

ORDINANCE NO. 86300

AN ORDINANCE relating to and regulating land use, providing for residence, business, commercial, manufacturing and industrial zones, and specifying for such zones the permitted uses, regulating the size, bulk, and location of structures involving such uses; establishing requirements for offstreet parking and loading facilities; establishing a Board of Adjustment; providing for administration and enforcement, and repealing ordinances 36032 and 45382.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Article 1. Section 1. This ordinance shall be known as the Comprehensive Zoning Ordinance of the City of Seattle.

Section 2.1 General Purpose and Scope

The general purpose of this Ordinance is to protect and promote public health, safety, morals, and general welfare through a well-considered comprehensive plan for the use of land. It classifies land within the City into various land use zones, each with appropriate zone designations, and within each zone, this Ordinance limits the use of land and limits the height, size, use and location of buildings and structures and requires space for offstreet parking. The economic stability of land use areas and conservation of building values are promoted and protected thereby.

Its provisions are designed to provide adequate light, air, and access, to secure safety from fire and other dangers, and to avoid excessive concentration of population, in order to lessen traffic congestion, and to facilitate adequate provisions for transportation, water, sewerage, schools, parks, and other public requirements.

In interpretation and application, the provisions of this Ordinance are minimum requirements.

Section 2.2 Purpose of Residential Zones AMENDED ORD. 96202, 98608

2.21 General

Eight residential zone classifications permit a variety of housing and population densities without conflict. Protection is provided against hazards, objectionable influences, traffic, building congestion, and lack of light, air and privacy. Certain essential and compatible public service facilities and institutions are permitted in R zones.

2.22 Single Family Residence Zones

Three single family residence zone classifications are provided to promote and protect various densities and uniformity of development within each. A Residence Waterfront zone classification recognizes special waterfront needs.

The RS 9600 zone provides low density chiefly in outlying areas or where required by soil conditions or topography.

The RS 7200 zone provides medium density of development where indicated by desirability or feasibility.

The RS 5000 zone protects basic minimum density of development chiefly in mature areas.

The RW zone permits houseboats and group pleasure boat moorages when compatible with permitted residential uses.

Section 2.2 (continued)

2.23 Duplex Residence Zone

Two duplex zone classifications permit two-family dwellings and, under certain conditions, three-family structures protected from more concentrated residential uses and permitting a greater variety of institutional uses.

The RD 7200 zone permits the use and development of two or three-family dwellings on larger lots in outlying areas of the City.

The RD 5000 zone permits two and three-family dwellings in appropriate areas of the City where lots are smaller.

2.24 Multiple Family Residence Zones

Two multiple-family residence zone classifications permit apartment houses and other group living, together with certain appropriate non-residential uses. Transportation, major shopping and employment centers influence location of the multiple-family zones.

The RM zone provides for low density multiple-family dwellings.

The RMH zone provides for high density elevator apartment houses generally near the City center and for certain intensive institutional uses requiring residential environment.

Section 2.3 Purpose of Shopping and Business Zones

AMENDED ORD.

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Three shopping - business zone classifications are provided to promote retail business development on the basis of function performed and to minimize conflicts within each zone and with uses in adjacent residential zones.

The BN zone in local neighborhoods permits neighborhood retail stores near the homes which they serve.

The BC zone provides for larger business centers serving the greater needs of several neighborhoods.

The BM zone protects the core of the central business district serving the entire City and its metropolitan area. It permits a greater concentration of buildings and wider range of business uses.

Section 2.4 Purpose of Commercial Zones

AMENDED ORD.

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Two commercial zone classifications permit, in appropriate locations, non-retail services and other business activities protected from industrial uses.

The CM zone permits a wide variety of non-retail commercial and business uses functionally related to and near the retail core of the business district in buildings of similar bulk to those in the BM zone.

The CG zone, located in each major section of the City, permits non-retail commercial and business activity near major business districts and under conditions which minimize conflicts with nearby residential areas.

Section 2.5 Purpose of Manufacturing Zones

Three ~~zone~~^{manufacturing} classifications provide protection for all kinds of industry

under conditions that minimize conflicts of land use within and between zones. Mutual protection is provided by prohibiting new residential developments in manufacturing and industrial zones.

The M zone provides for light manufacturing uses under specific conditions intended to minimize conflicts with nearby residential uses.

The IG zone provides for a greater range of general industrial activities with provision for protecting adjacent residential zones.

The IH zone provides for and protects the heaviest industrial activities prohibiting residential uses and in locations to achieve maximum isolation.

Section 3.01 For the purpose of this Ordinance, certain terms and words are hereby defined. When not inconsistent with the context, words used in the present tense shall include the future; the singular number shall include the plural, and the plural the singular, and the word "shall" is mandatory and not merely permissive.

Section 3.02 "A" AMENDED ORD. 89859, 94036,

ACCESSORY BUILDING - (See Use or Structure, Accessory)

ACCESSORY USE - (See Use or Structure, Accessory)

ALLEY - A public or private way not less than ten (10) feet in width permanently reserved and so recorded in the county records as secondary means of access to abutting property.

APARTMENT HOTEL

A building providing accommodations for transient guests in which at least fifty (50) percent of the gross habitable floor area is devoted to dwelling units.

APARTMENT HOUSE - (See Dwelling, Multiple)

AREA - (See Floor Area, Gross)

AUTOMOBILE REPAIR, MAJOR

Rebuilding or reconditioning of motor vehicles or trailers including trucks over one and one half ($1\frac{1}{2}$) tons capacity; collision service including body, frame or fender straightening or repair; overall painting or paint shop; automobile wrecking when within an enclosed building.

ARTICLE 3

DEFINITIONS

Section 3.02 (continued) AMENDED ORD 89859

AUTOMOBILE REPAIR, MINOR

General motor repair, replacement of new or reconditioned parts to passenger automobiles and trucks not exceeding one and one-half ($1\frac{1}{2}$) tons capacity, but not including any operation specified under Automobile Repair, Major.

AUTOMOBILE OR HOUSE TRAILER, SALES OR RENTAL AREA

An open area used for the display, sale or rental of new or used passenger motor vehicles or house trailers in operable condition, and where no repair work is done except minor incidental repair of vehicles to be displayed, sold, or rented on the premises.

AUTOMOBILE WRECKING YARD

An area outside of an enclosed building where motor vehicles are dis-assembled, dismantled or junked or where vehicles not in operable condition or used parts of motor vehicles are stored.

Section 3.03 "B"

BASEMENT

0-87225
0-96202
That portion of a building between floor and ceiling which is partly below and partly above the grade but so located that the vertical distance from the grade to the floor below is less than the vertical distance from grade to ceiling. A basement shall be counted as a story.

BILLBOARD - (See Sign, Advertising)

Section 3.03 (continued)

BLOCK FRONT

The frontage of private property within a single zone and along one side of a street between intersecting or intercepting streets or between a street and a railroad right-of-way or a water-way or a street end.

BOARD

THE BOARD OF ADJUSTMENT OF THE CITY OF SEATTLE

BOARDING, LODGING, OR ROOMING HOUSE

A building, other than a hotel, where meals and/or room or lodging are provided for compensation for five (5) or more non-transient persons.

BUILDING

Any structure built for the support, shelter or enclosure of persons, animals, mechanical devices or chattels, or property of any kind. When a structure is separated by party walls located upon lot lines, then each portion of such structure shall be deemed a separate building. The term building shall include signs and fences over six (6) feet high.

BUILDING, ACCESSORY (See Use or Structure, Accessory)

BUILDING, COMPLETELY ENCLOSED

A roofed building or portion thereof having no openings other than fixed windows and such exits as are required by law, and equipped with self-closing doors.

BUILDING, DETACHED

A building having no wall in common with another building.

Section 3.03 (continued)

BUILDING, ENCLOSED

A building enclosed on all sides with wall and roof and having no openings other than closeable, glazed windows and doors and vents.

BUILDING OR STRUCTURE, NON-CONFORMING

A building or structure specifically designed or occupied for any use which is a non-conforming use and lawfully existing prior to the effective date of this Ordinance or the effective date of any amendment changing the zone classification of the land upon which such building or structure is located.

BUILDING OR STRUCTURE, NON-CONFORMING AS TO BULK

A lawfully established building or structure which on the effective date of this Ordinance was not in conformance with the bulk regulations of this Ordinance for the zone in which located.

BUILDING, PRINCIPAL (See Use or Building, Principal)

BUILDING OR PART, RESIDENTIAL

A building or building part containing solely one or more dwelling units or a building or building part occupied or intended to be occupied in whole for sleeping or living purposes, including hospitals, sanitariums and similar uses, but not including motels or hotels.

BUILDING SITE (See Lot)

Section 3.03 (continued)

BULK

The size and location of buildings and structures in relation to the lot. Bulk regulations include maximum height of building, minimum lot area, minimum front, side and rear yards and maximum lot coverage.

BULK STATION

Any installation for the storage, handling and selling of flammable liquids or oils, from which such liquids or oils are sold at wholesale or distributed to retail stations or private storage by tank trucks.

BULLETIN BOARD, ILLUMINATED (See Sign, Illuminated)

BULLETIN BOARD, SELF-ILLUMINATED (See Sign, Self-Illuminated)

Section 3.04 "C"

CARPORT

A private garage which is open to the weather on at least forty percent (40%) of the total area of its sides.

CHILDREN'S RESIDENT HOME

A dwelling unit occupied by a family which provides full time supervision for from seven (7) to twelve (12) children unrelated to the resident family.

CHILDREN'S INSTITUTION

An establishment consisting of one or more buildings organized and maintained for the group care and supervision of thirteen (13) or more children, but not including hospitals.

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Section 3.04 (continued)

CHURCH

A building or portion thereof used for religious worship.

CLINIC

A building or portion of a building containing offices for providing medical, dental, psychiatric or chiropractic services for out-patients only, but not including the sale of drugs or medical supplies.

COMMISSION

THE CITY PLANNING COMMISSION OF THE CITY OF SEATTLE

COMMUNITY CLUB

A building and related grounds used for social, civic or recreational purposes and owned and operated by a private non-profit institution or organization serving the neighborhood in which it is located and open to the general public on equal basis and where no activities are carried on for gain.

CONDITIONAL USE (See Use or Structure Conditional)

CONVALESCENT HOME (See Nursing Home)

COUNCIL

THE CITY COUNCIL OF THE CITY OF SEATTLE

CURB ELEVATION

The elevation of the curb, as established by the City Engineer, at the intersection of the projected center line of the building and the front lot line. Where no curb elevation has been established, the City Engineer shall indicate such for the purpose of this Ordinance.

Section 3.05 "D"

DAY NURSERY

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An establishment which provides supplemental parental care and supervision to a group of children during the whole or any portion of the day.

DWELLING, DUPLEX

A detached building containing two dwelling units.

DWELLING, MULTIPLE

A building or portion thereof containing three or more dwelling units.

DWELLING, SINGLE FAMILY

A detached building containing one dwelling unit.

DWELLING UNIT

A room or suite of two or more rooms that is designed for and not occupied by more than one family doing its own cooking therein and having only one kitchen facility, located within a building.

Section 3.06 "E"

EXISTING USE OR BUILDING

A use or building established under ordinance.

SECTION 3.07 "F"

FAMILY

0-99225
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One or more non-transient persons living as a single, non-profit housekeeping unit as distinguished from a group occupying a club, boarding, lodging, or rooming house; fraternity, sorority, or group student house.

Section 3.07 (continued)

FLOOR AREA, GROSS

The number of square feet of total floor area bounded by the exterior faces of the building.

FRATERNITY, SORORITY OR GROUP STUDENT HOUSE

A building occupied by and maintained exclusively for students affiliated with an academic or professional college or university or other recognized institution of higher learning, and when regulated by such institution.

Section 3.08 "G" ~~AMENDED ORD. 96031, 96202~~

GARAGE, PARKING

A structure, or part thereof, used only for the storage of automobiles by the public and including the sale of automobile fuels, lubricants, radiator fluids, and accessories; and the performance of incidental services including tire changing, tube repairing, lubrication and washing.

GARAGE, PRIVATE

An accessory building or an accessory portion of the principal building, designed or used for the shelter or storage of vehicles owned or operated by the occupants of the principal building.

GARAGE, REPAIR - (See Automobile, Repair)

GRADE, LOT

The average of the finished ground level at the center of all exposed walls of a building. In case walls are parallel to and within five (5) feet of a sidewalk the above ground level shall be measured at the sidewalk.

GROUP STUDENT HOUSE (See Fraternity)

ARTICLE 3

DEFINITIONS

Section 3.09 "H" AMENDED ORD. 89726, 96031, 100100,

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HEIGHT OF BUILDING

The vertical distance from the lot grade of the building to the highest point of the coping of a flat roof or to the deckline of a mansard roofed building or to the point which is located one-half ($\frac{1}{2}$) the distance between the plate line and the ridge line of the highest gable of a pitch or hipped roofed building.

HOME FOR THE RETIRED

An establishment operated for the purpose of providing domiciliary care for a group of persons who by reason of age are unable to provide such care for themselves and who are not in need of medical or nursing treatment except in the case of temporary illness.

HOSPITAL OR SANITARIUM

An establishment which provides accommodations, facilities and services over a continuous period of 24 hours or more, for observation, diagnosis and care, of two or more individuals, not related by blood or marriage to the operator, who are suffering from illness, injury, deformity or abnormality, or from any condition requiring obstetrical, medical or surgical services.

HOTEL

A building in which at least fifty (50) percent of the gross habitable floor area is used for sleeping.

HOTEL, APARTMENT (See Apartment Hotel)

Section 3.09 (continued) AMENDED ORD. 89796

HOUSE TRAILER

Any unit used or designed to be used for living or sleeping purposes and which is equipped with wheels for the purpose of transporting such unit from place to place, whether or not such unit is self-propelled. A house trailer is not a dwelling unit.

Section 3.10 "I"

Section 3.11 "J"

JUNK YARD

A place where junk, waste, discarded or salvaged materials are bought, sold, exchanged, stored, baled, packed, disassembled, or handled, including automobile wrecking yards, house wrecking yards, and places or yards for storage of salvaged house wrecking and structural steel materials and equipment. A junk yard shall not be construed to include such uses when conducted entirely within an enclosed building, nor pawn shops and establishments for the sale, purchase or storage of used furniture and household equipment, used cars in operable condition, used or salvaged machinery in operable condition or the processing of used, discarded or salvaged materials as a minor part of manufacturing operations.

Section 3.12 "K" AMENDED ORD. 88920

KENNEL

Any lot or building in which four (4) or more dogs or cats at least four (4) months of age are kept commercially for board or propagation or treatment.

