for the erection, construction, alteration, repair and use of buildings, structures and land in accordance with said Comprehensive Land Use Plan; and

Whereas, the City Planning Commission has duly held a public hearing on such proposed regulations and zones and thereafter upon further consideration has approved regulations and zones and has recommended the same to the City Council for adoption; and

Whereas the City Council, having duly considered said regulations and zones, and deeming it advisable and necessary to adopt regulations and zones for the purposes set forth in Chapter 35.63 R.C.W., for the City of Redmond and in accordance therewith,

THE CITY COUNCIL OF THE CITY OF REDMOND DO ORDAIN AS FOLLOWS:

Chapter 1

TITLE, AUTHORITY AND PURPOSE

1.1 TITLE

1.1.1 There is hereby established a plan which shall be known as the "Comprehensive Zoning Plan for the City of Redmond", which plan is set forth in the text and zoning map which together constitute this ordinance. The short title shall be "Redmond Zoning Plan" and the plan may be cited as such.

1.2 AUTHORITY AND PURPOSE

1.2.1 The Comprehensive Zoning Plan for the City of Redmond is hereby adopted by authority of, and for the purposes set forth in, Chapter 35.63 R.C.W., the same being incorporated herein by this reference as though fully set forth in this ordinance, and more particularly for the protection and promotion of the public health, safety and general welfare. Three copies of Chapter 35.63 R.C.W. shall be kept on file in the office of the City Clerk.

Chapter 2

ESTABLISHMENT OF USE ZONES

2.1 USE CLASSIFICATION

2.1.1 In order to carry out the purposes and provisions of this ordinance, the area within the limits of the City of Redmond is hereby divided into the following use zones.

Name of use zone		Use zone designator	Chapter
Single Family Residential	(7200 sq. ft.)	RS-7.2	6
Single Family Residential	(8400 sq. ft.)	RS-8.4	6
Single Family Residential	(9600 sq. ft.)	RS-9.6	6
Neighborhood Residential Park	(25 acres)	RP	10
Two Family (Duplex) Residential	(7200 sq. ft.)	RD	7
Multiple Family Residential No. 1	(8400 sq. ft.)	RM-1	8
Multiple Family Residential No. 2	(8400 sq. ft.)	RM-2	9
Multiple Family Residential Park	(25 acres)	RMP	11
Professional and Commercial Office		P-C	13
Neighborhood Commercial		C-N	14
Commercial Complex	(50,000 sq. ft.)	C-C	15
Light Commercial		C-L	16
Medium Commercial		C-M	17
Commercial-Industrial		C-I	18
Industrial Park		I-P	19
Light Industrial		I-L	20
Heavy Industrial		I-H	21
Agricultural		A	22
Public Use		P	23

2.2 USES PERMITTED IN USE ZONES

2.2.1 The uses permitted in any use zone shall be only those uses permitted by the regulations for such use zones, except special uses as set forth in Chapter 42

2.2.2 All uses not permitted shall be prohibited.

Chapter 3

ZONING MAP

3.1 REASON FOR MAP

3.1.1 Pictorial presentation is generally more easily understood than written presentation, and in the case of complicated land descriptions the convenient or graphic way to follow the description is to convert it into a map. Therefore the various use zones into which the area within the City limits is divided are shown on a map.

3.2 TITLE

3.2.1 The map referred to in Section 3.1.1 shall be known as the "Zoning Map of Redmond", and such title shall be placed on each sheet of such map. The short title shall be "Zoning Map".

3.3 FORM OF MAP

3.3.1 The Zoning Map of Redmond shall consist of as many sheets as necessary to cover the entire area of the City of Redmond.

3.3.2 Each use zone shall be clearly distinguished on the Zoning Map in the most expeditious manner as may be determined, in terms of the names and/or use zone designators given in Chapter 2.

3.3.3 The north point and scale shall be shown on each sheet of the Zoning Map.

3.4 AUTHENTICATION

3.4.1 All sheets of the Zoning Map of Redmond are adopted by this reference as part of this ordinance and each sheet of such map shall bear the notation "Part of Ordinance No. _____".

3.4.2 Each sheet of the Zoning Map of Redmond shall be authenticated by the notation "Approved _____ (date) _____", followed by the signature of the Mayor and the City Clerk of Redmond.

3.5 INTERPRETATION

3.5.1 Where uncertainties exist as to any boundaries of the various use zones shown on the Zoning Map the rules stated below shall apply:

- (1) Where such boundaries are indicated as following approximately the centerlines of streets, alleys, railroads, or water courses, such centerlines shall be construed to be such boundaries.
- (2) Where such boundaries are indicated as following approximately lot lines and scale not more than 20 feet therefrom, such lot lines shall be construed to be such boundaries.
- (3) In unsubdivided lands and where a use zone boundary divides a lot, unless the boundary is indicated by dimensions on the map, it shall be determined by scaling.
- (4) Where such boundaries are indicated as following lines of ordinary high water, such lines shall be construed to be such boundaries and if such lines change, such boundaries shall be construed as moving with such lines.

3.5.1 (Cont.)

- (5) Where a public street or alley is officially vacated, such area shall have the zoning of the adjoining property to which such area reverts.
- (6) Where an area in one ownership is divided into more than one use zone, each portion shall have the zoning indicated as if separately owned.

3.6 CHANGES TO ZONING MAP

- 3.6.1 No change shall be made to the Zoning Map except by authority of an amending ordinance. Any changes made otherwise shall be a violation of this ordinance
- 3.6.2 It shall be the duty of the City Engineer or his duly authorized assistant to enter each change of zoning authorized by an amending ordinance upon the Zoning Map immediately upon passage of such amending ordinance. Each such ordinance shall bear the notation "Zoning Map of Redmond changed in accordance with this ordinance on _____, Signed _____, Office _____".
- 3.6.3 The Zoning Map shall show changes in the most expeditious manner as may be determined, provided the number of the ordinance authorizing each change shall be shown at the point of change, and a record by ordinance number, date change is made and signature of person making the change shall be a part of the map record.

Chapter 4

POLICY FOR USE ZONES

4.1 POLICY FOR SINGLE FAMILY RESIDENTIAL USE ZONES

4.1.1 Single Family Residential Use Zones (RS-7.2, RS-8.4, RS-9.6) are intended to be used for single family dwelling purposes and for certain cultural and recreational purposes.

4.2 POLICY FOR MULTIPLE FAMILY RESIDENTIAL USE ZONES

4.2.1 Multiple Family Residential Use Zones (RD, RM-1, RM-2) are intended to be used for single family dwelling purposes, for multiple family dwelling purposes and for certain cultural, recreational and quasi-public purposes.

4.3 POLICY FOR NEIGHBORHOOD RESIDENTIAL PARK USE ZONE

4.3.1 The Neighborhood Residential Park Use Zone (RP) is intended to give the opportunity for unit planning and development of rather large areas, primarily for single family dwelling use with a small proportion of multiple family dwelling use if desired, without the usual conventional zoning restrictions as to lot size and setback requirements, with average density controlled by open space owned in common; for certain cultural and recreational purposes and for certain highly restrictive quasi-public purposes.

4.4 POLICY FOR MULTIPLE FAMILY RESIDENTIAL PARK USE ZONE

4.4.1 The Multiple Family Residential Park Use Zone (RMP) is intended to be used for large parklike developments under one management for multiple family dwelling purposes and for certain cultural, recreational and quasi-public purposes.

4.5 POLICY FOR PROFESSIONAL AND COMMERCIAL OFFICE USE ZONE

4.5.1 The Professional and Commercial Office Use Zone (P-C) is intended to be used for development of facilities for professional purposes, for business purposes at the executive and administrative level and for research and scientific purposes.

4.6 POLICY FOR NEIGHBORHOOD COMMERCIAL USE ZONE

4.6.1 The Neighborhood Commercial Use Zone (C-N) is intended to be used for retail outlet to the public of essential goods and restricted services. It is intended for outlying areas to save shoppers the need to travel to community commercial areas for the most commonly needed goods and services.

4.7 POLICY FOR COMMERCIAL COMPLEX USE ZONE

4.7.1 The Commercial Complex Use Zone (C-C) is intended to be used for development of rather large coordinated facilities under one ownership and management with sales areas leased to tenants for outlet to the public of goods and services.

4.8 POLICY FOR LIGHT COMMERCIAL USE ZONE

4.8.1 The Light Commercial Use Zone (C-L) is intended to be used for outlet to the public of the light type of goods and services.

4.9 POLICY FOR MEDIUM COMMERCIAL USE ZONE

4.9.1 The Medium Commercial Use Zone (C-M) is intended to be used for outlet to the public of the medium type of goods and services.

4.10 POLICY FOR COMMERCIAL-INDUSTRIAL USE ZONE

4.10.1 The Commercial-Industrial Use Zone (C-I) is intended to be used for outlet to the public of the heavy type of goods and services, and for processing and fabrication of certain goods both for retail and wholesale disposition.

4.11 POLICY FOR INDUSTRIAL PARK USE ZONE

4.11.1 The Industrial Park Use Zone (I-P) is intended to be an area of high environmental and performance standards for industrial and research purposes.

4.12 POLICY FOR LIGHT INDUSTRIAL USE ZONE

4.12.1 The Light Industrial Use Zone (I-L) is intended to be used for industrial, manufacturing, fabricating and processing purposes of a light to medium nature, for contractors' yards and warehousing, and for certain uses requiring only limited contact with the public.

4.13 POLICY FOR HEAVY INDUSTRIAL USE ZONE

4.13.1 The Heavy Industrial Use Zone (I-H) is intended to be used for industrial, manufacturing, fabricating and processing purposes of a medium to heavy nature, for contractors' yards and warehousing and for certain uses requiring only limited contact with the public.

4.14 POLICY FOR AGRICULTURAL USE ZONE

4.14.1 The Agricultural Use Zone (A) is intended to be used for agricultural purposes, for wild life cover, for suburban residential purposes, and for certain recreational uses.

4.15 POLICY FOR PUBLIC USE ZONE

4.15.1 The Public Use Zone (P) is intended to be used for parks, recreational and cultural purposes dedicated to public use and for governmental uses at the local, county, state and federal level.

Chapter 5

COMPLIANCE WITH REGULATIONS

5.1 COMPLIANCE REQUIRED

5.1.1 After the effective date of this ordinance no use shall be made of any land area except in compliance with the regulations hereof. .

5.1.2 After the effective date of this ordinance no use shall be made of any structure existing at such date except in compliance with the regulations hereof.

5.1.3 After the effective date of this ordinance no structure shall be erected except in compliance with the regulations hereof.

5.1.4 After the effective date of this ordinance no structure shall be intentionally moved any amount except in compliance with the regulations hereof.

5.1.5 After the effective date of this ordinance no structure shall be altered in any way or to any degree except in compliance with the regulations hereof.

5.2 COMPLIANCE CONTROL

5.2.1 The control of compliance with the regulations of this ordinance shall be accomplished through the issuance of permits.
(Issuance of Permits, Chapter 34)

Chapter 6

SINGLE FAMILY RESIDENTIAL USE ZONE REGULATIONS
(RS-7.2, RS-8.4, RS-9.6)

6.1 USES PERMITTED

6.1.1 Primary uses of land in these use zones shall be for structures and/or outdoor areas devoted to one type "A" dwelling unit per building per lot together with parking facilities in connection with such use in compliance with Chapter 24 and Section 6.3.2.

6.1.2 Accessory uses of land in these use zones shall be for structures and/or outdoor areas located on the same lot with the primary uses and devoted to those uses which are customarily incidental to the primary uses and specifically including the following:

- (1) Non-commercial gardening.
- (2) Signs in compliance with Topics 25.1 and 25.5.
- (3) Sight screening in compliance with Topic 26.6.
- (4) Fences in compliance with Topic 26.7.
- (5) Buildings and miscellaneous structures in compliance with Topic 26.2.
- (6) Home occupations in compliance with Topic 26.11.
- (7) Keeping of animals in compliance with Topic 26.12.
- (8) Renting of rooms, or board, in compliance with Topic 26.14.

6.1.3 Secondary uses. No specifications.

6.1.4 Conditional uses of land in these use zones shall be for structures and/or outdoor areas devoted to: Church, public school, private school, park, recreational facilities in connection with a school or park, library, community hall, community swimming pool, public utility and public safety use. (Conditional Use, Chapter 41)

6.2 DIMENSIONAL REQUIREMENTS

6.2.1 Lot dimensions. Minimum dimensions for lots shall be:

	RS-7.2	RS-8.4	RS-9.6
(1) Area: (Except transition lots, Topic 28.2)	7200 Sq.ft.	8400 Sq.ft.	9600 Sq.ft.
(2) Width at front setback line:	65 ft.	70 ft.	80 ft.
(3) Width at front lot line:	30 ft.	30 ft.	30 ft.
(4) Average depth:	85 ft.	85 ft.	85 ft.

6.2.2 Setback dimensions for dwelling unit buildings shall be the following, subject to modification for irregular lots as given in Topic 28.3:

- (1) Front: 20 feet, except for the provision of Section 6.2.2 (3).
 - (2) Side (interior): A minimum of five feet on one side of a lot with the sum of such dimensions on both sides of the same lot totalling a minimum of 15 feet, provided in subdivision developments of one ownership, where structures are built under one coordinated plan, the sum of such dimensions on both sides of the same lot may total a minimum of ten feet, except in any case the minimum spacing requirement of Section 26.1.2 shall be observed.
 - (3) Side (adjoining street): 20 feet, except such dimension may be decreased to a minimum of 15 feet, provided the front setback shall be increased by the same amount the side setback is decreased from 20 feet.
 - (4) Rear: 25 feet.
- (For features permitted within setback areas see Section 26.1.1)

6.2.3 Lot coverage. Maximum coverage of a lot by all structures, except a surfaced driveway or surfaced turning area, shall be 35 per cent of the lot area without a swimming pool and 40 per cent of the lot area with a swimming pool.

6.2.4 Floor area. Minimum floor area of a dwelling unit building, exclusive of attached carport or garage, storage rooms, heater room, porches and areas devoted to similar uses, shall be 650 square feet.

6.2.5 Height. Maximum height of a dwelling unit building, exclusive of chimney, antennae and similar appurtenances, shall be 25 feet.

6.2.6 Sight clearance. Minimum dimensions for sight clearance at vehicular traffic intersections shall be the applicable dimensions given in Topic 26.5.

6.3 OTHER REQUIREMENTS

6.3.1 Sight screening. When a conditional use or a special use is located within these use zones, sight screening in compliance with Topic 26.6 may be a pertinent requirement or condition as provided in Chapters 41 and 42.

6.3.2 Parking. The parking facilities for each dwelling unit building shall be located on the same lot with such dwelling unit building.

Chapter 7

TWO FAMILY (DUPLEX) RESIDENTIAL USE ZONE REGULATIONS (RD)

7.1 USES PERMITTED

- 7.1.1 Primary uses of land in this use zone shall be for structures and/or outdoor areas devoted to:
- (1) One type "A" dwelling unit per building per lot in compliance with Chapter 6.
 - (2) Two type "A" dwelling units per building per lot together with parking facilities in connection with such use in compliance with Chapter 24 and Section 7.3.2.
- 7.1.2 Accessory uses of land in this use zone shall be for structures and/or outdoor areas located on the same lot with the primary uses and devoted to those uses which are customarily incidental to the primary uses and specifically including the following:
- (1) Non-commercial gardening.
 - (2) Signs in compliance with Topics 25.1 and 25.5.
 - (3) Sight screening in compliance with Topic 26.6.
 - (4) Fences in compliance with Topic 26.7.
 - (5) Buildings and miscellaneous structures in compliance with Topic 26.2.
 - (6) Home occupations in compliance with Topic 26.11.
- 7.1.3 Secondary uses of land in this use zone shall be for structures and/or outdoor area devoted to public utility and public safety use in compliance with Topics 26.8 and 26.9 respectively.
- 7.1.4 Conditional uses of land in this use zone shall be for structures and/or outdoor areas devoted to: Church, public school, private school, park, recreational facilities in connection with a school or park, library, community hall, community swimming pool, medical or dental clinic, nursing home. (Conditional Use, Chapter 41)

7.2 DIMENSIONAL REQUIREMENTS

- 7.2.1 Lot dimensions. Minimum dimensions for lots shall be:
- (1) Area: 7200 square feet.
 - (2) Width at front setback line: 65 feet.
 - (3) Width at front lot line: 30 feet.
 - (4) Average depth: 85 feet.
- 7.2.2 Setback dimensions for dwelling unit buildings shall be the following, subject to modification for irregular lots as given in Topic 28.3:
- (1) Front: 20 feet.
 - (2) Side (interior): A minimum of five feet on one side of a lot with the sum of such dimensions on both sides of the same lot totalling a minimum of 15 feet, except for the minimum spacing requirement of Section 26.1.2.
 - (3) Side (adjoining street): 20 feet.
 - (4) Rear: 25 feet.
- (For features permitted within setback areas see Section 26.1.1)

7.2.3 Lot coverage. Maximum coverage of a lot by all structures, except a surfaced driveway or surfaced turning area, shall be 35 per cent of the lot area without a swimming pool and 40 per cent with a swimming pool.

7.2.4 Floor area. Minimum floor area of a dwelling unit building, exclusive of attached carport or garage, storage rooms, heater room, porches, and areas devoted to similar uses, shall be 450 square feet per dwelling unit with one bedroom. For each additional bedroom said minimum floor area shall be increased by 120 square feet plus a factor of 5 per cent of the resultant sum and the resultant total may be rounded off to the nearest five feet.

7.2.5 Height. Maximum height of a dwelling unit building, exclusive of chimney, antennae and similar appurtenances, shall be 25 feet.

7.2.6 Sight clearance. Minimum dimensions for sight clearance at vehicular traffic intersections shall be the applicable dimensions given in Topic 26.5.

7.3 OTHER REQUIREMENTS

7.3.1 Sight screening. When a conditional use or a special use is located within this use zone, sight screening in compliance with Topic 26.6 may be a pertinent requirement or condition as provided in Chapters 41 and 42.

7.3.2 Parking. The parking facilities for each dwelling unit building shall be located on the same lot with such dwelling unit building.

Chapter 8

MULTIPLE FAMILY RESIDENTIAL NO. 1 USE ZONE REGULATIONS (RM-1)

8.1 USES PERMITTED

8.1.1 Primary uses of land in this use zone shall be for structures and/or outdoor areas devoted to:

- (1) One type "A" dwelling unit per building per lot in compliance with Chapter 6.
- (2) Two type "A" dwelling units per building per lot in compliance with Chapter 7.
- (3) Three or more type "B" dwelling units and/or type "A" dwelling units per lot with not less than three dwelling units per building together with parking facilities in connection with such use in compliance with Chapter 24.

8.1.2 Accessory uses of land in this use zone shall be for structures and/or outdoor areas located on the same lot with the primary uses and devoted to those uses which are customarily incidental to the primary uses and specifically including the following:

- (1) Non-commercial gardening.
- (2) Signs in compliance with Topics 25.1 and 25.5.
- (3) Sight screening in compliance with Topic 26.6.
- (4) Fences in compliance with Topic 26.7.
- (5) Buildings and miscellaneous structures in compliance with Topic 26.2.

8.1.3 Secondary uses of land in this use zone shall be for structures and/or outdoor areas devoted to public utility and public safety use in compliance with Topics 26.8 and 26.9 respectively.

8.1.4 Conditional uses of land in this use zone shall be for structures and/or outdoor areas devoted to: Church, public school, private school, park, recreational facilities in connection with a school or park, library, community hall, community swimming pool, medical or dental clinic, nursing home. (Conditional Use, Chapter 41)

8.2 DIMENSIONAL REQUIREMENTS

8.2.1 Lot dimensions. Minimum dimensions for lots shall be:

- (1) Area: 8400 square feet, on which there shall be permitted not more than three dwelling units. The maximum number of sleeping rooms permitted on a lot shall be on the basis of 32 sleeping rooms per acre. (0.0007347 sleeping room per square foot of lot area or 1360 square feet of lot area per sleeping room).
- (2) Width at front setback line: 75 feet.
- (3) Width at front lot line: 30 feet.
- (4) Average depth: 85 feet.

8.2.2 Setback dimensions for dwelling unit buildings shall be the following, subject to modification for irregular lots as given in Topic 28.3:

- (1) Front: 20 feet
- (2) Side (interior): 15 feet on each side of the same lot, except for the minimum spacing requirement of Section 26.1.3.
- (3) Side (adjoining street): 20 feet.
- (4) Rear: 25 feet.

(For features permitted within setback areas see Section 26.1.1)

8.2.3 Lot coverage. Maximum coverage of a lot by all structures, except a surfaced driveway or surfaced turning area, shall be 35 per cent of the lot area without a swimming pool and 40 per cent with a swimming pool.

8.2.4 Floor area. Minimum floor area of a dwelling unit building, exclusive of attached carport or garage, storage rooms, heater room, entrance lobby, porches and areas devoted to similar uses, shall be the following per dwelling unit:

(1) Type "A" dwelling unit with one bedroom	375 sq. ft.
(2) Type "A" dwelling unit with two bedrooms	520 sq. ft.
(3) Type "A" dwelling unit with three bedrooms	645 sq. ft.
(4) Type "A" dwelling unit with four bedrooms	770 sq. ft.
(5) Type "B" dwelling unit	240 sq. ft.

8.2.5 Height. Maximum height of a dwelling unit building, exclusive of chimney, antennae and similar appurtenances, shall be 25 feet.

8.2.6 Sight clearance. Minimum dimensions for sight clearance at vehicular traffic intersections shall be the applicable dimensions given in Topic 26.5.

8.2.7 Building spacing. Where there are two or more dwelling unit buildings per lot such buildings shall be spaced in compliance with Section 26.1.3.

8.3 OTHER REQUIREMENTS

8.3.1 Sight screening.

- (1) When a conditional use or a special use is located within this use zone, sight screening in compliance with Topic 26.6 may be a pertinent requirement or condition as provided in Chapters 41 and 42.
- (2) When a dwelling unit building contains more than three dwelling units, a service area not otherwise located within an enclosed structure shall be sight screened in compliance with Topic 26.6.

Chapter 9

MULTIPLE FAMILY RESIDENTIAL NO. 2 USE ZONE REGULATIONS (RM-2)

9.1 USES PERMITTED

- 9.1.1 Primary uses of land in this use zone shall be for structures and/or outdoor areas devoted to:
- (1) One type "A" dwelling unit per building per lot in compliance with Chapter 6.
 - (2) Two type "A" dwelling units per building per lot in compliance with Chapter 7.
 - (3) Three or more type "C" dwelling units, type "B" dwelling units or type "A" dwelling units or any combination thereof per lot, with not less than three dwelling units per building together with parking facilities in connection with such use in compliance with Chapter 24.
- 9.1.2 Accessory uses of land in this use zone shall be for structures and/or outdoor areas located on the same lot with the primary uses and devoted to those uses which are customarily incidental to the primary uses and specifically including the following:
- (1) Non-commercial gardening.
 - (2) Signs in compliance with Topics 25.1 and 25.5.
 - (3) Sight screening in compliance with Topic 26.6.
 - (4) Fences in compliance with Topic 26.7.
 - (5) Buildings and miscellaneous structures in compliance with Topic 26.2.
- 9.1.3 Secondary uses of land in this use zone shall be for structures and/or outdoor areas devoted to public utility and public safety use in compliance with Topics 26.8 and 26.9 respectively.
- 9.1.4 Conditional uses of land in this use zone shall be for structures and/or outdoor areas devoted to: Church, public school, private school, park, recreational facilities in connection with a school or park, library, community hall, community swimming pool, medical or dental clinic, nursing home, hospital, private non-profit hall, mortuary, mobile home park, motel. (Conditional Use, Chapter 41)

9.2 DIMENSIONAL REQUIREMENTS

- 9.2.1 Lot dimensions. Minimum dimensions for lots shall be:
- (1) Area: 8400 square feet, on which there shall be permitted not more than three dwelling units. The maximum number of sleeping rooms permitted on a lot shall be on the basis of 40 sleeping rooms per acre. (0.0009182 sleeping room per square foot of lot area or 1090 square feet of lot area per sleeping room).
 - (2) Width at front setback line: 75 feet.
 - (3) Width at front lot line: 30 feet.
 - (4) Average depth: 85 feet.
- 9.2.2 Setback dimensions for dwelling unit buildings shall be the following, subject to modification for irregular lots as given in Topic 28.3:
- (1) Front: 20 feet
 - (2) Side (interior): 15 feet on each side of the same lot, except for the minimum spacing requirement of Section 26.1.3.
 - (3) Side (adjoining street): 20 feet.
 - (4) Rear: 25 feet.
- (For features permitted within setback areas see Section 26.1.1)

9.2.3 Lot coverage. Maximum coverage of a lot by all structures, except a surfaced driveway or surfaced turning area, shall be 35 per cent of the lot area without a swimming pool and 40 per cent with a swimming pool.

