40.230 COMMERCIAL, BUSINESS, MIXED USE AND INDUSTRIAL DISTRICTS

40.230.010 Commercial Districts (~~C-2~~ NC, ~~C-3~~CC, GC)

A. Purpose.

1. Neighborhood Commercial (~~C-2~~NC) District. These commercial areas of limited size are intended to provide for the convenient shopping needs of the immediate neighborhood and provide services within walking distance for the frequent needs of the surrounding residents. Developments in these areas will be designated to be compatible with the surrounding residentially zoned neighborhoods. New neighborhood commercial areas shall: 1) be less than five acres in size; 2) be spaced less than five miles from similar uses or zones; 3) serve a population of up to 10,000; 4) be located at neighborhood collector or larger crossroads; and 5) serve a primary trade area within a 1.5 mile radius. This district is only permitted ~~under the~~ in areas designated as ~~neighborhood~~ commercial (C) ~~and or mixed use (MX)~~ in the comprehensive plan ~~designations.~~

2. Community Commercial (~~C-3~~CC) District. These commercial areas are intended to provide for the regular shopping and service needs for several adjacent neighborhoods. New community commercial areas shall: 1) be between five and 20 acres in size; 2) be spaced two to four miles from similar uses or zones~~.~~; 3) serve a population of 10,000 to 20,000; 4) be located at minor or major arterial crossroads, and 5) serve a primary trade area between 2 to 4 miles. This district is only permitted in areas designated as ~~community~~ commercial (C) ~~or mixed use (MX)~~ in the comprehensive plan.

3. General Commercial (GC) District. These commercial areas provide a full range of goods and services necessary to serve large areas of the county and the traveling public. This district is limited to the ~~general~~ commercial comprehensive plan designation. These areas are located at interchanges, along state highways and interstates, and adjacent to major arterial roadways. New general commercial areas shall: 1) be more than 20 acres in size; 2) be spaced more than four miles from similar uses or zones; 3) serve a population of more than 20,000, and 4) serve a primary trade area between 3 to 6 miles. This district is only permitted in areas designated as commercial (C) in the comprehensive plan.

(Amended: Ord. 2008-12-15)

B. Definitions.

For the purposes of this section, the following definitions shall apply:

1. Streets. In commercial zones, the definition of “street” shall be limited to public rights-of-way.

C. Uses.

The uses set out in Table 40.230.010-1 are examples of uses allowable in the various zone districts. The appropriate review authority is mandatory.

- “P” – Uses allowed subject to approval of applicable permits.
- “R/A” – Uses permitted upon review and approval as set forth in Section 40.520.020.
- “C” – Conditional uses which may be permitted subject to the approval of a conditional use permit as set forth in Section 40.520.030.
- “X” – Uses specifically prohibited.

Where there are special use standards or restrictions for a listed use, the applicable code section(s) in Chapter 40.260, Special Uses and Standards, or other applicable chapter is noted in the “Special Standards” column.

Table 40.230.010-1. Uses

	~~C-2~~NC	~~C-3~~CC	GC	Special Standards
1. Residential Uses. Residential uses are only permitted above the ground floor in commercial zones except for an accessory caretaker, security or manager, or owner residence. The residential uses must be constructed following or in conjunction with the commercial aspects of the proposal. For the purposes of subsection (1)(a) of this table, "commercial uses" are those uses listed in subsections (2), (3), (4), (7), (8), (9), (10), (11), (12), (13), (14), (15) and (18) of this table.				
a. Residential (integrated multifamily/commercial or mixed use structure.)	P	P	P	40.260.150
b. Existing residences without any increase in density, including accessory uses and structures normal to a residential environment. Replacement of such structures requires county approval prior to the removal of the existing structure(s) and is subject to time limits regarding the replacement.	P	P	P	40.260.010
c. Adult family homes (in existing single-family dwellings or duplexes only)	P	P	P	40.260.190
d. Home business – Type I	P	X	X	40.260.100
e. Home business – Type II	P	X	X	40.260.100
f. Bed and breakfast establishments	P	P	P	40.260.050
g. Temporary dwellings	P	X	X	40.260.210
h. One (1) single-family residence for an accessory caretaker, security or manager, or owner residence in conjunction with a use permitted outright or by conditional use	P	P	P	
i. Assisted living facilities	P	P	P	40.260.190
2. Retail Sales – Food.				
a. Markets greater than 25,001 square feet gross floor area	X	P	P	
b. Markets less than or equal to 25,000 square feet of gross floor area	P	P	P	
c. Bakery – primarily retail outlet (greater than 10,001 square feet of gross floor area)	X	P	P	
d. Bakery – primarily	P	P	P	