Section 3.13 "L"

LODGING HOUSE (See Boarding House)

LOT

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A platted or unplatted parcel of land unoccupied, occupied or to be occupied by a principal use or building and accessory buildings, together with such yards and open spaces as are required by this Ordinance and abutting by not less than twenty (20) feet upon a street or recorded place sufficiently improved for automotive travel, or having an exclusive, unobstructed permanent access easement jointly owned by two (2) or more property owners at least twenty (20) feet wide and not exceeding one hundred/^{fifty}(150) feet in length to such street or place.

LOT AREA

The total horizontal area within the lot lines of a lot.

LOT, CORNER

A lot situated at the intersection of two streets, or bounded on two or more adjacent sides by street lot lines, provided that the angle of intersection of such street lot lines does not exceed one hundred thirty-five (135) degrees. For the purposes of the provisions of this Ordinance applying to corner lots, no corner lot shall be considered wider than seventy-five (75) feet and the remainder of such lot shall be considered as an interior lot.

LOT COVERAGE

That portion of a lot occupied by the principal building and its accessory buildings, expressed as a percentage of the total lot area.

Section 3.13 (continued)

LOT DEPTH

The mean horizontal distance between the front and rear lot lines.

LOT, INTERIOR

A lot other than a corner lot.

LOT, KEY

The first lot to the rear of a reversed corner lot whether or not separated by an alley.

LOT LINES

The property lines bounding a lot.

LOT LINE, FRONT

In the case of an interior lot the lot line separating the lot from the street, and in the case of a corner lot, the shortest street lot line.

LOT LINE, REAR

A lot line which is opposite and most distant from the front lot line and, in the case of an irregular, triangular, or gore-shaped lot, a line ten (10) feet in length within the lot, parallel to and at the maximum distance from the front lot line.

LOT LINE, SIDE

Any lot line not a front lot line or a rear lot line.

LOT LINE, SIDE STREET

A lot line abutting upon a street other than a front lot line.

LOT LINE, STREET

A lot line abutting upon a street.

Section 3.13 (continued)

LOT, THROUGH

A lot having frontage on two parallel or approximately parallel streets.

LOT, REVERSED CORNER

A platted corner lot, the side street lot line of which is substantially a continuation of the front lot line of the lot to its rear.

LOT WIDTH

The mean horizontal distance between side lot lines measured at right angles to the lot depth.

Section 3.14 "M"

MOTEL

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102816 A building or group of buildings on the same lot, containing motel units consisting of individual sleeping quarters, detached or in connected rows, with or without cooking facilities, for rental to transients.

Section 3.15 "N"

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NON-CONFORMING BUILDING (See Building, Non-conforming)

NON-CONFORMING BUILDING AS TO BULK (See Building, Nonconforming as to Bulk)

NON-CONFORMING USE (See Use, Non-conforming)

NURSERY SCHOOL

An establishment for pre-school children whose parents send them for educational experience but not for supplemental parental care.

Section 3.15 (continued)

NURSING OR CONVALESCENT HOME

An establishment which provides full-time convalescent or chronic care or both for three or more individuals who are not related by blood or marriage to the operator and who, by reason of chronic illness or infirmity, are unable to care for themselves. No care for the acutely ill, or surgical or obstetrical services, shall be provided in such a home; a hospital or sanitarium shall not be construed to be included in this definition.

Section 3.16 "O" - *Ord. 90722, 98608*

OPEN SPACE

That part of a lot which is unobstructed from the ground upward.

Section 3.17 "P" *AMENDED ORD. 94036, 96031, 96252, 96372, 100542,*

*AMENDED ORD.
94036
96252*

PART, RESIDENTIAL (See Building or Part, Residential)
PLACE

An open unoccupied named space, other than a street or alley, at least twenty (20) feet in width, permanently reserved and so recorded in the county records as the principal means of access to abutting or adjacent property.

PRINCIPAL USE (See Use, Principal)

Section 3.18 "Q"

ARTICLE 3

DEFINITIONS

21.

Section 3.19 "R" - *amendments - 100542, 100390, 102290,*

RIDING ACADEMY

A stable other than a private stable for the housing of horses for hire.

ROOMING HOUSE (See Boarding House)

Section 3.20 "S"

AMENDED ORD

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SCREENING

A continuous fence supplemented with landscape planting or a continuous wall, evergreen hedge or combination thereof, that would effectively screen the property which it encloses, is at least four (4) feet high and not more than six (6) feet high and is broken only for access drives and walks.

SIGN, ADVERTISING

A structure or portion thereof that is intended for advertising purposes or on which letters, figures, or pictorial matter are, or are intended to be, displayed for advertising purposes other than the name, occupation and/or nature of the enterprise conducted on the premises. This definition shall not be held to include a real estate sign advertising for sale or rent the property upon which it stands.

SIGN, BUSINESS

Any sign, structure, or device identifying the premises on which located, or the occupant of said premises, or signs relating to goods or services manufactured, produced, or available on said premises.

Section 3.20 (continued)

SIGN, ILLUMINATED

Any sign, nameplate or bulletinboard which is illuminated exclusively by non-flashing reflected light.

SIGN, SELF-ILLUMINATED

Any, sign, nameplate or bulletinboard in which the letters, figures, or pictorial matter are outlined by neon, fluorescent, incandescent or other lighting device in which the artificial light is maintained stationary and constant in intensity and color at all times when lighted.

SORORITY (See Fraternity)

SPECIAL EXCEPTION

Any of the modifications to the regulations of this Ordinance specified in Section 26.23.

STABLE, PRIVATE

An accessory building for the keeping of horses, cows, or other similar domestic animals owned by the occupants of the premises and not kept for remuneration, hire or sale.

STABLE, PUBLIC (See Riding Academy)

STORY

That portion of a building, except a mezzanine, included between the surface of any floor and the surface of the floor next above, except that the highest story is that portion of the building included between the highest floor surface and the ceiling or roof above. The basement shall be counted as a story.

Section 3.20 (continued)

STREET

A public way thirty (30) feet or more in width permanently open to public/^{use}including an avenue, drive, boulevard, parkway, highway, and any similar way, except an alley or place.

STRUCTURAL ALTERATIONS

Any change in the supporting members of a building, such as foundations, bearing walls or partitions, columns, beams or girders, or any structural change in the roof.

STRUCTURE

Anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground, but not including fences and walls less than six (6) feet in height.

SUPERINTENDENT

THE SUPERINTENDENT OF BUILDINGS OF THE CITY OF SEATTLE

Section 3.21 "T"

TRADE OR BUSINESS SCHOOL

An establishment conducted as a commercial enterprise for teaching trades, business or secretarial courses, instrumental or vocal music, art, dancing, barbering or hairdressing or for teaching similar skills.

TRAILER HOUSE (See House Trailer)

TRAILER PARK

Any lot or any portion of any lot used or offered for use for the accommodation of inhabited house trailers for compensation.

Section 3.21 (continued)

TRUCK AND TRUCK TRAILER SALES LOT

An outdoor area used for the display, sale or rental of new or used trucks or truck trailers, where no repair work is done except minor incidental repair to vehicles to be displayed, sold or rented on the premises.

Section 3.22 "U" AMENDED ORD. 91700, 96202

USE

The purpose for which land or a building is designed, arranged or intended, or for which it is occupied or maintained, let or leased.

USE OR STRUCTURE, ACCESSORY

A use customarily incidental to a permitted principal use when located either in the same building or in a separate building located on the same lot.

USE OR STRUCTURE, CONDITIONAL

Uses permitted in this Ordinance as principal or accessory uses when or in some cases the Council authorized by the Board and subject to specified conditions.

USE, NON-CONFORMING

A lawful use of land or structure in existence on the effective date of this Ordinance or at the time of any amendments thereto and which does not conform to the use regulations of the zone in which such use is located.

USE OR BUILDING, PRINCIPAL

The principal use conducted on the lot or the building housing the principal use as distinguished from any separate buildings housing accessory uses.

Section 3.23 "V"

AMENDED ORD

VARIANCE

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A modification of the regulations of this Ordinance when authorized by the Board after it finds that the literal application of the provisions of this Ordinance would cause undue and unnecessary hardship in view of specific facts and conditions applying to a lot.

Section 3.24 "W"

WHOLESALE OFFICE

An establishment for the sale of goods and merchandise in wholesale lots, not including any wholesale storage.

WHOLESALE STORE

An establishment for the sale of goods and merchandise in wholesale lots, including wholesale storage.

Section 3.25 "X"

Section 3.26 "Y" *Ord. 90722*

YARD, FRONT

An open space extending across the full width of the lot, the required depth of which shall be measured horizontally and at right angles from the front lot line to a line parallel thereto on the lot.

YARD, REAR

An open space extending across the full width of the lot between the principal building and the rear lot line; the required depth of the rear yard shall be measured horizontally at right angles from the nearest point of the rear lot line towards the nearest part of the principal building, not including permitted architectural features.

Section 3.26 (continued)

YARDS, REQUIRED

The minimum open space as specified in this Ordinance for front, side and rear yards, as distinguished from any yard area in excess of the minimum required. Such required open spaces shall be unobstructed from the ground upward except as otherwise specified in Section 22.4 and Section 23.22 (a) (5) of this Ordinance.

YARDS, SIDE

An open space between the principal building and the side lot line, extending from the front yard, or front lot line where no front yard is required, to the rear yard; the width of the required side yard shall be measured horizontally and at right angles from the nearest point of a side lot line towards the nearest part of the principal building, not including permitted architectural features.

Section 3.27 "Z"

AMENDED ORD

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ZONE

A portion of the City designated on the Official Zoning Map of the City of Seattle as one of sixteen (16) categories listed and described in Section 4.1 of this Ordinance for the purpose of promoting the orderly and harmonious development of land compatible with the surrounding areas and the comprehensive land use plan.

ZONE, R

Includes RS 9600, RS 7200, RS 5000, RW, RD 7200, RD 5000, RM or RMH zones.

ZONE, RS

Includes RS 9600, RS 7200, RS 5000 zones.

Section 3.27 (continued)

ZONE, RD

Includes RD 7200 and RD 5000 zones.

ZONE, B

Includes BN, BC, or BM zones

ZONE, C

Includes CM or CG zones.

ZONE, I

Includes IG or IH zones.

ZONE, MORE INTENSIVE

In the list of zones in Section 4.11 each zone shall be deemed to be more intensive than the zone preceeding it.

ZONE, LESS INTENSIVE

In the list of zones in Section 4.11 each zone shall be deemed to be less intensive than the zone succeeding it.

Section 4.1 Zones4.11 Zone Classifications

(a) For the purpose of this Ordinance, the City of Seattle is hereby divided into sixteen (16) zone classifications designated as follows:

<u>Zones</u>	Abbreviated Designator
Single Family Residence Low Density <u>Zone</u>	RS 9600
Single Family Residence Medium Density <u>Zone</u>	RS 7200
Single Family Residence High Density <u>Zone</u>	RS 5000
Residence Waterfront <u>Zone</u>	RW
Duplex Residence Medium Density <u>Zone</u>	RD 7200
Duplex Residence High Density <u>Zone</u>	RD 5000
Multiple Residence Low Density <u>Zone</u>	RM
Multiple Residence High Density <u>Zone</u>	RMH
Neighborhood Business <u>Zone</u>	BN
Community Business <u>Zone</u>	BC
Metropolitan Business <u>Zone</u>	BM
Metropolitan Commercial <u>Zone</u>	CM
General Commerical <u>Zone</u>	CG
Manufacturing <u>Zone</u>	M
General Industrial <u>Zone</u>	IG
Heavy Industrial <u>Zone</u>	IH

ARTICLE 4

. MAPPED ZONES

Section 4.1 (continued)

4.12 Zoning Map

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The above zone classifications and the boundaries of such zones are hereby established as shown on a series of sectional maps, marked Exhibit "A", all of which maps constitute the OFFICIAL ZONING MAP OF THE CITY OF SEATTLE, and which Official Map is by this reference made a part of this Ordinance. Such map and all amendments thereto shall be filed in the office of the City Clerk. Each copy of this ordinance prepared by, or under the direction of the City, shall include a reduced sectional facsimile of said Official Map.

4.13 Zone Boundaries

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0-98838

- (a) Unless otherwise referenced to established lines, points, or features, the zone boundary lines are the center lines of streets, public alleys, parkways, waterways, or railroad right-of-way lines or in the case of navigable water, the pierhead or outer harbor lines. Where such pierhead or outer harbor lines are not established, then the zone boundary lines shall extend five hundred (500) feet from the natural shore line.
- (b) Where a zone boundary line parallel or approximately parallel to a street divides a lot having street frontage in the more intensive zone, all the provisions of this Ordinance covering the more intensive zoned portion of such lot may extend to the entire lot, but in no case for a distance of more than twenty-five (25) feet from such zone boundary line. Where such zone boundary line divides a lot having street frontage only in a less intensive zone, the provisions of this Ordinance covering the less intensive portion of such lot shall extend to the entire lot.

Section 4.1 (continued)

4.13 (continued)

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0-98838

- (c) Where a zone boundary line divides a lot and such line is at right angles or approximately at right angles to the street or place upon which the lot fronts, all the provisions of this Ordinance covering the more intensive portion of such lot may be extended to the entire lot, or for a distance of not more than twenty-five (25) feet from such zone boundary line, whichever is the lesser distance.

Section 4.2 Areas Not Included Within a Zone

4.21 Property Not Specifically Zoned

0-98838

- (a) In every case where property has not been specifically included within a zone, the same is hereby declared to be in the RS 9600 Zone and said provision shall apply to any properties included in areas annexed to the City of Seattle after the effective date of this Ordinance, until otherwise classified under the terms of this Ordinance.

4.22 Vacated Streets

0-98838

- (a) Vacated streets, places and alleys shall assume the zone classification of the property which fronted on such street prior to vacation, and where zone classification differs from one side to the other of a street, place or alley, then the boundary line shall be at the center line of such vacated street, place, or alley until otherwise classified under the terms of this Ordinance.

Section 5.1 Zoning Affects Every Structure and Use

No building, structure or premises shall hereafter be used or occupied and no building or part thereof shall be erected, moved, reconstructed, extended, enlarged, or altered, except in conformity with the regulations herein specified for the zone in which it is, or will be, located, unless excepted in Section 5.3.

Section 5.2 No Required Lot Area, Required Yard, Or Other Open Space Shall Be Reduced.

A-97394
No required lot area, required yard, or other open space or a legally established offstreet parking or loading area existing on or after the effective date of this Ordinance shall be reduced in area or dimension below the minimum required by this Ordinance, nor shall any existing required lot area, required yard, or other open space or legally established offstreet parking or loading area less than the minimum required open spaces be used as the required lot area, required yard, offstreet parking or loading area for another structure or building except as provided in Section 23.28, provided, however, that in the case of offstreet parking and loading areas, a reduction in the existing space may be permitted when other such space is provided in accordance with the provisions of Article 23.