9.2.4 Floor area. Minimum floor area of a dwelling unit building exclusive of attached carport or garage, storage rooms, heater room, entrance lobby, porches and areas devoted to similar uses, shall be the following per dwelling unit:

(1) Type "A" dwelling unit with one bedroom	375 sq. ft.
(2) Type "A" dwelling unit with two bedrooms	520 sq. ft.
(3) Type "A" dwelling unit with three bedrooms	645 sq. ft.
(4) Type "A" dwelling unit with four bedrooms	770 sq. ft.
(5) Type "B" dwelling unit	240 sq. ft.
(6) Type "C" dwelling unit without bedrooms	190 sq. ft.
(7) Type "C" dwelling unit with one bedroom	325 sq. ft.
(8) Type "C" dwelling unit with two bedrooms	450 sq. ft.

9.2.5 Height. No structural part of a dwelling unit building shall pierce any plane located in the following manner:

- (1) The lot lines are projected onto a horizontal plane established at the average of the finished ground level at the centers of all walls of such building.
- (2) Planes are passed through such projected lot lines, with such planes converging on the upper side of such horizontal plane, with each plane making an angle to such horizontal plane which angle has a vertical to horizontal ratio (tangent) of two.

9.2.6 Sight clearance. Minimum dimensions for sight clearance at vehicular traffic intersections shall be the applicable dimensions given in Topic 26.5.

9.2.7 Building spacing. Where there are two or more dwelling unit buildings per lot such buildings shall be spaced in compliance with Section 26.1.3.

9.3 OTHER REQUIREMENTS

9.3.1 Sight screening.

- (1) When a conditional use or special use is located within this use zone, sight screening in compliance with Topic 26.6 may be a pertinent requirement or condition as provided in Chapters 41 and 42.
- (2) When a dwelling unit building contains more than three dwelling units, a service area not otherwise located within an enclosed structure shall be sight screened in compliance with Topic 26.6.

Chapter 10

NEIGHBORHOOD RESIDENTIAL PARK USE ZONE REGULATIONS (RP)

This chapter is reserved for future development of regulations for use zone RP.

Chapter 11

MULTIPLE FAMILY RESIDENTIAL PARK USE ZONE REGULATIONS (RMP)

This chapter is reserved for future development of regulations for use zone RMP.

Chapter 12

CLASSIFIED USES

12.1 CLASSIFIED USES

12.1.1 Each use listed in the sections of this topic which follow shall be permitted in the use zones identified by the use zone designators following the use name, provided such use is permitted by the regulatory chapters for such use zones

12.1.2 A

Accountant (office)	P-C	C-C	C-L	C-M	.
Advertising - promotional (office)	.	C-C	C-L	C-M	.
Air conditioning equipment, supplies	.	.	.	C-M	C-I
Ambulance service - private	.	.	.	C-M	C-I
Amusements (billiards, pool, etc.)	.	.	.	C-M	C-I
Antiques	.	C-C	C-L	C-M	.
Appraiser (office)	P-C	C-C	C-L	C-M	.
Architect (office, drafting room)	P-C	C-C	C-L	C-M	.
Art gallery - commercial	.	C-C	C-L	C-M	.
Art school	P-C	.	C-L	C-M	.
Art Studio	P-C	.	C-L	C-M	.
Artist supplies	.	C-C	C-L	C-M	.
Associations (office)	P-C	C-C	C-L	C-M	.
Attorney	P-C	C-C	C-L	C-M	.
Auction house (excluding motor vehicles and livestock)	.	.	.	.	C-I
Automobile driver training school	.	.	.	C-M	C-I
Automobile laundry	.	.	.	C-M	C-I
Automobile - new (sales, service)	.	.	.	C-M	C-I
Automobile parking - commercial	.	.	C-L	C-M	C-I
Automobile parts, supplies, (excluding agency parts department)	.	C-C	.	C-M	C-I
Automobile rental (drive yourself)	.	.	.	C-M	C-I
Automobile repair (body, mechanical, painting, upholstery)	.	.	.	C-M	C-I
Automobile service station	.	.	.	C-M	C-I
Automobile storage (dead storage, impounded vehicles in enclosed buildings)	.	.	.	C-M	C-I
Automobile - used ("used car lot")	.	.	.	C-M	C-I

12.1.3 B

Bakery (off premise source)	.	C-N	C-C	C-L	C-M	C-I
Bakery (baking on premises)	.	.	C-C	C-L	C-M	C-I
Bank	.	.	C-C	C-L	C-M	C-I
Barber shop	.	C-N	C-C	C-L	C-M	C-I
Baths	.	.	C-C	C-L	C-M	C-I
Beauty shop	.	C-N	C-C	C-L	C-M	.
Blacksmith shop	.	.	.	.	.	C-I
Blueprint equipment, supplies	.	.	.	C-M	C-I	.
Blueprinting, photocopying	.	.	C-C	C-L	C-M	C-I
Boats (sales only, no fabrication)	.	.	.	C-M	C-I	.
Boat fabrication (new, repair)	.	.	.	.	.	C-I
Bondsman (office)	P-C	C-C	C-L	C-M	.	.
Bookstore	.	C-C	C-L	C-M	.	.

12.1.3 (Cont.)

Book binding	.	.	.	.	.	.	.	.	C-M	C-I
Bookkeeping service (office)	.	.	.	.	P-C	.	C-C	C-L	C-M	.
Bowling alley	.	.	.	.	.	.	C-C	.	C-M	C-I
Building and loan association (office)	.	.	.	.	.	.	C-C	C-L	C-M	.
Building material, supplies	.	.	.	.	.	.	.	.	.	C-I
Building repair, maintenance service	.	.	.	.	.	.	.	.	.	C-I
Business school	.	.	.	.	.	.	C-C	C-L	C-M	.

12.14 C

Cabinet shop, custom woodworking	.	.	.	.	.	.	.	.	.	C-I
Cafe	.	.	.	.	.	.	C-C	C-L	C-M	C-I
Cafeteria	.	.	.	.	.	.	C-C	C-L	C-M	C-I
Catering service	.	.	.	.	.	.	.	C-L	C-M	C-I
Ceramic equipment, supplies, instruction, studio	.	.	.	.	.	.	.	.	C-M	C-I
Chain saws (sales only)	.	.	.	.	.	.	C-C	C-L	C-M	C-I
Chain saws (sales, service, repair)	.	.	.	.	.	.	.	.	.	C-I
Church supplies	.	.	.	.	.	.	C-C	C-L	C-M	.
Clothes cleaning (agency only)	.	.	.	.	.	C-N	C-C	C-L	C-M	.
Clothes cleaning (on premises)	.	.	.	.	.	.	.	.	C-M	C-I
Clothes pressing service	.	.	.	.	.	C-N	C-C	C-L	C-M	.
Clothes rental service (costume, formal, special)	.	.	.	.	.	.	C-C	C-L	C-M	.
Clothing salon	.	.	.	.	.	.	C-C	C-L	.	.
Clothing store - general, specialized	.	.	.	.	.	.	C-C	C-L	C-M	.
Cocktail lounge	.	.	.	.	.	.	C-C	C-L	C-M	.
Collection service (office)	.	.	.	.	.	.	C-C	C-L	C-M	.
Confectionery store	.	.	.	.	.	.	C-C	C-L	C-M	.
Consultant (office)	.	.	.	.	.	P-C	C-C	C-L	C-M	.
Contractor's equipment - light (sales, service, repair)	.	.	.	.	.	.	.	.	.	C-I
Contractor (office only)	.	.	.	.	.	.	C-C	C-L	C-M	C-I
Contractor - light (office, enclosed shop)	.	.	.	.	.	.	.	.	C-M	C-I
Contractor - medium (office, enclosed shop)	.	.	.	.	.	.	.	.	.	C-I
Credit reporting (office)	.	.	.	.	.	P-C	C-C	C-L	C-M	.

12.1.5 D

Dance instruction - ballroom, interpretive	.	.	.	.	.	.	C-C	C-L	C-M	.
Delicatessen	.	.	.	.	.	.	C-C	C-L	C-M	.
Delivery service - contract, custom, package	.	.	.	.	.	.	.	.	C-M	C-I
Department store	.	.	.	.	.	.	C-C	C-L	C-M	.
Detective service (office, laboratory)	.	.	.	.	.	P-C	C-C	C-L	C-M	.
Drug store	.	.	.	.	.	.	C-N	C-C	C-L	C-M
Drygoods store	.	.	.	.	.	.	C-C	C-L	C-M	.
Duplicating, addressing, mailing service	.	.	.	.	.	.	C-C	C-L	C-M	.

12.1.6 E

Electric motor repair	.	.	.	.	.	.	.	.	C-M	C-I
Employment service	.	.	.	.	.	.	C-C	C-L	C-M	.
Enameling service	.	.	.	.	.	.	.	.	.	C-I
Engineering service (office, drafting room, laboratory)	.	.	.	.	.	P-C	C-C	C-L	C-M	.
Escrow (office)	.	.	.	.	.	P-C	C-C	C-L	C-M	.

12.1.7 F

Farm equipment (sales, service, repair)	.	.	.	.	.	.	.	.	G-I
Feedstore - animal (no processing or mixing)	.	.	.	.	.	.	.	G-M	G-I
Fencing material (sales, installation)	.	.	.	.	.	.	.	.	C-I
Financing and loan service	.	.	.	.	.	C-C	C-L	C-M	.
Floor coverings (sales, installation)	.	.	.	.	.	.	.	G-M	C-I
Florist	.	.	.	.	.	C-C	C-L	C-M	.
Foodmarket ("supermarket", grocery store, dairy products, meat, fruit, vegetables and other specialized markets but not including delicatessen)	.	.	.	.	.	C-N	C-C	C-L	C-M C-I
Footwear store	.	.	.	.	.	.	C-C	C-L	C-M
Frozen food locker rental, cutting and packaging service	.	.	.	.	.	C-N	C-C	C-L	C-M C-I
Fuel yard - oil, solid	.	.	.	.	.	.	.	.	C-I
Furniture store - new (trade-ins permitted)	.	.	.	.	.	C-C	C-L	C-M	.
Furniture store - used, trading	.	.	.	.	.	.	.	C-M	C-I
Furniture and furnishings rental	.	.	.	.	.	C-C	C-L	C-M	.
Furniture repairs, refinish	.	.	.	.	.	.	.	C-M	C-I

12.1.8 G

Garden equipment, supplies	.	.	.	.	.	C-C	C-L	C-M	C-I
Glass shop (dishes, novelties, etc.)	.	.	.	.	.	C-C	C-L	C-M	.
Glass shop (windows, glazing, etc.)	.	.	.	.	.	.	.	C-M	C-I
Gun shop	.	.	.	.	.	.	.	C-M	C-I

12.1.9 H

Hall - fraternal order, veteran organization, non-profit association	.	.	.	.	.	.	.	C-L	C-M
Hair goods store	.	.	.	.	.	C-C	C-L	C-M	.
Handyman shop	.	.	.	.	.	.	.	C-M	C-I
Hardware store	.	.	.	.	.	C-C	C-L	C-M	C-I
Hearing aids	.	.	.	.	.	C-C	C-L	C-M	.
Heating systems equipment - electrical (sales, installation, service, repair)	.	.	.	.	.	.	.	C-M	C-I
Heating systems equipment - combustion type (sales, installation, service, repair)	.	.	.	.	.	.	.	.	C-I
Hobby supplies	.	.	.	.	.	C-C	C-L	C-M	.
Hospital	.	.	.	.	.	P-C	C-C	C-L	.
Hospital equipment, supplies (sales, rental)	.	.	.	.	.	C-C	C-L	C-M	.
Hotel - commercial	.	.	.	.	.	.	.	C-L	C-M
Household equipment (sales, installation, service, repair)	.	.	.	.	.	C-C	C-L	C-M	C-I

12.1.10 I

Insurance (office)	.	.	.	.	.	P-C	C-C	C-L	C-M
Interior decorator (supplies, service)	.	.	.	.	.	.	C-C	C-L	C-M
Investigating service (office)	.	.	.	.	.	P-C	C-C	C-L	C-M
Investment service (office)	.	.	.	.	.	P-C	C-C	C-L	C-M

12.1.11 J

Janitor and cleaning service	.	.	.	.	.	.	.	C-M	C-I
Janitor supplies	.	.	.	.	.	.	.	C-L	C-M C-I
Jeweler	.	.	.	.	.	.	C-C	C-L	C-M

12.1.12 K

12.1.13 L

Laboratory - analysis, testing	P-C	.	.	C-L	C-M	C-I
Laboratory - medical	P-C	.	C-C	C-L	C-M	.
Land surveyor (office, drafting room)	P-C	.	C-C	C-L	C-M	C-I
Landscaping service . . . . .	.	.	.	.	.	C-I
Laundry (agency only) . . . . .	.	C-N	C-C	C-L	C-M	.
Laundry - self service . . . . .	.	C-N	C-C	C-L	C-M	.
Library - rental . . . . .	.	.	C-C	C-L	C-M	.
Liquor store - state . . . . .	.	.	C-C	C-L	C-M	C-I
Locksmith . . . . .	.	.	C-C	C-L	C-M	.
Lumber yard . . . . .	.	.	.	.	.	C-I

12.1.14 M

Machine shop . . . . .	.	.	.	.	.	C-I
Magazine service . . . . .	.	.	C-C	C-L	C-M	.
Mail order office . . . . .	.	.	C-C	C-L	C-M	.
Marine equipment, supplies (sales, service, repair) . . . . .	.	.	.	.	.	C-I
Mattress rebuilding . . . . .	.	.	.	.	.	C-I
Medical and dental service - individual office, clinic (general practice, specialized practice, laboratory)	P-C	.	C-C	C-L	C-M	.
Mortuary	P-C	.	.	C-L	C-M	.
Motion picture equipment, supplies (sales, service, repair) . . . . .	.	.	C-C	C-L	C-M	.
Motor scooters and carts (sales, service, repair) . . . . .	.	.	.	.	C-M	C-I
Motorcycles, (sales, service, repair) . . . . .	.	.	.	.	C-M	C-I
Music store . . . . .	.	.	C-C	C-L	C-M	.
Music studio	P-C	.	C-C	C-L	C-M	.

12.1.15 N

Newspaper service . . . . .	.	.	C-C	C-L	C-M	.
Notions and novelties . . . . .	.	.	C-C	C-L	C-M	.
Nursery - day . . . . .	.	.	C-C	C-L	C-M	.
Nursery - horticultural . . . . .	.	.	.	.	.	C-I

12.1.16 O

Office - business (not otherwise classified) . . . . .	.	.	C-C	C-L	C-M	.
Office - executive, administrative	P-C	.	C-C	C-L	C-M	.
Office equipment, machines, furniture, furnishings (sales, service, repair) . . . . .	.	.	C-C	C-L	C-M	.
Office supplies . . . . .	.	.	C-C	C-L	C-M	.
Optician	P-C	.	C-C	C-L	C-M	.
Optometrist	P-C	.	C-C	C-L	C-M	.

12.1.17 P

Paint store . . . . .	.	.	C-C	C-L	C-M	.
Pest control service . . . . .	.	.	.	.	.	C-I
Pet shop, supplies, grooming . . . . .	.	.	C-C	C-L	C-M	.
Photographic equipment, supplies . . . . .	.	.	C-C	C-L	C-M	.
Photographic service - commercial . . . . .	.	.	C-C	C-L	C-M	C-I
Photographic service - portrait . . . . .	.	.	C-C	C-L	C-M	.

12.1.21
12.1.27
T Z

12.1.21 (Cont.)

Trailer - house, mobile home (sales, rental)	.	.	.	.	.	.	.	C-M	C-I
Transportation service (office for tickets, information, travel service, charter)	.	P-C	.	C-C	C-L	C-M	.	.	.

12.1.22 U

Upholstery cleaning service	.	.	.	.	.	.	.	C-M	C-I
Upholstery shop (new, repair, replacement)	.	.	.	.	.	.	.	C-M	C-I
Urban planning service (office, drafting room)	.	P-C	.	C-C	C-L	C-M	.	.	.

12.1.23 V

Variety store (five and ten)	.	.	.	.	.	C-C	C-L	C-M	.
Veterinarian (office, small animal hospital)	.	.	.	.	.	.	.	.	C-I
Veterinarian (office only for treatment of small animals)	C-C	C-L	C-M	.

12.1.24 W

Welding equipment, supplies (sales, service, custom welding)	C-I
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12.1.25 X

12.1.26 Y

12.1.27 Z

Chapter 13

PROFESSIONAL AND COMMERCIAL OFFICE USE ZONE REGULATIONS (P-C)

13.1 USES PERMITTED

13.1.1 Primary uses of land in this use zone shall be for structures and/or outdoor areas devoted to those uses indicated in Chapter 12 as permitted in use zone P-C and uses similar to such indicated uses together with parking facilities in connection with such use in compliance with Chapter 24 and Section 13.3.2.

13.1.2 Accessory uses of land in this use zone shall be for structures and/or outdoor areas located on the same lot with the primary uses and devoted to those uses which are customarily incidental to the primary uses and specifically including the following:

- (1) Signs in compliance with Section 25.2.2 and Topic 25.5.
- (2) Sight screening in compliance with Topic 26.6.
- (3) Fences in compliance with Topic 26.7.
- (4) Landscaping in compliance with Topic 26.10.
- (5) Employees' auditorium.
- (6) Employees' cafeteria.
- (7) Employees' living quarters in compliance with Topic 26.15.
- (8) Gatehouse in compliance with Section 26.4.2.

13.1.3 Secondary uses of land in this use zone shall be for structures and/or outdoor areas devoted to public utility and public safety use in compliance with Topics 26.8 and 26.9 respectively.

13.2 DIMENSIONAL REQUIREMENTS

13.2.1 Lot dimensions. Minimum dimensions for lots shall be:

- (1) Area: No specification.
- (2) Width at front setback line: No specification.
- (3) Width at front lot line: 60 feet.
- (4) Average depth: No specification.

13.2.2 Setback dimensions for all buildings not otherwise specified and for storage areas not under permanent cover shall be the following, subject to modification for irregular lots as given in Topic 28.3:

- (1) From any lot line adjoining a street: 75 feet.
 - (2) From any lot line not adjoining a street: 50 feet.
- (For features permitted within setback areas see Section 26.3.1)

13.2.3 Lot coverage. Maximum coverage of a lot by all structures, and storage areas not under permanent cover, except a surfaced driveway or surfaced parking area, shall be 50 per cent of the lot area, provided the required area for parking shall take precedence over the permissible lot coverage.

13.2.4 Floor area. No specification.

13.2.5 Height. Maximum height of all structures except for stacks and similar appurtenances shall be 35 feet.

13.2.6 Sight clearance. Minimum dimensions for sight clearance at vehicular traffic intersections shall be the applicable dimensions given in Topic 26.5.

13.3 OTHER REQUIREMENTS

13.3.1 Sight screening.

- (1) When a conditional use or a special use is located within this use zone and not adjoining a residential use zone, sight screening in compliance with Topic 26.6 may be a pertinent requirement or condition as provided in Chapters 41 and 42.
- (2) When a permitted use, a conditional use or a special use located within this use zone adjoins a residential use zone, sight screening by horticultural plantings of trees, shrubs and other plant life shall be required in compliance with Topic 26.6, except when a street intervenes no sight screening shall be required. Such sight screening may be located on the landscaping strip required by Section 13.3.5.
- (3) When a service area or a storage area is visible from a street, a customer parking facility or any adjoining property line, such area shall be sight screened in compliance with Topic 26.6.

13.3.2 Parking facilities shall not be permitted within the landscaping strip required by Section 13.3.5.

13.3.3 Performance. All operations shall be conducted in compliance with the requirements of Chapter 27.

13.3.4 Retail stores or shops as such shall not be permitted. Permission for a proposed primary use development wherein any retail sales are planned, contemplated or intended shall be dependent on a determination made in accordance with Topic 45.3.

13.3.5 Landscaping. A strip of ground adjoining all property lines shall be appropriately landscaped, except for required driveways and walkways, observing the requirements of Topic 26.10. Such landscaping may include natural growth on the ground at the time of development, provided unsightly underbrush shall be removed. The minimum width of such strip shall be:

- (1) When adjoining a street: 20 feet.
- (2) When adjoining any property other than a street: Ten feet.

13.3.6 An open storage area shall be permitted, provided no materials, products or other items shall be piled higher than ten feet from ground level.

Chapter 14

NEIGHBORHOOD COMMERCIAL USE ZONE REGULATIONS (C-N)

14.1 USES PERMITTED

14.1.1 Primary uses of land in this use zone shall be for structures and/or outdoor areas devoted to a grouping of not less than three uses, of which there shall not be more than one of each type, of those uses indicated in Chapter 12 as permitted in use zone C-N and uses similar to such indicated uses together with parking facilities in connection with such uses in compliance with Chapter 24.

14.1.2 Accessory uses of land in this use zone shall be for structures and/or outdoor areas located on the same lot with the primary uses and devoted to those uses which are customarily incidental to the primary uses and specifically including the following:

- (1) Signs in compliance with Section 25.2.3 and Topic 25.5.
- (2) Sight screening in compliance with Topic 26.6.
- (3) Fences in compliance with Topic 26.7.
- (4) Landscaping in compliance with Topic 26.10.

14.1.3 Secondary uses of land in this use zone shall be for structures and/or outdoor areas devoted to public utility and public safety use in compliance with Topics 26.8 and 26.9 respectively.

14.2 DIMENSIONAL REQUIREMENTS

14.2.1 Lot dimensions. Minimum dimensions for lots shall be:

- (1) Area: No specification.
- (2) Width at front setback line: No specification.
- (3) Width at front lot line: 30 feet.
- (4) Average depth: No specification.

14.2.2 Setback dimensions for all buildings not otherwise specified shall be the following, subject to modification for irregular lots as given in Topic 28.3:

- (1) From any lot line adjoining a street: Five feet, except where parking facilities are located between a street and a building, 50 feet.
 - (2) From any lot line not adjoining a street: No specification, except when adjoining a residential use zone, 20 feet.
- (For features permitted within setback areas see Section 26.3.1)

14.2.3 Lot coverage. Maximum coverage of a lot by all structures, except a surfaced driveway or surfaced parking area shall be 35 per cent of the lot area.

14.2.4 Floor area. No specification.

14.2.5 Height. Maximum height of all structures, exclusive of chimney, antennae and similar appurtenances shall be 25 feet.

14.2.6 Sight clearance. Minimum dimensions for sight clearance shall be the dimensions given in Topic 26.5 for residential use zones.

14.3 OTHER REQUIREMENTS

14.3.1 Sight screening.

- (1) When a conditional use or a special use is located within this use zone and not adjoining a residential use zone, sight screening in compliance with Topic 26.6 may be a pertinent requirement or condition as provided in Chapters 41 and 42.
- (2) When a permitted use, a conditional use or a special use located within this use zone adjoins a residential use zone, sight screening shall be required in compliance with Topic 26.6, except where a street intervenes no sight screening shall be required.
- (3) When a service area is visible from a street or a customer parking facility, such area shall be sight screened in compliance with Topic 26.6.

14.3.2 Reserved.

14.3.3 Performance. All operations shall be conducted in compliance with the requirements of Chapter 27.

14.3.4 Retail sales only shall be permitted.

14.3.5 Only incidental and limited fabrication or assembly of commodities shall be permitted.

14.3.6 No open storage area shall be permitted.

Chapter 15

COMMERCIAL COMPLEX USE ZONE REGULATIONS (C-C)

15.1 USES PERMITTED

15.1.1 Primary uses of land in this use zone shall be for structures and/or outdoor areas devoted to a grouping of not less than eight of those uses indicated in Chapter 12 as permitted in use zone C-C and uses similar to such indicated uses together with parking facilities in connection with such uses in compliance with Chapter 24.

15.1.2 Accessory uses of land in this use zone shall be for structures and/or outdoor areas located on the same lot with the primary uses and devoted to those uses which are customarily incidental to the primary uses and specifically including the following:

- (1) Signs in compliance with Section 25.2.4 and Topic 25.5.
- (2) Sight screening in compliance with Topic 26.6.
- (3) Fences in compliance with Topic 26.7.
- (4) Landscaping in compliance with Topic 26.10.
- (5) Employees' living quarters for watchman only, in compliance with Topic 26.15.

15.1.3 Secondary uses of land in this use zone shall be for structures and/or outdoor areas devoted to public utility and public safety use in compliance with Topics 26.8 and 26.9 respectively.

15.2 DIMENSIONAL REQUIREMENTS

15.2.1 Lot dimensions. Minimum dimensions for lots shall be:

- (1) Area: 50,000 square feet.
- (2) Width at front setback line: No specification.
- (3) Width at front lot line: 60 feet.
- (4) Average depth: No specification.

15.2.2 Setback dimensions for all buildings not otherwise specified shall be the following, subject to modification for irregular lots as given in Topic 28.3:

- (1) From any lot line adjoining a street: 60 feet.
 - (2) From any lot line not adjoining a street: No specification.
- (For features permitted within setback areas see Section 26.3.1)

15.2.3 Lot coverage. No specification.

15.2.4 Floor area. No specification.

15.2.5 Height. No specification.

15.2.6 Sight clearance. Minimum dimensions for sight clearance at vehicular traffic intersections shall be the applicable dimensions given in Topic 26.5.