Table 40.230.010-1. Uses				
	~~C-2~~NC	~~C-3~~CC	GC	Special Standards
retail outlet (less than or equal to 10,000 square feet of gross floor area)				
3. Retail Sales – General.				
a. General retailer (greater than 100,001 square feet gross floor area)	X	P	P	
b. General retailer (25,001 – 100,000 square feet gross floor area)	X	P	P	
c. General retailer (less than or equal to 25,000 square feet gross floor area)	P	P	P	
d. Single purpose/specialty retailers (greater than 10,001 square feet gross floor area)	X	P	P	
e. Single purpose/specialty retailers (less than or equal to 10,000 square feet gross floor area)	P	P	P	
f. Yard and garden supplies, including nurseries	P	P	P	
4. Retail Sales – Restaurants, Drinking Places.				
a. Restaurants, with associated drinking places, alcoholic beverages	P	P	P	
b. Drinking places, alcoholic beverages (with or without entertainment)	C	P	P	
5. Retail Sales and Services – Automotive and Related.				
a. Motor vehicle dealers, new and used, including auto, truck trailer, boat, recreational vehicles and equipment	X	P	P	
b. Quick vehicle servicing	X	P	P	
c. Filling station	P	P	P	
d. Motorcycles	X	P	P	
e. Manufactured home sales	X	X	P	

Table 40.230.010-1. Uses				
	~~C-2~~NC	~~C-3~~CC	GC	Special Standards
f. Car washes	X	P	P	
g. Vehicle rental or repair including auto, truck trailer, boat, and recreational vehicles				
(1) Located entirely within an enclosed building	X	P	P	
(2) Including outside storage or repair	X	C	P	
h. Commercial off-street parking facilities	X	P	P	
i. Vehicle towing and storage services	X	X	P	
j. Transportation terminals				
(1) People	P	P	P	
k. Electric vehicle infrastructure	P	P	P	40.260.075
6. Retail Sales – Building Material and Farm Equipment.				
a. Lumber and other building materials stores and yards, with only incidental cutting and planing of products sold	X	C	P	
b. Heating and plumbing equipment, including incidental fabrication (operated entirely within an enclosed building)	X	P	P	
c. Hardware, home repair and supply stores (greater than 100,001 square feet gross floor area)	X	C	P	
d. Hardware, home repair and supply stores (25,001 to 100,000 square feet gross floor area)	X	P	P	
e. Hardware, home repair and supply stores (less than or equal to 25,000 square feet gross floor area)	P	P	P	
f. Farm equipment and implement dealer	X	X	P	
g. Hay, grain, and feed stores	X	P	P	
7. Retail Sales – Products				

Table 40.230.010-1. Uses				
	~~C-2~~NC	~~C-3~~CC	GC	Special Standards
(Retailers of products created or assembled on-site within an entirely enclosed building.)				
a. Uses greater than 25,001 square feet gross floor area	X	C	P	
b. Uses between 5,001 and 25,000 square feet gross floor area	X	P	P	
c. Uses less than or equal to 5,000 square feet gross floor area	P	P	P	
8. Services – Personal.				
a. Self-service laundries, dry cleaning, including pressing, alteration, garment and accessory repair, excluding industrial cleaning services	P	P	P	
b. Barber and beauty shops	P	P	P	
c. Day spas, massage parlors, public bathhouses, and reflexology businesses	R/A	R/A	R/A	Ch. 5.70
d. Clothing rental establishments	X	P	P	
e. Mortuaries	X	X	P	
f. Tattoo/body art studio	X	P	P	
9. Services – General.				
a. Duplicating, addressing, blueprinting, photocopying, mailing, and stenographic services (greater than 2,501 square feet)	X	P	P	
b. Duplicating, addressing, blueprinting, photocopying, mailing, and stenographic services (less than or equal to 2,500 square feet)	P	P	P	
c. Office equipment and home appliance rental, service and repair agencies	X	P	P	
d. Printing, publishing	X	R/A	P	