Section 5.3 Non-conforming Uses and Buildings5.31 Continuing Existing Use

Any non-conforming building or use may be continued, subject, however, to provisions of Section 5.3

AMENDED ORD.
0-87225
0-91201
99051
102817
mf - 6/1/57

Section 5.3 (continued) 0-87225, 91201

5.32 Buildings Non-conforming as to Bulk

Any building conforming as to use but which is a building non-conforming as to bulk as of the effective date of this Ordinance may be altered, repaired or extended; provided, that such alteration, repair or extension does not cause such building to further exceed the bulk provisions of this Ordinance.

5.33 Termination of certain Non-conforming Uses

Any non-conforming use not involving a structure or one involving a structure having assessed value of less than one hundred dollars (\$100) on the effective date of this Ordinance may be continued for no longer than one year after said date, and any non-conforming use involving a structure having an assessed value of more than one hundred dollars (\$100) but less than three hundred dollars (\$300) on the effective date of this Ordinance may be continued no longer than two years after said date; provided, however, the above provisions shall not apply to any non-conforming advertising sign.

5.34 Limitations on Non-conforming Uses

Subject to Section 5.33, any non-conforming building or part may be maintained with ordinary repair provided, however, no such building or part shall be extended, expanded, or structurally altered, except as otherwise required by law, nor shall a non-conforming use be extended or expanded, provided further, that nothing in this Ordinance shall prevent the restoration of a non-conforming building destroyed by fire or other act of God.

Section 5.3 (continued) 0-87 225

5.34 (continued)

- (b) Any change of a non-conforming use in a conforming building shall be to a conforming use.
- (c) Except as provided in Section 5.34 (d) or (e), a non-conforming use in a non-conforming building or part may be changed only to a use permitted in a less intensive zone than said non-conforming use.
- (d) A non-conforming building or part which has been unoccupied continuously for one (1) year or more shall not be re-occupied except by a conforming use.
- (e) In any R zone a non-conforming use in a non-conforming building may be changed only to a use permitted in any R zone.

Amended
84283
89626
99503
ARTICLE 6 RS 9600 - SINGLE FAMILY RESIDENCE LOW DENSITY ZONESection 6.1 Principal Uses Permitted Outright6.11 The following uses:

- (a) Single family dwellings
- (b) Existing railroad rights-of-way including passenger shelter stations but not including switching, storage, freight yards or sidings.
- (c) Existing cemeteries.
- (d) The following uses provided any building or active play area shall be located thirty (30) feet or more from any other lot in an R S Zone and twenty (20) feet or more from any other lot in any other R Zone.
 - (1) Public and private graded schools for academic instruction, including accessory dormitories, gymnasiums, dining facilities, offices, and other similar accessory buildings on the same premises.
 - (2) Public playgrounds and public community centers; public parks, including customary buildings and activities, provided that garages and service or storage areas accessory to parks shall be located one hundred (100) feet or more from any other lot in an R zone and shall be completely obscured from view, from such lots, and provided further that public boat moorage shall be subject to the conditions imposed in Section 9.11 (b).
 - (3) ~~Churches.~~

ARTICLE 6 RS 9600 - SINGLE FAMILY RESIDENCE LOW DENSITY ZONE

Section 6.2 Principal Conditional Uses: AMENDED ORD. 93617

6.21 The following uses permitted when authorized by the Council in accordance with Article 28:

AMENDED ORD.

93617
 97652
 98066
 98426
 99368
 100100
 100232
 100383
 101285
 101985

Public and private art galleries, libraries, museums;
 fire stations, branch telephone exchanges, micro-wave
 or line-of-sight transmission stations, static trans-
 former and booster stations, and other public utility
 service uses when necessary due to operating require-
 ments; but not including yards or buildings for
 service or storage.

6.22 The following uses permitted when authorized by the
Board in accordance with Article 26:

(a) Children's Resident Home, provided such is operated
 under standards established in accordance with State
 laws governing child welfare.

(b) Day Nursery or Nursery School subject to the follow-
 ing conditions:

(1) Such Use shall be instituted and operated under
 standards established in accordance with State
 laws governing child welfare.

Section 6.2 Principal Conditional Uses: (continued)

6.22 (continued)

(2) No lot so used shall be less than fifteen thousand (15,000) square feet in area.

(3) The maximum capacity shall be ten (10) children.

(4) There shall be provided on the lot a fenced play area of at least seven hundred fifty (750) square feet.

Such play area shall be located no closer than thirty (30) feet from any adjacent lot in an R zone and shall be enclosed by screening on any side not facing the principal building on the lot.

(c) Children's Institution, subject to the following conditions:

(1) Such institution shall be operated by public or non-profit charitable organization or instituted and operated under standards established in accordance with State Laws governing child welfare.

(2) No lot so used shall be less than fifteen thousand (15,000) square feet plus one thousand (1000) square feet for each child over fifteen (15) in number.

(3) Maximum lot coverage shall not exceed twenty (20) percent of the lot

(4) No building shall be closer than thirty (30) feet to any other lot in an RS or RD Zone.

(5) No building shall exceed one story in height nor shall any single building be occupied by more than twenty (20) children.

ARTICLE 6 RS 9600 - SINGLE FAMILY RESIDENCE LOW DENSITY ZONESection 6.2 Principal Conditional Uses: (continued)

6.22 Continued

- (6) Border screen planting shall be provided as specified by the Board.
- (d) Homes for the Retired, subject to the following conditions:
- (1) Such homes shall be instituted and operated under standards established in accordance with State laws governing such homes.
- (2) No lot so used shall be less than fifteen thousand (15,000) square feet in area plus one thousand (1000) square feet additional for each resident person over fifteen (15) in number.
- (3) Such homes shall be occupied by no more than twenty (20) persons.
- (4) No structure so used shall be located closer than thirty (30) feet from any other lot in an RS or RD Zone.
- (5) No structure so used shall be more than one story in height.
- (e) Riding academy, provided the building and related exercise ring is located one hundred (100) feet or more from any other lot in an R zone.
- (f) Private non-profit athletic or recreational clubhouse not providing dwelling accommodations for members; swimming pool or like facility when located on a lot forty thousand (40,000) square feet or more in area, provided any building or active play area shall be located twenty five (25) feet or more from any other lot in an RS zone and fifteen (15) feet or more from any other lot in any other R zone and subject to screening and other requirements which may be imposed at the discretion of the Board.

ARTICLE 6 RS 9600 - SINGLE FAMILY RESIDENCE LOW DENSITY ZONE

Section 6.2 Principal Conditional Uses: (continued)

6.22 (continued)

- (g) Private community club provided any building or active play area shall be located twenty five (25) feet or more from any other lot in an RS Zone and fifteen (15) feet or more from any other lot in any other R Zone.
- (h) Nursing or Convalescent Home, subject to the following conditions:
 - (1) Such homes shall be operated by public or non-profit charitable organizations and established and operated under standards established in accordance with State laws governing such homes.
 - (2) No lot so used shall be less than forty thousand (40,000) square feet in area.
 - (3) No structure so used shall be more than one story in height.
 - (4) No more than twenty (20) patients shall be accommodated at one time.
 - (5) All principal buildings shall be located fifty (50) feet or more from any other lot in an RS or RD zone.
- (i) The following uses provided any building or active play area shall be located twenty-five (25) feet or more from any other lot in an RS zone and fifteen (15) feet or more from any other lot in any other R zone.
 - (1) Dormitories on separate lots but in connection with and owned and operated by a permitted school giving pre-college academic courses.
 - (2) Group dwellings for members of religious orders in conjunction with permitted churches, when located on the same lot with the principal building or on separate lots.

Section 6.3 Accessory Uses Permitted Outright - AMENDED ORD. 88920, 87225,
 90722, 92054,
 71118, 101169, 101285
 102684

6.31 The following uses:

- (a) Accessory uses customarily incidental to a principal use permitted outright, such as private garages containing not more than one thousand (1000) square feet, or parking areas for non-commercial vehicles only, not including any business, trade or industry in accordance with provisions set forth in Article 23; rectories or other similar church residence

ARTICLE 6 RS 9600 - SINGLE FAMILY RESIDENCE LOW DENSITY ZONE

Section 6.3 Accessory Uses Permitted Outright (continued) AMENDED ORD. 88920

6.31 continued

- (a)(continued). . . when located in the churdh, Sunday schools, and similar customary accessory uses.
- (b) Separate living quarters containing no more than one dwelling unit for domestic servants employed on premises when the lot area is fifteen thousand (15,000) square feet or more.
- (c) Keeping of up to three (3) fowl or other small animals.
- (d) A private stable or yard and maintenance of domestic fowl on a lot of at least twenty thousand (20,000) square feet in area and when such animals are kept fifty (50) feet or more from any other lot in any R zone.
- (e) The renting of rooms by a resident family for lodging purposes only, for the accommodation of not more than two (2) lodgers in a single family structure.
- (f) Illuminated or non-illuminated residential nameplates not exceeding sixty-four (64) square inches bearing name of occupant and bulletin boards for churches and indentifying signs for schools or other public or semi-public institutions provided such signs shall not exceed fifteen (15) square feet.
- (g) Temporary, non-illuminated real estate for sale or rent signs not exceeding eight (8) square feet and not employing light-reflecting paint.
- (h) Mausoleums and columbariums when accessory to cemeteries, provided that such structures shall be located one hundred (100) feet or more from any other lot in any R zone.

ARTICLE 6 RS 9600 - SINGLE FAMILY RESIDENCE LOW DENSITY ZONE

Section 6.3 Accessory Uses Permitted Outright (continued) AMENDED ORD. 88920

6.31 Continued

- (i) Garden wall crypts when accessory to cemeteries, provided that such structures meet the following requirements:
 - (1) No interment openings shall face property other than cemetery property.
 - (2) The height shall not exceed twenty (20) feet.
 - (3) Such structure shall be no closer to a street lot line than the required front yard for the zone in which such structure is located.
 - (4) Such structure shall be at least ten (10) feet from the side lot line of another lot in an R zone, an alley, or a utility right-of-way less than thirty (30) feet in width.
 - (5) Such structure may be located on the cemetery property line except as specified herein.
 - (6) Any border between such structure and the property line shall be landscaped and maintained in good condition.
- (j) Customary incidental home occupations, including the offices of a resident physician, dentist, architect, engineer, or lawyer, when conducted within a dwelling and not an accessory building, provided that no stock in trade is kept or handled and provided that such home occupation does not require internal or external structural alterations or involve construction features or use of mechanical equipment not customary to a dwelling, except for such equipment as may be used by a resident physician or dentist, and provided further that the

ARTICLE 6 RS 9600 - SINGLE FAMILY RESIDENCE LOW DENSITY ZONE

Section 6.3 Accessory Uses Permitted Outright (continued) AMENDED ORD. 88920

6.31 (continued)

entrance to the space devoted to such occupation shall be only from within the dwelling. No one who is not a resident in said dwelling shall be employed in any such home occupation.

(k) Moorages for private pleasure craft only, provided that when covered such moorages meet the following requirements:

- (1) The roof line shall not exceed sixteen (16) feet above mean lake level.
- (2) Covered structures shall abut upon the natural shore line.
- (3) Covered structures shall be located four (4) feet or more from side lot lines.
- (4) Any side walls and roof shall consist of rigid or semi-rigid materials.
- (5) The roof area of such covered moorages shall not exceed one thousand (1000) square feet in area and such roofs shall not be supported by extended piling.
- (6) Such covered structures shall not occupy more than fifty (50) percent of the width of the lot at the natural shore line upon which it is located.
- (7) Any boat using such moorage shall not be used as a place of residence when so moored.

Section 6.4 Accessory Conditional Uses: AMENDED ORD. 89796, 91700, 100100,

6.41 Uses customarily incidental to the principal conditional uses specified in Section 6.21 are permitted when authorized by the Council in accordance with Article 28.

ARTICLE 6 RS 9600 - SINGLE FAMILY RESIDENCE LOW DENSITY ZONE

Section 6.4 Accessory Conditional Uses: (continued)

6.42 The following uses permitted when authorized by the Board in accordance with Article 26:

- (a) Accessory uses customarily incidental to the principal conditional uses permitted in Section 6.22.
- (b) Parking areas accessory to permitted business or commercial uses abutting B or C zones under conditions specified in Section 23.43.
- (c) Parking areas for ten (10) or more cars for permitted uses when not located on the lot of the principal building, under conditions specified in Section 23.42.

Section 6.5 Bulk Regulations

6.51 Height of Building

No building shall exceed a height of thirty five (35) feet except churches or schools, which shall not exceed a height of fifty (50) feet, except as modified in Section 22.2.

6.52 Lot Area

No lot area shall be less than nine thousand six hundred (9600) square feet, except as provided in Section 22.3.

6.53 Required Yards

Each lot shall have front, side and rear yards of not less than the depths and widths as follows, except as provided in Section 22.4.

AMENDED ORD. 89796, 8/17/00

ARTICLE 6 RS 9600 SINGLE FAMILY RESIDENCE LOW DENSITY ZONE

Section 6.5 (continued)

Front Yard: Twenty five (25) feet.

Side Yard: Eight (8) feet for the least side yard,
and twenty (20) feet for sum of both side yards.

Rear Yard: Thirty (30) feet.

6.54 Lot Coverage

Buildings shall not occupy more than thirty (30) percent of a lot, except as modified in Section 22.5.

Section 6.6 Prohibited Uses

Any use not permitted by this Article.

ARTICLE 7 RS 7200 - SINGLE FAMILY RESIDENCE MEDIUM DENSITY ZONE

Section 7.1 Principal Uses Permitted Outright

7.11 RS 9600 principal uses permitted outright as specified and regulated in Article 6 are permitted, unless modified in this Article.

Section 7.2 Principal Conditional Uses

AMENDED ORD. 93617

7.21 The principal conditional uses set forth in Section 6.21 are permitted when authorized by the Council ~~in~~ accordance with Article 28, unless modified in this article.

7.22 The following uses are permitted when authorized by the Board in accordance with Article 26.

AMENDED ORD.

93617

100100

100232

100383

(a) Principal conditional uses set forth in Section 6.22 unless modified in this article.

(b) Planned residential development subject to requirements of Section 24.4.

(c) Commercial nursery or greenhouse, provided that the following conditions are met:

(1) All structures shall be located twenty (20) feet or more from any lot line.

(2) Any heating plant or chimney shall be located fifty (50) feet or more from any other lot in an R zone.

(3) No retail sales shall be permitted on the premises.

(4) No advertising sign shall be permitted.

(5) The number of employees on the premises shall not exceed five (5) in number.

ARTICLE 7 RS 7200 - SINGLE FAMILY RESIDENCE MEDIUM DENSITY ZONE

Section 7.3 Accessory Uses Permitted outright

7.31 RS 9600 Accessory Uses are permitted outright as specified and regulated in Article 6, unless modified in this Article.

Section 7.4 Accessory Conditional Uses

7.41 Accessory uses customarily incidental to the principal conditional uses specified in Section 6.21 are permitted when authorized by the Council in accordance with Article 28.