15.3 OTHER REQUIREMENTS

15.3.1 Sight screening.

- (1) When a conditional use or a special use is located within this use zone and not adjoining a residential use zone, sight screening in compliance with Topic 26.6 may be a pertinent requirement or condition as provided in Chapters 41 and 42.

15.3.1 (Cont.)

- (2) When a permitted use, a conditional use or a special use located within this use zone adjoins a residential use zone, sight screening shall be required in compliance with Topic 26.6 except when a street intervenes no sight screening shall be required.
- (3) When a service area is visible from a street or customer parking facility, such area shall be sight screened in compliance with Topic 26.6.

15.3.2 Reserved.

15.3.3 Performance. All operations shall be conducted in compliance with the requirements of Chapter 27.

15.3.4 Retail sales only shall be permitted.

15.3.5 Only incidental and limited fabrication or assembly of commodities shall be permitted.

15.3.6 No open storage area shall be permitted.

15.3.7 One ownership. A development in this use zone shall be a building or group of buildings in one common ownership with sales areas leased to tenants. As used herein, ownership may be by an individual, group of individuals, firm or corporation, wherein the entire complex is owned as one unit, it being the intention that the entire development be under unified control.

15.3.8 When certain uses permitted in this use zone are chosen as uses in any specific complex, the following regulations shall apply:

- (1) Recreational and entertainment uses shall be:
 - (a) Located with respect to other uses in such manner as effectively to separate the traffic flow created by the above named uses from traffic flow created by other uses, to the public way which serves the complex.
 - (b) Effectively sound insulated so as not to be distracting to persons in other use areas.
- (2) Hospital use.
 - (a) Hospital use shall be effectively sound insulated from other use areas.
 - (b) The entrance to a hospital use shall be oriented away from the entrance to other use areas.

Chapter 16

LIGHT COMMERCIAL USE ZONE REGULATIONS (C-L)

16.1 USES PERMITTED

16.1.1 Primary uses of land in this use zone shall be for structures and/or outdoor areas devoted to those uses indicated in Chapter 12 as permitted in use zone C-L and uses similar to such indicated uses together with parking facilities in connection with such uses in compliance with Chapter 24.

16.1.2 Accessory uses of land in this use zone shall be for structures and/or outdoor areas located on the same lot with the primary uses and devoted to those uses which are customarily incidental to the primary uses and specifically including the following:

- (1) Signs in compliance with Section 25.2.5 and Topic 25.5.
- (2) Sight screening in compliance with Topic 26.6.
- (3) Fences in compliance with Topic 26.7.
- (4) Landscaping in compliance with Topic 26.10.
- (5) Employees' living quarters in compliance with Topic 26.15.

16.1.3 Secondary uses of land in this use zone shall be for structures and/or outdoor areas devoted to public utility and public safety use in compliance with Topics 26.8 and 26.9 respectively.

16.2 DIMENSIONAL REQUIREMENTS

16.2.1 Lot dimensions. Minimum dimensions for lots shall be:

- (1) Area: No specification.
- (2) Width at front setback line: No specification.
- (3) Width at front lot line: 30 feet.
- (4) Average depth: No specification.

16.2.2 Setback dimensions for all buildings not otherwise specified shall be the following, subject to modification for irregular lots as given in Topic 28.3:

- (1) From any lot line adjoining a street: Five feet, except where parking facilities are located between a street and a building, 50 feet.
 - (2) From any lot line not adjoining a street: No specification.
- (For features permitted within setback areas see Section 26.3.1)

16.2.3 Lot coverage. No specification.

16.2.4 Floor area. No specification.

16.2.5 Height. No specification.

16.2.6 Sight clearance. Minimum dimensions for sight clearance at vehicular traffic intersections shall be the applicable dimensions given in Topic 26.5.

16.3 OTHER REQUIREMENTS

16.3.1 Sight screening.

- (1) When a conditional use or a special use is located within this use zone and not adjoining a residential use zone, sight screening in compliance with Topic 26.6 may be a pertinent requirement or condition as provided in Chapters 41 and 42.
- (2) When a permitted use, a conditional use or a special use located within this use zone adjoins a residential use zone, sight screening shall be required in compliance with Topic 26.6, except where a street intervenes no sight screening shall be required.
- (3) When a service area is visible from a street or a customer parking facility, such area shall be sight screened in compliance with Topic 26.6.

16.3.2 Reserved.

16.3.3 Performance. All operations shall be conducted in compliance with the requirements of Chapter 27.

16.3.4 Retail sales only shall be permitted.

16.3.5 Only incidental and limited fabrication or assembly of commodities shall be permitted.

16.3.6 No open storage area shall be permitted.

Chapter 17

MEDIUM COMMERCIAL USE ZONE REGULATIONS (C-M)

17.1 USES PERMITTED

17.1.1 Primary uses of land in this use zone shall be for structures and/or outdoor areas devoted to those uses indicated in Chapter 12 as permitted in use zone C-M and uses similar to such indicated uses together with parking facilities in connection with such uses in compliance with Chapter 24.

17.1.2 Accessory uses of land in this use zone shall be for structures and/or outdoor areas located on the same lot with the primary uses and devoted to those uses which are customarily incidental to the primary uses and specifically including the following:

- (1) Signs in compliance with Section 25.2.6 and Topic 25.5.
- (2) Sight screening in compliance with Topic 26.6.
- (3) Fences in compliance with Topic 26.7.
- (4) Landscaping in compliance with Topic 26.10.
- (5) Employees' living quarters in compliance with Topic 26.15.

17.1.3 Secondary uses of land in this use zone shall be for structures and/or outdoor areas devoted to public utility and public safety use in compliance with Topics 26.8 and 26.9 respectively.

17.2 DIMENSIONAL REQUIREMENTS

17.2.1 Lot dimensions. Minimum dimensions for lots shall be:

- (1) Area: No specification.
- (2) Width at front setback line: No specification.
- (3) Width at front lot line: 30 feet.
- (4) Average depth: No specification.

17.2.2 Setback dimensions for all buildings not otherwise specified shall be the following, subject to modification for irregular lots as given in Topic 28.3:

- (1) From any lot line adjoining a street: Five feet, except where parking facilities are located between a street and a building, 50 feet.
- (2) From any lot line not adjoining a street: No specification.
(For features permitted within setback areas see Section 26.3.1)

17.2.3 Lot coverage. No specification.

17.2.4 Floor area. No specification.

17.2.5 Height. No specification.

17.2.6 Sight clearance. Minimum dimensions for sight clearance at vehicular traffic intersections shall be the applicable dimensions given in Topic 26.5.

17.3 OTHER REQUIREMENTS

17.3.1 Sight screening.

- (1) When a conditional use or a special use is located within this use zone and not adjoining a residential use zone, sight screening in compliance with Topic 26.6 may be a pertinent requirement or condition as provided in Chapters 41 and 42.
- (2) When a permitted use, a conditional use or a special use located within this use zone adjoins a residential use zone, sight screening shall be required in compliance with Topic 26.6, except where a street intervenes no sight screening shall be required.
- (3) When a service area is visible from a street or a customer parking facility, such area shall be sight screened in compliance with Topic 26.6.

17.3.2 Reserved.

17.3.3 Performance. All operations shall be conducted in compliance with the requirements of Chapter 27.

17.3.4 Retail sales only shall be permitted.

17.3.5 Only incidental and limited fabrication or assembly of commodities shall be permitted.

17.3.6 No open storage area shall be permitted.

Chapter 18

COMMERCIAL-INDUSTRIAL USE ZONE REGULATIONS (C-I)

18.1 USES PERMITTED

18.1.1 Primary uses of land in this use zone shall be for structures and/or outdoor areas devoted to those uses indicated in Chapter 12 as permitted in use zone C-I, to uses similar to such indicated uses and to industrial uses having performance characteristics which are not detrimental in this use zone together with parking facilities in connection with such uses in compliance with Chapter 24.

18.1.2 Accessory uses of land in this use zone shall be for structures and/or outdoor areas located on the same lot with the primary uses and devoted to those uses which are customarily incidental to the primary uses and specifically including the following:

- (1) Signs in compliance with Section 25.2.7 and Topic 25.5.
- (2) Sight screening in compliance with Topic 26.6.
- (3) Fences in compliance with Topic 26.7.
- (4) Landscaping in compliance with Topic 26.10.
- (5) Employees' living quarters in compliance with Topic 26.15.

18.1.3 Secondary uses of land in this use zone shall be for structures and/or outdoor areas devoted to public utility and public safety use in compliance with Topics 26.8 and 26.9 respectively.

18.2 DIMENSIONAL REQUIREMENTS

18.2.1 Lot dimensions. Minimum dimensions for lots shall be:

- (1) Area: No specification.
- (2) Width at front setback line: No specification.
- (3) Width at front lot line: 30 feet.
- (4) Average depth: No specification.

18.2.2 Setback dimensions for all buildings not otherwise specified shall be the following, subject to modification for irregular lots as given in Topic 28.3:

- (1) From any lot line adjoining a street: Five feet, except where parking facilities are located between a street and a building, 50 feet.
- (2) From any lot line not adjoining a street: No specification, except when adjoining a residential use zone, 30 feet.

(For features permitted within setback areas see Section 26.3.1)

18.2.3 Lot coverage. No specification.

18.2.4 Floor area. No specification.

18.2.5 Height. No specification.

18.2.6 Sight clearance. Minimum dimensions for sight clearance at vehicular traffic intersections shall be the applicable dimensions given in Topic 26.5.

18.3 OTHER REQUIREMENTS

18.3.1 Sight screening.

- (1) When a conditional use or a special use is located within this use zone and not adjoining a residential use zone, sight screening in compliance with Topic 26.6 may be a pertinent requirement or condition as provided in Chapters 41 and 42.
- (2) When a permitted use, a conditional use or a special use located within this use zone adjoins a residential use zone, sight screening shall be required in compliance with Topic 26.6, except where a street intervenes no sight screening shall be required.
- (3) When a service area or a storage area is visible from a street or a customer parking facility, such area shall be sight screened in compliance with Topic 26.6.

18.3.2 Reserved.

18.3.3 Performance. All operations shall be conducted in compliance with the requirements of Chapter 27.

18.3.4 Wholesale and retail sales shall be permitted.

18.3.5 Reserved.

18.3.6 An open storage area shall be permitted, provided no materials, products or other items shall be piled higher than ten feet from ground level.

Chapter 19

INDUSTRIAL PARK USE ZONE REGULATIONS (I-P)

19.1 USES PERMITTED

19.1.1 Primary uses of land in this use zone shall be for structures and/or outdoor areas devoted to those uses listed below having performance characteristics which are not detrimental in this use zone together with parking facilities in connection with such uses in compliance with Chapter 24 and Section 19.3.2.

- (1) Bakery - wholesale only.
- (2) Bottling plant.
- (3) Broom and brush manufacture.
- (4) Ceramic products, excluding brick, drain tile, conduit tile.
- (5) Clothes cleaning, dyeing, laundry.
- (6) Dairy products processing.
- (7) Die casting.
- (8) Delivery service terminal.
- (9) Equipment parts manufacture and assembly.
- (10) Food products processing - packaging, cold storage, distribution center.
- (11) Household goods storage and moving van headquarters.
- (12) Leather goods.
- (13) Machine shop - punch press permitted, no drop hammer or drop forge permitted.
- (14) Paper and cardboard products.
- (15) Pharmaceutical products.
- (16) Plastic products.
- (17) Poultry hatchery.
- (18) Printing, publishing, binding, lithographing.
- (19) Research facilities.
- (20) Rubber products.
- (21) Sheet metal products.
- (22) Signs manufacture.
- (23) Textile manufacture.
- (24) Warehousing.

19.1.2 Accessory uses of land in this use zone shall be for structures and/or outdoor areas located on the same lot with the primary uses and devoted to those uses which are customarily incidental to the primary uses and specifically including the following:

- (1) Signs in compliance with Section 25.2.8 and Topic 25.5.
- (2) Sight screening in compliance with Topic 26.6.
- (3) Fences in compliance with Topic 26.7.
- (4) Landscaping in compliance with Topic 26.10.
- (5) Employees' auditorium.
- (6) Employees' cafeteria.
- (7) Employees' living quarters in compliance with Topic 26.15.
- (8) Gatehouse in compliance with Section 26.4.2.

19.1.3 Secondary uses of land in this use zone shall be for structures and/or outdoor areas devoted to the uses listed below together with parking facilities in connection with such uses in compliance with Chapter 24 and Section 19.3.2.

- (1) Automobile service station.
- (2) Bank.

19.1.3 (Cont.)

- (3) Landscape gardener with horticultural nursery for planting stock.
- (4) Restaurant (inside service only).

19.2 DIMENSIONAL REQUIREMENTS

19.2.1 Lot dimensions. Minimum dimensions for lots shall be:

- (1) Area: 70,000 square feet.
- (2) Width at front setback line: No specification.
- (3) Width at front lot line: 100 feet.
- (4) Average depth: No specification.

19.2.2 Setback dimensions.

- (1) Setback dimensions for all buildings in a primary use and for storage areas not under permanent cover shall be the following, subject to modification for irregular lots as given in Topic 28.3:
 - (a) From any lot line adjoining a street: 75 feet.
 - (b) From any lot line adjoining a railroad right of way or navigable water course right of way: No specification.
 - (c) From any lot line not adjoining a street, a railroad right of way or a navigable water course right of way: 50 feet.
 - (2) Setback dimensions for all buildings in a secondary use shall be the following, subject to modification for irregular lots as given in Topic 28.3:
 - (a) From any lot line adjoining a street: 35 feet.
 - (b) From any lot line not adjoining a street: 25 feet.
- (For features permitted within setback areas see Section 26.3.1)

19.2.3 Lot coverage. Maximum coverage of a lot by all structures, and storage areas not under permanent cover, except a surfaced driveway or surfaced parking area, shall be 50 per cent of the lot area, provided the required area for parking shall take precedence over the permissible lot coverage.

19.2.4 Floor area. No specification.

19.2.5 Height. Maximum height of all structures except for stacks and similar appurtenances shall be 35 feet.

19.2.6 Sight clearance. Minimum dimensions for sight clearance at vehicular traffic intersections shall be the applicable dimensions given in Topic 26.5.

19.3 OTHER REQUIREMENTS

19.3.1 Sight screening.

- (1) When a conditional use or a special use is located within this use zone and not adjoining a residential use zone, sight screening in compliance with Topic 26.6 may be a pertinent requirement or condition as provided in Chapters 41 and 42.
- (2) When a permitted use, a conditional use or a special use located within this use zone adjoins a residential use zone either directly or with a street intervening, sight screening by horticultural plantings of trees, shrubs and other plant life shall be required in compliance with Topic 26.6. Such sight screening may be located on the landscaping strip required by Section 19.3.5.
- (3) When a service area or a storage area is visible from a street, a customer parking facility or any adjacent property line, such area shall be sight screened in compliance with Topic 26.6.

19.3.2 Parking facilities shall not be permitted within the landscaping strip required by Section 19.3.5

19.3.3 Performance. All operations shall be conducted in compliance with the requirements of Chapter 27.

19.3.4 Retail stores or shops as such shall not be permitted. Permission for a proposed primary use development wherein any retail sales are planned, contemplated or intended shall be dependent on a determination made in accordance with Topic 45.3.

19.3.5 Landscaping. A strip of ground adjoining all property lines, except as hereinafter specified, shall be appropriately landscaped, except for required driveways and walkways, observing the requirements of Topic 26.10. Such landscaping may include natural growth on the ground at the time of development, provided unsightly underbrush shall be removed. The minimum width of such strip shall be:

- (1) When adjoining a street: 20 feet.
- (2) When adjoining a railroad right of way or navigable water course right of way: No specification.
- (3) When adjoining any property other than a street, a railroad right of way or a navigable water course right of way: Ten feet.

19.3.6 An open storage area shall be permitted, provided no materials, products or other items shall be piled higher than 15 feet from ground level.

Chapter 20

LIGHT INDUSTRIAL USE ZONE REGULATIONS (I-L)

20.1 USES PERMITTED

20.1.1 Primary uses of land in this use zone shall be for structures and/or outdoor areas devoted to the uses listed below and uses of a similar nature together with parking facilities in connection with such uses in compliance with Chapter 24.

- (1) Assaying of mineral ores.
- (2) Automobile assembly.
- (3) Bag cleaning and conditioning.
- (4) Bakery - wholesale only.
- (5) Boat building and repair.
- (6) Bottling plant.
- (7) Broom and brush manufacture.
- (8) Bus storage terminal and shop.
- (9) Cabinet and millwork shop.
- (10) Carpet and rug cleaning.
- (11) Ceramic products, excluding brick, drain tile, building tile, conduit tile.
- (12) Clothes cleaning, dyeing, laundry.
- (13) Contractors' shops and yards.
- (14) Dairy products processing.
- (15) Die casting.
- (16) Delivery service terminal.
- (17) Electrolytic storage cell assembly and rebuilding.
- (18) Electroplating.
- (19) Equipment parts manufacture and assembly.
- (20) Feed processing and mixing - animal.
- (21) Food products processing - packaging, cold storage, distribution center.
- (22) Foundry - light non-ferrous.
- (23) Fuel yard.
- (24) Furniture manufacture.
- (25) Household goods storage and moving van headquarters.
- (26) Ice plant.
- (27) Leather products.
- (28) Lumber and building materials for contractors.
- (29) Machine shop - punch press permitted, no drop hammer or drop forge permitted.
- (30) Motor freight terminal.
- (31) Paper and cardboard products.
- (32) Pharmaceutical products.
- (33) Plumbing supplies for contractors.
- (34) Prefabricated building, excluding concrete.
- (35) Pumping plant in transmission line.
- (36) Plastic products.
- (37) Printing, publishing, binding, lithographing.
- (38) Public utility substation, service headquarters, storage, pole yard.
- (39) Research facilities.
- (40) Rubber products.
- (41) Sheet metal products.
- (42) Signs manufacture.
- (43) Stone and monument cutting.
- (44) Textile manufacture.
- (45) Tin plating.

20.1.1 (Cont.)

- (46) Tire retreading and recapping.
- (47) Upholstery.
- (48) Warehousing.

20.1.2 Accessory uses of land in this use zone shall be for structures and/or outdoor areas located on the same lot with the primary uses and devoted to those uses which are customarily incidental to the primary uses and specifically including the following:

- (1) Signs in compliance with Section 25.2.9 and Topic 25.5.
- (2) Sight screening in compliance with Topic 26.6.
- (3) Fences in compliance with Topic 26.7.
- (4) Landscaping in compliance with Topic 26.10.
- (5) Employees' auditorium.
- (6) Employees' cafeteria.
- (7) Employees' living quarters in compliance with Topic 26.15.
- (8) Gatehouse in compliance with Section 26.4.2.

20.1.3 Secondary uses of land in this use zone shall be for structures and/or outdoor areas devoted to the uses listed below together with parking facilities in connection with such uses in compliance with Chapter 24:

- (1) Auction house (excluding motor vehicles and livestock).
- (2) Automobile laundry.
- (3) Automobile repair.
- (4) Automobile service station.
- (5) Blacksmith shop.
- (6) Contractors' heavy equipment, industrial equipment, heavy transportation equipment (sales, service, repair, provided no scrapped equipment shall be permitted).
- (7) Landscape gardener with horticultural nursery for planting stock.
- (8) Mobile home and house trailer (sales).
- (9) Public utility use in compliance with Topic 26.8.
- (10) Public safety use in compliance with Topic 26.9.
- (11) Restaurant (inside service only).
- (12) Veterinarian office and small animal hospital.

20.2 DIMENSIONAL REQUIREMENTS

20.2.1 Lot dimensions. Minimum dimensions for lots shall be:

- (1) Area: No specification.
- (2) Width at front setback line: No specification.
- (3) Width at front lot line: 30 feet.
- (4) Average depth: No specification.

20.2.2 Setback dimensions for all buildings not otherwise specified shall be the following, subject to modification for irregular lots as given in Topic 28.3:

- (1) From any lot line adjoining a street: For administrative office, employees' auditorium, cafeteria or separate living quarters, and other buildings for similar use, 20 feet; for other uses, no specification.
 - (2) From any lot line not adjoining a street: No specification, except when adjoining a residential use zone, 50 feet.
- (For features permitted within setback areas see Section 26.3.1)

20.2.3 Lot coverage. No specification.

20.2.4 Floor area. No specification.

20.2.5 Height. No specification.

20.2.6 Sight clearance. Minimum dimensions for sight clearance at vehicular traffic intersections shall be the applicable dimensions given in Topic 26.5.

20.3 OTHER REQUIREMENTS

20.3.1 Sight screening.

- (1) When a conditional use or a special use is located within this use zone and not adjoining a residential use zone, sight screening in compliance with Topic 26.6 may be a pertinent requirement or condition as provided in Chapters 41 and 42.
- (2) When a permitted use, a conditional use or a special use located within this use zone adjoins a residential use zone either directly or with a street intervening, sight screening by horticultural plantings of trees, shrubs and other plant life shall be required in compliance with Topic 26.6.
- (3) When a service area or a storage area is visible from a street or a customer parking facility, such area shall be sight screened in compliance with Topic 26.6.

20.3.2 Reserved.

20.3.3 Performance. All operations shall be conducted in compliance with the requirements of Chapter 27.

20.3.4 Retail stores or shops as such shall not be permitted. Permission for a proposed primary use development wherein any retail sales are planned, contemplated or intended shall be dependent on a determination made in accordance with Topic 45.3.

Chapter 21

HEAVY INDUSTRIAL USE ZONE REGULATIONS (I-H)

21.1 USES PERMITTED

21.1.1 Primary uses of land in this use zone shall be for structures and/or outdoor areas devoted to the primary uses permitted in use zone I-L (Chapter 20), to the uses listed below and to uses of a similar nature together with parking facilities in connection with such uses in compliance with Chapter 24.

- (1) Clay products manufacture.
- (2) Concrete products manufacture and ready mix concrete.
- (3) Mineral extraction, washing, grading, crushing, processing.
- (4) Prefabricated buildings.

21.1.2 Accessory uses of land in this use zone shall be for structures and/or outdoor areas located on the same lot with the primary uses and devoted to those uses which are customarily incidental to the primary uses and specifically including the following:

- (1) Signs in compliance with Section 25.2.10 and Topic 25.5.
- (2) Sight screening in compliance with Topic 26.6.
- (3) Fences in compliance with Topic 26.7.
- (4) Landscaping in compliance with Topic 26.10.
- (5) Employees' auditorium.
- (6) Employees' cafeteria.
- (7) Employees' living quarters in compliance with Topic 26.15.
- (8) Gatehouse in compliance with Section 26.4.2.

21.1.3 Secondary uses of land in this use zone shall be for structures and/or outdoor areas devoted to the uses listed below together with parking facilities in connection with such uses in compliance with Chapter 24:

- (1) Auction house (excluding motor vehicles and livestock).
- (2) Automobile laundry.
- (3) Automobile repair.
- (4) Automobile service station.
- (5) Blacksmith shop.
- (6) Contractors' heavy equipment, industrial equipment, heavy transportation equipment (sales, service, repairs, provided no scrapped equipment shall be permitted).
- (7) Landscape gardener with horticultural nursery for planting stock.
- (8) Mobile home and house trailer (sales).
- (9) Public utility use in compliance with Topic 26.8.
- (10) Public safety use in compliance with Topic 26.9.
- (11) Restaurant (inside service only).
- (12) Veterinarian office and small animal hospital.

21.2 DIMENSIONAL REQUIREMENTS

21.2.1 Lot dimensions. Minimum dimensions for lots shall be:

- (1) Area: No specification.
- (2) Width at front setback line: No specification.
- (3) Width at front lot line: 50 feet.
- (4) Average depth: No specification.

21.2.2 Setback dimensions for all buildings not otherwise specified shall be the following, subject to modification for irregular lots as given in Topic 28.3:

- (1) From any lot line adjoining a street: For administrative office, employees' auditorium, cafeteria or separate living quarters, and other buildings for similar use, 20 feet; for other uses, no specification.
- (2) From any lot line not adjoining a street: No specification, except when adjoining a residential use zone, 75 feet for primary uses first permitted in this use zone and 50 feet for other uses.

(For features permitted within setback areas see Section 26.3.1)

21.2.3 Lot coverage. No specification.

21.2.4 Floor area. No specification.

21.2.5 Height. No specification.

21.2.6 Sight clearance. Minimum dimensions for sight clearance at vehicular traffic intersections shall be the applicable dimensions given in Topic 26.5.

21.3 OTHER REQUIREMENTS

21.3.1 Sight screening.

- (1) When a conditional use or a special use is located within this use zone and not adjoining a residential use zone, sight screening in compliance with Topic 26.6 may be a pertinent requirement or condition as provided in Chapters 41 and 42.
- (2) When a permitted use, a conditional use or a special use located within this use zone adjoins a residential use zone either directly or with a street intervening, sight screening by horticultural plantings of trees, shrubs and other plant life shall be required in compliance with Topic 26.6.
- (3) When a service area or a storage area is visible from a street or a customer parking facility, such area shall be sight screened in compliance with Topic 26.6.