Table 40.230.010-1. Uses				
	~~C-2~~NC	~~C-3~~CC	GC	Special Standards
and lithographic shops				
e. Services to buildings (including dwellings), cleaning and exterminating	X	C	P	
f. Moving and storage	X	P	P	
g. Mini-storage warehouse	X	P	P	
(1) Accessory caretaker, security or manager residence when incorporated as an integral part of the mini-storage warehouse	X	R/A	P	
h. Auction barns	X	X	P	
i. Branch banks	P	P	P	
j. Event facilities (greater than 50,001 square feet)	X	X	C	
k. Event facilities (5,001 to 50,000 square feet)	X	P	P	
l. Event facilities (less than or equal to 5,000 square feet)	P	P	P	
m. RV storage	X	P	P	
n. Security and patrol services (less than 10,000 square feet)	P	P	P	
10. Services – Lodging Places.				
a. Hotels/motels	X	C	P	
b. Recreational vehicle parks and campgrounds	X	X	P	
11. Services – Medical and Health.				
a. Hospitals	X	X	C	
b. Outpatient clinics/medical offices	C	P	P	
c. Medical laboratories	X	C	P	
d. Convalescent and nursing homes	X	C	C	
e. Orthopedic equipment and supplies, rental, sales and services	X	P	P	
f. Ambulance services	P	P	P	

Table 40.230.010-1. Uses				
	~~C-2~~NC	~~C-3~~CC	GC	Special Standards
g. Residential care homes	C	C	C	
h. Residential and congregate care facilities	X	C	C	
i. Opiate substitution treatment facilities	R/A	R/A	R/A	40.260.165
12. Services – Professional Office.				
a. Professional offices (greater than 5,001 square feet gross floor area)	X	P	P	
b. Professional offices (less than or equal to 5,000 square feet gross floor area)	P	P	P	
c. Artists/photographic studios	P	P	P	
13. Services – Amusement.				
a. Amusement centers				
(1) Indoor	X	C	P	
(2) Outdoor	X	C	C	
b. Athletic, health and racket clubs (greater than 10,001 square feet of gross floor area)	X	C	P	
c. Athletic, health and racket clubs (between 10,000 and 5,001 square feet of gross floor area)	C	C	P	
d. Athletic, health and racket clubs (less than or equal to 5,000 square feet of gross floor area)	P	P	P	
e. Circuses, carnivals, or amusement rides	R/A	R/A	R/A	
14. Services – Educational.				
a. Nursery schools, preschools	C	P	P	40.260.160
b. Day care facilities consistent with all Washington State laws and regulations	P	P	P	40.260.160
c. Libraries	P	P	P	
d. Vocational schools	C	P	P	
(1) Truck driving schools	X	P	P	

Table 40.230.010-1. Uses				
	~~C-2~~NC	~~C-3~~CC	GC	Special Standards
e. Automobile driving schools (greater than 5,001 square feet)	X	P	P	
f. Automobile driving schools (less than or equal to 5,000 square feet)	P	P	P	
g. Artistic studios and schools including but not limited to dance, music and martial arts (greater than 5,001 square feet)	X	P	P	
h. Artistic studios and schools including but not limited to dance, music and martial arts (less than or equal to 5,000 square feet)	P	P	P	
i. Public parks, parkways, recreation facilities, trails and related facilities	P	P	P	
j. Neighborhood parks	P	P	P	40.260.157
k. Public/private educational institutions	C	C	C	
l. Outdoor team sports fields	C	P	P	
15. Services – Membership Organizations.				
a. Business, professional and religious (not including churches) greater than 5,001 square feet	X	P	P	
b. Business, professional and religious (not including churches) less than or equal to 5,000 square feet	P	P	P	
c. Civic, social, fraternal, charitable, labor and political	C	P	P	
d. Churches	C	P	P	
16. Services – Animal-Related.				
a. Animal hospitals and veterinary clinics				
(1) Outside animal facilities	X	C	C	
(2) Inside animal facilities only	C	P	P	

Table 40.230.010-1. Uses				
	~~C-2~~NC	~~C-3~~CC	GC	Special Standards
b. Animal day use facility	P	P	P	40.260.040
c. Kennel commercial[1, 6] (to include domestic animals as defined in Section 8.01.020)				40.260.040, 40.320.010
(1) Inside	X	C	P	
(2) Outside	X	X	C	
17. Distribution Facilities. (In conjunction with a permitted use, all activities, except vehicle storage, located entirely within an enclosed building)				
a. Distribution facilities between 50,000 and 25,001 square feet gross floor area	X	X	P	
b. Distribution facilities less than or equal to 25,000 square feet gross floor area	X	C	P	
18. Public Services and Facilities.				
a. Buildings entirely dedicated to public services, such as City Hall, police and fire substations	C	C	C	
b. Sewer, water and utility transmission lines	P	P	P	40.260.240
c. Wireless communications facilities	P/C	P/C	P/C	40.260.250
d. Zoos, museums and similar institutions	X	C	C	
(1) Historic and cultural exhibits	P	P	P	
e. U.S. Post Offices	P	P	P	
f. Public transit facilities including park and ride facilities	C	P	P	
19. Resource Activities.				
a. Agriculture	P	P	P	40.260.040
b. Silviculture	P	P	P	40.260.080
c. Roadside farm stand	P	P	P	40.260.025