7.42 Accessory uses customarily incidental to principal conditional uses specified in Section 7.22 are permitted when authorized by the Board in accordance with Article 26, except as modified in this article.

Section 7.5 Bulk Regulations7.51 Height of Building

No building shall exceed a height of thirty five (35) feet except churches ^{or} schools which shall not exceed a height of fifty (50) feet; except as modified in Section 22.3.

7.52 Lot Area

No lot area shall be less than seven thousand two hundred (7200) square feet, except as modified in Section 22.3.

AMENDED-ORD.

91700

ARTICLE 7 RS 7200 SINGLE FAMILY RESIDENCE MEDIUM DENSITY ZONE

Section 7.5 (continued)

7.53 Required Yards

Each lot shall have front, side and rear yards of not less than the depths and widths as follows, except as modified in Section 22.4.

Front Yard: Twenty (20) feet.

Side Yards: Five (5) feet for the least side yard and twelve (12) feet for sum of both side yards.

Rear Yard: Thirty (30) feet.

7.54 Lot Coverage

Buildings shall not occupy more than thirty five (35) per cent of a lot, except as modified in Section 22.5.

7.6 Prohibited Uses

Uses not permitted by this ordinance in RS 7200 or RS 9600 zones are prohibited.

ARTICLE 8 RS 5000 - SINGLE FAMILY RESIDENCE HIGH DENSITY ZONE

Section 8.1 Principal Uses Permitted Outright

8.11 RS 7200 principal uses permitted outright as regulated in Article 7, unless modified in this Article.

Section 8.2 Principal Conditional Uses AMENDED-ORD. 100100, 100232,

A-100100
100232
100383

8.21 The principal conditional uses set forth in Section 6.21 are permitted when authorized by the Council in accordance with Article 28, except as modified in this Article.

8.22 Principal conditional uses which the Board may authorize in less intensive zones are permitted when authorized by the Board in accordance with Article 26, except as modified in this Article.

Section 8.3 Accessory Uses Permitted Outright

8.31 RS 7200 Accessory uses are permitted outright, except private stables and the maintenance of domestic fowl, as specified and regulated in Article 7 unless modified in this Article.

A-96668

Section 8.4 Accessory Conditional Uses

AMENDED-ORD.
91700

8.41 Accessory uses customarily incidental to the principal conditional uses specified in Section 6.21 are permitted when authorized by the Council in accordance with Article 28 except as modified in this Article.

ARTICLE 8 RS 5000 - SINGLE FAMILY RESIDENCE HIGH DENSITY ZONE

Section 8.4 Accessory Conditional Uses (continued)

8.42 Accessory uses customarily incidental to the principal conditional uses specified in Section 8.22 are permitted when authorized by the Board in accordance with Article 26, except as modified in this Article.

Section 8.5 Bulk Regulations8.51 Height of Building

No building shall exceed a height of thirty-five (35) feet except churches ^{or} schools, which shall not exceed a height of fifty (50) feet except as modified in Section 22.2.

8.52 Lot Area

No lot area shall be less than five thousand (5000) square feet, except as modified in Section 22.3.

8.53 Required Yards

Each lot shall have front, side and rear yards of not less than the depth and width as follows, except as modified in Section 22.4.

Front Yard: Twenty (20) feet.

Side Yard: Five (5) feet for the least side yard and ten (10) feet for the sum of both side yards.

Rear Yard: Twenty five (25) feet.

ARTICLE 8 RS 5000 - SINGLE FAMILY RESIDENCE HIGH DENSITY ZONE

Section 8.5 (continued)

8.54 Lot Coverage

Buildings shall not occupy more than thirty five (35) percent of a lot, except as modified in Section 22.5.

Section 8.6 Prohibited Uses

~~AMENDED 4/12/01~~

96668

- (a) Uses not permitted by this ordinance in RS 5000 or less intensive zones are prohibited.
- (b) Riding academies
- (c) Private Stables
- (d) Maintenance of Domestic Fowl.

Section 9.1 Principal Uses Permitted Outright

0-87225 9.11 The following uses:

- (a) RS 5000 principal uses permitted outright as specified and regulated in Article 8, except as modified in this Article.
- (b) Buildings and facilities for yacht or boat clubs which are incorporated, non-profit, fraternal organizations limited to pleasure boat and pleasure yachting activities and not including the public sale of alcoholic beverages on the premises, subject to the following conditions and restrictions and the requirements of the Building Code:
 - (1) No boat sales, service, repair, boat charter or rental shall be permitted on the premises.
 - (2) The deck of any pier shall be no more than five (5) feet above high water level.
 - (3) On-shore toilet facilities shall be provided.
 - (4) Boats using such moorage facilities shall not be used as a place of residence.
 - (5) No overhead wiring shall be permitted on piers or floats except within covered moorage structures.
 - (6) All covered structures over water shall abut upon the shore or where more than one covered structure over water is permitted, it shall be in accordance with the provisions of Section 9.11(b) (12) herein.
 - (7) No covered structure over water shall be permitted to extend out from shore a distance greater than fifty (50) percent of the maximum permitted distance from shore of a pier on the applicant's property, but in

Section 9.1 (continued)

9.11 (continued)

no case a distance of more than three hundred (300) feet from shore, provided that in cases where the outer line of applicant's property is less than two hundred (200) feet from shore, a covered structure may be permitted to extend to the applicant's outer property line.

- (8) No pier, including finger piers, shall occupy more than ten (10) percent of the water area of any lot upon which same is built, nor shall the total area of covered structures over water occupy more than twenty (20) percent of the water area of such lot.
- (9) All covered structures over water under one ownership shall be built in a uniform manner and design with no point in the roof of such structure higher than sixteen (16) feet above high water in fresh water, and no floating moorage located in fresh or tidal water shall have a structure higher than sixteen (16) feet from the water line.
- (10) The roofs of covered moorages shall contain no more than seventy-two hundred (7200) square feet in any one unit and shall not be supported directly by extended piling.
- (11) Side walls on covered moorages shall not exceed fifty (50) percent of the area of any three sides, shall be of rigid or semi-rigid material and shall cover from external view all roof bracing.

Section 9.1 (continued)

9.11 (continued)

- (12) Covered structures over water shall be at least forty
(40) feet apart when placed side by side, or fifteen
(15) feet apart when placed end to end or side to end.

- (13) No permit shall be issued for a covered moorage until authorization therefore has been granted by the Board. Before granting such authorization for a covered moorage, the applicant shall submit to the Board plans and specifications describing in full the location, design, extent of coverage, and type of materials to be used in said structure, which plans and specifications shall be open for public inspection for at least ten (10) days before approval and notice of filing of said plans and specifications shall be given by posting a notice in the area affected at least five (5) days before approval thereof, and the Board may, if deemed necessary, hold a public hearing thereon. The Board, immediately upon receipt of such plans and specifications, shall submit same to the Municipal Arts Commission for review and recommendation as to the appropriateness of the design. In order to assure that the development of such moorage facility will be compatible with surrounding residential uses, the Board may require the plans and specifications submitted by the applicant to be altered or changed in regard to location, design, extent of coverage and/or material used, before approving said plans.

ARTICLE 9 RW RESIDENCE WATERFRONT ZONE

Section 9.1 (continued)

9.11 (continued)

(c) Houseboats, subject to the following conditions:

- (1) Minimum lot area shall be two thousand (2000) square feet.
- (2) The minimum distance between the sides or ends of adjacent houseboats shall be ten (10) feet.
- (3) At least one side of each houseboat shall abut upon open water at least forty (40) feet wide and open continuously to navigable waters.
- (4) For each houseboat there shall be provided one off-street parking space within a distance of six hundred (600) feet.

Section 9.2 Principal Conditional Uses - *Abolished*

9.21 The principal conditional uses set forth in Section 6.21 are permitted when authorized by the Council in accordance with Article 28, except as modified in this Article.

9.22 The following uses are permitted when authorized by the Board in accordance with Article 26.

- (a) Principal conditional uses which the Board may authorize in less intensive zones, except as modified in this Article.
- (b) Covered group moorages for small pleasure craft only, subject to the following conditions:

Section 9.2 (continued)

9.22 (continued)

- (1) Conditions (1) through (12) as specified in Section 9.11(1)
- (2) The applicant shall submit to the Board plans and specifications describing in full the location, design, extent of coverage, and type of materials to be used in the proposed covered moorage. The Board, immediately upon receipt of such plans and specifications, shall transmit same to the Municipal Arts Commission for review and recommendation as to the appropriateness of the design. In order to assure the development of such moorage facility will be compatible with surrounding residential uses, the Board may require the plans and specifications submitted by the applicant to be altered or changed in regard to location, design, extent of coverage and/or material ~~used~~ before approving said plans.

Section 9.3 Accessory Uses permitted outright

- 9.31 RS 5000 Accessory Uses are permitted outright as specified and regulated in Article 8, unless modified in this Article.

Section 9.4 Accessory Conditional Uses

- 9.41 The accessory uses customarily incidental to the principal conditional uses specified in Section 6.21 are permitted when authorized by the Council in accordance with Article 28.

AMENDED ORD.

91700

ARTICLE 9 RW RESIDENCE WATERFRONT ZONE

Section 9.4 (continued)

9.42 Accessory uses customarily incidental to principal conditional uses specified in Section 9.22 are permitted when authorized by the Board in accordance with Article 26 except as modified in this Article.

Section 9.5 Bulk Regulations9.51 Height of Building

No building shall exceed a height of thirty-five (35) feet except churches ^{or} schools ~~or hospitals~~ which shall not exceed a height of fifty (50) feet except as modified in Section 22.2.

9.52 Lot Area

No lot area shall be less than five thousand (5000) square feet, except as modified in Section 22.3, and except for houseboats.

ARTICLE 9 RW RESIDENCE WATERFRONT ZONE

Section 9.5 (continued)

9.53 Required Yards

Each lot shall have front, side and rear yards of not less than the depths and widths as follows, except as modified in Section 22.4 and except for houseboats and moorages:

Front Yard: Twenty (20) feet.

Side Yards: Five (5) feet for the least side yard
and ten (10) feet width for the sum of both side yard:

Rear Yard: Twenty-five (25) feet depth.

9.54 Lot Coverage

Buildings shall not occupy more than thirty-five (35) per cent of a lot, except as modified in Section 22.5 and except in the case of moorages and houseboats.

Section 9.6 Prohibited Uses

- (a) Uses not permitted by this ordinance in RW or in less intensive zones are prohibited.
- (b) Riding academies.
- (c) Private Stables.
- (d) Maintenance of Domestic Fowl.

ARTICLE 10 RD 7200 - DUPLEX RESIDENCE MEDIUM DENSITY ZONE

Section 10.1 Principal Uses Permitted Outright AMENDED ORD. 89229, 9361710.11 The following uses

(a) RS 7200 principal uses permitted outright as specified and regulated in Article 7 unless modified in this Article.

(b) Duplex dwellings

(c) Three-family dwellings (triplexes) when there is at least a six (6) foot difference in average ground elevation at two opposite outer walls, provided that at least one dwelling unit is located in a basement.

10.12 Uses permitted when all buildings are located twenty (20) feet or more from any other lot in an R Zone:

Public and private colleges and universities for academic instruction, including dormitories owned and operated in connection therewith and necessary thereto.

Section 10.2 Principal Conditional Uses: AMENDED ORD. 96031, 99368, 100100, 101285

10.21 The uses set forth in Section 6.21 when authorized by the Council in accordance with Article 28.

10.22 The following uses permitted when authorized by the Board after public hearing and in accordance with the provisions of Article 26.

(a) Principal conditional uses which the Board may authorize in less intensive zones unless modified in this Article.

Section 10.2 (continued)

10.22 (continued)

(b) Day Nursery or Nursery School subject to the following requirements:

- (1) Such use shall be instituted and operated under standards established in accordance with State laws governing child welfare.
- (2) No lot so used shall be less than fifteen thousand (15,000) square feet in area.
- (3) The maximum capacity shall be twenty (20) children.
- (4) There shall be provided on the lot a fenced play area of at least seven hundred fifty (750) square feet, plus seventy-five (75) square feet for each child over ⁽¹⁰⁾ten/in number. Such play area shall be no closer than twenty (20) feet from any other lot in an R zone and shall be enclosed by screening on any side not facing the principal building on the lot.

(c) Nursing or Convalescent Homes, subject to the following conditions:

- (1) Such homes shall be established and operated under standards established in accordance with State laws governing such homes.
- (2) No lot so used shall be less than fifteen thousand (15,000) square feet plus one thousand (1000) square feet additional for each resident person over fifteen (15) in number.
- (3) All principal buildings shall be located thirty (30) feet or more from any other lot in an RS or RD Zone.

10.22 (continued)

- (4) No structure so used shall be more than one story in height.
- (5) Not more than twenty (20) patients shall be accommodated at one time.
- (6) Any other condition which the Board may impose for the protection of adjacent properties and in the public interest.
- (d) Hospitals or sanitariums not predominantly for psychiatric care, contagious diseases, or for epileptics, spastics, drug or liquor addicts, subject to the following conditions:
 - (1) No lot so used shall be less than forty thousand (40,000) square feet in area.
 - (2) No structure so used shall be greater than two stories in height where the lot is less than four (4) acres in area.
 - (3) All principal buildings shall be located fifty (50) feet or more from any other lot in an RS or RD Zone.
- (e) Homes for the Retired and Nursing or Convalescent Homes accommodating more than twenty (20) persons in residence or patients at one time, subject to the following conditions:
 - (1) Such homes shall be established and operated under standards established in accordance with State laws governing such homes.
 - (2) No lot so used shall be less than forty thousand (40,000) square feet in area.
 - (3) No structure so used shall be greater than two stories in height where the lot is less than four (4) acres in area.

10.22 (continued)

- (4) All principal buildings shall be located fifty (50) feet or more from any other lot in an RS or RD Zone
- (f) Hospitals and sanitariums predominantly for psychiatric care, contagious diseases, epileptics, spastics, drug or liquor addicts, provided that no lot so used shall be less than four (4) acres in area, and that all principal buildings shall be located one hundred (100) feet or more from any other lot in an R Zone.

Section 10.3 Accessory Uses Permitted Outright

10.31 The following uses:

- (a) RS 7200 accessory uses, except private stables and the maintenance of domestic fowl, as specified and regulated in Article 7, unless modified in this Article.
- (b) Accessory uses and structures customarily incidental to any principal use permitted outright.
- (c) Keeping of not more than four (4) roomers or boarders by a resident family in a single-family structure, or two (2) roomers or boarders by a resident family in each dwelling unit of a duplex.
- (d) Office of a resident physician dentist, architect, engineer, or lawyer within his dwelling provided not more than one (1) person, not a resident in said dwelling is employed in such office, otherwise subject to the conditions as stipulated in Section 6.31 (j) above.