21.3.2 Reserved.

21.3.3 Performance. All operations shall be conducted in compliance with the requirements of Chapter 27.

21.3.4 Retail stores or shops as such shall not be permitted. Permission for a proposed primary use development wherein any retail sales are planned, contemplated or intended shall be dependent on a determination made in accordance with Topic 45.3.

Chapter 22

AGRICULTURAL USE ZONE REGULATIONS (A)

22.1 USES PERMITTED

22.1.1 Primary uses of land in this use zone shall be for structures and/or outdoor areas devoted to:

- (1) The usual agricultural enterprises such as commercial gardening, fruit and berries, dairy, poultry, animal husbandry and horticultural nursery.
- (2) The necessary structures for operation of an agricultural enterprise.
- (3) One type "A" dwelling unit per building per agricultural enterprise for the owner or operator thereof.
- (4) One type "A" dwelling unit per building per lot without agricultural enterprise.
- (5) Parking facilities in connection with the above uses in compliance with Chapter 24 and Section 22.3.2.

22.1.2 Accessory uses of land in this use zone shall be for structures and/or outdoor areas located on the same lot with the primary uses and devoted to those uses which are customarily incidental to the primary uses and specifically including the following:

- (1) Signs in compliance with Topics 25.3 and 25.5.
- (2) Sight screening in compliance with Topic 26.6.
- (3) Fences in compliance with Topic 26.7.
- (4) Buildings and miscellaneous structures in compliance with Topic 26.2.
- (5) Home occupations in compliance with Topic 26.11.
- (6) Renting of rooms, or board, in compliance with Topic 26.14.

22.1.3 Secondary uses of land in this use zone shall be for structures and/or outdoor areas devoted to public utility and public safety use in compliance with Topics 26.8 and 26.9 respectively.

22.1.4 Conditional uses of land in this use zone shall be for structures and/or outdoor areas devoted to: Church, public school, private school, park, recreational facilities in connection with a school or park, community hall, community swimming pool, golf course, kennel, riding academy, dwelling units in excess of the provisions of Section 22.1.1 (3) for operators and/or employees of an agricultural enterprise. (Conditional Use, Chapter 41)

22.2 DIMENSIONAL REQUIREMENTS

22.2.1 Lot dimensions. Minimum dimensions for lots shall be:

- (1) Area: 40,000 square feet.
- (2) Width at front setback line: 100 feet.
- (3) Width at front lot line: 50 feet.
- (4) Average depth: 200 feet.

22.2.2 Setback dimensions given below shall be subject to modification for irregular lots as given in Topic 28.3:

- (1) Setback dimensions for dwelling unit buildings and minor agricultural use buildings which do not house animals or fowls or otherwise give rise to dust or odors shall be:
 - (a) Front: 20 feet.
 - (b) Side (interior or adjoining a street): 20 feet.
 - (c) Rear: 20 feet.

22.2.2 (Cont.)

(2) Setback dimensions for major agricultural use buildings housing animals or fowls or other uses which give rise to dust or odors, except for minimum spacing given in Section 22.2.7, shall be:

(a) Where adjoining property is in this use zone:

- (1) Front: 60 feet.
- (2) Side (interior or adjoining a street): 40 feet.
- (3) Rear: 40 feet.

(b) Where adjoining property is in a residential or commercial use zone:

- (1) Front: 60 feet.
- (2) Side (interior or adjoining a street): 60 feet on adjoining side.
- (3) Rear: 60 feet.

22.2.3 Lot coverage. No specification.

22.2.4 Floor area. Minimum floor area of a dwelling unit building, exclusive of attached carport or garage, storage rooms, heater room, porches and areas devoted to similar uses, shall be 650 square feet.

22.2.5 Height. No specification.

22.2.6 Sight clearance. Minimum dimensions for sight clearance at vehicular traffic intersections shall be the applicable dimensions given in Topic 26.5.

22.2.7 Building spacing. Buildings in agricultural use which house animals or fowls or otherwise give rise to dust or odors shall have a minimum spacing with respect to any pre-existing dwelling unit building:

- (1) On the same lot, of 40 feet.
- (2) On an adjoining lot, of 80 feet.

22.3 OTHER REQUIREMENTS

22.3.1 Sight screening.

- (1) When a conditional use or a special use is located within this use zone and not adjoining a residential use zone, sight screening in compliance with Topic 26.6 may be a pertinent requirement or condition as provided in Chapters 41 and 42.
- (2) When the operations center for an agricultural enterprise adjoins a residential use in this use zone which was in existence at the inception of such enterprise, sight screening in compliance with Topic 26.6 shall be required when, in the discretion of the Zoning Official, such enterprise is of an unsightly or otherwise offensive nature.
- (3) When the operations center for an agricultural enterprise adjoins a residential use zone or a commercial use zone, sight screening in compliance with Topic 26.6 shall be required or a covenant shall be executed binding the owner to establish such sight screening at such time as development in said adjoining use zone requires sight screening.

22.3.2 Parking.

- (1) The parking facilities for each dwelling unit building shall be located on the same lot with such dwelling unit building.
- (2) When an agricultural enterprise attracts customers, whether on a steady or seasonal basis, sufficient off street parking shall be available, using a driveway for ingress and forward egress.

Chapter 23

PUBLIC USE ZONE REGULATIONS (P)

23.1 USES PERMITTED

23.1.1 Use of land in this use zone shall be for structures and/or outdoor areas devoted to: Public schools, public parks and recreational areas, city hall site, publicly owned public utility sites, and other governmental uses at the local, county, state and federal level.

23.2 DIMENSIONAL REQUIREMENTS

23.2.1 Lot dimensions. No specification.

23.2.2 Setback dimensions shall be no less than required in adjoining use zones.

Chapter 24

PARKING REGULATIONS

24.1 POLICY

24.1.1 Maximum ease of traffic movement and avoidance of all possible congestion are goals which are imperative in modern planning. Adequate off street parking, careful analysis of traffic flow and restricted entry onto traffic arterials are means of helping to accomplish these goals. Toward that end the following regulations apply.

24.2 ADMINISTRATION

24.2.1 For administrative purposes (applications for and issuing of permits) a structure and its attendant parking facility shall be treated as a unit. When a parking facility need be dealt with alone (no structure permit otherwise required) such facility shall be taken as a structure in itself.

24.3 PARKING FACILITY USE REGULATIONS

24.3.1 Street rights of way. No part of any established street right of way shall be used in computing a parking facility.

24.3.2 Separate facilities. No part of any parking facility which is required in conjunction with one structure or enterprise shall be considered any part of the parking facility required in conjunction with any other structure or enterprise except for provisions of Sections 24.3.5 and 24.3.6.

24.3.3 Separation of use and facility. No parking facility shall be separated from the use it is provided to serve by any intervening uses or by any street, except for provisions of Section 24.3.6.

24.3.4 Facility for parking use only. No part of any parking facility shall be used as a product or equipment display area or as a sales area, except by permission of the Zoning Official.

24.3.5 Cooperative facility. Where adjoining parking facilities of two or more ownerships can be designed and developed as one facility and efficiency of parking and circulation and economy of space will result therefrom, such cooperative facility shall be permitted provided continuance of such cooperative facility is assured by a sufficient legal document. If the number of parking stalls as computed on an individual ownership basis is 20 or more, a reduction in the number of stalls required on a cooperative basis shall be permitted in the following manner:

- (1) For two enterprises a reduction of ten per cent.
- (2) For each additional enterprise in excess of two, one per cent additional to ten per cent, with a maximum reduction of 15 per cent with seven separate enterprises cooperating.

The Zoning Official shall treat such a request in the same manner as for any other parking facility. The legal document referred to above shall be presented to the King County Auditor for recording at the developers' expense and the recorded copy shall be filed with the City Clerk.

24.3.6 Joint facility. Where the uses of adjoining parcels of land or proximate parcels of land not more than 400 feet between nearest points are such that the need for parking facilities for the uses do not coincide, a joint parking facility shall be permitted, based on the larger requirement, provided there is a sufficient legal agreement between the parties, certifying as to the days and hours that each party will use such facility. The Zoning Official shall treat such a request in the same manner as for any other parking facility. The agreement referred to above shall be filed with the City Clerk.

24.4 PARKING FACILITY DESIGN REGULATIONS

(Note: See Plate 1 at end of this chapter)

24.4.1 Access rating.

- (1) The design of parking facilities with respect to ease of access to parking stalls shall be based on an access rating denoted by the number of separate maneuvers required to place a vehicle in a parking stall, including the initial approach maneuver.
- (2) Access rating for various parking uses shall be determined by the regulations stated below:
 - (a) For single family residential use there is no specification.
 - (b) For multiple family residential use a maximum of 20 per cent of the number of stalls may be three pass, a maximum of 35 per cent of the number of stalls may be two pass (backing into stall) and the remaining number of stalls shall be one pass.
 - (c) For customer parking use all stalls shall be one pass.
 - (d) For employee, management and service parking use a maximum of 35 per cent of the number of stalls may be three pass, 40 per cent of the number of stalls may be two pass and the remaining number of stalls shall be one pass.
- (3) To determine access rating in critical areas of parking facility layouts a template with dimensions shown on Plate 1 shall be used. Such template shall be made to a scale of one fourth inch equal one foot or one eighth inch equal one foot or one tenth inch equal one foot.

24.4.2 Parking stall dimensions.

- (1) For parallel parking the minimum stall length shall be 23 feet.
- (2) For angle parking (30 degrees to 90 degrees) the minimum stall length shall be 18 feet.
- (3) For customer parking the minimum stall width shall be eight and one half feet.
- (4) For other than customer parking the minimum stall width shall be eight feet.

24.4.3 Parking aisle width.

- (1) The relationship of minimum parking aisle width to parking angle shall be:
 - (a) For parallel (to curb) parking: 12 feet.
 - (b) For 30 degrees to 50 degrees inclusive: 12 feet.
 - (c) For 55 degrees: 14 feet.
 - (d) For 60 degrees: 16 feet.
 - (e) For 65 degrees: 18 feet.
 - (f) For 70 degrees: 20 feet.
 - (g) For 90 degrees: 29 feet.
- (2) For unusual circumstances such as structural interference, larger dimensions than those given in Section 24.4.3 (1) may be required.
- (3) The minimum parking aisle width to accommodate two way traffic shall be 20 feet, except where a greater width is required for parking angle used.

24.4.4 Driveways (access and exit lanes).

- (1) In all use zones surfaced driveways (concrete or blacktop) shall be permitted within setback areas.
- (2) A residential driveway may be located with the centerline on a side property line to serve two adjoining lots in separate ownership, provided there is a sufficient legal document to insure continued joint use of such driveway. A copy of such document shall be presented to the King County Auditor for recording at the property owners' expense, and the recorded copy shall be filed with the City Clerk.
- (3) Access and exit lanes for all non-residential parking facilities shall, if possible, be located with the closer edge not less distant than 20 feet from the closer edge of any marked or unmarked crosswalk at an intersection or any other marked crosswalk. Access and exit lane locations shall not be such that an analysis of the traffic flow resulting therefrom shows a dangerous and confusing traffic pattern on street traffic lanes.
- (4) Each traffic lane of a driveway shall have a minimum width of ten feet, except for the provision of Section 24.4.4 (5).
- (5) Those portions of driveways lying within street rights of way shall be in compliance with Standard Plans and Specifications for the City of Redmond.

24.4.5 Backing into streets. Parking facilities for all uses shall, if possible, be so designed that vehicles are not required to back from the parking facility into any street. Such requirement shall be mandatory in all uses except residential uses of not more than four dwelling units per lot, provided such residential uses are not located on an arterial street. Such requirement shall be mandatory without exception in all uses located on a street designated a major arterial street or a secondary arterial street by the proper governmental authority.

24.4.6 Location of parking and turning areas.

- (1) Residential driveways as parking areas. Residential driveways may qualify for credit as part of the parking stall requirements of Topic 24.6 in accordance with regulations stated below:
 - (a) A driveway one or more traffic lanes in width, not less than 20 feet in length and serving one dwelling unit shall qualify as one parking stall.
 - (b) A driveway not more than one traffic lane in width and serving more than one dwelling unit shall not qualify as a parking stall.
 - (c) A driveway more than one traffic lane in width, not less than 20 feet in length and serving more than one dwelling unit shall qualify as one parking stall for each multiple of one traffic lane in width, provided where vehicles are not permitted to back into a street, each portion of a driveway qualifying shall have access to a turning facility with all other stalls occupied, and further provided credit shall not be given for more than one parking stall per dwelling unit.
- (2) In residential use zones residential parking facilities other than parking permitted on driveways shall not be located in setback areas adjoining a street..
- (3) In residential use zones where vehicles are not permitted to back into a street, (Section 24.4.5) turning facilities may be located in setback areas adjoining a street if there is no other solution.
- (4) In residential use zones parking facilities for quasi-public uses may be located in setback areas subject to parking restrictions which may be given in regulations pertaining to such uses.
- (5) In commercial and industrial use zones parking facilities may be located in setback areas subject to parking restrictions which may be given in regulations pertaining to such use zones.

24.4.7 Service vehicle facilities. The design of parking facilities for service vehicles shall be such as to prevent encroachment on other parking areas or on street rights of way, either while parked or while maneuvering to park.

24.4.8 Drainage and grading. All parking facilities shall have adequate provisions for proper drainage and shall be suitably graded.

24.4.9 Surface. All commercial parking facilities shall have a paved surface in compliance with specifications for the load involved. All non-commercial parking facilities shall have as a minimum a satisfactory gravel surface.

24.4.10 Markings for stalls and traffic flow. Parking facilities shall use as a minimum a reasonably permanent means of showing access and exit lanes, traffic direction and parking stall locations, except where, in the discretion of the Zoning Official, such requirements are unapplicable. Such means shall be clear, easily seen and easily understood.

24.4.11 Walkways.

- (1) When an access and/or exit lane to a customer use parking facility coincides with the customer pedestrian route to such parking facility there shall be a walkway adjacent to such access and/or exit lane.
- (2) Where customers are served in vehicles (other than momentary service rendered at a window) service walkways shall be provided.
- (3) Walkways shall be raised or curbed a minimum of four inches and a maximum of six inches above the parking surface.
- (4) Walkways shall have a minimum clear width (free of vehicle overhang) of three feet.

24.4.12 Overhang of vehicles.

- (1) Suitable wheelstops shall be provided to prevent parked vehicles from overhanging walkways, property lines or other limits of a parking facility.

24.4.13 Drive-in window service. In the design of facilities for drive-in window service there shall be no interference with or from other parking use.

24.4.14 Mortuary. The design of parking facilities for a mortuary shall be such that a funeral procession can be formed and move away from the parking facility at a uniform speed without gaps occurring in the procession.

24.4.15 Landscaping. Plantings and lawn may be used in conjunction with parking facilities in compliance with Topic 26.10.

24.4.16 Sight screening. Sight screening requirements for parking facilities are included, when deemed desirable, in regulations for use zones in which the parking facilities are located or by other regulations pertaining to a particular use.

24.5 PARKING FACILITY PLANS

24.5.1 When the plans for residential construction with not more than 20 parking stalls required are submitted for a building permit the parking provisions shall be shown and shall meet with the approval of the Zoning Official before a building permit may be issued.

24.5.2 When the plans for construction are submitted for a building permit, except for residential construction with not more than 20 parking stalls, a plan of the proposed parking facility shall also be submitted for the attention of the City Engineer and the Planning Commission. Such plan shall show the street or streets which serve the parking facility, entrance and exit locations and dimensions, arrangement and dimensions of parking stalls and means of delineating parking stalls, arrangement and dimensions of parking aisles, directional information and means of showing same, walkways, drainage provisions, illumination provisions, sight screening provisions and plantings and landscaping. An analysis of the effect on traffic on adjoining streets shall be made in accordance with Section 24.4.4 (3). No building permit shall be issued without joint approval of the City Engineer and the Planning Commission. Approval shall be given or the plan returned for change within 20 days of receipt by the City Engineer. The applicable requirements given above shall apply in the case of a proposed change in parking facilities.

24.6 RESIDENTIAL USE PARKING STALL REQUIREMENTS

24.6.1 The minimum number of parking stalls required for residential use shall be as determined by the regulations stated in the sections of this topic which follow.

24.6.2 For one dwelling unit per building two stalls per building shall be required, provided if roomers are accommodated there shall be one additional stall for each roomer.

24.6.3 For not less than two and not more than four dwelling units per building there shall be two stalls per dwelling unit.

24.6.4 For five dwelling units per building there shall be nine stalls per building.

24.6.5 For six dwelling units per building there shall be ten stalls per building.

24.6.6 For more than six dwelling units per building there shall be one and one half stalls per dwelling unit.

24.7 COMMERCIAL, QUASI-PUBLIC AND INDUSTRIAL USE PARKING STALL REQUIREMENTS

24.7.1 The minimum number of parking stalls required for the use of managers and proprietors shall be one per each.

24.7.2 The minimum number of parking stalls required for the use of employees shall be one stall per one and one half employees on the maximum shift.

24.7.3 The minimum number of parking stalls required for the use of medical doctors and dentists (clinic, individual office, hospital and related use) shall be one stall per each.

24.7.4 The minimum number of parking stalls required for the use of service vehicles shall be sufficient for the need for each enterprise.

24.7.5 The minimum number of parking stalls required for the use of customers for the various types of enterprise shall be as determined by regulations stated in the sections of this topic which follow.

24.7.6 Amusements of the type such as billiards, pool, shooting gallery but not including those of the type such as bowling alleys, skating rinks and swimming pools, shall have one stall per 150 square feet of gross floor area with a minimum of four stalls.

24.7.7 Bowling alleys shall have five stalls per alley.

24.7.8 Assembly.

- (1) Assembly area with fixed seats shall have one stall per four seats. Foldable bleachers shall be taken as fixed seating. In the absence of individual seats each 20 inches of length of bench or pew shall be considered one seat.
- (2) Assembly area without fixed seats shall have one stall per 30 square feet of gross assembly area. An entrance lobby need not be included in assembly area.
- (3) Assembly area partly with fixed seats and partly without fixed seats shall have the greater number of stalls as determined by applying the requirements of Sections 24.7.8 (1) and 24.7.8 (2) to the respective areas, plus 25 per cent of such number of stalls.

24.7.9 Automobile rental (drive yourself) shall have one stall per four rental vehicles with a minimum of two stalls.

24.7.10 Banks and allied uses shall have one stall per 200 square feet of gross floor area with a minimum of four stalls.

24.7.11 Building material (includes lumber yards) shall have:

- (1) One stall per 225 square feet of gross floor area or storage area for the first 1500 square feet of such area with a minimum of four stalls.
- (2) One stall per 1000 square feet of gross floor area or storage area in excess of 1500 square feet.

24.7.12 Commercial complex except recreational and hospital use shall have:

- (1) One stall per 175 square feet of gross floor area for the first 20,000 square feet of such area.
- (2) One stall per 200 square feet of gross floor area in excess of 20,000 square feet.

24.7.13 Drive-in service which serves persons within vehicles shall have a minimum of 30 stalls per enterprise. (See Section 24.4.11 (2))

24.7.14 Driver training schools shall have two stalls per instruction automobile.

24.7.15 Equipment (motor vehicle, farm, contractor) new and used, sales, service and repair shall have one stall per 450 square feet of gross floor area with a minimum of three stalls.

24.7.16 Hospital (includes any use with patient beds) shall have one stall per patient bed.

24.7.17 Hotel (commercial) shall have one stall per room or suite of rooms rented as a unit plus one stall per 60 square feet of gross assembly area which is used for purposes other than for convenience of registered guests.

24.7.18 Medical (includes dental).

- (1) A medical or dental clinic shall have one and one half stalls per room used for patient examination, treatment or other therapeutic use, or per dental chair, with a minimum of five stalls.

24.7.18 (Cont.)

(2) A medical or dental office (individual) shall have a number of stalls determined on the basis of Section 24.7.18 (1) with a minimum of four stalls.

24.7.19 Mobile home parks shall have two stalls per mobile home parking space plus two stalls for the business office and sufficient space near the office for one mobile home and towing vehicle.

24.7.20 Motels shall have one stall per rental unit plus two stalls for the business office.

24.7.21 Office (business) shall have one stall per 220 square feet of gross floor area with a minimum of two stalls.

24.7.22 Restaurant.

(1) A restaurant which serves all customers within a building shall have one stall per 60 square feet of gross floor area.

(2) A restaurant which serves customers both within a building and in vehicles outside a building shall have one stall per 30 square feet of gross floor area.

24.7.23 Skating rinks (roller or ice) shall have one stall per 60 square feet of floor area devoted to skating plus parking for spectator seating.

24.7.24. Swimming pools shall have one stall per 60 square feet of pool area plus parking for spectator seating.

24.7.25 Stores and shops not otherwise specified.

(1) Stores (food and drug) shall have one stall per 175 square feet of gross floor area with a minimum of four stalls.

(2) Stores and shops (clothing, furniture, hardware, personal services, small repair shops and similar use) shall have one stall per 225 square feet of gross floor area with a minimum of four stalls.

24.7.26 Taverns shall have one stall per 60 square feet of gross floor area.

24.7.27 Veterinary office and small animal hospital shall have one stall per 300 square feet of gross floor area with a minimum of three stalls.

24.8 MISCELLANEOUS PARKING REGULATIONS

24.8.1 The parking requirements for uses of publicly owned property such as public school, park, playground, ball park, city hall, shall be reviewed by the Planning Commission and determined by the City Council.

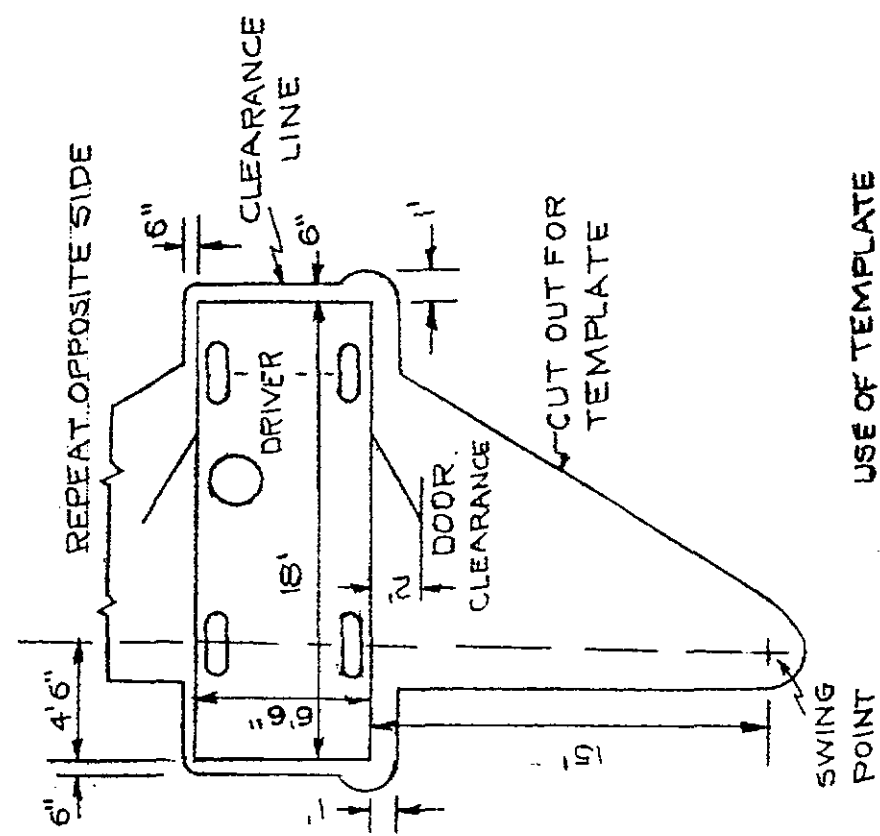
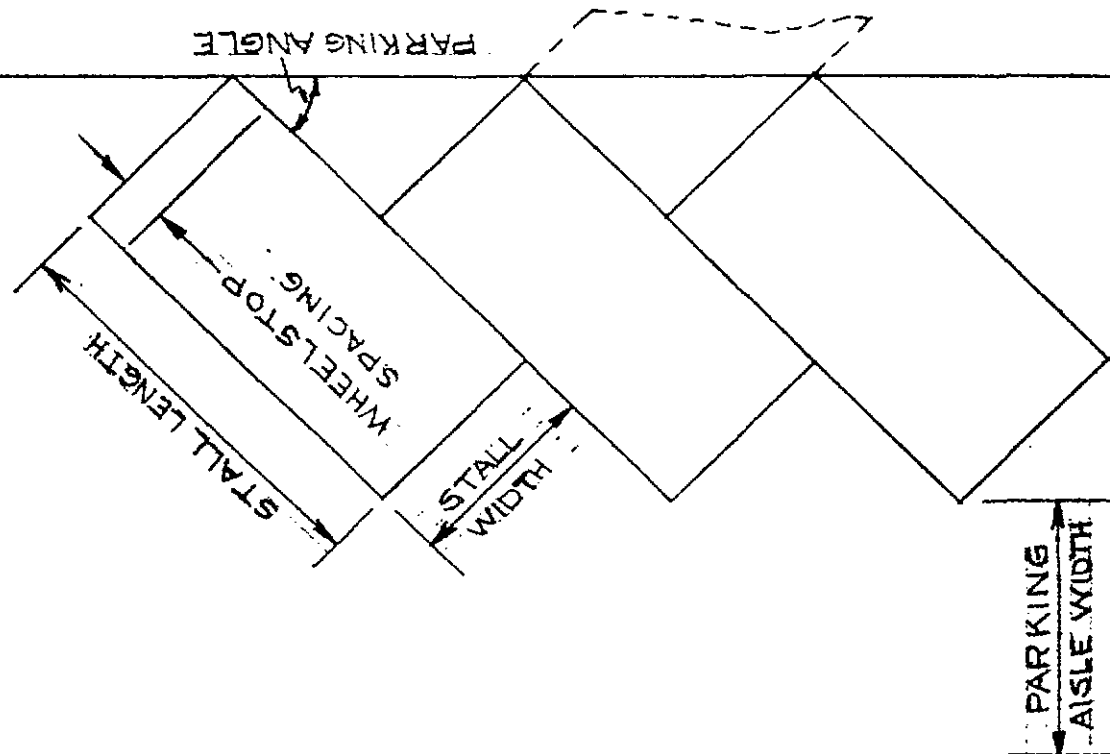
24.8.2 The parking requirements for a use which is not stated in this chapter shall be determined by the Planning Commission based on that stated use which the Planning Commission considers the most similar.