Table 40.230.010-1. Uses				
	~~C-2~~NC	~~C-3~~CC	GC	Special Standards
d. Agricultural market	P	P	P	40.260.025
20. Accessory Uses and Activities.				
a. On-site hazardous waste treatment and storage facilities, subject to state siting criteria (RCW 70.105.210).	P	P	P	
b. Drive-through, drive-in or drive-up facilities over 200 square feet	X	P	P	40.320.010(E), 40.340.020(A)(4)
c. Coffee and food stands 200 square feet or less	P	P	P	40.260.055
d. Open air activities				
(1) Open air display of plants and produce in conjunction with a permitted use[2]	P	P	P	
(2) Open air storage of materials[3]	P	P	P	
(3) Open air work activities such as restaurants, portable walk-up vendors such as espresso carts, flower stands and food stands, plant nurseries and other uses generally conducted outside in conjunction with a permitted commercial use, unless otherwise prohibited by this title[4]	P	P	P	
(4) Open air storage of company vehicles, such as cars and light duty trucks, in conjunction with a permitted use[5]	P	P	P	
21. Other Uses.				
a. Temporary uses	P	P	P	40.260.220
b. Private use heliports	X	C	C	40.260.170
c. Solid waste handling and disposal sites	C	C	C	40.260.200
d. Medical marijuana collective gardens	X	X	X	
e. Marijuana-related facilities	X	X	X	

[1] Outdoor areas shall be fully screened to the F2 standard.

[2] These areas must be identified and approved on the site plan.

[3] Such areas must be located behind buildings or to the rear of the site and away from street frontages and fully screened with landscaping according to Section 40.320.010(D)(1).

[4] These uses are permitted to occupy up to ten percent (10%) of the total floor area of the development or building. Open air sale of vehicles and manufactured homes is not subject to this requirement, where permitted. This is not intended to prohibit temporary outside sales of a limited duration (less than two (2) weeks total per year) when in conjunction with a permitted use.

[5] Vehicle storage areas shall be located behind buildings or to the rear of the site. Landscaping standards in excess of site plan review standards may be required in order to properly screen adjoining residential lands.

[6] Kennels shall comply with the noise standards in Chapter 173-60 WAC. All animals are to be housed within a structure between the hours of 10:00 p.m. and 7:00 a.m.

(Amended: Ord. 2004-06-11; Ord. 2005-04-12; Ord. 2006-05-01; Ord. 2007-06-05; Ord. 2007-11-13; Ord. 2009-01-05; Ord. 2010-08-06; Ord. 2011-02-13; Ord. 2011-03-09; Ord. 2011-06-14; Ord. 2011-12-09; Ord. 2012-06-02; Ord. 2012-07-03; Ord. 2013-07-08; Ord. 2014-01-08; Ord. 2014-05-07; Ord. 2014-08-03; Ord. 2014-11-02)

D. Development Standards.

1. New lots and structures and additions to structures subject to this section shall comply with the applicable standards for lots, building height, and setbacks in Tables 40.230.010-2 and 40.230.010-3, subject to the provisions of Chapter 40.200 and Section 40.550.020. Site plan review is required for all new development and modifications to existing permitted development unless expressly exempted by this title (see Section 40.520.040).

Table 40.230.010-2. Lot Requirements

Zoning District	Minimum Lot Area (square feet)	Minimum Lot Width (feet)	Minimum Lot Depth (feet)
~~C-2~~NC	None	None	None
~~C-3~~ CC	None	None	None
GC	None	None	None