ARTICLE 10 RD 7200 DUPLEX RESIDENCE MEDIUM DENSITY ZONE

Section 10.3 (continued)

10.31 (continued)

- (e) Private garages exceeding one thousand (1000) square feet in area when accessory to permitted institutional uses.
- (f) Illuminated or non-illuminated signs identifying professional or home occupation not exceeding one and one-half ($1\frac{1}{2}$) square feet, bearing only the name and occupation.
- (g) Temporary, non-illuminated real estate for sale or rent sign not exceeding twelve (12) square feet.

Section 10.4 Accessory Conditional Uses

AMENDED ORD.

9/700

10.41 Accessory uses customarily incidental to the principal conditional uses specified in Section 6.21 are permitted when authorized by the Council in accordance with Article 28.

10.42 The following uses are permitted when authorized by the Board in accordance with Article 26:

- (a) Accessory uses customarily incidental to the principal conditional uses specified in Section 10.22.
- (b) Conditional parking lots accessory to permitted manufacturing or industrial uses in abutting M or I Zones under conditions specified in Article 23.

ARTICLE 10 RD 7200 DUPLEX RESIDENCE MEDIUM DENSITY ZONE

Section 10.4 (continued)

10.42 (continued)

- (c) Access driveway or walk not more than twenty (20) feet in width to premises in a B, C, or M Zone provided such driveway or walk is contiguous to the boundary of such zone.

Section 10.5 Bulk Regulations10.51 Height of Buildings

No building shall exceed a height of thirty-five (35) feet except churches, schools or hospitals or sanitariums, which shall not exceed a height of fifty (50) feet, except as modified in Section 22.2.

10.52 Lot Area

No lot area shall be less than seven thousand two hundred (7,200) square feet, except as modified in Section 22.3.

10.53 Required Yards

Each lot shall have front, side and rear yards of not less than the depth and width as follows, except as modified in Section 22.4:

Front Yard: Twenty (20) feet

Side Yards: Five (5) feet for the least side yard and twelve (12) feet for the sum of both side yards.

Rear Yard: Thirty (30) feet

10.54 Lot Coverage

Buildings shall not occupy more than thirty-five (35) percent of a lot except as modified in Section 22.5.

Section 10.6 Prohibited Uses

- (a) Uses not permitted by this ordinance in RD 7200 or less intensive zones are prohibited.
- (b) Riding academies.
- (c) Private Stables.
- (d) Maintenance of Domestic Fowl.

ARTICLE 11 RD 5000 DUPLEX RESIDENCE HIGH DENSITY ZONE

Section 11.1 Principal Uses Permitted Outright

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8-46539
0-98608

11.11 The following uses:

(a) RD 7200 Principal Uses permitted outright as specified and regulated in Article 10, unless modified in this Article.

11.12 Uses permitted when all buildings are located twenty (20) feet or more from any other lot in an R Zone.

Fraternity, sorority or group student house, subject to the following modifications:

- (1) The twenty (20) foot distance provision shall apply only to principal buildings.
- (2) The twenty (20) foot distance provision shall not apply on the side of a lot adjoining a lot occupied by a fraternity, sorority, or group student house.

Section 11.2 Principal Conditional Uses

0-87225
11.21 The principal conditional uses set forth in Section 6.21 when authorized by the Council in accordance with Article 28.

11.22 Principal conditional uses which the Board may authorize in less intensive zones, when authorized by the Board in accordance with the provisions of Article 26, unless modified in this article.

ARTICLE 11 RD 5000 DUPLEX RESIDENCE HIGH DENSITY ZONE

Section 11.3 Accessory Uses Permitted Outright

11.31 The following uses:

- (a) RD 7200 Accessory Uses permitted outright as specified and regulated in Article 10, unless modified in this Article.
- (b) Keeping of not more than six (6) roomers or boarders by a resident family in a single family structure, or three (3) roomers or boarders in a dwelling unit of a duplex.

Section 11.4 Accessory Conditional Uses:

AMENDED ORD.

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11.41 Accessory uses customarily incidental to the principal conditional uses specified in Section 6.21 are permitted when authorized by the Council in accordance with Article 28.

11.42 Accessory uses customarily incidental to the principal conditional uses specified in Section 11.22 are permitted when authorized by the Board in accordance with Article 26.

ARTICLE 11 RD 5000 DUPLEX RESIDENCE HIGH DENSITY ZONE

Section 11.5 Bulk Regulations11.51 Height of Buildings

No building shall exceed a height of thirty-five (35) feet except churches, schools or hospitals or sanitariums, which shall not exceed a height of fifty (50) feet, ~~ex-~~cept as modified in Section 22.2.

11.52 Lot Area

No lot area shall be less than five thousand (5000) square feet, except as modified in Section 22.3.

11.53 Required Yards

Each lot shall have front, side and rear yards of not less than the depths and widths as follows, except as modified in Section 22.4.

Front Yard: Twenty (20) feet

Side Yards: Five (5) feet wide for the least side yard and ten (10) feet for the sum of both side yards.

Rear Yard: Twenty-five (25) feet

11.54 Lot Coverage

Buildings shall not occupy more than thirty-five (35) per cent of a lot, except as modified in Section 22.5.

Section 11.6 Prohibited Uses

- (a) Uses not permitted by this ordinance in RD 5000 or less intensive zones are prohibited.
- (b) Riding Academies.
- (c) Private Stables.
- (d) Maintenance of domestic fowl.

ARTICLE 11A. RM 1600 MULTIPLE RESIDENCE LOWEST DENSITY ZONE

SEC. 11A.1 -- PRINCIPAL USES PERMITTED OUTRIGHT (ADDED BY ORD. 98608)

SEC. 11A.2 -- PRINCIPAL CONDITIONAL USES (ADDED BY ORD. 98608)

SEC. 11A.3 -- ACCESSORY USES PERMITTED OUTRIGHT. (ADDED BY ORD 98608)

SEC. 11A.4 -- ACCESSORY CONDITIONAL USES. (ADDED BY ORD 98608)

SEC. 11A.5 -- BULK REGULATIONS. (ADDED BY ORD 98608)

SEC. 11A.6 -- PROHIBITED USES (ADDED BY ORD 98608)

ARTICLE 12 RM MULTIPLE RESIDENCE LOW DENSITY ZONE

Section 12.1 Principal Uses Permitted Outright12.11 The following uses:

- (a) RD 5000 principal uses permitted outright as specified and regulated in Article 11, unless modified in this article.
- (b) Apartment houses.
- (c) Boarding, lodging and rooming houses.
- (d) Art school, not including dance or music.
- (e) Children's resident home.
- (f) Day Nurseries and nursery schools subject to the following requirements:

- (1) Such uses shall be established and operated under standards established in accordance with State laws governing child welfare.
- (2) No lot so used shall be less than ten thousand (10,000) square feet in area.
- (3) Maximum capacity shall be forty (40) children.
- (4) There shall be provided on the lot a fenced play area of seven hundred fifty (750) square feet plus seventy five (75) square feet for each child over ten (10) in number. Such play area shall be no closer than fifteen (15) feet from any other lot in an R zone and shall be surrounded by screening on each side not facing the principal building.

12.12 Uses permitted when all buildings or active play areas arelocated fifteen (15) feet or more from any other lot in an R zone:

- (a) Church
- (b) Group dwellings for members of religious orders.

AMENDED ORD

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87225

92492

96539

98608

99368

99503

100100

100232

100383

101285

ARTICLE 12 RM MULTIPLE RESIDENCE LOW DENSITY ZONE

Section 12.1 Principal Uses Permitted Outright: (continued)

12.12 (continued)

(c) A community club.

(d) Children's Institutions, subject to the following requirements:

(1) Such use shall be operated by a public or non-profit charitable organization or established and operated under standards established in accordance with State laws governing child welfare.

(2) No lot so used shall be less than ten thousand (10,000) square feet in area, plus one thousand (1,000) square feet for each child over fifteen (15) in number .

(e) Homes for the Retired and Nursing or Convalescent Homes, subject to the following conditions:

(1) Such homes shall be established and operated under standards established in accordance with State laws governing such homes.

(2) No lot so used shall be less than ten thousand (10,000) square feet in area.

(3) All principal buildings shall be located fifteen (15) feet or more from any other lot in an R zone.

(4) No more than twenty (20) persons shall be in residence at one time.

12.13 Uses permitted when all principal buildings are located thirty

(30) feet or more from any other lot in an R zone:

(a) Hospitals or Sanitariums not predominantly for psychiatric care, contagious diseases, epileptics, spastics, or drug or liquor addicts, provided that no lot so used shall be less than twenty thousand (20,000) square feet in area.

ARTICLE 12 RM MULTIPLE RESIDENCE LOW DENSITY ZONE

Section 12.1 Principal Uses Permitted Outright (continued)

12.13 (continued)

(b) Homes for the Retired and Nursing or Convalescent Homes accommodating more than twenty (20) persons in residence at one time, subject to the following conditions:

(1) Such homes shall be established and operated under standards established in accordance with State laws governing such homes.

(2) No lot so used shall be less than twenty thousand (20,000) square feet in area.

Section 12.2 Principal Conditional Uses - *Ord. 87225, 90722, 92059, 102685,*

Ord. 87225 12.21 The principal conditional uses set forth in Section 6.21 when authorized by the Council in accordance with Article 28.

12.22 The following uses permitted when authorized by the Board in accordance with Article 26.

(a) Principal conditional uses which the Board may authorize in less intensive zones unless modified in this Article.

(b) Motels, subject to the following conditions:

(1) The property so used shall abut upon a major arterial as defined by City Ordinance.

ARTICLE 12 RM MULTIPLE RESIDENCE LOW DENSITY ZONE

Section 12.2 Principal Conditional Uses (continued)

12.22 continued

- (2) Separate sanitary facilities shall be provided for each motel unit.
- (3) No business, other than the renting of rooms shall be conducted on the premises.
- (4) Motels shall be subject to all bulk provisions of this Article except that the minimum lot area required shall be no less than one thousand (1,000) square feet for each motel unit.
- (5) When the motel consists of detached buildings, the minimum distance between such buildings shall be ten (10) feet.
- (6) Signs shall be limited to non-illuminated, illuminated or self-illuminated business signs not exceeding thirty (30) square feet and not exceeding one (1) in number.
- (c) Mortuary, when located on a lot containing at least fifteen thousand (15,000) square feet.
- (d) Trailer Parks, subject to the following conditions:
 - (1) The property so used shall abut upon a major arterial street as defined by City ordinance.
 - (2) No business other than the rental of house trailer space shall be conducted on the premises.
 - (3) A screening shall be provided as specified for parking lots in Section 23.42 (a) except on that side of the lot which adjoins or faces premises used for a motel or trailer park or a B, C, M, or I zone.

ARTICLE 12 RM MULTIPLE RESIDENCE LOW DENSITY ZONE

Section 12.2 Principal Conditional Uses (continued)

12.22 continued

- (4) Except where abutting upon a lot occupied by a motel or trailer park, minimum side yards of ten (10) feet shall be provided when adjoining any lot in any R zone. No house trailer shall encroach upon any required yard space.
- (5) Each house trailer space shall include one thousand (1,000) square feet.
- (e) Offices and clinics of physicians, surgeons, dentists, physical therapists, architects, engineers, lawyers, and professions of a similar nature as determined by the Board; provided such offices shall occupy no more than a one story building or a single story of a multi-story building.

12.23 Uses permitted when all principal buildings are located twenty (20) feet or more from any other lot in an R zone.

- (a) Private or fraternal clubs, lodges, social or recreational buildings, except those the chief activity of which is customarily carried on primarily for gain.
- (b) Trade or business school, excluding mechanical equipment not customarily used in dwellings or professional offices.

Section 12.3 Accessory Uses permitted outright. AMENDED ORD. 9860812.31 The following uses:

- (a) RD 5000 accessory uses permitted outright as specified and regulated in Article 11, unless modified in this Article.

ARTICLE 12 RM MULTIPLE RESIDENCE LOW DENSITY ZONE

Section 12.3 Accessory Uses permitted outright (continued)

12.31 (continued)

- (b) Accessory uses customarily incidental to a principal use permitted outright in this Article except of a type prohibited in Section 12.6.

Section 12.4 Accessory Conditional Uses

AMENDED ORD.

9/700

- 12.41 Accessory uses customarily incidental to the principal conditional uses specified in Section 6.21 are permitted when authorized by the Council in accordance with Article 28.

- 12.42 The following uses permitted when authorized by the Board after public hearing in accordance with the provisions of Article 26:

- (a) Accessory uses customarily incidental to a principal conditional use permitted in Section 12.22.
- (b) Accessory uses in connection with a club, lodge, social or recreational building, when conducted and entered entirely from within the building with no visible evidence from the outside and no exterior display or advertising except for an illuminated or non-illuminated identifying sign not exceeding one and one-half ($1\frac{1}{2}$) square feet. Any such sign shall be attached flat against the principal building.

ARTICLE 12 RM MULTIPLE RESIDENCE LOW DENSITY ZONE

Section 12.5 Bulk Regulations

AMENDED ORD.

95698

98171

12.51 Height of Building

- (a) No building shall exceed a height of thirty five (35) feet except churches, schools, hospitals, or sanitariums which shall not exceed a height of fifty (50) feet except as modified in Section 22.2.

12.52 Lot Area

- (a) No lot area shall be less than four thousand (4,000) square feet, except as modified in Section 22.3, and, in addition, for multiple dwellings, the minimum lot area per dwelling unit shall be as follows:

When the number of Bedrooms per <u>dwelling unit</u> is:	Minimum Lot area per <u>Dwelling Unit</u> :
None (0)	800 sq. ft.
One (1)	1000 sq. ft.
Two (2)	1400 sq. ft.
Three (3) or more	1800 sq. ft.

12.53 Required Yards

- (a) Each lot shall have front, side and rear yards of not less than the depths and widths as follows, except as modified in Section 22.4:

Front Yard: Fifteen (15) feet

<u>Side Yards</u> :	When height of <u>Building</u> is:	Least <u>Side</u> <u>Yard</u> :	Sum of <u>Side Yards</u>
	1- <u>story</u>	5 feet	10 feet
	2- <u>story</u>	6 feet	14 feet
	3 or more <u>stories</u>	8 feet	18 feet

Rear Yard: Twenty five (25) feet.

ARTICLE 12 RM MULTIPLE RESIDENCE LOW DENSITY ZONE

Section 12.5 Bulk Regulations (continued)12.54 Lot Coverage

Buildings shall not occupy more than forty (40) percent of a lot, except as modified in Section 22.5.

Section 12.6 Prohibited Uses

- (a) Uses not permitted by this ordinance in RM or less intensive zones are prohibited.
- (b) Riding Academies.
- (c) Private Stables.
- (d) Maintenance of Domestic Fowl.