24.8.3 The parking requirements for a use which cannot logically be considered similar to any stated use in this chapter shall be reviewed by the Planning Commission and determined by the City Council.

24.8.4 When the expansion of a use requires an increase in the number of parking stalls, if such increase is not more than 15 per cent of the requirements previous to such increase, such increase shall not be required.

24.8.5 A use in existence at the effective date of this ordinance or at the date of annexation of the area in which such use is located, whichever date is the later, which does not have sufficient parking space on the basis of this chapter and which is subsequently enlarged so as to require additional parking space, shall be required to conform with the requirements of this chapter only with respect to the enlargement.

24.8.6 Multi-level parking shall be permitted. No area devoted to parking need be included in the area on which the parking requirement is based.



USE OF TEMPLATE
 CUT OUT OF CLEAR PLASTIC.
 MINIMUM TURN IS MADE BY
 PLACING SHARP POINT IN HOLE
 MARKED SWING POINT.
 ALL OBSTRUCTIONS MUST BE
 CLEARED AS INDICATED BY
 CLEARANCE LINE.

Chapter 25

SIGN REGULATIONS

25.1 RESIDENTIAL USE ZONES SIGN REGULATIONS

25.1.1 On property in residential use the sign regulations stated below shall apply:

- (1) For one dwelling unit per lot, signs for identification with maximum area of all such signs of four square feet per lot shall be permitted.
- (2) For multiple dwelling units per lot, with separate external entrances, signs for identification with maximum area of all such signs of two square feet per dwelling unit shall be permitted.
- (3) For multiple dwelling units per lot with entrance to such units from a lobby, signs for identification of building with maximum area of all such signs of eight square feet per building shall be permitted.
- (4) Miscellaneous signs such as: For sale, for rent, room for rent, no peddlers or agents, with maximum area of all such signs of four square feet per lot shall be permitted.
- (5) Identification signs may have steady illumination.

25.1.2 On property in quasi-public use the sign regulations stated below shall apply:

- (1) For a church building, community hall, private non-profit hall, library and similar use, signs for identification, services, programs and activities with maximum area of all such signs of 30 square feet per lot shall be permitted.
- (2) For a hospital or allied institution, medical and dental clinic and chapel, signs for identification with maximum area of all such signs of 25 square feet per lot shall be permitted.
- (3) For mobile home parks and motels, signs for identification and vacancies with maximum area of all such signs of 40 square feet per park or motel shall be permitted.
- (4) Real estate signs, with maximum area of four square feet per lot shall be permitted.
- (5) Identification signs may have steady illumination.

25.1.3 On unimproved property miscellaneous unilluminated signs such as: For sale, sold, no trespassing, stay out, fill dirt wanted, dump no rubbish, dump no garbage, with maximum area of all signs of eight square feet per lot shall be permitted. On unplatted property a lot may be taken as the minimum width at the front setback line for the use zone.

25.1.4 On the site of a planned future development, one unilluminated future site sign per development with maximum area of six square feet shall be permitted.

25.1.5 On development sites during construction, unilluminated signs for architects, engineers, builders and contractors with maximum area of one sign of 32 square feet and with not more than two such signs per development shall be permitted.

25.1.6 On new housing development sites, unilluminated real estate signs with maximum area of one sign of 32 square feet and with not more than two such signs per development shall be permitted until all houses in such development are sold.

25.1.7 On subdivision sites where continuing identity is a contributing factor in the value, one permanent sign per overall subdivision site containing the subdivision name only with maximum area of 32 square feet shall be permitted. Such signs may have steady illumination.

25.1.8 No signs shall be permitted above roof level.

25.1.9 No signs shall be animated, either mechanically or by illumination.

25.2 COMMERCIAL AND INDUSTRIAL USE ZONES SIGN REGULATIONS

25.2.1 The sign regulations stated below shall apply in the various commercial and industrial use zones as the sign regulations for such use zones may indicate.

- (1) At the opening of a new business, additional signs with maximum area of one half of the sign area permitted by use zone regulations shall be permitted for a maximum period of 20 business days from the date of opening. Such signs may have steady illumination.
- (2) Temporary signs publicising coming community events and programs and events of a public service nature shall be permitted without inclusion in permitted sign area.
- (3) On development sites during construction, unilluminated signs for architects, engineers, builders and contractors with maximum area of 120 square feet per development devoted to one sign or to not more than two separate signs shall be permitted.
- (4) On the site of a planned future development, one unilluminated future site sign per development with maximum area of 20 square feet shall be permitted.
- (5) On property for sale or lease, unilluminated real estate signs each having a maximum area of ten square feet with not more than one such sign facing each street on which such property fronts shall be permitted.
- (6) On unimproved property miscellaneous unilluminated signs such as: No trespassing, stay out, fill dirt wanted, dump no rubbish, dump no garbage, with maximum area of all such signs of eight square feet per lot shall be permitted.

25.2.2 On property in use zone P-C the sign regulations stated below shall apply.

- (1) Signs for identification and nature of the business, without commercial message, shall be permitted. Such signs shall be included as an integral part of the architectural and landscaping design. Such signs may be illuminated.
- (2) Of those regulations given in Section 25.2.1 the following shall apply:
 - (a) Development signs per Section 25.2.1 (3).
 - (b) Future site signs per Section 25.2.1 (4).
 - (c) Real estate signs per Section 25.2.1 (5).
 - (d) Miscellaneous signs per Section 25.2.1 (6).

25.2.3 On property in use zone C-N the sign regulations stated below shall apply.

- (1) Signs for identification, nature of business, products and services with maximum area per lot of one square foot per linear foot of frontage on a street shall be permitted. Such signs may have steady illumination.
- (2) All regulations given in Section 25.2.1 shall apply.

25.2.4 On property in use zone C-C the sign regulations stated below shall apply:

- (1) One identification sign per complex with not more than three faces with maximum area of all faces of 100 square feet for each street the complex adjoins shall be permitted. Such signs may have steady illumination.
- (2) Signs for identification and nature of business, products and services for each unit within a complex with maximum area of all signs of one square foot per linear foot of frontage of the unit shall be permitted. Such signs may be illuminated.

25.2.4 (Cont.)

(3) All regulations given in Section 25.2.1 shall apply.

25.2.5 On property in use zone C-L the sign regulations stated below shall apply:

- (1) Signs for identification, nature of business, products and services with maximum area per lot of two square feet per linear foot of frontage on a street shall be permitted. Such signs may be illuminated.
- (2) All regulations given in Section 25.2.1 shall apply.

25.2.6 On property in use zone C-M the sign regulations stated below shall apply:

- (1) Signs for identification, nature of business, products and services with maximum area per lot of two square feet per linear foot of frontage on a street shall be permitted. Such signs may be illuminated.
- (2) All regulations given in Section 25.2.1 shall apply.

25.2.7 On property in use zone C-I the sign regulations stated below shall apply:

- (1) Signs for identification, nature of business, products and services with maximum area per lot of two square feet per linear foot of frontage on a street shall be permitted. Such signs may be illuminated.
- (2) All regulations given in Section 25.2.1 shall apply.

25.2.8 On property in use zone I-P the sign regulations stated below shall apply:

- (1) Signs for identification and nature of the business, without commercial message, shall be permitted. Such signs shall be included as an integral part of the architectural and landscaping design. Such signs may be illuminated.
- (2) Of those regulations given in Section 25.2.1 the following shall apply:
 - (a) Development signs per Section 25.2.1 (3).
 - (b) Future site signs per Section 25.2.1 (4).
 - (c) Real estate signs per Section 25.2.1 (5).
 - (d) Miscellaneous signs per Section 25.2.1 (6).

25.2.9 On property in use zone I-L the sign regulations stated below shall apply:

- (1) Signs for identification and nature of the business, without commercial message, shall be permitted. Such signs may be illuminated.
- (2) Of those regulations given in Section 25.2.1 the following shall apply:
 - (a) Development signs per Section 25.2.1 (3).
 - (b) Future site signs per Section 25.2.1 (4).
 - (c) Real estate signs per Section 25.2.1 (5).
 - (d) Miscellaneous signs per Section 25.2.1 (6).

25.2.10 On property in use zone I-H the sign regulations stated below shall apply

- (1) Signs for identification and nature of the business, without commercial message, shall be permitted. Such signs may be illuminated.
- (2) Of those regulations given in Section 25.2.1 the following shall apply:
 - (a) Development signs per Section 25.2.1 (3).
 - (b) Future site signs per Section 25.2.1 (4).
 - (c) Real estate signs per Section 25.2.1 (5).
 - (d) Miscellaneous signs per Section 25.2.1 (6).

25.3 AGRICULTURAL USE ZONE SIGN REGULATIONS

25.3.1 On property in use zone A the sign regulations stated below shall apply:

- (1) Signs for identification including name of farm and products or specialties with maximum area of 20 square feet per lot shall be permitted. Such signs may have steady illumination.

25.3.1 (Cont.)

- (2) Miscellaneous unilluminated signs such as: No trespassing, stay out, no hunting, shall be permitted with no area specified.
- (3) Unilluminated real estate signs with maximum area of ten square feet per lot shall be permitted.

25.4 PUBLIC USE ZONE SIGN REGULATIONS

25.4.1 On property in use zone P signs and sign area shall be reviewed by the Planning Commission and determined by the City Council.

25.5 GENERAL SIGN REGULATIONS

25.5.1 In the determination of sign area the regulations stated below shall apply:

- (1) A sign with opposite identical faces may be taken as having the area of one face.
- (2) A sign that has no definite border outline shall be construed to have a margin around the outside extremities of the letters or other display device or symbols of a minimum of six inches, with the outside edge of such margin in the form of a circle, trapezoid or triangle depending on the design.
- (3) A bulletin board type of sign shall be taken as having an area determined by the edge to edge dimensions regardless of whether any letters or other display is attached to such sign.
- (4) Pennants, spinners and banners with or without lettering or other device shall be included in sign area.
- (5) Traffic direction signs in use with parking facilities, containing no commercial message, shall be permitted without inclusion in permissible sign area.

25.5.2 In the illumination of signs the regulations stated below shall apply:

- (1) Light sources shall not be blinding and shall be arranged to direct light away from residential areas.
- (2) Rotating signs with steady illumination shall be taken as having intermittent illumination.

25.5.3 Materials used in sign construction shall not have a color or surface finish which reflects light to the extent of causing glare or eye discomfort.

25.5.4 The location of signs shall comply with the regulations stated below:

- (1) Signs may be located within setback areas.
- (2) Signs shall not interfere with the sight clearance requirements of Topic 26.5.
- (3) Signs intended to provide overhead clearance shall have a minimum vertical clearance of eight feet.
- (4) Signs not intended to provide overhead clearance shall have a maximum vertical clearance of one foot.
- (5) Signs mounted on structures other than buildings shall not project into street rights of way.
- (6) Signs mounted on buildings may project into street rights of way a maximum horizontal distance of six feet, provided the first two feet of such projection shall have a minimum vertical clearance of eight feet and the ratio of additional projection to additional vertical clearance shall be one to one.
- (7) All signs shall be on-site.

25.5.5 Legal notices required by law to be posted shall be permitted in all use zones.

25.5.6 It is not the intention that any sign regulations given in this ordinance shall apply to signs in street rights of way or other public rights of way, except for the provisions of Section 25.5.4 (6).

Chapter 26

GENERAL REGULATIONS

26.1 PRIMARY STRUCTURES - RESIDENTIAL

26.1.1 Features permitted within setback areas:

- (1) Overhanging architectural features of a dwelling unit building, not less than seven feet above the finished ground level in the vicinity of such features, may project into setback areas without specification, except the projection into an interior side setback area shall be not more than three feet, and further provided these provisions shall not be construed to permit an overhanging second floor level or higher.
- (2) A terrace, porch or steps serving a first floor level with respect to the finished ground level at point of entrance, of a dwelling unit building, may project into setback areas without specification, except the projection into an interior side setback area shall be not more than three feet. Steps from a second floor level or higher, with respect to the finished ground level at point of entrance, of a dwelling unit building, may project into setback areas not more than four feet, except the projection into an interior side setback area shall be not more than three feet.
- (3) Any architectural feature of a dwelling unit building not covered by the provisions of Sections 26.1.1 (1) and 26.1.1 (2) may project into setback areas not more than four inches.

26.1.2 The spacing between single family dwelling unit buildings and between duplex dwelling unit buildings shall be a minimum of 15 feet between building lines and a minimum of ten feet between building extremities, both dimensions measured horizontally, except where a greater spacing may be required by use regulations or use zone regulations.

26.1.3 The spacing between multiple family dwelling unit buildings shall be a minimum of 30 feet measured horizontally between building extremities to a building height of not more than 30 feet. For a building height in excess of 30 feet either the horizontal distance between building extremities shall be increased or stepped construction shall be used. The maximum ratio of vertical to horizontal increase shall be two.

26.2 ACCESSORY STRUCTURES - RESIDENTIAL

26.2.1 Lot coverage and size.

- (1) Maximum coverage of a lot by all accessory structures except a surfaced driveway or surfaced turning area shall be ten per cent of the lot area without a swimming pool and 15 per cent with a swimming pool.
- (2) The maximum height of any accessory structure shall be 12 feet except a flag pole may have a maximum height of 30 feet.
- (3) Accessory structures, except children's play houses and doll houses, shall be a minimum of four feet in any dimension, except a pump house, well house or root cellar, partly sunk into the ground, may have a height of less than four feet.
- (4) Where the area taken by accessory structures is the maximum permitted by Section 26.2.1 (1) and a fallout shelter is desired of a design which is partly above ground, such additional area of accessory structure shall be permitted.

26.2.2 Spacing.

- (1) The minimum distance between an accessory building and a dwelling unit building with no overhead tie shall be ten feet and with an overhead tie such as roof or open work shall be six feet.

26.2.2 (Cont.)

- (2) The minimum distance between accessory buildings with no overhead tie shall be eight feet and with an overhead tie shall be four feet.
- (3) For spacing purposes the edge of an uncovered swimming pool may be taken as the structure limit. A swimming pool with a permanent type roof is an accessory building.

26.2.3 Setback dimensions for accessory structures shall be:

- (1) Front: 20 feet.
- (2) Side (interior): Five feet on each side of a lot, except where an accessory building is placed between a dwelling unit building and a side property line the side setback applying to the dwelling unit building shall also apply to the accessory building.
- (3) Side (adjoining street): 20 feet.
- (4) Rear: Five feet.

26.2.4 Features permitted within setback areas.

- (1) A roof overhang or similar feature of an accessory building not less than seven feet above finished ground level in the vicinity of such overhang may project into setback areas a maximum distance of one and one half feet.
- (2) Supports for horticultural growth, flag poles, customary small lawn statuary, ornamental pools, fountains, lamp posts, bird baths, sun dials, fixed lawn furniture, mail and paper delivery boxes, utility meter pit covers, water faucets and similar small objects may be located within setback areas.
- (3) A well house or a pump house for domestic water supply may be located in a setback area adjoining a street if necessary, provided the maximum dimension of such building in any direction shall be four feet, and provided further the minimum distance between any extremity of such building and the nearest property line shall be five feet, measured horizontally.

26.2.5 Pools.

- (1) Home swimming pools may be either of excavated type or surface type. In any case there shall be adequate provision to prevent access to such pool when not intended by the owner. No sound amplifying equipment shall be used for swimming instruction.
- (2) Ornamental pools shall have adequate provision to prevent small children from falling in.

26.3 PRIMARY STRUCTURES - COMMERCIAL AND INDUSTRIAL

26.3.1 Features permitted within setback areas.

- (1) Projections of the marquee type, mounted on commercial and industrial buildings may project into setback areas adjoining a street a maximum distance of ten feet.
- (2) Architectural features of a commercial or industrial building, except marquees, not less than eight feet above sidewalk level may project into setback areas adjoining a street a maximum distance of two feet.

26.3.2 Where setback dimensions for buildings are not specified in use zone regulations the building lines shall be taken as setback lines in the application of regulations involving setback lines and/or setback areas.

26.3.3 Marquees shall not project into street rights of way more than five feet.

26.4 ACCESSORY STRUCTURES - COMMERCIAL AND INDUSTRIAL

26.4.1 Features permitted within setback areas. Support for horticultural growth, flag poles, small lawn statuary, ornamental pools, fountains, lamp posts, utility meter pit covers, and similar small objects may be located within setback areas.

26.4.2 Gatehouse. A gatehouse, where permitted by use zone regulations, shall meet the following requirements:

- (1) Maximum floor area: 100 square feet.
- (2) Maximum height: Ten feet.
- (3) Setback from any property line adjoining a street: 20 feet regardless of setback requirements for other buildings.

26.5 SIGHT CLEARANCE

26.5.1 At all intersections between streets, between streets and alleys and between streets and private driveways, there shall be no obstruction to sight except for not more than one horticultural growth not more than one foot in diameter, or not more than two such growths each not more than six inches in diameter, between a height of 30 inches and eight feet measured vertically upward from a plane passing through the intersecting centerlines of such roadways within a triangle with sides as stated below for each situation stated:

- (1) In residential use zones and the agricultural use zone at intersections between streets: Triangle sides formed by intersecting lot lines and each 20 feet long.
- (2) In residential use zones and the agricultural use zone at intersections between street and alley: Triangle sides formed by intersecting lot lines and each 15 feet long.
- (3) In residential use zones and the agricultural use zone at intersections between street and private driveway: Triangle sides formed by intersection of lot line and driveway centerline and each 15 feet long.
- (4) In non-residential and non-agricultural use zones at intersections between streets, between street and alley, and between street and private driveway: Triangle sides formed as given above in respectively similar case and each ten feet long.

26.6 SIGHT SCREENING

26.6.1 Sight screening shall be in compliance with the methods given in the sections of this topic which follow, with free choice except where such method is specified in use regulations or use zone regulations, subject, in any case, to the general requirements stated below:

- (1) No sight screening shall be located on any public right of way.
- (2) The location of sight screening shall comply with the sight clearance requirements of Topic 26.5.
- (3) A bond may be required by the City of Redmond to insure completion and proper maintenance of sight screening.

26.6.2 Sight screening by solid barrier shall be in compliance with the requirements stated below:

- (1) Solid barriers may be constructed to a maximum height of six feet for benefit of the party constructing the barrier and shall be constructed to a height of six feet for benefit of an adjoining party except where, in the discretion of the Zoning Official, a specific case requires or warrants a greater height.

26.6.2 (Cont.)

- (2) Material used in barrier construction shall not have a color or surface finish which causes glare or eye discomfort.
- (3) Building walls without windows or with windows the sills of which are a minimum of six feet above the grade along such wall shall be permitted in lieu of other barriers, provided there is compliance with Section 26.6.2 (2).

26.6.3 Sight screening by horticultural plantings shall be in compliance with the requirements stated below:

- (1) Horticultural plantings may be a hedge of such growth characteristics and such thickness as shall within three years of planting, prevent sight penetration at all times, maintained at a height of from six feet to seven feet.
- (2) Horticultural plantings may be an arrangement of trees, shrubs and other plant life chosen for growth characteristics adapted to the purpose with a planting pattern which, within three years of planting, shall prevent sight penetration at all times. The planting bed shall have a minimum width of eight feet.
- (3) The outer edge of planting beds may extend to property lines, provided this provision shall be subject to the discretion of the Zoning Official in specific cases.
- (4) Planting beds shall be kept free of litter and reasonably free of weeds.
- (5) All plantings shall be trimmed as necessary to maintain a neat appearance.
- (6) Dying plants shall be promptly replaced.

26.6.4 Sight screening location.

- (1) In residential uses sight screening may be located:
 - (a) On all boundaries of a rear setback area.
 - (b) On the property line boundary of an interior side setback area.
 - (c) On the side setback line on the street side of a corner lot.
 - (d) On the front setback line to connect side barriers to the dwelling unit building with approval of the Zoning Official.
- (2) In commercial and industrial uses sight screening may be located as required with approval of the Zoning Official.
- (3) In agricultural uses sight screening may be located as required for the protection of adjoining uses with approval of the Zoning Official.

26.7 FENCES

26.7.1 Fence construction shall be in compliance with the regulations given in the sections of this topic which follow, subject to the general requirements stated below:

- (1) The regulations of this topic shall not apply to fences for public utility use. (Topic 26.8)
- (2) The sight clearance requirements of Topic 26.5 shall be observed.
- (3) No fence shall be located on any public right of way.
- (4) Where a fence is constructed on a retaining wall, ground level for height determination shall be the higher ground level.
- (5) Fences shall have a minimum of 50 per cent of the fence surface open to sight and the open portion shall be fairly evenly distributed.
- (6) Materials used in fence construction shall not have a color or surface finish which causes glare or eye discomfort.

26.7.2 Electric fence shall not be permitted in residential, commercial or industrial use zones except in specific cases at the discretion of the Zoning Official. It shall be permitted in the agricultural use zone. Electric fence shall comply with the requirements stated below:

26.7.2 (Cont.)

- (1) Electric fence shall be a minimum distance of two feet from any property line.
- (2) Electric fence shall have warning signs at maximum intervals of 75 feet when within five feet of, and essentially parallel to, a property line and without protective fence.
- (3) Electric fence charging units shall bear a seal of approval by Underwriter's Laboratories or by Industrial Commission of Wisconsin or by the U. S. Bureau of Standards.

27.7.3 In residential use in residential use zones:

- (1) Fences may be constructed of any suitable material except barbed wire to a maximum height of 42 inches on any part of a lot.
- (2) Fences may be constructed of any suitable material except barbed wire to a maximum height of six feet:
 - (a) On all boundaries of a rear setback area.
 - (b) Within a rear setback area with approval of the Zoning Official.
 - (c) On the property line boundary of an interior side setback area.
 - (d) On the side setback line on the street side of a corner lot.
 - (e) On the front setback line to connect side fences to the dwelling unit building with approval of the Zoning Official.

26.7.4 In commercial use zones:

- (1) Fences may be constructed of any suitable material except barbed wire to a maximum height of 42 inches on any part of a lot.
- (2) Chain link industrial type fence, or fence of other suitable material approved by the Zoning Official, may be constructed to a maximum height of seven feet on any part of a lot except within a setback area adjoining a street. Barbed wire may be used along the top of industrial type fence provided the lowest strand has a minimum height of six feet from ground level.

26.7.5 In industrial use zones chain link industrial type fence, or fence of other suitable material approved by the Zoning Official, may be constructed to a maximum height of seven feet on any part of a lot. Barbed wire may be used along the top of industrial type fence provided the lowest strand has a minimum height of six feet from ground level.

26.7.6 In the agricultural use zone fences may be constructed of any suitable material to a maximum height of six feet on any part of a lot, except barbed wire shall not be used for fences adjoining residential use zones.

26.7.7 In the public use zone fences may be of any suitable and appropriate material, considering the surroundings, constructed to a maximum height of eight feet.

26.8 PUBLIC UTILITY USE

26.8.1 Buildings for public utility use shall be of an architectural design in keeping with the neighborhood in which located.

26.8.2 Unhoused public utility installations may require sight screening where conditional use permission is required.

26.8.3 Unhoused public utility installations shall be enclosed with a chain link industrial type fence with a maximum height of eight feet. Fences may be constructed on property lines in all use zones subject to the sight clearance requirements of Topic 26.5. Fences shall not be constructed on any public rights of way.