Table 40.230.010-3. Setbacks, Lot Coverage and Building Height

	~~C-2~~NC	~~C-3~~ CC	GC
Minimum setbacks	Pursuant to buffering and screening standards contained in Chapter 40.320, Table 40.320.010-1.		
Minimum setbacks adjacent to residential district	Pursuant to the screening and buffering standards contained in Chapter 40.320, Table 40.320.010-1, plus an additional 1/2 foot for each foot the building exceeds 20 feet in height to a maximum setback requirement of 40 feet. Buildings in excess of 20 feet may be stepped.		
Maximum lot coverage	Maximum determined by compliance with screening and buffering standards contained in Chapter 40.320, Table 40.320.010-1, the Stormwater and Erosion Control Ordinance (Chapter 40.385), and all other applicable standards.		
Maximum building height	None		

2. Signs. Signs shall be permitted according to the provisions of Chapter 40.310.

3. Off-Street Parking and Loading. Off-street parking and loading shall be provided as required in Chapter 40.340.

4. Landscaping. Not less than fifteen percent (15%) of the total lot area shall be landscaped. Pedestrian plazas, sidewalks over the minimum width and other pedestrian amenities may be used to meet the required landscaping at a one to one (1:1) ratio.

5. Site Plan Review Standards. In addition to the site plan approval criteria contained in Section 40.520.040(E), the following shall apply to all development within the commercial district unless expressly exempted. The responsible official may modify these standards for the expansion of existing uses for site-specific issues:

a. Primary pedestrian circulation routes connecting the street(s) to the primary building entry or entries shall be a minimum of eleven (11) feet (eight (8) feet of sidewalk/walkway with a minimum of three (3) feet of landscaping on one (1) side of the pedestrian route). The minimum three (3) foot landscaped area shall contain suitable tree species planted every twenty-four (24) feet to provide for a continuous tree canopy. The required landscape area ~~should~~ shall function as a buffer between auto drives and the pedestrian routes. Where the pedestrian circulation route crosses vehicular accessways the landscape area is not required.

b. Landscaping is required along the side of all buildings where the primary pedestrian access is provided. Minimum requirements shall be trees, of a suitable species according to Section 40.320.010, provided every thirty (30) feet on center planted in a landscaped strip or tree wells along the length of the building.

c. Landscape buffers required by Section 40.320.010 shall not apply between pad development sites and the remainder of the development site.

d. Landscaping required between commercial developments may be altered where parking lots are adjoining as follows: a single, shared five (5) foot buffer instead of five (5) feet for each development; provided, that joint access is provided between parcels for auto and pedestrian access and trees are planted every twenty (20) feet on center along the length of the buffer.

(Amended: Ord. 2004-06-11; Ord. 2006-09-13; Ord. 2009-01-01; Ord. 2010-12-12)

40.230.020 Mixed Use District (MX)

A. Purpose.

The mixed use (MX) district requires mixed use developments to provide the community with a mix of mutually supporting retail, service, office and residential uses. It promotes cohesive site planning and design which integrates and interconnects two (2) or more land uses into a development that is mutually supportive. It provides incentives to develop a higher-density, active, urban environment than generally found in a suburban community, and which is further expected to:

1. Achieve goals and objectives of the community framework plan and the comprehensive plan;

2. Enhance livability, environmental quality and economic vitality;

3. Accommodate and respect surrounding land uses by providing a gradual transition adjacent to lower density neighborhoods that may encircle a potential mixed use site;

4. Maximize efficient use of public facilities and services;

5. Provide a variety of housing types and densities;

6. Reduce the number of automobile trips and encourage alternative modes of transportation; and

7. Create a safe, attractive and convenient environment for living, working, recreating and traveling.

B. Applicability.

1. General. The provisions of this section shall be applied to parcels or groups of contiguous parcels designated mixed use on the zoning map.

2. Interpretation. If the requirements of the mixed use district conflict with other regulations, the more stringent of the two (2) shall apply as determined by the responsible official.

C. Definitions.

For the purposes of this section, the following definitions shall apply:

1. "Mixed use development" shall mean a group of structures planned as a single entity and containing within and/or among them a variety of complementary and/or mutually supporting uses (such as housing, offices, retail, public service or entertainment).

2. "Developable area" means that portion of the site which is unencumbered by environmentally sensitive lands to be protected and their respective buffers, designated parks and open space, public right-of-way, and road easements.

3. "Building footprint" means the area contained within the exterior building walls of the ground floor of a building plus the area of any portion of upper floors that extend outside of the footprint of the ground floor.

4. "Cottage housing" means a collection of small single-family detached dwelling units arranged around a common open space.

5. "Mixed use building" means any building that combines both permitted residential and nonresidential uses.

6. "Net ground floor area" means nonresidential floor area and excludes parking areas.

7. "Senior housing" means dwelling units specifically for occupancy by persons fifty-five (55) years of age or older.