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0-92059
102685

ARTICLE 13 RMH MULTIPLE RESIDENCE HIGH DENSITY ZONE

Section 13.1 Principal Uses Permitted Outright

13.11 The following uses:

- (a) RM principal uses permitted outright as specified and regulated in Article 12, unless modified in this Article
- (b) Apartment hotels
- (c) Offices and clinics of physicians, surgeons, dentists, physical therapists, architects, engineers, lawyers, when such offices occupy no more than the first two (2) stories of the building.

13.12 Uses permitted when all principal buildings are located twenty (20) feet or more from any other lot in an R zone:
Private or fraternal clubs, lodges, social or recreational buildings, with dining and other social facilities, for members only except when rented to organized social groups.

Section 13.2 Principal Conditional Uses:

Ord. 90722, 92059,

13.21 The principal conditional uses set forth in Section 6.21 when authorized by the Council in accordance with Article 28.

13.22 The following uses permitted when authorized by the Board in accordance with Article 26.

- (a) Principal conditional uses which the Board may authorize in less intensive zones unless modified in this Article.
- (b) Hotels
- (c) Offices of professions determined by the Board to be similar to those specified in Section 13.11 (c) when occupying no more than a two-story building or two (2) stories of a multi-story building.

ARTICLE 13 RMH MULTIPLE RESIDENCE HIGH DENSITY ZONE

Section 13.2 continued

13.22 continued

- (d) Prescription pharmacy when located within a permitted clinic building and having no exterior entrance.
- (e) Offices for no more than three (3) stories of financial or insurance institutions or civic, religious or charitable organizations, the activities of which are conducted primarily by mail and no merchandise is displayed or handled or services rendered on the premises, provided that all principal buildings are located fifteen (15) feet or more from any other lot in an R zone. Such offices may be located in the same building with the uses allowed in Sec. 13.11 (c) ^{or Section 13.22(c),} provided that the combined non-residential uses shall not exceed three (3) stories.

Section 13.3 Accessory Uses Permitted Outright13.31 The following uses:

- (a) RM accessory uses permitted outright as specified and regulated in Article 12 unless modified in this Article.
- (b) Accessory uses customarily incidental to a principal use permitted outright in this Article except of a type prohibited in Sec. 13.6.
- (c) Illuminated or non-illuminated identifying signs not exceeding eight (8) square feet in area.
- (d) Public restaurants, magazine stands, barber shops and other accessory services within a hotel, multiple dwelling, club, lodge, social or recreational building, when conducted and entered entirely from within the building with no visible evidence from the outside and no exterior display or advertising except

APPROVED-8821
89229

ARTICLE 13 RMH MULTIPLE RESIDENCE HIGH DENSITY ZONE

Section 13.3 Accessory Uses Permitted Outright (continued)

13.31 (continued)

for an illuminated or non-illuminated identifying sign not exceeding four (4) square feet. Any such sign shall be installed flat against the principal building.

Section 13.4 Accessory Conditional Uses:

AMENDED-ORD.

91700
92886

13.41 Accessory uses customarily incidental to the principal uses specified in Section 6.21 are permitted when authorized by the Council in accordance with Article 28.

13.42 Accessory uses customarily incidental to the principal conditional uses specified in Section 13.22 are permitted when authorized by the Board in accordance with Article 26

Section 13.5 Bulk requirements.13.51 Height of Building

AMENDED-ORD.

96202
98171
99704
103063

No part of a building shall exceed a height of one and one-half ($1\frac{1}{2}$) times the mean horizontal distance from such building to the center line of the abutting street or streets, except as modified in Section 22.2.

ARTICLE 13 RMH ~~MULTIPLE RESIDENCE~~ HIGH DENSITY ZONE98283
96202Section 13.5 Bulk Requirements (continued)13.52 Lot Area:

No lot area shall be less than four thousand (4,000) square feet, except as modified in Section 22.3 provided that for multiple dwellings the minimum lot area per dwelling unit shall be as follows:

When the Number of Bedrooms
per Dwelling Unit is:

Minimum Lot Area
per Dwelling Unit:

none (0)	200 sq. ft.
one (1)	400 sq. ft.
two (2) or more	600 sq. ft.

13.53 Required Yards:

Each lot shall have front, side and rear yards of not less than the depths and widths as follows, except as modified in Section 22.4.

Front Yard: ten (10) feet

<u>Side Yards</u> :	When <u>height of building</u> is:	<u>Least Side Yard</u>	<u>Sum of Side Yards</u> :
	1-story	5 ft.	10 ft.
	2-story	6 ft.	14 ft.
	3-story	8 ft.	18 ft.
Over	3-story	2 ft. additional each side yard for each story over 3 <i>add 10</i>	

Rear Yard: twenty (20) feet plus four (4) feet additional depth for each story over three (3).

13.54 Lot Coverage

Buildings shall not occupy more than fifty (50%) percent of a lot except as modified in Section 22.5.

Section 13.6 Prohibited Uses

- (a) Uses not permitted by this ordinance in RMH or less intensive zones are prohibited.
- (b) Riding Academies.
- (c) Private Stables.
- (d) Maintenance of domestic fowl.

SECTION 13.0 REQUIRED CONDITIONS. (ADDED BY ORD. 97499)

SECTION 13A.0 REQUIRED CONDITIONS. (ADDED BY ORD. 97499)

SECTION 13B.0 REQUIRED CONDITIONS. (ADDED BY ORD. 97499)

SECTION 13A.1 PRINCIPAL USES PERMITTED OUTRIGHT (ADDED BY ORD. 96202)

SECTION 13A.2 PRINCIPAL CONDITIONAL USES (ADDED BY ORD. 96202)

SECTION 13A.3 ACCESSORY USES PERMITTED OUTRIGHT (ADDED BY ORD. 96202)

SECTION 13A.4 ACCESSORY CONDITIONAL USES (ADDED BY ORD. 96202)

SECTION 13A.5 BULK REQUIREMENTS (ADDED BY ORD. 96202) AMENDED ORD. 96668, 98171, 98426,
101608,

SECTION 13A.6 PROHIBITED USES. (ADDED BY ORD. 96202)

SECTION 13B.1 PRINCIPAL USES PERMITTED OUTRIGHT (ADDED BY ORD. 96202) 102685,
103517

SECTION 13B.2 PRINCIPAL CONDITIONAL USES (ADDED BY ORD. 96202)

SECTION 13B.3 ACCESSORY USES PERMITTED OUTRIGHT (ADDED BY ORD. 96202)

SECTION 13B.4 ACCESSORY CONDITIONAL USES (ADDED BY ORD. 96202) AMENDED ORD. 97085

SECTION 13B.5 BULK REQUIREMENTS (ADDED BY ORD. 96202) AMENDED ORD. 96668, 97085,
98171, 98426, 101608,

SECTION 13B.6 PROHIBITED USES (ADDED BY ORD. 96202)

Section 14.1 Required Conditions

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0-89983
0-96395

All uses permitted in this Article shall be subject to the following conditions:

- 14A.1-0.99368
14A.3-101266
- (a) All business, service, repair, processing, storage or merchandise display shall be conducted wholly within an enclosed building, except for off-street automobile parking and offstreet loading, commercial moorages, automobile service stations and outside storage of radiator fluids, motor oils and similar merchandise, provided that such storage shall include only those quantities used in a day's operation.
- (b) The gross building floor area occupied by any one business enterprise shall be no greater than seventy-five hundred (7500) square feet.
- (c) Goods sold shall consist primarily of new merchandise, and all goods produced shall be sold at retail on the premises where produced.
- (d) Not more than three (3) persons shall be engaged at any one time in fabricating, repairing, cleaning or other processing of goods in any establishment, except for food preparation in restaurants.
- (e) Not more than eight (8) horsepower shall be employed in the operation of all machines used for fabrication, repair or other processing of any goods in any establishment.
- (f) Processes and equipment employed and goods processed or sold shall be limited to those which are not objectionable by reason of odor, dust, smoke, cinders, gas, noise, vibration, refuse matter, or water-carried waste.

Section 14.1 (continued) AMENDED ORD. 89225, 89983

79.

- (g) Except for moorages, any outdoor principal or accessory use which abuts upon any lot in an R zone, shall provide screening of six (6) feet in height. Such screening shall be maintained in good condition.

- (h) Other conditions as specified in this Article.

Section 14.2 Principal Uses Permitted Outright AMENDED ORD. 88921-89983, 91138, 91700, 96395, 99872, 100216, 100871, 101235, 10281714.21 The following uses:

- (a) RMH Principal Uses permitted outright as specified and regulated in Article 13, unless modified in this Article.
- (b) Retail businesses and services consisting of grocery; delicatessen; meat market; drug store; hardware store; gift shop; confectionery; bakery; shoe repair shop; barber shop; beauty shop; laundry, dry cleaning shop; restaurant, not including entertainment or dancing; business and professional offices, florist shop; variety or notions store; millinery store; automobile service station, including automobile repair, minor as an accessory use; day nursery, nursery school; or any other use determined by the Board to be of the same general character and serving primarily the residents of the neighborhood.
- (c) Fire stations, branch telephone exchanges, static transformer and booster stations and other public utility service uses, but not including storage or service yards.
- (d) Uncovered and covered moorages for pleasure craft, boat rental moorages and piers for pleasure craft only, including sales and service and minor repair to boats as an accessory use.
- (e) Houseboats, subject to the provisions of Section 9.11(c).

AMENDED ORD.
88283
91700
102817

ARTICLE 14

BN NEIGHBORHOOD BUSINESS ZONE

Section 14.3 Principal Conditional Uses:

- 14.31 The principal conditional uses set forth in Section 6.21 when authorized by the Council in accordance with Article 28.
- 14.32 The following uses permitted when authorized by the Board in accordance with Article 26.
- (a) Principal conditional uses which the Board may authorize in less intensive zones unless modified in this Article.
 - (b) Any use determined by the Board to be of the same general character as the principal uses permitted outright in this Article, subject to the provisions of Section 14.1, but excluding uses specified in Section 14.7.

Section 14.4 Accessory Uses Permitted Outright

AMENDED ORD.
93424
99872

14.41 The following uses:

- (a) Accessory uses customarily incidental to a principal use permitted outright in this Article except as modified in this Article.
- (b) An exterior business sign attached against the building and not extending above the roof line and not facing the side of any adjoining lot in any R zone.

ARTICLE 14

BN NEIGHBORHOOD BUSINESS ZONE

Section 14.5 Accessory Conditional Uses:*Amended: 103064*

14.51 Accessory uses customarily incidental to the principal conditional uses specified in Section 6.21 are permitted when authorized by the Council in accordance with Article 28, except as modified in this Article.

14.52 The following uses permitted when authorized by the Board after public hearing and in accordance with the provisions of Article 26.

- (a) Accessory uses customarily incidental to the principal conditional uses specified in Section 14.32 except as modified in this Article.
- (b) Any principal use permitted outright in Article 15, but only when necessary as an appurtenant accessory use to a principal use permitted in this Article.

Section 14.6 Bulk Regulations AMENDED ORD. - (10/15/1)14.61 Height of Buildings:

No building shall exceed a height of thirty-five (35) feet, except as modified in Section 22.2.

14.62 Lot Area:

- (a) No minimum lot area requirements for non-residential buildings.
- (b) Lot area requirements for residential buildings or residential parts shall be as provided in Section 12.52.

14.63 Required Yards:

Each lot shall have front, side and rear yards of not less than the depths and widths as follows except as modified in Section 22.4.

ARTICLE 14 BN NEIGHBORHOOD BUSINESS ZONE

Section 14.6 (continued)

14.63 (continued)

Front Yard: Twenty (20) feet

Side Yards: None required for non-residential buildings.
Side Yards for residential buildings or residential parts shall be as provided in
Section 12.53.

Rear Yard: None required for non-residential buildings;
twenty five (25) feet for residential
buildings or parts.

14.64 Lot Coverage:

No lot coverage limitations for non-residential buildings
Residential buildings or residential parts shall not
occupy more than forty (40) percent of a lot, except as
modified in Section 22.5.

Section 14.7 Prohibited Uses

AMENDED ORD.
99872

- (a) Uses not permitted by this ordinance in BN or less in-
tensive zones are prohibited.
- (b) Riding academies.
- (c) Private stables.
- (d) Maintenance of domestic fowl.

ORDINANCE NO. 86300

SECTION 14A.1. REQUIRED CONDITIONS. (ADDED BY ORD. No. 96395)

AMENDED-ORD. -99368,

SECTION 14A.2. PRINCIPAL USES PERMITTED OUTRIGHT. (ADDED BY ORD. No. 96395)

AMENDED-ORD. 99872, 100216, 100890

SECTION 14A.3. PRINCIPAL CONDITIONAL USES. (ADDED BY ORD. No. 96395) AMENDED ORD. 97652,

97652, 100276,

96395, 101266,

SECTION 14A.4. ACCESSORY USES PERMITTED OUTRIGHT. (ADDED BY ORD. No. 96395)

AMENDED-ORD. 99872, 100890

SECTION 14A.5. ACCESSORY CONDITIONAL USES. (ADDED BY ORD. No. 96395)

SECTION 14A.6. BULK REGULATIONS. (ADDED BY ORD. No. 96395)

SECTION 14A.7. PROHIBITED USES. (ADDED BY ORD. No. 96395)

AMENDED-ORD. 99872

ARTICLE 15 BC COMMUNITY BUSINESS ZONE

Section 15.1 Required Conditions

AMENDED ORD 100217 All uses permitted in this zone shall be subject to the following conditions:

- (a) All business, service, repair or processing, storage or merchandise display shall be conducted wholly within an enclosed building except as modified in this Article.
- (b) All goods produced on the premises shall be sold at retail on the premises.
- (c) Not more than five (5) persons shall be engaged at any one time in fabrication, repair or other processing of goods in any establishment, except for food preparation in restaurants
- (d) Not more than twelve (12) horsepower shall be employed in the operation of all machines for fabricating, processing, or repair in any establishment.
- (e) Processes and equipment employed and goods processed or sold shall be limited to those which are not objectionable by reason of odor, dust, smoke, cinders, gas, fumes, noise, vibration, refuse matter, or water-carried waste.
- (f) Advertising signs shall be located fifty (50) feet or more from any lot in an R zone and one hundred (100) feet or more from any public school grounds or public park. Any outdoor principal or accessory use which abuts upon any lot in an R zone shall provide a screening of six (6) feet in height. Such screening shall be maintained in good condition.
- (g) Other required conditions specified in this Article and Section 24.6(a).

Section 15.2 Principal Uses Permitted Outright

84.

15.21 The following uses:

- (a) BN Principal Uses as specified and regulated in Article 14, unless modified in this Article, and not limited to sales or service primarily to the surrounding neighborhood.
- (b) Retail store and personal service establishments, banks and financial institutions, business and professional offices, hotels, catering establishments, trade or business school, experimental or testing laboratory which does not employ machinery or equipment not permitted in the BC zone, taxi-dermy shop, locksmith, convalescent homes, homes for the retired, dance and music studios.
- (c) Frozen food lockers, retail ice dispensary, not including ice manufacture, motel, mortuary, storage building for household goods.