26.8.4 Setbacks for buildings or open structures and all outdoor equipment in connection with public utility use shall be the same as for the use zone in which located except for residential use zones where the setbacks shall be:

- (1) Front: 20 feet.
- (2) Side (interior): 15 feet on each side of lot.
- (3) Side (adjoining street): 20 feet.
- (4) Rear: 15 feet.

26.9 PUBLIC SAFETY USE

26.9.1 Buildings for public safety use shall be of an architectural design in keeping with the neighborhood in which located.

26.9.2 The front setback for public safety use shall be 35 feet in all use zones. The side and rear setbacks shall be the same as for the use zone in which located except for residential use zones where the setbacks shall be:

- (1) Side (interior): 15 feet on each side of a lot.
- (2) Side (adjoining street): 20 feet.
- (3) Rear: 15 feet.

26.10 LANDSCAPING

26.10.1 Landscaping shall be in compliance with the requirements stated below:

- (1) The location of plantings shall comply with the sight clearance requirements of Topic 26.5.
- (2) Dying plantings shall be promptly replaced.
- (3) Plantings shall be trimmed as necessary to maintain a neat appearance.
- (4) Planting beds and lawns shall be kept free of litter and reasonably free of weeds.

26.11 HOMES OCCUPATIONS

26.11.1 Where home occupations are permitted by use zone regulations such occupations shall be conducted in compliance with the requirements stated below:

- (1) The occupation shall be subordinate to the primary use of the premises.
- (2) The occupation shall be conducted entirely within the confines of an enclosed building.
- (3) No indication of the occupation shall be evident from the outside of the building in which such occupation is located, neither as to building design nor material stockpile nor finished or partly finished products. No signs referring to the occupation shall be permitted.
- (4) The occupation shall not be a personal service, either professional or non-professional, and may be of a wholesale or custom nature only.
- (5) Not more than three personal calls per day shall be made to the premises in regard to the occupation.
- (6) Not more than one person outside the family group residing on the premises shall engage in the occupation.
- (7) The occupation shall not produce vibration, smoke, dust, odor, noise, glare or light flashes, any of which are apparent outside the premises.
- (8) The occupation shall not produce ground pollution or introduce objectionable wastes into the city sewer system.
- (9) Motive power in the occupation, other than human, shall be electrical energy and of not more than three horsepower.

26.11.2 Home occupations shall not be construed to include horticultural activities or the keeping of animals, fowls, or household pets.

26.11.3 No permit shall be required for a home occupation.

26.11.4 Violations of the requirements of this topic which come to the attention of the City officials shall be grounds for declaring the occupation a public nuisance with abatement according to law.

26.12 ANIMALS

26.12.1 Where animals are permitted in residential use zones by use zone regulations such animals shall be kept in compliance with the requirements stated below:

- (1) The usual domestic animals except hogs may be kept.
- (2) The minimum lot area on which animals may be kept, including the area used for residential purposes, shall be 40,000 square feet.
- (3) Shelter buildings shall be a minimum of 60 feet from any property line unless an adjoining owner agrees in writing to a lesser distance. Such agreement shall be filed with the City Clerk.
- (4) Fences which confine animals shall be maintained in an adequate condition for such purposes.
- (5) The premises shall be maintained in a sanitary condition and free of objectionable odors.

26.12.2 The domestic fowls and small domestic animals comparable in size to fowls may be kept where animals are permitted under the same conditions as given in Section 26.12.1 with the exceptions stated below:

- (1) No minimum lot size is specified.
- (2) Shelter buildings shall be a minimum of 40 feet from any property line.

26.12.3 The word "animals" as used in this topic shall not be construed to include household pets.

26.12.4 No permit shall be required for keeping animals.

26.12.5 Violations of the requirements of this topic which come to the attention of the City officials shall be grounds for declaring the keeping of animals or fowls a public nuisance with abatement according to law.

26.13 TRAILERS

26.13.1 A house trailer or mobile home with wheels removed shall not be permitted.

26.13.2 A mobile home mounted on wheels shall not be permitted on any lot as a human domicile, outside a mobile home park or trailer park, except on a temporary basis while a dwelling unit building is being constructed on such lot or while a damaged dwelling unit building located on such lot is being repaired. To qualify for such temporary use a mobile home shall have utility connections. For purposes of control under this ordinance a building permit for such mobile home shall be required subject to a structure variance. Such permit shall be revocable on 60 days notice and notice of revocation shall be given if the applicant has not applied for a building permit for the dwelling unit building to be constructed or repaired on such lot within 120 days of date of issue of the temporary building permit for such mobile home. The temporary building

26.13.2 (Cont.)

permit shall become void at such time as the dwelling unit building is ready for occupancy and in any case shall become void within two years of the date of issue.

26.13.3 A house trailer or mobile home mounted on wheels may be placed on a lot not in residential use, without utility connections except electric service if required, and put to a non-dwelling use under circumstances considered appropriate. A use permit shall be required subject to a use variance and shall be revocable on 30 days notice.

26.13.4 Guests who travel with a house trailer or mobile home may park such trailer on a host's premises so as not to interfere with other vehicle parking for not to exceed 30 days. Only one such guest trailer may be accommodated at any one time. No permit shall be required. The Zoning Official or other City official shall have the right to determine that such trailer is a guest trailer.

26.13.5 A house trailer or mobile home owned by the occupant of residential premises may be stored on such premises when not in use on the road, provided no dwelling use is made of such trailer while so stored and provided further that accessory structure setbacks shall be observed and such trailer shall not interfere with vehicle parking requirements. No permit shall be required.

26.13.6 An animal trailer, boat trailer or other light hauling trailer owned by the occupant of residential premises may be stored on such premises when not in use, provided such trailer is stored on the rear area of such premises and does not interfere with vehicle parking requirements. No permit shall be required.

26.14 ROOMERS AND BOARDERS

26.14.1 Where roomers and boarders are permitted by use zone regulations such use shall be in compliance with the requirements stated below:

- (1) Not more than two rooms shall be rented to not more than two persons outside the family group and such rooms shall be rented for dwelling and sleeping purposes only.
- (2) No rooms shall be rented for light housekeeping purposes.
- (3) Not more than two persons outside the family group shall be accommodated as boarders.

26.14.2 No permit shall be required for accommodating roomers or boarders.

26.14.3 Violations of the requirements of this topic or of applicable state or county regulations shall be grounds for abating such use according to law.

26.15 EMPLOYEE LIVING QUARTERS

26.15.1 Where employee living quarters are permitted by use zone regulations such living quarters shall be in compliance with the requirements stated below:

- (1) Living quarters shall be restricted to the use of caretakers, watchmen and special employees in training, subject to further restrictions by use zone regulations.
- (2) Living quarters may be a separate building or a portion of another building. Mobile homes or house trailers shall not be permitted for such use.

26.16 AUTOMOBILE SERVICE STATIONS

26.16.1 Where automobile service stations are permitted by use zone regulations such use shall be in compliance with the sections of this topic which follow.

26.16.2 Services permitted. Automobile service stations may:

- (1) Dispense fuels, lubricants, tires and accessories.
- (2) Make minor repairs, replacements and adjustments.
- (3) Wash and polish automobile bodies.

26.16.3 Service buildings. Operations such as changing lubricants and lubricant filters, lubricating chassis, repairing tires and washing automobile bodies shall be done in a service building.

26.16.4 Dimensions.

- (1) The minimum distance between a property line and the adjacent edge of a pump island shall be 15 feet, except where a greater distance may be required by use zone regulations.
- (2) The minimum distance between a service building and the adjacent edge of a pump island shall be 15 feet.
- (3) The minimum distance between a property line and a service building having a vehicular entrance facing such property line shall be 20 feet, except where a greater distance may be required by use zone regulations.
- (4) The minimum distance between the closer edge of a driveway entrance and the intersection of property lines at a street intersection shall be 15 feet.

26.17 MOBILE HOME PARKS

26.17.1 Where mobile home parks are permitted by use zone regulations such use shall be in compliance with the sections of this topic which follow.

26.17.2 Access.

- (1) Mobile home parks shall not have access to major arterial streets.
- (2) Driveways which provide entrance and exit from a mobile home park to a street shall not be located closer than 100 feet to any street intersection, either in existence or shown on an official street layout.
- (3) Each mobile home site shall have access upon an internal driveway not less than 20 feet in width.

26.17.3 Dimensions.

- (1) The minimum area which may be devoted to a mobile home park shall be ten acres.
- (2) The ratio of the number of mobile home sites to the total area in square feet of a mobile home park development shall not exceed 0.000163.
- (3) The minimum area which may be allocated to one mobile home site shall be 3600 square feet.
- (4) The maximum coverage of a mobile home site by a mobile home and any associated structures shall be 50 per cent of the site area.
- (5) The spacing between extremities of mobile homes including any associated structures shall be a minimum of 12 feet.
- (6) The distance between any boundary of a mobile home site and a mobile home including any associated structures shall be a minimum of six feet.

26.17.4 Miscellaneous regulations.

- (1) Every mobile home site shall have provisions for serving a mobile home placed thereon with water, sanitary sewer and electric service.

26.17.4 (Cont.)

- (2) No vehicle intended as a human domicile which does not have sanitary facilities shall be admitted to a mobile home park.
- (3) A mobile home park shall provide a minimum number of toilets, lavatories and shower heads as stated below:
 - (a) For from one to 30 mobile home sites, one of each facility for each sex.
 - (b) For from 31 to 75 mobile home sites, two of each facility for each sex.
 - (c) For over 75 mobile home sites one additional of each facility for each sex for each 75 mobile home sites or fraction thereof, in excess of 75.
- (4) A mobile home park shall provide laundry facilities on the basis of a minimum of one laundry unit for each 35 mobile home sites or fraction thereof.
- (5) Sufficient illumination shall be provided between sunset and sunrise adequately to illuminate the roadways and walkways within a mobile home park, and the buildings containing sanitary and laundry facilities.
- (6) Foundations in place of wheels under mobile homes shall not be permitted. Stabilizing supports at intervals of not less than six feet shall be permitted.
- (7) The volume beneath a mobile home shall not be used for storage.
- (8) Quick removable devices for enclosing the volume of space beneath a mobile home shall be permitted, provided there shall be at least two square feet of open area on each side of the mobile home for each 20 feet of length. The openings shall be screened with a mesh of not less than one half inch or more than three quarter inch space.
- (9) Sight screening. A mobile home park shall have sight screening by horticultural plantings of trees, shrubs and other plant life in compliance with Topic 26.6, around the periphery thereof.

Chapter 27

PERFORMANCE REGULATIONS

27.1 PERFORMANCE REGULATIONS

27.1.1 No operation shall cause a magnitude of ground vibration, air vibration (sound), dust, dirt, fly ash or airborne solids, odors, toxic gases, radioactivity or electrical radiation which is detrimental to other enterprises in the use zone.

27.1.2 All light flashes and glare resulting from any operation shall be adequately screened so as not to be visible from any boundary of the lot on which such operation is located.

27.1.3 No operation shall introduce any substances into the sewer system of the City of Redmond which are detrimental to the operation of the system.

27.2 ADMINISTRATION

27.2.1 The general levels of performance are divided into the comparative classifications of "light", "medium", and "heavy".

27.2.2 The determination of the classification of any operation into "light", "medium", or "heavy" in comparison with other operations of the same general type, when required in the administration of this ordinance, shall rest jointly with the Planning Commission and the Zoning Official.

Chapter 28

LOT REGULATIONS

28.1 LOT SIZE AND ACCESS

28.1.1 A lot legally established prior to the effective date of this ordinance which does not meet the minimum area or dimensional requirements of this ordinance for the use zone in which such lot is located shall be considered a conforming lot provided all other requirements are met, and provided further that there are no adjoining lots of continuous frontage with, and in the same ownership as, the lot in question from which it is possible to readjust lot areas to result in lots which conform with the use zone requirements.

28.1.2 After the effective date of this ordinance no lot shall be divided so as to form smaller lots any of which are in violation of the requirements of the use zone in which such lots are located.

28.1.3 After the effective date of this ordinance no lot shall be established which is in violation of the requirements for the use zone in which such lot is located.

28.1.4 Lot area and width requirements for platting.

- (1) Where topography and/or shape of area to be platted do not present special problems, all lots in a specific plat shall comply with the use zone requirements for the use zone in which such plat is located as to lot area and lot width at front setback line.
- (2) Where topography and/or shape of area to be platted present special problems in a specific plat which can be solved only by deviating from the use zone requirements as to lot area or lot width, the maximum deviation permitted shall be in compliance with the provisions stated below:
 - (a) 60 per cent of the number of lots in such plat shall comply with the use zone requirement as to lot area.
 - (b) 25 per cent of the number of lots in such plat may have an area of not less than 95 per cent of the minimum permitted lot area.
 - (c) 15 per cent of the number of lots in such plat may have an area of not less than 90 per cent of the minimum permitted lot area.
 - (d) 80 per cent of the number of lots in such plat shall comply with the use zone requirement as to lot width at front setback line.
 - (e) 20 per cent of the number of lots in such plat may have a width at front setback line of not less than 95 per cent of the minimum permitted lot width at front setback line.
- (3) For purposes of administering the provisions of this section lots created by the provisions of Topic 28.2 shall be taken as being in the use zone which their size indicates.

28.1.5 Every lot in a non-residential use or a non-agricultural use shall front on an improved street. Every lot in a residential use or an agricultural use shall either front on an improved street or shall have access to an improved street by a corridor with a minimum width of 20 feet.

28.1.6 In computing the area of a lot having access to an improved street by corridor, the area of such corridor shall not be included.

28.2 USE ZONE TRANSITION LOT SIZE

28.2.1 Where an RS 7.2 use zone is established adjoining an existing RS 9.6 use zone, the first tier of lots in the RS 7.2 use zone adjoining such RS 9.6 use zone shall each have a minimum area of 8400 square feet. A street between use zones shall not void this requirement.

28.2.2 Where an RS 9.6 use zone is established adjoining an existing RS 7.2 use zone there may be a transition lot area in the same manner as given in Section 28.2.1

28.3 SETBACK FOR IRREGULAR LOTS

28.3.1 Where side lot lines, or side property lines if concave with respect to a lot, converge toward the front of such lot, the front setback dimension shall be increased sufficiently to meet the use zone requirement for width at the front setback line.

28.3.2 Where all or part of a property line is concave with respect to a lot, the setback dimension shall be increased by the distance from the corresponding lot line to the innermost point of such property line.

28.3.3 Where a combination of conditions as provided for separately in Sections 28.3.1 and 28.3.2 exist, the greater setback dimension shall be taken.

28.3.4 Where all of a property line is convex with respect to a lot, the required setback dimension may be decreased by the distance from the corresponding lot line to the outermost point of such property line, or by some lesser amount, as determined jointly by the Zoning Official and the Planning Commission, when the spirit of the purpose of setbacks is not violated and substantial injustice to the owner would otherwise result.

28.4 LOTS OF ODD OR IRREGULAR SHAPE

28.4.1 Where the strict application of the definitions of the various lines and dimensions applying to lots results in difficulties when applied to lots of odd or irregular shape, other than those provided for by Topic 28.3, the problem shall be reviewed jointly by the Planning Commission and the Zoning Official and a determination made.

28.5 GENERAL

28.5.1 Each lot devoted to one use. The entire area of a lot shall be considered as devoted to the use for which appropriate permits have been issued, and no portion of such lot shall be considered to be any part of the area devoted to an adjoining use, except cooperative parking use, as provided in Sections 24.3.5 and 24.3.6.

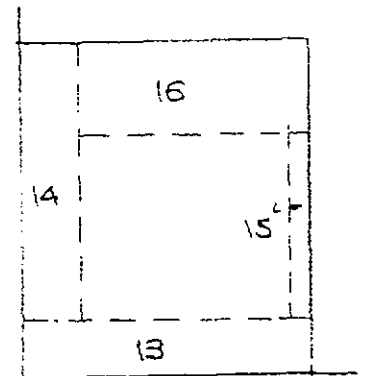
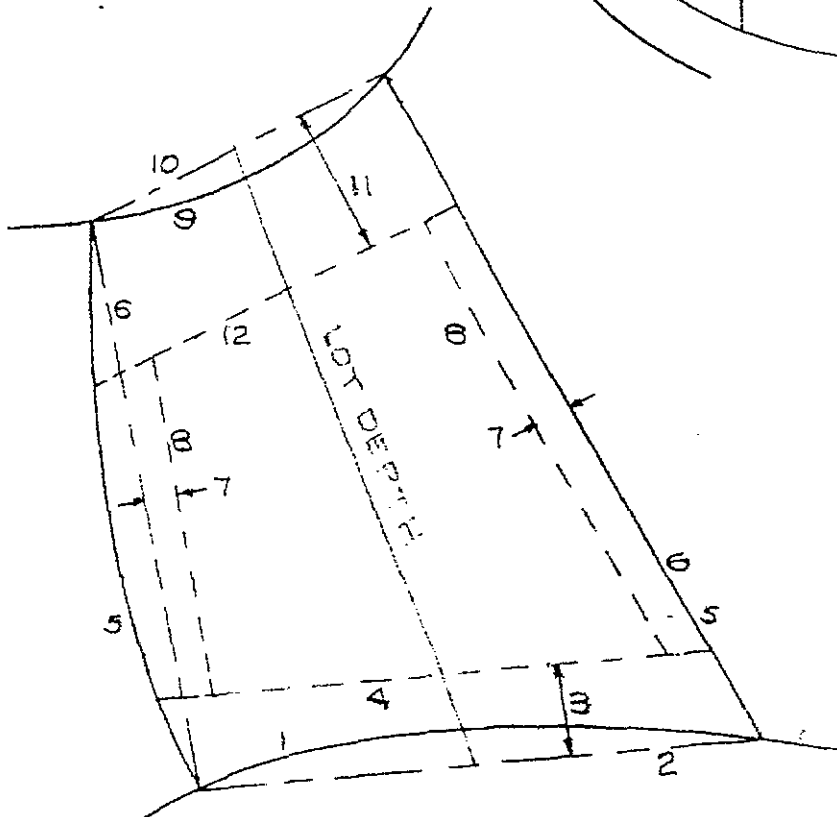
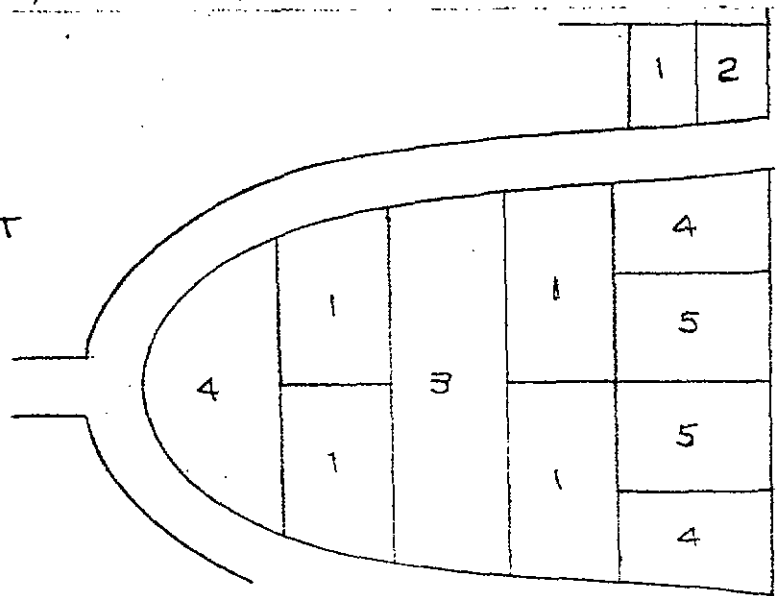
28.5.2 Front direction of through lots. Where there are two or more adjacent through lots in a group, the orientation of the improvements on the first such lot built upon shall determine the front direction of such remaining through lots.

28.5.3 Division of lots in multiple family residential use. Where a lot is devoted to a multiple family residential use involving more than one dwelling unit building, such lot shall not be divided subsequent to establishing of such use except when each portion into which such lot is proposed to be divided complies with all requirements as to area, setback, parking and other conditions required for the use zone in which such lot is located.

LOT LINES, TYPES, DIMENSIONS

- 1 INTERIOR LOT
- 2 CORNER LOT
- 3 THROUGH LOT
- 4 REVERSE CORNER LOT
- 5 REVERSE INTERIOR LOT

LOT TYPES



CORNER LOT

- 1 FRONT PROPERTY LINE
- 2 FRONT LOT LINE
- 3 FRONT SETBACK
- 4 FRONT SETBACK LINE
- 5 SIDE PROPERTY LINE
- 6 SIDE LOT LINE
- 7 SIDE SETBACK
- 8 SIDE SETBACK LINE
- 9 REAR PROPERTY LINE
- 10 REAR LOT LINE
- 11 REAR SETBACK
- 12 REAR SETBACK LINE
- 13 FRONT SETBACK AREA
- 14 SIDE (ADJOINING STREET) SETBACK AREA
- 15 SIDE (INTERIOR) SETBACK AREA
- 16 REAR SETBACK AREA

Chapter 29

DEFINITIONS

29.1 POLICY

29.1.1 For purposes of this ordinance words and phrases which are defined herein shall have the meanings given by the definitions.

29.1.2 All words and phrases not defined herein shall have their customary meanings.

29.1.3 Except for proper titles the generic classification of word groups is used.

29.2 RULES OF CONSTRUCTION

29.2.1 When not inconsistent with the context, words in the present tense include the future tense.

29.2.2 When not inconsistent with the context, words in the singular include the plural and words in the plural include the singular.

29.3 WORDS AND PHRASES DEFINED

29.3.1 A

Academy - riding: The keeping of three or more horses for renting to the public for riding purposes.

Alley: A public way intended as a subordinate means of access and not intended for general traffic.

Area - floor (applied to residential use): The floor area included within the inside of surrounding walls, excluding attic and basement unless the same are used for dwelling purposes, and excluding vent shafts and courts.

Area - floor - gross (applied to non-residential use for parking stall requirements): That portion of the main sales floor of a building devoted to the use in question, both sales area and all other area except any area devoted to parking, and those portions of all other floors, including basement, devoted to sales use.

Area - service: An area devoted to:

- (1) The storing of garbage or refuse containers, refuse not in containers, incinerators.
- (2) The unloading of delivered commodities (but not their storage), the loading of commodities for delivery elsewhere.
- (3) The parking of vehicles used in the operation of an enterprise.

Area - setback: The area bounded by a property line on one side, by the corresponding setback line on the opposite side and by other property lines or other setback lines, depending on the location of the setback area in question.

Area - setback - front: The area bounded by a front property line, a front setback line and the side property lines.

Area - setback - rear: The area bounded by a rear property line, a rear setback line and the side property lines, except for corner lots the rear setback area is bounded on the street side by the street side setback line.

Area - setback - side: The area bounded by a side property line, its corresponding side setback line, the front setback line and the rear setback line, except for corner lots the side setback area on the street side extends to the rear property line.

29.3.1 (Cont.)

Area - storage: An area devoted to:

- (1) The storage of materials for sale and/or for processing on the premises.
- (2) The storage of materials and/or non-vehicular equipment used in an off premise service type of business.
- (3) The storage of partly finished and/or finished products.

Area - storage - open: A storage area which is not within an enclosed building.

29.3.2 B

Building: A structure composed of a roof of permanent type, which may be openable, with a suitable foundation and supports for such roof. A house trailer or mobile home shall not be construed to come within the scope of this definition.

Building - accessory: A building on the same lot with the main building which does not share a common wall with the main building for a distance of more than two feet measured from outside to outside of wall surfaces.

29.3.3 C

Carpport: A covered area intended for protection of an automobile, which has at least one side partly open in addition to the vehicular access opening.

Center - operation (of agricultural enterprise): The area devoted to agricultural use buildings and such operations as feeding, milking, storing of feed, caring for animals or fowls, as distinguished from open field operations.

City: The City of Redmond, Washington.

City Clerk: The Clerk of the City of Redmond, Washington.

City Council: The Council of the City of Redmond, Washington.

Clinic - medical or dental: A building used for the examination and treatment of patients by medical doctors and/or dentists, with no provision for overnight housing of such patients and operated by not less than two medical doctors and/or dentists.

Council: Same as City Council.

Court - closed: An uncovered area bounded by building walls on all sides with entrance provisions through such walls.

Court - open: An uncovered area bounded by building walls on all sides except one.

Customer (parking): Customer, prospective customer, client, patient, guest, visitor, parishioner.

29.3.4 D

Date - effective: The date on which this initial ordinance becomes effective and the dates on which any subsequent amendments become effective.

Depth - average (of a lot): The straight line distance between the center point of the front lot line and the center point of the rear lot line, measured horizontally.

Duplex: Two dwelling units per lot.

29.3.5 E

29.3.6 F

Facilities - sanitary: As a minimum a toilet, a lavatory and a shower head.

29.3.7 G

Garage: A building intended for the protection of an automobile, which has three solid walls except for windows. The entrance may have doors or be without doors.

Gardening - non-commercial: A garden, orchard, greenhouse or other means of raising horticultural products for family consumption and/or family enjoyment, and not for the purpose of selling such products.

Line - lot - rear: The lot line between the two rear corners of a lot.