D. Uses. The uses set out in Table 40.230.020-1 are permitted or conditional in the mixed use (MX) district. Residential uses are permitted so long as the minimum required densities of this section are met. The appropriate review authority is mandatory.

- "P" – Uses allowed subject to approval of applicable permits.
- "R/A" – Uses permitted upon review and approval as set forth in Section 40.520.020.
- "C" – Conditional uses which may be permitted subject to the approval of a conditional use permit as set forth in Section 40.520.030.
- "X" – Uses specifically prohibited.

Table 40.230.020-1. Uses[1]		
	MX	Special Standards
1. Residential Uses.		
a. Existing residences without any increase in density, including accessory uses and structures normal to a residential environment. Replacement of such structures requires county approval prior to the removal of the existing structure(s) and is subject to time limits regarding the replacement	P	40.260.010

Table 40.230.020-1. Uses[1]		
	MX	Special Standards
b. Single-family dwelling, attached and detached	P[2]	
c. Accessory dwelling unit	P[3]	
d. Adult family homes	P[2]	40.260.190
e. Duplex dwelling	P	
f. Townhouse dwelling	P	
g. Multifamily dwelling	P	
h. Home businesses	R/A	40.260.100
i. Bed and breakfast establishments	P	40.260.050
j. Assisted living facility	P	40.260.190
k. Cottage housing	P[4]	Appendix A
2. Retail Sales – Food.		
a. Markets (<35,000 square feet or less of building footprint)	P	
b. Markets (35,000 to 59,000 square feet of building footprint)	P[5]	
c. Bakery – primarily retail outlet (< 10,000 square feet of building footprint)	P	
3. Retail Sales – General.		
a. General retailer (< 50,000 square feet of building footprint)	P	
b. Single purpose/specialty retailers (< 25,000 square feet building footprint)	P	
c. Single purpose/specialty retailers (25,000 to 50,000 square feet building footprint)	C[6]	
d. Yard and garden supplies, including nurseries	P	
4. Retail Sales – Restaurants, Drinking Places.		
a. Restaurants, with associated drinking places, alcoholic beverages	P	
b. Drinking places, alcoholic beverages (with or without entertainment)	P	
5. Retail Sales and Services – Automotive and Related.		
a. Commercial off-street parking facilities	P	
b. Transportation terminals – People	P	
c. Electric vehicle infrastructure	P	40.260.075
6. Retail Sales – Building Material and Farm Equipment.		

Table 40.230.020-1. Uses[1]		
	MX	Special Standards
a. Hardware, home repair and supply stores (25,000 to 50,000 square feet building footprint)	P	
7. Retail Sales – Products.		
a. Uses < 25,000 square feet building footprint	P	
8. Services – Personal.		
a. Self-service laundries, dry cleaning, including pressing, alteration, garment and accessory repair, excluding industrial cleaning services	P	
b. Barber and beauty shops	P	
9. Services – General.		
a. Duplicating, addressing, blueprinting, photocopying, mailing, and stenographic services (< 25,000 square feet building footprint)	P	
b. Office equipment and home appliance rental, service and repair agencies	P	
c. Printing, publishing and lithographic shops	P	
d. Services to buildings (including dwellings), cleaning and exterminating	C	
e. Branch banks	P[8]	
f. Event facilities (< 10,000 square feet building footprint)	P	
g. Event facilities (10,000 to 50,000 square feet building footprint)	C	
10. Services – Lodging Places.		
a. Hotels/motels	P	
11. Services – Medical and Health.		
a. Outpatient clinics	P	
b. Medical laboratories	C	
c. Convalescent and nursing homes	C	40.260.190
d. Orthopedic equipment and supplies, rental, sales and services	P	
e. Animal hospitals and veterinary clinics		
(1) Outside animal activities	X	
(2) Inside animal activities only	P	
(3) Animal day use facility	C	
f. Ambulance services	P	