15.22 Uses permitted provided however that they shall be in a com-pletely enclosed building or completely enclosed portion of building when within fifty (50) feet of any lot in an R zone:

- (a) Meeting hall, auditorium, parking garage and automobile rental garage, bakery, printing and publishing establishment.
- (b) Automobile display or sales establishment, garage for minor repairs, laundry, dry cleaning or dyeing establishment, upholstery establishment, retail pet shop or small animal clinic for out-patient treatment only, retail building supply store provided that any retail lumber or building material storage in connection therewith shall be enclosed by a roofed building on any side which abuts upon or faces across a street, alley or place any lot in an R zone.

ARTICLE 15 BC COMMUNITY BUSINESS ZONE

Section 15.2 (continued) ~~AMENDED-ORD. 89229, 89796, 91345, 91700, 92886, 96031, 98216~~

15.23 Uses permitted provided however, that they shall be in a completely enclosed building or completely enclosed portion of building when within fifty (50) feet of any lot in an R zone, and when located five hundred (500) feet or more from any public school grounds, playground, or public park entrance: amusement enterprises including theaters, pool halls, bowling alleys, dance halls, skating rinks, taverns, restaurants, or cafes including entertainment or dancing.

15.24 Outdoor uses permitted subject to the requirements of Section 15.1(f):

- (a) Advertising signs, structures
- (b) Commercial parking lots for private passenger vehicles only, open structures for parking of private passenger vehicles only, located fifty (50) feet or more from any lot in an R zone.
- (c) Service stations, plant nurseries including retail sales of products, drive-in restaurants, drive-in banks, drive-in dry cleaning establishments, commercial moorages, and boat rental establishments limited to minor repair of boats.

Section 15.3 Principal Conditional Uses: AMENDED-ORD. 89229, 89796, 91345, 91700, 92886, 96031, 98216

15.31 The principal conditional uses set forth in Section 6.21 are permitted when authorized by the Council in accordance with Article 28.

AMENDED-ORD.

98426

99872

ARTICLE 15 BC COMMUNITY BUSINESS ZONE

Section 15.3 (continued) ~~REMOVED BY ORD 8872~~

15.32 The following uses permitted when authorized by the Board in accordance with Article 26.

- (a) Principal conditional uses which the Board may authorize in less intensive zones are permitted unless modified in this Article.
- (b) Automobile sales area subject to the requirements of Section 15.1(f).
- (c) Repair garage for automobile repair, major.
- (d) Any use determined by the Board to be of the same general character as the principal uses permitted outright in this Article, subject to the provisions of Section 15.1 but excluding uses specified in Section 15.7.
- (e) Sheet metal shops, carpenter shops, plumbing or heating shops provided that they shall be in a completely enclosed building or completely enclosed portion of building when within fifty (50) feet of any lot in an R zone.

Section 15.4 Accessory Uses Permitted Outright AMENDED ORD 8872/

15.41 The following uses:

Accessory Uses customarily incidental to a principal use permitted outright in this Article, except of a type prohibited in Section 15.7.

Section 15.5 Accessory Conditional Uses:

15.51 Accessory uses customarily incidental to the principal conditional uses specified in Section 6.21 are permitted when authorized by the Council in accordance with Article 28.

Section 15.5 (continued)

15.52 The following uses permitted when authorized by the Board after public hearing and in accordance with the provisions of Article 26.

(a) Accessory uses customarily incidental to the principal conditional uses specified in Section 15.32 unless modified in this Article.

(b) Any principal use permitted outright in Article 16, but only when necessary as an appurtenant accessory use to a principal use permitted in this Article.

Section 15.6 Bulk RegulationsA-98216 15.61 Height of Buildings:

No building shall exceed a height of sixty (60) feet, except as modified in Section 22.2.

15.62 Lot Area:

(a) No minimum lot area requirements for non-residential buildings.

(b) Lot area requirements for residential buildings or residential parts shall be as provided in Section 12.52.

15.63 Required Yards:

Each lot shall have side and rear yards of not less than the depths and widths as follows, except as modified in Section 22.4:

Front Yard: None required for non-residential buildings.

Ten (10) feet for residential buildings or residential parts.

Side Yards: None required for non-residential buildings.

Side yards for residential buildings or residential parts shall be as provided in Section 13.53.

Section 15.6 (continued)

15.63 (continued)

Rear Yard: None required for non-residential buildings.

Rear yards for residential buildings or residential parts
shall be as provided in Section 13.53.

15.64 Lot Coverage

No lot coverage limitations for non-residential buildings.
Residential buildings or residential parts shall not occupy
more than forty (40) percent of a lot, except as modified
in Section 22.5.

Section 15.7 Prohibited Uses

- (a) Any use other than a permitted BC use which is permitted
only in a more intensive zone.
- (b) Riding academies
- (c) Private stables.
- (d) Maintenance of Domestic Fowl

Section 16.1 Required Conditions

AMENDED ORD.
94036

All uses permitted in this Article shall be subject to the following conditions:

- (a) All business, service, repair, processing, storage or merchandise display shall be conducted wholly within an enclosed building except for offstreet parking, service stations, offstreet loading area and advertising sign.
- (b) Processes and equipment employed and goods sold shall be limited to those which are not objectionable by reason of odor, dust, smoke, cinders, gas, fumes, noise, vibration, refuse matter or water-carried waste.
- (c) Advertising signs shall be located fifty (50) feet or more from any lot in an R zone and one hundred (100) feet or more from any public schools grounds ^{or} public park. and any outdoor principal or accessory use which abuts upon any lot in an R zone shall provide a screening of six (6) feet in height. Such screening shall be maintained in good condition.
- (d) Other required conditions specified in this Article and Section 24.6(a).

Section 16.2 Principal Uses Permitted OutrightAMENDED ORD.
9403616.21 The following uses:

- (a) RMH principal uses permitted outright as specified and regulated in Article 13, unless modified in this Article.
- (b) BC principal uses permitted outright as specified and regulated in Section 15.21(a) and (b), 15.22(a), 15.23(a), 15.24(a), unless modified in this Article.

Section 16.2 (continued)

16.21 (continued)

- (c) Wholesale office, including wholesale storage of the following merchandise: jewelry, optical and photographic goods, pharmaceuticals, wearing apparel and cosmetics.

- 16.22 Uses permitted provided, however, that they shall be in a completely enclosed building or completely enclosed portion of building when within fifty (50) feet of any lot in an R zone:

Any of the manufacturing uses named in Section 19.22 (a), (b), (c), (d), and (e), provided that such use shall not occupy any street level floor space and provided further that any such use shall not occupy more than twenty-five (25) percent of the gross floor area of the building.

Section 16.3 Principal Conditional Uses:

AMENDED ORD.

91700
92886
94036
102817

- 16.31 The principal conditional uses set forth in Section 6.21 when authorized by the Council in accordance with Article 28.

- 16.32 The following uses permitted when authorized by the Board in accordance with Article 26.

- (a) Principal conditional uses which the Board may authorize in less intensive zones, unless modified in this Article.

Section 16.3 (continued)

16.32 (continued)

- (b) Commercial parking lots and open parking structures for private passenger vehicles only.
- (c) Any use determined by the Board to be of the same general character as the principal use permitted outright in this Article subject to the provisions of Section 16.1 but excluding uses specified in Section 16.7.

Section 16.4 Accessory Uses Permitted Outright

AMENDED ORD.

94036

99368

16.41 The following uses:

- (a) Accessory uses customarily incidental to a principal use permitted outright in this Article.
- (b) Production or processing of goods sold at retail where produced.
- (c) Storage of goods used and products manufactured on premises.

Section 16.5 Accessory Conditional Uses

AMENDED ORD.

94036

99368

16.51 Accessory uses customarily incidental to the principal conditional uses specified in Section 6.21 are permitted when authorized by the Council in accordance with Article 28.16.52 The following uses permitted when authorized by the Board in accordance with Article 26.

- (a) Accessory uses customarily incidental to the principal conditional uses specified in Section 16.32 except as modified in this Article.

Section 16.5 (continued)

16.52 (continued)

- (b) Wholesale storage accessory to a wholesale office when goods stored are similar to wholesale goods specified in Section 16.21(c).
- (c) Any principal use permitted in Article 19 but only when necessary as an appurtenant accessory use to a principal use permitted in this Article.

Section 16.6 Bulk Regulations

AMENDED ORD

94036

96153

16.61 Height of Buildings and Lot Coverage:

- Except as provided in Section 27.4 (c),
- (a) / the gross floor area of any non-residential structure, not including the floor area used for parking, shall not exceed twelve (12) times the lot area except as modified in Section 22.2. However, for the purpose of computing the gross floor area ratio, adjacent properties under common ownership, or linked for this purpose by appropriate legal agreements and deed restrictions, may be considered together so that one structure may exceed the twelve (12) to one (1) ratio provided the other property or properties fall sufficiently short of this ratio that their combined bulk does not exceed twelve (12) times the area of all the lots taken together.
 - (b) The height and lot coverage of any residential structure shall be as provided in Section 13.5.

16.62 Lot Area

- (a) No minimum lot area requirement for non-residential buildings.
- (b) Lot area requirements for residential buildings or residential parts shall be as provided in Section 13.52.

Section 16.6 (continued)

16.63 Required Yards:

- (a) Each lot shall have side and rear yards of not less than the depths and widths as follows, except as modified in Section 22.4.

Front Yards: None required.

Side Yards: None required for non-residential buildings.
Side yards for residential buildings or residential parts shall be as provided in Section 13.53.

Rear Yards: Ten (10) feet required for rear yards for non-residential buildings except as modified in Section 22.48 (d) or (e). Rear yards for residential buildings or residential parts shall be as provided in Section 13.53.

Section 16.7 Prohibited Uses:

AMENDED ORD
94036

- (a) Any use specified in Section 15.21 (c), 15.22(b), 15.24(c).
- (b) Any use, other than a permitted BM use, which is permitted in a more intensive zone.

Section 17.1 Required Conditions

AMENDED ORD
94036

All uses permitted in this Article shall be subject to the following conditions:

- (a) Advertising signs shall be located fifty (50) feet or more from any lot in an R zone and one hundred (100) feet or more from any public school grounds, ^{or} public park.

Except advertising signs, any outdoor principal or accessory use which abuts upon or faces across a street, alley or place, any lot in an R zone, shall provide screening of six (6) feet in height. Such screening shall be maintained in good condition.

- (b) Processes and equipment employed and goods stored, processed or sold shall be limited to those which are not objectionable by reason of odor, dust, smoke, cinders, gas, fumes, noise, vibration, refuse matter of water-carried waste.

- (c) Other required conditions specified in this Article.

Section 17.2 Principal Uses Permitted Outright17.21 The following uses:

AMENDED-ORD

91138
94036
99503
103105
102817

- (a) BC and BM principal uses permitted outright as specified and regulated in Articles 15 and 16 unless modified in this Article.

- (b) Warehouse or wholesale store.

- (c) Trade or business school, experimental or testing laboratory, which does not employ machinery permitted only in a more intensive zone.

- (d) Automobile rental and sales area, provided that any portion of said area not permanently maintained in a landscaped condition shall be graded, drained and surfaced as required in Section 23.41 (c).

- (e) Uses set forth in Section 6.21, except as modified in this Article.

Section 17.2 (continued)

17.22 Uses permitted when all principal buildings are located one hundred (100) feet or more from any lot in an R Zone:

Automobile laundry

17.23 Uses permitted provided however that they shall be in a completely enclosed building or completely enclosed portion of building when within (50) feet of any lot in an R zone.

- (a) Automobile repair, major but not including auto wrecking yards.
- (b) Freight terminal for motor trucks.
- (c) Truck and truck trailer and house trailer display, rental and sales establishment.
- (d) Any of the manufacturing uses named in Section 19.22 (a), (b), (c), (d), and (e); provided that such use shall not occupy any street level floor space.
- (e) Manufacture and repair of electric or neon signs, advertising signs.
- (f) Carpenter shop, plumbing or heating shop, sheet metal shop.
- (g) Laundry, dry cleaning, dyeing or rug cleaning plant.
- (h) Wholesale bakery.
- (i) Sorting and baling of new and used salvage materials, not including a junk yard.

Section 17.3 Principal Conditional Uses: AMENDED ORD. 91700

AMENDED ORD.

17.31

91700

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98426

99503

103105

102817

Section 17.3 (continued) AMENDED ORD. 91700

17.32 The following uses permitted when authorized by the Board in accordance with Article 26.

- (a) Principal conditional uses which the Board may authorize in a less intensive zone unless modified in this Article.
- (b) Any use determined by the Board to be of the same general character as the principal uses permitted outright in this Article, subject to the provisions of Section 17.1, but excluding uses specified in Section 17.7.

Section 17.4 Accessory Uses Permitted Outright

AMENDED ORD.

94036

99368

17.41 Accessory uses customarily incidental to a principal use permitted outright except of a type prohibited in Section 17.7.

Section 17.5 Accessory Conditional Uses:

AMENDED ORD.

94036

99368

17.51

17.52 The following uses permitted when authorized by the Board in accordance with Article 26.

- (a) Accessory uses customarily incidental to principal conditional uses specified in Section 17.32 except as modified in this Article.
- (b) Any principal use permitted outright in Article 19, but only when necessary as an appurtenant accessory use to a principal use permitted in this Article.

Section 17.6 (continued)

17.63 (continued)

Rear Yard: Ten (10) feet required for non-residential buildings, except as modified in Section 22.48 (d) or (e). Rear yards for residential buildings and residential parts shall be as provided in Section 13.53 .

Section 17.7 Prohibited Uses

AMENDED ORD.
940316

- (a) Any use other than a permitted CM use which is permitted only in a more intensive zone.
- (b) Riding academies
- (c) Private stables
- (d) Maintenance of domestic fowl

Section 18.1 Required Conditions

All uses permitted in this Article shall be subject to the following conditions:

- (a) Machines employed in permitted fabrication or manufacturing establishments and automobile repair garages shall be limited to a total of one-hundred (100) horsepower.
- (b) Advertising signs shall be located fifty (50) feet or more from any lot in an R zone and one hundred (100) feet or more from any public school grounds, ^{or} park. Except advertising signs and transient amusement enterprises, any outdoor principal or accessory use which abuts upon or faces across a street, alley or place, any lot in an R zone, shall provide screening six (6) feet in height. Such screening shall be maintained in good condition.
- (c) Processes and equipment employed and goods stored, processed or sold shall be limited to those which are not objectionable by reason of odor, dust, smoke, cinders, gas, fumes, noise, vibration, refuse matter, or water-carried waste.
- (d) Other required conditions specified in this Article, and Section 24.6(a).