Line - lot - side: The lot line between the front corner and the corresponding

29.3.7 (Cont.)

Grade: The average of the finished ground level at the centers of all walls of a building, except if any wall is parallel or approximately parallel to, and within five feet of a sidewalk, grade shall be taken as the elevation of the sidewalk surface at the center of the front of such building.

Group - family: One person or not more than five unrelated persons living together in one dwelling unit. Any number of persons related by birth or marriage living together in one dwelling unit.

29.3.8 H

Hall - non-profit - private: A building owned by a non-profit organization intended primarily for use by such organization, but which may be rented to other groups for specific occasions.

Height - building: The vertical distance from the grade around a building to the highest point of the coping of a flat roof, or to the declivity of a mansard roof, or to the vertical median point of the highest gable of a pitched or hip roof.

Height - fence: The vertical distance from the top board, wire or rail to the ground level on which the fence stands.

Height - structure (other than a building): The vertical distance from the topmost part of the structure to the ground level on which the structure stands.

Home - mobile: A suitably enclosed volume of space mounted on wheels and designed for highway travel but without integral motive power, also designed as a human domicile with sanitary facilities, for one family group.

Home - nursing (includes convalescent home and rest home): A building used for providing housing and care, by properly licensed management, for persons who whether or not under the care of medical doctors, are unable to care for themselves. Mental and alcoholic patients are not included.

Hospital: A building used for medical and surgical diagnosis and treatment of patients under the care of medical doctors and having provisions for housing such patients as necessary, except the institutional treatment of patients for mental disabilities and for alcoholism shall not be construed to be included within the scope of this definition.

Hotel - commercial: A building used for the rental, on a transient basis, of six or more rooms or suites for sleeping purposes. Central kitchen and dining facilities may be included.

Housekeeping - light: The use of a room or suite of rooms without kitchen facilities as a domicile, with improvised kitchen facilities.

29.3.9 I

29.3.10 J

29.3.11 K

Kennel: More than three dogs and more than one litter of unweaned pups.

29.3.12 L

Line - building: The outer wall surface for masonry construction and the outer surface of the rough siding for frame construction.

Line - lot: A straight line drawn between any two adjacent corners of a lot.

Line - lot - front: The lot line between the two front corners of a lot.

Line - lot - rear: The lot line between the two rear corners of a lot.

Line - lot - side: The lot line between the front corner and the corresponding rear corner of a lot.

Line - property: The line defining the extent of a lot in a given direction.

29.3.12 (Cont.)

Line - property - front: The property line defining the extent of a lot in the front direction of such lot.

Line - property - rear: The property line defining the extent of a lot in the rear direction of such lot.

Line - property - side: The property line defining the extent of a lot in the side direction of such lot.

Line - setback: A straight line beyond which, toward a property line, no structure may extend or be placed except as permitted by the regulations of this ordinance.

Line - setback - front: The setback line parallel to the front lot line and at a distance from such lot line equal to the front setback.

Line - setback - rear: The setback line parallel to the rear lot line and at a distance from such lot line equal to the rear setback.

Line - setback - side: The setback line parallel to a side lot line and at a distance from such lot line equal to the setback for such side of the lot. The side setback line is terminated at the front setback line and the rear setback line, except on the street side of a corner lot the side setback line is terminated at the front setback line and the rear property line.

Lot: An area of land described as the unit area of land which is devoted to, or proposed to be devoted to, some use.

Lot - corner: A lot bounded by two intersecting streets with the remainder of the lot boundary adjoining other lots and with the front direction of the lot consistent with the front direction of an adjoining interior lot. Also, a lot bounded by one curved street of such curvature that the intersecting lines drawn through the front corners and through the foremost point on the front property line, intersect at an angle of less than 135 degrees, with the remainder of the lot boundary adjoining other lots and with the front direction consistent with the front direction of an adjoining interior lot.

Lot - corner - reverse: A corner lot with the front direction approximately at a 90 degree angle to the front direction of an adjoining interior lot.

Lot - interior: A lot bounded by one street with the remainder of the lot boundary adjoining other lots.

Lot - interior - reverse: An interior lot with the front direction consistent with the front direction of an adjoining reverse corner lot.

Lot of record: An area of land described as to location and extent in a recorded plat or by a recorded metes and bounds description.

Lot - through: A lot bounded by two streets at opposite ends of the lot, which streets do not intersect on the lot boundaries and with the remainder of the lot boundary adjoining other lots.

29.3.13 M

May: Permitted but not mandatory.

Mortuary: A building intended for funeral services, with casket display room and provisions for preparing and storing the dead.

Motel: A development primarily designed and intended for the accommodation of the motoring public on a transient basis. A motel shall not be construed to serve as an apartment development.

Multifamily: Three or more dwelling units per lot.

29.3.14 N

29.3.15 O

29.3.16 P

Park - home - mobile: An area of land suitably developed for the parking of mobile homes with provisions for utility connections to such mobile homes.

29.3.16 (Cont.)

Parking: Motor vehicle parking unless the context indicates otherwise.

Parking - service: The parking of vehicles which are engaged in delivery or other function necessary to the operation of an enterprise.

Party: A person, his heirs, executors or assigns and any partnership, corporation or other legal entity and their successors or assigns, or the agent of any of the foregoing.

Planning Commission: The Planning Commission of the City of Redmond, Washington.

Pool - swimming - community: A swimming pool in private ownership in a residential or agricultural use zone, for the exclusive use of a specific group of persons who contribute to its construction and operating cost.

Property: Land alone or land with structures thereon.

29.3.17 Q

Quasi-public: Open to the public or designated segments of the public under controlled and restricted conditions.

29.3.18 R

Restaurant: Any type of eating place open to the public, except drive-in service, unless drive-in service is specifically stated in the context.

Room - sleeping: In dwelling units with bedrooms each separate bedroom is a sleeping room. In dwelling units without separate bedrooms each living-bedroom is a sleeping room.

29.3.19 S

Setback: The distance between a lot line and the corresponding setback line, measured horizontally and at a 90 degree angle to the lot line.

Setback - front: The setback between the front lot line and the front setback line.

Setback - rear: The setback between the rear lot line and the rear setback line.

Setback - side: The setback between a side lot line and the corresponding side setback line.

Shall: Mandatory.

Sign: A device for imparting information, whether by word or other display and including any means of attracting attention to such information.

Sign - off-site: A sign the information on which does not refer to business or other activity on the same lot with such sign.

Sign - on-site: A sign the information on which refers to identity, business or other activity located on the same lot with such sign.

Stall - parking: An area of sufficient width and length for the parking of a motor vehicle, whether or not such area is delineated by any markings, rails or other means.

Street: A public way intended for traffic circulation as determined by its classification.

Street - improved: A street with a passable roadbed thereon.

Structure: Any object regardless of the number of pieces of which it is made up (including one piece) and regardless of the manner in which such pieces are held together (including gravity) which object serves the intended purpose in a fixed position with respect to the ground on which, or partially in which, it is located. This does not include any object which is completely buried with no indication of its presence on the ground surface.

Structure - accessory: A structure located on the same lot with a main building and serving some subordinate purpose with respect to the main building.

Structure - conforming: A structure which conforms in all particulars with the requirements for the use zone in which such structure is located.

Structure - non-conforming: See Chapter 40.

29.3.20 T

Trailer - house: A suitably enclosed volume of space mounted on wheels and designed for highway travel but without integral motive power, also designed as a human domicile without sanitary facilities, for one family group.

29.3.21 U

Unit - dwelling: A suitably enclosed volume of space with fixed location and designed as a human domicile with sanitary facilities, for one family group.

Unit - dwelling - type "A": A dwelling unit providing four specific areas, (1) for living, (2) for cooking, (3) for sleeping, (4) for bath.

Unit - dwelling - type "B": A dwelling unit providing three specific areas, (1) for living and sleeping, (2) for cooking, (3) for bath. No separate area is provided for sleeping.

Unit - dwelling - type "C": A dwelling unit providing either two or three specific areas, (1) for living and sleeping, (2) for bath, or (1) for living, (2) for sleeping, (3) for bath. No area is provided for cooking.

Use - accessory: A use which is subordinate to the primary use and located on the same lot as the primary use.

Use - commercial: A use where the product or commodity, regardless of its source, primarily is sold directly to the ultimate consumer.

Use - conditional: See Chapter 41.

Use - industrial: A use where the product or commodity which is made primarily is sold through channels other than to the ultimate consumer.

Use - non-conforming: See Chapter 39.

Use - primary: The use for which a use zone is created.

Use - safety - public: The use of land as headquarters for fire fighting equipment, ambulance or other emergency vehicles and first aid stations.

Use - utility - public: The use of land for electrical distribution transformer stations without attendants, telephone exchanges without attendants, sewage pumping stations, sewage treatment plants, water pumping stations, and water storage facilities.

Use - secondary: A use which is subordinate to the use for which a use zone is created.

Use - special: See Chapter 42.

29.3.22 V

Value - salable: The result obtained by multiplying the assessed valuation by the King County Assessor's ratio of salable to assessed value.

Variance - structure: See Chapter 37.

29.3.23 W

Width of lot at front setback line: The length of a front setback line between side lot lines, or between side property lines if concave with respect to the lot.

Width of lot at front lot line: The length of a front lot line.

29.3.24 X

29.3.25 Y

29.3.26 Z

Zone - use: An area of land designated and intended for a certain class of use.

Zoning Official: The person charged with the responsibility of enforcing the regulations of this ordinance. Except where the context indicates otherwise, the term shall be construed to include authorized assistants.

Chapter 30

INTERPRETATION

30.1 INTERPRETATION OF PROVISIONS

30.1.1 In interpreting and applying this ordinance, the provisions contained herein shall be held and construed to be the minimum requirements for the promotion of the public safety, health, convenience, comfort and general welfare; provided, however, that this shall not be construed as limiting the legislative discretion of the City Council further to restrict the permissive uses or to withhold or revoke permits for uses where, notwithstanding the existence of the minimum standards set forth, the promotion or protection of the public health, morals, safety and general welfare bears a substantial relation to such withholding, denial or revocation of permits or uses.

30.1.2 Where this ordinance imposes greater restrictions than is imposed or required by other laws, rules or regulations promulgated by higher authority than the City Council, which have jurisdiction within the City of Redmond, the provisions of this ordinance shall control.

30.1.3 Where this ordinance imposes less restrictions than is imposed or required by other laws, rules or regulations promulgated by higher authority than the City Council, which have jurisdiction within the City of Redmond, the provisions of such other authority shall control.

30.1.4 The provisions of this ordinance shall be cumulative to existing laws of the United States, State of Washington, and City of Redmond, or laws hereafter enacted, regarding the subject matter of this ordinance and shall not be construed to repeal any such additional laws of the City of Redmond, except as expressly indicated herein; provided, that in the event of conflict between such laws, the provisions of this ordinance shall prevail within the application standards set forth in Sections 30.1.2 and 30.1.3.

30.2 AGREEMENTS BETWEEN PARTIES

30.2.1 It is not the intention of this ordinance to interfere with or abrogate or annul any easements, covenants or other agreements between parties, except where such agreements may conflict with the enforcement of the provisions of this ordinance.

30.3 PUBLIC WELFARE

30.3.1 Since the public welfare served by the long range planning is superior in importance to the immediate pecuniary profits of the individual, this ordinance may affect the use of property. If some reasonable use of the property is permitted by this ordinance, the effect shall not be considered confiscatory but a proper exercise of police power.

Chapter 31

ENFORCING AGENCY

31.1 ENFORCING OFFICIAL

31.1.1 The office of Zoning Official is hereby created. The person holding such office is hereby charged with the enforcement of the provisions of this ordinance and is hereby granted the necessary powers to do so. The same person shall hold the office of Zoning Official as holds the office of Building Official created by the Redmond Building Code Ordinance.

31.1.2 No oversight or dereliction on the part of the Zoning Official shall legalize, authorize, waive or excuse the violation of any of the provisions of this ordinance.

31.2 LIABILITY

31.2.1 The Zoning Official, acting in good faith and without malice, for the City of Redmond in the discharge of his duties, shall not thereby render himself liable personally and he is hereby relieved from all personal liability for any damage that may accrue to persons or property as a result of any act required of him under this ordinance or by reason of any act or omission to act in discharging his duties. Any suit or claim brought against the Zoning Official by reason of such act or omission in performing his duties under this ordinance shall be defended by the City of Redmond.

31.3 INSPECTION

31.3.1 The Zoning Official shall have the right to enter any building with permission of the occupant thereof, or to enter upon any land, during daylight hours, in the course of his duties under this ordinance.

Chapter 32

VIOLATIONS

32.1 NOTICE

32.1.1 If any party, whether as owner, lessee, principal, agent, employee or otherwise, takes any action in any manner whatever which is in violation of the provisions of this ordinance, the Zoning Official, upon becoming aware of such violation, may serve written notice of such violation upon the party committing the violation with a time limit specified within which such violation shall cease. The Zoning Official shall have discretionary power in setting such time limit, within a minimum of 24 hours and a maximum of 90 days.

32.2 ACTION

32.2.1 If the violation has not ceased within the time limit specified under Section 32.1.1 and the nature of the violation is refusal or neglect to perform some act which can be performed by another, the Zoning Official shall cause such act performed, and the cost thereof shall become a lien upon the property involved.

32.2.2 If the violation has not ceased within the time limit specified under Section 32.1.1 and/or the nature of the violation is such that legal force of the courts must be applied, the Zoning Official shall inform the City Attorney who shall take such action as is appropriate.

32.2.3 If an appeal is taken from the decision of the Zoning Official the running of the time limit specified under Section 32.1.1 shall pend final determination of the appeal unless, in the opinion of the Zoning Official, such delay would cause imminent peril to life or property.

32.3 RECORDS

32.3.1 Copies of all notices issued under Section 32.1.1 shall be filed with the City Clerk.

32.3.2 The Zoning Official shall make a written record of each identifiable complaint made to him with respect to violations of the provisions of this ordinance. The record shall show what action was taken. The name of the person making the complaint shall appear on the record unless the complainant requests that it not appear. Such records shall be filed with the City Clerk.

32.4 COMPLIANCE REQUIRED

32.4.1 The imposition of penalties upon conviction of having committed a misdemeanor shall not preclude the City of Redmond from taking further appropriate legal action to cause compliance with the provisions of this ordinance.

Chapter 33

PENALTIES

33.1 FINE AND IMPRISONMENT

33.1.1 Any party charged with a violation of this ordinance shall, upon conviction thereof be guilty of a misdemeanor and shall be punished by a fine not in excess of three hundred dollars (\$300.00) or by imprisonment for a period not in excess of ninety (90) days, or by both such fine and imprisonment.

33.2 SEPARATE OFFENSE

33.2.1 Each day that a violation exists after the expiration of the time limit specified in notice of violation as defined under Section 32.1.1 shall constitute a separate offense.

Chapter 34

ISSUANCE OF PERMITS

34.1 PURPOSE OF PERMITS

34.1.1 The control of the use of land and structures, and the control of the construction and altering of structures, in accordance with the provisions of this ordinance, is accomplished by the issuance of permits.

34.2 TYPES OF PERMITS - BY WHOM ISSUED

34.2.1 Building (or other structure) permit. The building permit created by the Redmond Building Code Ordinance shall be used in the administration of this (zoning) ordinance, as a means of helping to accomplish the necessary control. The person holding the office authorized by the Redmond Building Code Ordinance to issue building permits shall observe the restricting qualifications established and defined in this ordinance pertaining to the issuance of building permits, Topic 34.3. (Enforcing Agency, Chapter 31.)

34.2.2 Use permit. The use permit is hereby created and shall be issued by the Zoning Official, observing the restricting qualifications established and defined in this ordinance pertaining to the issuance of use permits, Topic 34.4.

34.2.3 Non-conforming use permit. The non-conforming use permit is hereby created and shall be issued by the Zoning Official, observing the qualifications established and defined in this ordinance pertaining to the issuance of non-conforming use permits, Topic 34.5.

34.3 BUILDING PERMITS

34.3.1 A building permit shall be obtained before construction may start on any structure, or before alterations may start on any existing structure, when the estimated cost in either case exceeds \$20.00, provided, however, that the builder shall not be relieved of responsibility of compliance with the requirements of this ordinance regardless of whether a building permit is obtained or required.

34.3.2 A building permit requires no further authorization when the proposed structure or proposed change in an existing structure, and the intended use in either case, conform in all particulars with the requirements for the use zone in which such structure is located, provided the development, if commercial or industrial, is less than 50,000 square feet in area.

34.3.3 A building permit may not be issued for a commercial or industrial development of 50,000 square feet and larger without approval of plans by the Planning Commission.

34.3.4 A building permit requires authorization by the Board of Adjustment when the proposed structure or proposed change in an existing structure does not conform in all particulars with the requirements for the use zone in which such structure is located. (Structure Variance, Chapter 37.)

34.3.5 A building permit requires authorization by the Board of Adjustment when the intended use of the proposed structure or altered structure does not conform in all particulars with the requirements for the use zone in which such structure is located. (Use Variance, Chapter 36.)

34.3.6 A building permit requires authorization by the City Council when the intended use of the proposed structure or altered structure is a conditional use. (Conditional Use, Chapter 41.)

34.3.7 A building permit requires authorization by the City Council when the intended use of the proposed structure or altered structure is a special use. (Special Use, Chapter 42.)

34.3.8 A building permit requires authorization by the City Engineer and the Planning Commission, jointly, in addition to any other authorization required, when the permit is for a residential structure with more than 20 parking stalls required, or for any structure in a non-residential use or non-agricultural use requiring a parking facility. (Parking Facility Plans, Topic 24.5.)

34.3.9 When a building permit is authorized by a structure variance, a use variance, a conditional use permission or a special use permission, such fact shall be noted on the building permit and shall be referenced by date and name of the body, to the minutes authorizing such variance or permission.

34.3.10 Any building permit which may be obtained by the granting of a variance or permission as stated above shall be obtained within 30 days of such grant, otherwise the right to such permit shall be void.

34.4 USE PERMITS

34.4.1 The use permit is used when no structure or structure alteration is involved in an intended use or change of use, thus requiring no building permit.

34.4.2 A use permit shall be obtained:

- (1) Before any change in the use of land may be made except a change to non-commercial gardening where permitted by this ordinance.
- (2) Before any change in the use of a structure or in the use of a structure and land as a unit may be made.

34.4.3 A use permit requires no further authorization when the intended use conforms in all particulars with the requirements for the use zone in which such use is located.

34.4.4 A use permit requires authorization by the Board of Adjustment when the intended use does not conform in all particulars with the requirements for the use zone in which such use is located. (Use Variance, Chapter 36.)

34.4.5 A use permit requires authorization by the City Council when the intended use is a conditional use. (Conditional Use, Chapter 41.)

34.4.6 A use permit requires authorization by the City Council when the intended use is a special use. (Special Use, Chapter 42.)

34.4.7 There shall be no fee for a use permit.

34.4.8 The use permit shall be of suitable form and as a minimum shall be in duplicate. The permit shall contain the following information:

- (1) Date permit is issued.
- (2) Owner's and applicant's names.
- (3) Owner's and applicant's addresses.
- (4) Legal description of property involved by section, township, range and tax lot number; or by name, block and lot of a recorded plat.

34.4.8 (Cont.)

- (5) Use zone in which property is located.
- (6) Use permitted in sufficient detail clearly to identify such use for future reference.
- (7) When the use permit is authorized by a use variance, a conditional use permission or a special use permission, such fact shall be noted and shall be referenced by date and name of the body, to the minutes authorizing such variance or permission.

All copies shall be signed by the owner and applicant and the issuing official. The applicant shall be given one copy and a minimum of one copy shall be filed with the City Clerk.

34.4.9 Any use permit which may be obtained by the granting of a variance or permission as stated above shall be obtained within 30 days of such grant, otherwise the right to such permit shall be void.

34.4.10 If the use authorized by the use permit is not established within 90 days of the date of such permit, the permit shall be void and a new permit shall be obtained before the use may start, provided the Zoning Official may grant one extension of time not exceeding 60 days.

34.5 NON-CONFORMING USE PERMIT

34.5.1 The non-conforming use permit is used when the property involved is in a non-conforming use.

34.5.2 It shall be the duty and responsibility of the Zoning Official upon his own initiation to issue a non-conforming use permit in each known case of a non-conforming use within 90 days of the date such use becomes non-conforming.

34.5.3 In the event a use is discovered in violation of the requirements for the use zone in which such use is located such use shall not be abated, provided the owner of such use furnishes proof that such use was legally in existence immediately prior to the effective date of this ordinance or immediately prior to the effective date of the annexation to the City of Redmond of the area in which such use is located, whichever date is the later.

34.5.4 If a use as stated in Section 34.5.3 is found not subject to abatement a non-conforming use permit shall then be issued therefor.

34.5.5 There shall be no fee for a non-conforming use permit.

34.5.6 The non-conforming use permit shall be of suitable form and as a minimum shall be made in duplicate. The permit shall contain the following information:

- (1) Date use became non-conforming.
- (2) Date permit is issued.
- (3) Owner's name.
- (4) Owner's mailing address.
- (5) Legal description of property involved by section, township, range and tax lot; or by name, block and lot of a recorded plat.
- (6) Use zone in which property involved is located.
- (7) The non-conforming use in sufficient detail clearly to identify such use for future reference. Pictures of the property showing the use may be used to assist in this purpose and shall be a part of the permit.
- (8) If the permit is issued as stated in Section 34.5.4 a brief history leading to the issuance of the permit shall be included.

34.5.6 (Cont.)

All copies shall be signed by the issuing official. One copy of the permit and one copy of Chapter 39 shall be sent to the owner by mail. A minimum of one copy shall be filed with the City Clerk.

Chapter 35

APPEALS

35.1 SCOPE

35.1.1 Any party (appellant) aggrieved by a decision of the Zoning Official or the Planning Commission arising out of the administration and enforcement of this ordinance may appeal such decision to the Board of Adjustment. (Board of Adjustment, Chapter 38.)

35.2 PROCEDURE

35.2.1 Notice of appeal shall be in writing in duplicate and addressed to the Board of Adjustment. Such notice shall include the location of the property involved, the particulars giving rise to the decision, and why the decision is unjust or improper. Sketches and maps may be included.

35.2.2 Filing fee. The fee for filing a notice of appeal shall be \$20.00.

35.2.3 Filing of notice. The notice of appeal shall be filed with the City Clerk within 20 days of the date of the decision being appealed.

35.2.4 Further procedure and hearing shall be in accordance with Topic 38.3.

Chapter 36

USE VARIANCE

36.1 DEFINITION

36.1.1 A use variance is permission to vary the use zone requirements stated in this ordinance pertaining to uses of property in specific cases where conformity with such requirements in all particulars would entail undue hardship.

36.2 CONDITIONS FOR GRANTING USE VARIANCE

36.2.1 No permission for a use variance shall be granted unless all of the conditions stated below are found by the Board of Adjustment to exist in a specific case:

- (1) There are exceptional or extraordinary circumstances or conditions applying to the particular parcel of property that do not generally apply to other properties in the same vicinity or use zone, and the plight of the owner is unique and not the result of his own actions.
- (2) The land and/or structure in question cannot reasonably be used and cannot yield a reasonable return if used only for the purpose permitted and in accordance with the use zone requirements, and such variance is necessary for the preservation and enjoyment of a substantial property right possessed by owners of other property in the same vicinity.
- (3) The granting of such variance will not be materially detrimental to the public welfare, not injurious to nearby property, nor essentially different from the use zone requirements in which the property is located.
- (4) The granting of such variance will not adversely affect the Comprehensive Plan.

36.3 PROCEDURE

36.3.1 Petition. The petition for a use variance shall be in writing in duplicate and addressed to the Board of Adjustment. Such petition shall include the location of the property involved, and the particulars giving rise to undue hardship. Sketches or maps may be included.

36.3.2 Filing fee. The fee for filing a petition for a use variance shall be \$15.00.

36.3.3 Filing of petition. The petition for a use variance shall be filed with the City Clerk.

36.3.4 Notice to property owners. Notice by postal card shall be given to the owners of all property adjoining the property in question and the owners of all property adjacent thereto which is separated only by a street therefrom, advising of the place, date and time the matter will be considered, prepared by the City Clerk and deposited for mailing not less than ten days prior to the date set for consideration.

36.3.5 Further procedure shall be in accordance with Topic 38.3.

Chapter 37

STRUCTURE VARIANCE

37.1 DEFINITION

37.1.1 A structure variance is permission to vary the use zone requirements stated in this ordinance pertaining to structures, in specific cases where conformity with such requirements in all particulars would entail undue hardship.

37.2 PROCEDURE

37.2.1 Petition. The petition for a structure variance shall be in writing in duplicate and addressed to the Board of Adjustment. Such petition shall include the location of the property involved, and the particulars giving rise to undue hardship. Sketches and maps may be included.