Table 40.230.020-1. Uses[1]		
	MX	Special Standards
g. Residential care homes	C	
h. Residential care facilities	C	
12. Services – Professional Office.		
a. Professional offices	P	
b. Medical and dental offices	P	
c. Artists/photographic studios	P	
13. Services – Amusement.		
a. Bowling alleys, billiard and pool parlors, and video arcades	P	
b. Skating rinks, ice and/or roller	P	
c. Theaters, indoor	P	
d. Athletic, health and racket clubs	P	
14. Services – Educational.		
a. Nursery schools, preschools	P	40.260.160
b. Day care facilities consistent with Chapter 388-73 WAC	P	40.260.160
c. Elementary schools	C	
d. Libraries	P	
e. Vocational schools	C	
f. Artistic studios and schools including but not limited to dance, music and martial arts	P	
g. Public parks, parkways, recreation facilities, trails and related facilities	P	
h. Neighborhood parks	P	40.260.157
15. Services – Membership Organizations.		
a. Business, professional and religious (not including churches)	P	
b. Civic, social, fraternal, charitable, labor and political	P	
c. Churches	C	
16. Public Services and Facilities.		
a. Buildings entirely dedicated to public services, such as City Hall, police and fire substations	C	
b. Sewer, water and utility transmission lines	P	40.260.240
c. Wireless communications facilities	P/C	40.260.250
d. Zoos, museums, historic and cultural	C[5]	

Table 40.230.020-1. Uses[1]		
	MX	Special Standards
exhibits		
e. U.S. Post Offices	P	
f. Public transit facilities including park and ride facilities	P	
17. Resource Activities.		
a. Agriculture	P	40.260.040
b. Silviculture	P	40.260.080
c. Roadside farm stand	P	40.260.025
d. Agricultural market	P	40.260.025
18. Accessory Uses and Activities.		
a. On-site hazardous waste treatment and storage facilities, subject to state siting criteria (RCW 70.105.210)	P	
b. Drive-through, drive-in or drive-up	X[8]	
c. Open air activities		
(1) Open air display of plants and produce permitted in conjunction with a permitted use	P[9]	
(2) Open air activities such as restaurants, portable walk-up vendors (not including drive-through facilities) such as espresso carts, flower stands and food stands	P	
19. Other Uses.		
a. Temporary uses	R/A	40.260.220
b. Private use heliports	X	
c. Solid waste handling and disposal sites	X	
d. Medical marijuana collective gardens	X	
e. Marijuana-related facilities	X	

[1] All new development is subject to the Mixed Use Design Standards per Section 40.230.020(F).

[2] Provided that single-family detached account for no more than thirty percent (30%) of the total dwelling units on the development site.

[3] For purposes of density calculations, accessory dwelling units shall qualify as a dwelling unit.

[4] Provided they account for no more than fifty percent (50%) of the total dwelling units on the development site including the open space.

[5] Development site ten (10) acres or greater.

[6] Development site twenty (20) acres or greater.

[7] Finished product retailers with primary fabrication or assembly on-site with an entirely enclosed building.

[8] Drive-through, drive-in or drive-up facilities are an allowed use for branch banks only.

[9] These areas must be identified and approved on the site plan.

(Amended: Ord. 2010-08-06; Ord. 2011-03-09; Ord. 2011-06-14; Ord. 2011-12-09; Ord. 2012-02-03; Ord. 2012-06-02; Ord. 2013-07-08; Ord. 2014-01-08; Ord. 2014-05-07; Ord. 2014-11-02)

E. Mixed Use Standards.

1. Residential.

a. Whether within a single building or on a development site, a minimum of twenty percent (20%) of the development shall be nonresidential and a minimum of twenty percent (20%) of the development shall be residential. This percentage shall be calculated by determining the percent of developable area devoted to each type of use. For mixed use buildings, the percentage shall be calculated by one (1) of the following methods:

(1) The percentage of total building's floor area devoted to residential to nonresidential uses.

(2) The percentage of net ground floor area (for nonresidential uses) to gross ground floor area (residential and/or parking areas).

b. Exception. The responsible official may allow a reduction in the percentage of required nonresidential uses as required in Section 40.230.020(E)(1)(a), to a minimum of five percent (5%) provided all of the following criteria are met:

(1) The development includes a vertical mix of uses in one (1) or more mixed use buildings. This shall include space for nonresidential uses on at least a portion of the ground floor and residential uses on one (1) or more upper floors;

(2) The development site is not larger than two (2) acres; and

(3) All ground floor residential units facing a public street shall maintain a minimum structural ceiling height of thirteen (13) feet to provide the opportunity for future conversion to nonresidential uses.

c. A minimum density of twelve (12) dwelling units per acre is required. This shall be based on the developable area devoted to residential use. If the development site is greater than five (5) acres and less than fifty (50) acres, the residential use shall contain a minimum three (3) permitted housing types as set forth in the Mixed Use Design Standards in Appendix A of this title. If the development site is fifty (50) acres or more, the residential use shall contain a minimum four (4) permitted housing types as set forth in the Mixed Use Design Standards in Appendix A of this title.

d. The maximum density shall be forty-three (43) dwelling units per acre. This shall be based on the developable area devoted to residential use. Exception: There shall be no maximum density for buildings featuring vertical mix of uses. To qualify, nonresidential uses (net ground floor area) shall occupy at least fifty percent (50%) of the building's gross ground floor area. Residential uses shall occupy one (1) or more upper floors.

e. Conversion of Existing Structures. An existing residential structure may not be converted to a commercial or office use unless consistent with this chapter.