37.2.2 Filing fee. The fee for filing a petition for a structure variance shall be \$10.00.

37.2.3 Filing of petition. The petition for a structure variance shall be filed with the City Clerk.

37.2.4 Further procedure shall be in accordance with Topic 38.3.

Chapter 38

BOARD OF ADJUSTMENT

38.1 ORGANIZATION

38.1.1 Creation. A Board of Adjustment is hereby created and is hereafter referred to in this chapter as the Board.

38.1.2 Membership. The members of the Board shall be the Mayor and the members of the City Council of Redmond, all of whom shall serve with no additional compensation in this capacity.

38.1.3 Meetings. The Board shall meet at the call of the Chairman. All meetings shall be held in the Redmond City Hall and shall be open to the public.

38.1.4 Rules of procedure.

(1) The presence of a majority of the Board members shall be necessary to constitute a quorum.

(2) The Board may adopt other rules as may be appropriate, consistent with its duties, with the provisions of this ordinance, and with State law.

38.1.5 Secretary. The City Clerk shall be the Secretary of the Board and shall be the custodian of all minutes, decisions, records and reports of the Board.

38.2 DUTIES

38.2.1 The duties of the Board shall be to hear and make determinations on appeals, on petitions for use variance and on petitions for structure variance. (Appeals, Chapter 35; Use Variance, Chapter 36; Structure Variance, Chapter 37.)

38.3 PROCEDURE

38.3.1 Hearing date and notice. Upon receipt of a notice of appeal or of a petition, in duplicate, the City Clerk shall set a date and time for the Board to hear the appeal or petition. The City Clerk shall forthwith give notice of such date and time to the Zoning Official or Planning Commission, as the case may be, and to the appellant or petitioner. One copy of the notice of appeal or petition shall be transmitted to the Zoning Official or Planning Commission. In the case of a petition for a use variance, notice of hearing shall also be given as set forth in Section 36.3.4.

38.3.2 Information from Zoning Official or Planning Commission. Upon receipt of the notice of appeal or petition and hearing date, the Zoning Official or Planning Commission, as the case may be, shall forthwith transmit to the Board all of the records pertaining to the issue to be heard, together with such additional report as is deemed appropriate.

38.3.3 Hearing continuance. A hearing before the Board may be continued for good cause and, except for written minutes of the proceedings, verbal notice to those present of the date and time to which such hearing is continued shall be deemed sufficient notice.

38.3.4 Decision.

- (1) On appeal. The Board may affirm or reverse, wholly or in part, the decision being appealed and may make such order or determination as appears proper and to that end shall have all the powers of the Zoning Official or the Planning Commission, as the case may be, so far as the decision in the particular issue is concerned.
- (2) On petition for use variance. The Board shall be bound by the conditions set forth in Section 36.2.1 in granting, denying or modifying a petition for a use variance.
- (3) On petition for structure variance. The Board may make such order or determination as appears proper and to that end shall have all the powers of the Zoning Official, so far as the decision in the particular issue is concerned.
- (4) A decision or order shall be announced within 15 days of the conclusion of the hearing.
- (5) The decision of the Board shall be final.

Chapter 39

NON-CONFORMING USE

39.1 DEFINITION AND POLICY

39.1.1 A non-conforming use of land and/or structure, either separately or in combination, is a use lawfully in existence immediately prior to the effective date of this ordinance, or immediately prior to the effective date of annexation of the area including such use, whichever date is the later, and unlawful after such date, which is permitted to continue by virtue of such prior lawful existence.

39.1.2 Non-conforming uses of property are intended to be amortized with changing circumstances and with the passage of time, consistent with justice to the owners thereof and the general welfare of the City. To that end the following regulations apply.

39.2 REGULATIONS

39.2.1 Exempt when a conditional use. A use which is lawful immediately prior to change of status as given in Section 39.1.1 and which, but for being a conditional use would otherwise be a non-conforming use thereafter, shall not be restricted by regulations applying to non-conforming uses. (Conditional Use, Chapter 41.)

39.2.2 Continued use. A non-conforming use of property shall be permitted to continue, with certain exceptions, provided there is continued compliance with the regulations.

39.2.3 Abandonment of use. A non-conforming use of property, which use is abandoned for a continuous period of 90 days shall not be resumed. Abandonment means the activity attendant on such use has ceased. The continued existence of the means by which such activity has been carried on shall not be considered a continuation of such non-conforming use. The termination of activities due to damage to structures shall not be considered abandonment, provided Section 39.2.12 is not applicable, and provided further that the activity is resumed within 12 months of the date of such damage.

39.2.4 Change of non-conforming use. A non-conforming use of property shall not be changed to another non-conforming use.

39.2.5 Change to conforming use. When a non-conforming use of property is discontinued and a conforming use substituted, a use permit shall be required, if a building permit is not required, and such non-conforming use shall not again be permitted.

39.2.6 Expansion of land use. A non-conforming use of a portion of a parcel of land in one ownership shall not be expanded to a larger portion or to all of such parcel.

39.2.7 Moving of land use. A non-conforming use of a portion of a parcel of land in one ownership shall not be moved to another portion of such parcel of land.

- 39.2.8 Expansion of structure use. A non-conforming use of a portion of a structure shall not be expanded to a larger portion of such structure unless such structure is manifestly suited to such use without structural change or alteration.
- 39.2.9 Moving of structure. A non-conforming use of a structure shall cease if such structure is intentionally moved any amount with respect to its position at the time the use became non-conforming.
- 39.2.10 Change in structure. A non-conforming use of a structure shall cease if such structure is enlarged, extended, reconstructed or structurally altered.
- 39.2.11 Structure repairs. Repairs to a structure in non-conforming use to maintain such structure in a safe and reasonable condition may be made in any one year period to the extent of 20 per cent of the salable value of such structure without loss of non-conforming status. If in the opinion of the Zoning Official structural safety requires more extensive repairs than is permitted by the above stated limitation, such additional repairs shall be permitted.
- 39.2.12 Damage to structure. If a structure in non-conforming use is destroyed or damaged to the extent of more than 50 per cent of its salable value prior to such damage, as such damage is determined by the Zoning Official, the Zoning Official shall not authorize or permit the restoration of such structure for continuation of a non-conforming use.
- 39.2.13 Loss of land use with loss of structure use. When a structure and land are in a non-conforming use as a unit, loss of non-conforming use of the structure for whatever cause shall terminate the non-conforming status of the land.
- 39.2.14 Intended structure use not started at effective date. When the use for which a structure has been designed, planned and intended but not yet started at the effective date of this ordinance becomes an unlawful use at such date for the use zone in which such structure is located, such use of the structure shall qualify as a non-conforming use provided one of the following conditions applies:
- (1) The structure is finished at the effective date and the use is started within 60 days of such date.
 - (2) The construction is started at the effective date and is diligently pursued to completion and the use is started within 60 days of completion.
 - (3) The building permit has been issued at the effective date and construction is promptly started and diligently pursued to completion and the use is started within 60 days of completion.
- 39.2.15 Clean up of premises. When a non-conforming use is terminated for whatever cause, any debris, material or equipment which may remain outside closed structures shall be removed within 90 days of such termination, except such requirement shall not apply to a damaged structure in itself.
- 39.2.16 Parking. Parking facilities serving a non-conforming use shall have non-conforming status and shall run with such use.
- 39.2.17 Signs. On-site signs used in conjunction with a non-conforming use shall have non-conforming status and shall run with such use.

39.3 USES AMORTIZED WITHIN SPECIFIED TIME

39.3.1 Regardless of any other provisions of this ordinance, certain non-conforming uses shall be discontinued within certain periods of time as stated in the sections of this topic which follow.

39.3.2 A builder's supply yard, lumber yard, fuel yard, contractor's yard, motor vehicle parts yard, junk yard and similar use located in any residential use zone shall be discontinued within five years of becoming a non-conforming use.

39.3.3 The use of property for off-site commercial advertising purposes shall be discontinued within five years of becoming a non-conforming use.

Chapter 40

NON-CONFORMING STRUCTURE

40.1 DEFINITION AND POLICY

40.1.1 A non-conforming structure is a structure in which one or more factors do not conform with the structure requirements of the use zone in which such structure is located.

40.1.2 Non-conforming structures are intended to be brought into conformity as and when it is reasonably possible to do so, compatible with justice to the owner. To that end the following regulations apply.

40.2 REGULATIONS

40.2.1 Alterations. When alterations are made to a non-conforming structure the Zoning Official shall have discretionary power in requiring the non-conforming factors eliminated. Alterations which increase non-conformity shall *not* be permitted.

40.2.2 Moving. When a structure which is non-conforming due to improper setback is intentionally moved any amount horizontally with respect to its position at the time it became non-conforming, it shall be made conforming with respect to setback.

40.2.3 Damage. When a non-conforming structure is destroyed or damaged to the extent of 75 per cent of its salable value prior to such damage, as determined by the Zoning Official, such structure shall not be restored except as a conforming structure.

Chapter 41

CONDITIONAL USE

41.1 DEFINITION AND PRE-EXISTING USE POLICY

41.1.1 A conditional use is a use permitted in certain use zones conditioned upon approval by the City Council in each specific case.

41.1.2 A use which is in existence at the effective date of this ordinance or at the effective date of annexation to the City of Redmond of the area in which such use is located, whichever date is the later, and is a use which is a conditional use for the use zone in which such use is located, shall not require approval by the City Council.

41.2 PROCEDURE

41.2.1 Petition. The petition for a conditional use shall be in writing in duplicate and addressed to the Planning Commission and the City Council. Such petition shall include the location of the property involved and the particulars with regard to the use desired. Sketches and/or maps may be included.

41.2.2 Filing fee. The fee for filing a petition for a conditional use shall be \$25.00.

41.2.3 Filing of petition. The petition for a conditional use shall be filed with the City Clerk.

41.2.4 Acceptance and hearing date. The City Clerk shall transmit the petition to the Planning Commission. Upon determination that such petition is in compliance with applicable regulations and contains sufficient and proper information, the Planning Commission shall set a date for a public hearing to be held within 50 days of filing and shall notify the City Clerk of such date.

41.2.5 Hearing notice. Proper notice of the public hearing shall be given in accordance with Chapter 44.

41.2.6 Recommendation. Following the hearing the Planning Commission shall determine whether permission for the conditional use should be granted and shall submit its recommendation, together with its analysis and reasons therefore, to the City Council within 30 days of the conclusion of the hearing.

41.2.7 Council action. The City Council shall either grant permission for the conditional use, stipulating any pertinent requirements or conditions or refuse permission, within 30 days of receipt of the recommendation of the Planning Commission and such decision shall be final. The City Council may require a covenant with the owner of the property granted a conditional use permission to insure continued compliance with any stipulated requirements or conditions.

41.3 GENERAL

41.3.1 Abandonment of use. When a conditional use of property is abandoned for a continuous period of one year all permits or rights granted on the basis of such conditional use permission shall be void.

41.3.2 Basis of requirements. The requirements for a conditional use shall be those given in Chapters 24, 25, 26, and 27 or shall be based on the requirements for similar uses.

Chapter 42

SPECIAL USE

42.1 POLICY AND DEFINITION

42.1.1 It is recognized that not all possible acceptable uses are included among the uses permitted, either directly or by similarity, by the regulations of this ordinance. The provisions of this chapter provide a procedure by which such uses may be allowed in certain instances.

42.1.2 A special use is a use, not otherwise permitted by this ordinance, which upon being given due consideration has been determined to be an acceptable use.

42.2 PROCEDURE

42.2.1 Preliminary proposal. The petitioner shall first present the general nature of the proposed use and desired location to the Planning Commission. Within 30 days of receipt of the proposed use, the Planning Commission shall make a determination whether or not such proposed use is a permitted use in any use zone, either directly or by similarity, and whether the proposed use is acceptable for future consideration as a special use, and shall so notify the petitioner of its determination.

42.2.2 Detailed proposal. After notification to the petitioner that the proposed use is acceptable for further consideration the petitioner may present a detailed proposal to the Planning Commission.

42.2.3 Consideration of detailed proposal. Upon receipt of the detailed proposal, the Planning Commission shall consider the proposal fully, using the following as guides:

- (1) Whether the proposed project is in keeping with the objectives of the Comprehensive Land Use Plan.
- (2) Whether the proposed project will have a detrimental effect upon the immediate vicinity.
- (3) Whether the proposed project is of value to the community as a whole.
- (4) Whether the developer had made a sufficient effort to adapt the proposed project to existing improvements in the vicinity.

The Planning Commission shall notify the petitioner of its determination within 30 days of receipt of all information constituting the detailed proposal. If the Planning Commission shall find that the proposal is not acceptable, the matter shall be terminated. If the proposal is acceptable, the Planning Commission shall set a date for a public hearing to be held within 50 days of acceptance. The petitioner and the City Clerk shall be notified of such date.

42.2.4 Fee. Upon being advised of a hearing date the petitioner shall pay a fee of \$25.00 not less than 13 days prior to such hearing date. If the fee is tendered later than as stated above, the City Clerk shall have the right to refuse acceptance, no hearing shall be held and the entire matter shall be terminated.

42.2.5 Hearing notice. Proper notice of the public hearing shall be given in accordance with Chapter 44.

42.2.6 Recommendation. Following the hearing the Planning Commission shall determine whether the proposal should be accepted and shall submit its recommendation, together with its analysis and reasons therefor, to the City Council within 30 days of the conclusion of the hearing.

42.2.7 Council action. The City Council shall either grant permission for the use, stipulating any pertinent requirements or conditions, or refuse permission, within 30 days of receipt of the recommendation of the Planning Commission, and such decision shall be final. The City Council may require a covenant with the owner of the property granted a special use permission to insure continued compliance with any stipulated requirements or conditions.

42.3. GENERAL

42.3.1 Basis of requirements.

- (1) The dimensional requirements for a special use shall be based on those given in the use zone regulations for the use zone in which such special use is located, or on those applicable to conditional uses permitted in such use zone. Parking, signs, sight screening and performance shall be based on such requirements for the most similar permitted use.
- (2) If unusual and highly specialized structures or unusual grading are necessary for a special use, a covenant may stipulate that the owner shall remove or otherwise modify such structures or grading in the event the use is terminated.

42.3.2 Abandonment of use. If a special use of property is abandoned for a continuous period of one year, all rights granted on the basis of such special use permission shall be void.

Chapter 43

AMENDMENTS

43.1 SCOPE

43.1.1 The City Council may make changes and additions to the text and the Zoning Map part of this ordinance provided such changes are duly considered in relationship to the Comprehensive Plan for the City of Redmond and conform with state law.

43.1.2 A change in the Zoning Map, reflecting a change of zoning classification (rezone), or an addition to the Zoning Map, following an annexation, shall be construed to be an amendment to this ordinance.

43.2 INITIATION

43.2.1 An amendment may be initiated by petition of interested property owners or residents, by the Planning Commission or by the City Council, except an amendment for an addition to the Zoning Map shall be initiated by the Planning Commission. (Annexation, Topic 45.1)

43.3 PROCEDURE, INITIATION BY PROPERTY OWNER OR RESIDENT

43.3.1 Petition. The petition for an amendment shall be in writing in duplicate addressed to the Planning Commission and the City Council.

(1) The petition for a change of zoning classification shall include the location of the property involved, the zoning wanted and reason such zoning is desired. Sketches and maps may be included.

(2) The petition for a change of text shall include the change wanted and reason such change is desired.

43.3.2 Filing fee. The fee for filing a petition for a change of zoning shall be \$25.00. There shall be no fee for filing a request for a change of text.

43.3.3 Filing of petition. The petition for an amendment shall be filed with the City Clerk.

43.3.4 Acceptance and hearing date. The City Clerk shall transmit the petition to the Planning Commission. Upon determination that such petition contains sufficient and proper information and is not in conflict with the provisions of Section 43.6.2, the Planning Commission shall set a date for a public hearing to be held within 50 days of filing and shall notify the City Clerk of such date.

43.3.5 Hearing notice. Proper notice of the public hearing shall be given in accordance with Chapter 44.

43.3.6 Recommendation. Following the hearing the Planning Commission shall determine whether the amendment petitioned for should be made and shall submit its recommendation together with its analysis and reasons therefor to the City Council within 30 days of the conclusion of the hearing.

43.3.7 Council action. The City Council shall either adopt an amending ordinance in accordance with or modifying the petition, or shall refuse the petition, within 30 days of receipt of the recommendation of the Planning Commission if no

43.3.7 (Cont.)

hearing is held before the City Council and within 45 days if a hearing is held and the decision of the City Council shall be final. The City Council shall hold a hearing if so requested by an interested party, and notice of hearing shall be given in accordance with Chapter 44.

43.4 PROCEDURE, INITIATION BY PLANNING COMMISSION

43.4.1 The Planning Commission shall submit its request, with the reasons therefor, to the City Council. The City Council shall either approve the request or a modification of the request, or shall disapprove the request within 30 days of receipt of such request. Upon approval by the City Council the Planning Commission shall set a date for a public hearing to be held within 50 days of approval and shall notify the City Clerk of such date.

43.4.2 The procedure from this point shall be as given by applicable provisions, starting with Section 43.3.5.

43.5 PROCEDURE, INITIATION BY CITY COUNCIL

43.5.1 The City Council shall submit its request, with the reasons therefor, to the Planning Commission. After conferring with the City Council, if necessary, the Planning Commission shall set a date for a public hearing to be held within 50 days of the Council action and shall notify the City Clerk of such date.

43.5.2 The procedure from this point shall be as given by applicable provisions, starting with Section 43.3.5.

43.6 GENERAL

43.6.1 Fee refund. The filing fee shall be refunded if the petition is not accepted for hearing.

43.6.2 Plan incompatibility. No petition for a rezoning or text change shall be accepted which is incompatible with the spirit of the Comprehensive Plan for the City of Redmond, or in violation of state law.

43.6.3 Withdrawal. The Planning Commission or the City Council may permit the withdrawal of any petition filed under the provisions of this chapter, provided that any hearing shall be held for which notice has been given.

43.6.4 Renewal. If a petition for rezoning is denied by the City Council another petition for a change to the same zone shall not be filed sooner than one year from the date of denial, except upon initiation by the City Council or the Planning Commission or by permission of either, after a showing that a change of circumstance warrants a renewal sooner than one year.

43.6.5 Abandonment. The Planning Commission or the City Council may abandon any proceedings initiated by their own action, provided that such abandonment shall be made only when the proceedings are before the initiating body, and provided further that any hearing shall be held for which notice has been given.

Chapter 44

PUBLIC HEARINGS

44.1 WHEN HELD

44.1.1 Public hearings shall be held as required by the provisions of this ordinance or by state law. (Conditional Use, Chapter 41; Special Use, Chapter 42; Amendments, Chapter 43.)

44.2 NOTICE, REAL PROPERTY INVOLVED

44.2.1 When a public hearing is required wherein real property is involved, notice of such hearing shall be given in accordance with the sections of this topic which follow.

44.2.2 Posting notice. The City Clerk shall prepare notices for posting of the property involved. The notice shall be typed with the word "NOTICE" at the top, or shall be a printed form with suitable blank spaces to be filled. In either case, the information given in the notice shall be: Place where the hearing will be held, body before whom it will be held, date, time and nature of hearing. A minimum of four notices shall be prepared for each hearing of which a minimum of three shall be posted on or immediately adjacent to the property involved, not less than ten days prior to the hearing date. The Zoning Official shall be responsible for posting such notices. One notice shall be placed in the file attached to a certificate of posting, certified by the person doing the posting.

44.2.3 Mail notice.

- (1) When the notice is for a hearing on a petition for a conditional use, a special use or a change of zoning classification of property, the City Clerk shall prepare notices for mailing to the petitioner and to the owners of all contiguous property within a distance of 200 feet from the boundaries of the property involved. When all the property within the 200 foot distance is in the same ownership as the property involved in the hearing, notices shall be prepared for mailing to owners of all properties adjoining said property.
- (2) When the notice is for a hearing on a proposed zoning classification of property following an annexation, the City Clerk shall prepare notices for mailing to owners of all property within the boundaries of the area involved. Such notices shall be by postal card or higher class mail and shall contain the information required in Section 44.2.2. The names and addresses of owners shall be as they appear on the King County Treasurer's latest real property tax rolls. Such notices shall be deposited for mailing not less than ten days prior to the hearing date.

44.2.4 Publication notice. The City Clerk shall prepare a legal notice of hearing and place such notice with the official newspaper of the City of Redmond for a publication date not less than five days prior to the hearing date.

44.3 NOTICE, NO REAL PROPERTY INVOLVED

44.3.1 When a public hearing is required wherein no real property is involved, notice shall be given by publication in accordance with Section 44.2.4.

44.4 CONTINUATION OF HEARING

44.4.1 Hearings for which notice has been given in accordance with Topics 44.2 or 44.3 may be continued for good cause and, except for the written minutes of the body before which such a hearing is held, verbal notice to those present of the date, time and place to which such hearing is continued shall be deemed sufficient notice.

Chapter 45

GENERAL NOTES

45.1 ANNEXATION-

45.1.1 When an area is annexed to the City of Redmond, the City Council shall adopt a zoning map for such area as soon thereafter as is practicable. Such map shall be based upon a Comprehensive Land Use Plan which includes such area and shall be recommended by the Planning Commission after necessary hearings have been held thereon.

45.2 DETERMINATION OF SIMILARITY OF USES

45.2.1 Where a determination of similarity of use is required in the administration of this ordinance, such determination shall rest jointly with the Planning Commission and the Zoning Official.

45.3 DETERMINATION FOR RETAIL SALES

45.3.1 Where a determination of permission for retail sales in an industrial use zone is required in the administration of this ordinance, such determination shall rest jointly with the Planning Commission and the Zoning Official, who, in reviewing the proposal shall be guided, but not limited by, their findings with respect to the following factors:

- (1) The economic practicability of the proposed enterprise without retail trade.
- (2) The attractiveness of the proposed enterprise to retail trade.
- (3) The portion of the total plant area which will be devoted to accommodating retail trade.
- (4) The portion of the total volume of business planned and anticipated to be retail.
- (5) The effect of retail trade on an adjoining enterprise.
- (6) Whether the proposed enterprise should more properly be located in a commercial use zone.
- (7) Whether the retail trade will be steady or seasonal.
- (8) Whether the advertising program will be directed to retail customers.
- (9) Whether the wholesale function may gradually decrease until for all practical purposes the enterprise is a retail business.

45.4 FORFEITURE OF FILING FEE

45.4.1 A filed petition or request which is returned to the originating party thereof for lack of proper and/or sufficient information shall be corrected and returned to the filing office within 30 days of being returned to the originating party, otherwise the filing fee therefor shall be forfeited and another like fee shall be required upon resubmission.

45.5 INTERPRETING FRACTIONAL RESULTS

45.5.1 Calculations giving fractional results shall be interpreted as the next larger whole number if the fraction is one half or more and shall be interpreted as the next lower whole number if the fraction is less than one half.

Chapter 46

CONFLICT OF PROVISIONS

46.1 PROVISION PRECEDENCE

46.1.1 In case of conflict between various provisions of this ordinance the most restrictive requirement shall control.

46.1.2 In case of conflict between the text and the Zoning Map of this ordinance the text shall control.

Chapter 47

REPEAL

47.1 ORDINANCES REPEALED

47.1.1 Ordinances Number 79, 91, 97, 99, 100, 172, 181, 186, 189, 190, 196, 202, 259, 277, 296, 303, and 306 including all maps and schedules which are parts of such ordinances are hereby repealed.

47.1.2 That portion of Ordinance Number 230 which assigns a use classification of M-1 to certain land areas therein described and identified as Parcels 2 and 3 is hereby repealed.

47.1.3 Those portions of Ordinances Number 234 and 237 which assign a use classification of M-2 to all land areas therein described are hereby repealed.

47.1.4 All other ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Chapter 48

CONSTRUCTION

48.1 SEVERABILITY

48.1.1 Should any section, subsection, paragraph, sentence, clause or phrase of this ordinance or the application thereof to any person or circumstance be held unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance, or the application of such provisions to other persons or circumstances and to this end the provisions of this ordinance are declared to be severable, as if the ordinance had been enacted without the invalid provision.

48.2 NUMBERING SYSTEM

48.2.1 The decimal system of numbering is used in this ordinance. The numbers or groups of numbers separated by decimal points are designated by names as follows:

- (1) 00. Chapter
- (2) 00.0 Topic
- (3) 00.0.0 Section
- (4) 00.0.0 (1) or (a) singularly or in succession Subsection

48.2.2 For purposes of cross reference in this ordinance a Subsection is designated a Section, as: Section 00.0.0 (1).

48.2.3 Amendments

- (1) For purposes of amending the identifying name of a Topic such name shall be construed to be a Section.
- (2) For purposes of amending a Subsection, such Subsection shall not be construed to be a Section.

48.3 EFFECTIVE DATE

48.3.1 Effective date. This ordinance shall take effect and be in full force five (5) days after its publication in the manner required by law.

Passed by the Council of the City of Redmond,
Washington, at a regular meeting thereof and
APPROVED by the Mayor this 9th day of July,
1963.

CITY OF REDMOND

s/ G. C. Graep

MAYOR

ATTEST:

s/ Florine Shults

CITY CLERK

APPROVED AS TO FORM:

s/ John D. Lawson

CITY ATTORNEY

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