2. Nonresidential. All uses on the ground floor must maintain a minimum structural ceiling height of thirteen (13) feet.

(Amended: Ord. 2011-08-08)

F. Design Standards. All new development shall be designed in accordance with the Mixed Use Design Standards as set forth in Appendix A of this title.

G. Incentives. A reduction of the TIF may be granted pursuant to this section with the implementation and maintenance of the corresponding action in Table 40.230.020-2 on approval of the responsible official.

Table 40.230.020-2. Incentives	
Action	**Maximum TIF Credit**
Installation of on-site sheltered bus-stop (with current or planned service) or a sheltered bus stop within 1/4-mile of site with adequate walkways if approved by C-TRAN	1% credit to cover up to 80% of cost.
Installation of bike lockers	1% credit to cover up to 80% of cost.
Connection to existing or future regional bike trail	1%
Installation of paid parking (by resident or employee)	3% credit to cover up to 80% of cost.
Provision of Flex Car for project	1% credit to cover up to 80% of cost.
Total if all strategies were implemented	7%

H. Approval Process.

1. Site Plan Review Required. Mixed use developments shall require submittal of a site plan, as required under Section 40.520.040, Site Plan Review, and Table 40.510.050-1, Application Submittal Requirements. The mixed use site plan shall be processed under the Type III review process, per Section 40.510.030.

a. The applicant for a proposed mixed use development shall certify that two (2) or more of the following have been involved with the preparation of the preliminary mixed use development plan:

(1) An architect licensed in the state of Washington; and/or

(2) A landscape architect licensed in the state of Washington; and/or

(3) A registered civil engineer or a registered land surveyor licensed in the state of Washington; and/or

(4) A certified arborist, if a vegetation management plan is required.

b. One of the above professionals shall be designated by the applicant to be responsible for submitting materials to and communicating with the responsible official with respect to the concept and details of the development plan. This applicant designee shall act as a liaison between the responsible official, the design team and the applicant. The selection of this liaison shall not prevent the applicant or any member of the design team from conferring with the responsible official or presenting material to the responsible official. The responsible official may require that the expertise of other professionals be used in the planning and development of the mixed use development if it is determined that the site merits special consideration due to particularly unusual or adverse features or conditions.

c. All plans and specifications required for the development shall be prepared and designed by engineers and/or architects licensed in the state of Washington.

2. Neighborhood Meeting Required. A neighborhood meeting shall be held prior to submission of an application for a mixed use development. The applicant shall hold a public meeting to offer owners of property adjacent to the affected property an opportunity to participate in the development process. A pre-application

conference is not a substitute for the required neighborhood meeting. The applicant shall follow the neighborhood meeting guidelines established by the county.

a. The neighborhood meeting shall be held within ninety (90) days prior to submitting the application.

b. The applicant shall send a notice of the meeting at least fifteen (15) days prior to the neighborhood meeting to:

(1) The official representative(s) of the county-recognized neighborhood association(s), if applicable, in whose boundaries the affected property is located, based on the list of official neighborhood associations kept by the responsible official; and

(2) Residents and property owners of record of property within a radius of five hundred (500) feet of the subject property. The records of the County Assessor shall be used for determining the property owners of record. The mailing list used for notification shall be based on the most recent property tax assessment rolls within thirty (30) days of mailing of the Clark County Assessor. At the request of the applicant, and upon payment of an applicable fee, the county will provide the required mailing list.

(3) The responsible official.

c. The notice must identify the date, time and place of the meeting and provide a brief description of the proposed development.

d. A copy of the notice, proposed development plan as presented at the meeting, the mailing list, meeting summary and the sign-in sheet from the meeting shall be submitted with the application.

3. Master Plan. All developments with proposed phasing of uses shall submit a master plan pursuant to Section 40.520.070.

(Amended: Ord. 2004-12-12; Ord. 2005-04-12; Ord. 2006-04-18; Ord. 2011-08-08)