Section 18.2 Principal Uses Permitted Outright

18.21 The following uses:

- (a) CM principal uses permitted outright as specified and regulated in Article 17, unless modified in this Article.
- (b) Trailer Park, ^{provided} that any portion thereof not permanently maintained in landscaped condition shall be graded, drained, and surfaced as required in Section 23.41(c).
- (c) Uncovered and covered moorage for commercial boats.
- (d) Uses set forth in Section 6.21, except as modified in this Article.

Section 18.2 (continued) ~~AMENDED ORDINANCE~~ 88920

18.22 Uses permitted provided, however, that they shall be in a completely enclosed building, or completely enclosed portion of building when within fifty (50) feet of any lot in an

R zone:

- (a) Any of the commercial and manufacturing uses named in Section 19.22.

18.23 Uses permitted when fifty (50) feet or more from any lot in an R Zone and with required screening:

- (a) Storage or salesyard for: building material, contractor's equipment, delivery vehicles, retail lumber, feed and/or fuel, provided that dust is effectively controlled.
- (b) Utility service yards.
- (c) Storage of used machinery in operable condition.
- (d) Storage of stone and concrete products for cemetery purposes.

18.24 Uses permitted when one hundred (100) feet or more from any lot in an R zone:

- (a) Any of the M uses named in Section 19.23.
- (b) Animal hospital
- (c) Kennel, including pens and exercise runways.
- (d) Sales of small marine craft and supplies including service and repair.
- (e) Bulk station, provided that all storage tanks are underground.
- (f) Creamery or bottling plant.
- (g) Acetylene manufacture, under fifteen (15) pounds per square inch pressure.

Section 18.2 (continued) AMENDED-ORD. 88920

18.25 Uses permitted when one hundred (100) feet or more from any

lot in an R zone and with adequate dust control:

- (a) Bag cleaning and/or conditioning
- (b) Felt manufacturing.
- (c) Sand blasting or cutting

18.26 Uses permitted when two hundred (200) feet or more from any lot

in an R zone.

- (a) Circus or similar transient amusement enterprises.
- (b) Freight terminal for motor trucks.

18.27 Uses permitted when three hundred (300) feet or more from any lot

in an R zone: Baseball or football stadium or drive-in theater and other open air amusement enterprises.

Section 18.3. Principal Conditional Uses

AMENDED-ORD.

91700

92492

94839

102686

103106

18.32 The following uses permitted when authorized by the Board in accordance with Article 26.

- (a) Principal conditional uses which the Board may authorize in a less intensive zone unless modified in this Article.
- (b) Any use determined by the Board to be of the same general character as the principal use permitted outright in this Article, subject to the provisions of Section 18.1, but excluding uses specified in Section 18.7.

Section 18.4 Accessory Uses Permitted Outright

AMENDED ORD.
94034
103517

18.41 Accessory uses customarily incidental to a principal use permitted outright in this Article, except of a type prohibited in Section 18.7.

Section 18.5 Accessory Conditional Uses

18.51

18.52 The following uses permitted when authorized by the Board in accordance with Article 26.

- (a) Accessory uses customarily incidental to principal conditional uses specified in Section 18.3 except as modified in this Article.
- (b) Any principal use permitted outright in Article 19, but only when necessary as an appurtenant accessory use to a principal use permitted in this Article.

Section 18.6 Bulk regulations

0-67225
0-98698

18.61 Height of Buildings : No building shall exceed the height of sixty (60) feet, except as modified in Section 22.2.

18.62 Lot Area

- (a) No minimum lot area requirement for non-residential buildings.
- (b) Lot area requirements for a residential building or residential parts shall be as provided in Section 12.52.

See Ord
44475
94831

Section 18.6 (continued)

18.63 Required Yards

- (a) Each lot shall have front, side and rear yards of not less than the depths and widths as follows; except as modified in Section 22.4.

Front Yard: Ten (10) feet

Side Yards: None required for non-residential buildings. Side yards for residential buildings or residential parts shall be as provided in Section 13.53.

Rear Yard: Ten (10) feet required for non-residential buildings except as modified in Section 22.48 (d) and (e). Rear yards for residential buildings or residential parts shall be as provided in Section 13.53.

18.64 Lot Coverage

- (a) No lot coverage limitations for non-residential buildings.
- (b) Residential buildings or residential parts shall not occupy more than forty (40) percent of the lot except as modified in Section 22.5.

Section 18.7 Prohibited Uses:

- (a) Any use other than a permitted CG use, which is permitted in a more intensive zone.

ARTICLE 19 M MANUFACTURING ZONE

Section 19.1 Required Conditions

19.11 All uses permitted in this zone shall be subject to the following conditions:

- (a) Processes and equipment employed and goods processed or sold shall be limited to those which are not objectionable by reason of odor, dust, smoke, cinders, gas, fumes, noise, vibration, refuse matter or water-carried waste.
- (b) Other conditions specified in this Article.

Section 19.2 Principal Uses Permitted Outright AMENDED ORD. 89796

AMENDED ORD.

92492
94383
98426
103106
104012

19.21 The following uses:

- (a) CG uses permitted outright as specified and regulated in Article 18, unless modified in this Article.

19.22 Uses permitted provided however that they shall be in a completely enclosed building or completely enclosed portion of building when within fifty feet (50) of any lot in an R zone.

- (a) Manufacture, compounding, processing, packaging, or treatment of such products as bakery goods, candy, cosmetics, paints, oils, pharmaceuticals, toiletries and food products, except food products permitted in Sections 19.23, 19.24 or 19.25 or prohibited in Section 19.7.
- (b) Manufacture of articles or merchandise from the following previously prepared materials: bone, canvas, cellophane, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastics, precious or semi-precious metals or stones, sheet metal (excluding stampings of metal heavier than ^{fourteen} (14) gauge), shell, textiles, tobacco, wax, wire, wood and yarns.

ARTICLE 19 M MANUFACTURING ZONE

Section 19.2 (continued) Principal Uses Permitted Outright

19.22 (continued)

- (c) Manufacture of pottery and figurines or other similar ceramic products from previously pulverized clay-kilns to be fired by electricity or gas; casting of concrete products for cemetery purposes.
- (d) Manufacture of musical instruments, toys, novelties, rubber or metal stamps, or other small moulded rubber products.
- (e) Manufacture or assembly of electrical appliances, electronic instruments and devices, radios and phonographs.

19.23 Uses permitted when one hundred (100) feet or more from any lot in an R zone:

- (a) Machine shop, welding or other metal working shop, blacksmith shop, excluding punch presses over twenty (20) tons, and noise-producing tools.
- (b) Electro-plating.
- (c) Foundry casting light weight non-ferrous metals or unobnoxious electric foundry.
- (d) Cold storage plant.
- (e) Enameling processes utilizing filtered sprays and electricity, oil, natural or manufactured gas as fuel.

19.24 Uses permitted when two hundred (200) feet or more from any lot in an R zone.

Acetylene manufacturing in excess of fifteen (15) pounds
pressure per square inch.

Assaying gold and silver

Automobile assembly

ARTICLE 19 M MANUFACTURING ZONE

Section 19.2 Principal Uses Permitted Outright (continued)

19.24 continued

Babbit metal manufacturing

Bag cleaning

Battery manufacture

Bleaching and dyeing plant

Boat building and repair for craft up to one-hundred-ten (110) feet
in length.

Bronze powder manufacturing

Bulk station

Coal, coke or wood yard

Concrete mixing, concrete products manufacturing

Cooperage works

Crematory

Felt manufacturing

Grain elevator

Ice Manufacturing plant

Manufacture of excelsior, wood fiber or sawdust products not involv-
ing chemical treatment

Poultry slaughter house including packing and freezing

Railroad freight terminal

Sand blasting or cutting

Stonecutting yard or monument works

Waterfront freight terminal

Wire or rod drawing - nut, screw, or bolt manufacturing

AMENDED OKD.
89796

ARTICLE 19 M MANUFACTURING ZONE

Section 19.2 Principal uses permitted outright (continued)

19.25 Uses permitted when three hundred (300) feet or more from lot in an R zone.

- (a) Shipbuilding and repair
- (b) Planing mill, sawmill, shingle mill or plywood manufacture.
- (c) Pickle and sauerkraut manufacture
- (d) Mushroom plant and cannery
- (e) Feed and cereal mill

19.26 Uses permitted when five hundred (500) feet from any lot in an R zone:

Auto wrecking yard or junk yard when completely enclosed by a view-obscuring fence at least eight (8) feet in height.

Section 19.3 Principal Conditional Uses:

AMENDED ORD.

91700 19.31

104012 19.32 The following uses permitted when authorized by the Board in accordance with Article 26.

- (a) Principal conditional uses which the Board may authorize in a less intensive zone unless modified in this Article.
- (b) Any use determined by the Board to be of the same general character as the principal uses permitted outright in this Article, subject to the provisions of Section 19.1, but excluding uses as specified in Section 19.7.

ARTICLE 19 M MANUFACTURING ZONE

Section 19.4 Accessory Uses Permitted Outright

19.41 Accessory uses customarily incidental to a principal use permitted outright in this Article except of a type prohibited in Section 19.7.

Section 19.5 Accessory Conditional Uses:

19.51

19.52 The following uses permitted when authorized by the Board in accordance with Article 26.

- (a) Accessory uses customarily incidental to the principal conditional uses specified in Section 19.32 except as modified in this Article.
- (b) Any principal use permitted outright in Article 20, but only when necessary as an appurtenant accessory use to a principal use permitted in this Article.

Section 19.6 Bulk regulations - *Amended-87225, 104012,*

19.61 Height of buildings and lot coverage:

- (a) The gross floor area of any non-residential structure not including floor area used for parking, shall not exceed two and one-half ($2\frac{1}{2}$) times the area of the lot, except as modified in Section 22.2.
- (b) The height and lot coverage for permitted residential structures shall be provided in Section 13.5.

ARTICLE 19 M MANUFACTURING ZONE

Section 19.6 Bulk Regulations (continued)

0-87225

19.62 Lot Area

- (a) No minimum lot area requirements for non-residential buildings.
- (b) Lot area requirements for a residential building or residential parts shall be as provided in Section 13.52.

19.63 Required Yards

- (a) Each lot shall have yards of not less than the depths and widths as follows, except as modified in Section 22.4:

Front Yard: Ten (10) feet

Side Yards: None required for non-residential buildings.

Side yards for residential buildings or residential parts shall be as provided in Section 13.53.

Rear Yard: Ten (10) feet required for non-residential buildings except as modified in Section 22.48 (d) and (e). Rear yards for residential buildings and residential parts shall be as provided in Section 13.53.

Section 19.7 Prohibited Uses

- (a) Any use, other than a permitted M use, which is permitted in a more intensive zone.
- (b) Dwelling units not in existence on the premises at the effective date of this Ordinance except for watchman or caretaker's quarters.

ARTICLE 20 IG GENERAL INDUSTRIAL ZONE

Section 20.1 Required Conditions

- (a) All uses permitted in this Article except those permitted in the M zone shall be three hundred (300) feet or more from any lot in an R zone.

Section 20.2 Principal Uses Permitted Outright20.21 The following uses:

AMENDED-ORD

91138

94383

98426

101267

- (a) M uses permitted outright as specified and regulated in Article 19, unless modified in this Article.
- (b) Acid manufacture except those specified in Article 21.
- Airplane hangar
- Airplane manufacture
- Ammonia, chlorine or bleaching powder manufacture
- Asbestos manufacture
- Asphalt manufacture or refining
- Assaying
- Boiler works
- Brewery, distillery, or winery
- Brick, tile or terra cotta manufacture
- Candle manufacture
- Carbon manufacture
- Celluloid or similar cellulose material manufacture
- Charcoal manufacturing or pulverizing
- Chemicals manufacture except those specified in Article 21
- Coke ovens
- Cupola or metal reduction furnace for aluminum, gold, silver and platinum.

ARTICLE 20 IG GENERAL INDUSTRIAL ZONE

Section 20.2 Principal Uses Permitted Outright (continued)

20.21 continued

Disinfectants manufacture

Dog and cat pound

Dyestuff manufacture

Emery cloth or sandpaper manufacture

Enameling

Exterminators or insect poisons manufacture

Fertilizer manufacture by cold compounding of non-odorous materials

Flour or grain mill

Foundry, provided that gross floor area of all buildings does not exceed twenty five thousand (25,000) square feet in area.

Gas (illuminating or heating) manufacture or storage

Glass or glass products manufacture

Glucose manufacture

Grain drying or feed manufacture

Japanning

Kelp reduction and the extraction of its by-products

Lampblack manufacture

Lime manufacturing from fossils or shells

Lubricating grease manufacturing or oil compounding

Machinery manufacture

Machine shops

Match manufacture

Meat packing

Section 20.2 Principal Uses Permitted Outright (continued)

20.21 (continued)

Metal fabrication including extrusion and cold rolling
Nitrating processes
Oilcloth or linoleum manufacture
Oxygen manufacture
Paint, oil, shellac, varnish or turpentine manufacture
Paper manufacture, not including pulp
Perfume manufacture
Petroleum storage and refining by the continuous process or
 other processes not using acid or emitting offensive odors.
Plaster or wallboard manufacture
Poison manufacture
Power, light or steam plant
Printing ink manufacture
Railroad yard or roundhouse
Reducing or refining aluminum, copper, tin or zinc
Rock or stone crusher mill
Rope manufacture
Rubber or caoutchouc manufacture from crude materials
Salt works
Shoddy manufacture
Shoeblackening manufacture
Soap manufacture
Soda and compound manufacture
Sperm oil manufacture
Starch, glucose and dextrine manufacture

ARTICLE 20 IG GENERAL INDUSTRIAL ZONE

Section 20.2 Principal Uses Permitted Outright (continued)

20.21 (continued)

Stoneware or earthenware manufacturing

Stove polish manufacture

Sugar refining

Tar roofing or tar waterproofing manufacture or similar
products of chemical composition

Textile mills

Tobacco (chewing) manufacture

Vegetable oil or other oil manufacture, refining or storage

Vinegar manufacture

Yeast plant

~~REPEALED-ORD.~~ Section 20.3 Principal conditional uses permitted when authorized by the

91700

Board after public hearing and in accordance with the provisions of Article 26.

20.31 The following uses;

- (a) Any use determined by the Board to be of the same general character as the principal uses permitted outright in this Article, subject to the provisions of Section 20.1 but excluding uses specified in Section 20.7.

- Ord. 101985 - adds new section 20.3

as

3-20-57

ARTICLE 20 IG GENERAL INDUSTRIAL ZONE

Section 20.4 Accessory Uses Permitted Outright

20.41 Accessory uses customarily incidental to a permitted principal use except uses prohibited in Section 20.7.

Section 20.5 The following Accessory Conditional Uses permitted when authorized by the Board in accordance with Article 26:

(a) Accessory uses customarily incidental to principal conditional uses specified in Section 20.3 except as modified in this article.

(b) Any principal use permitted outright in Article 21 but only when necessary as an appurtenant accessory use to a permitted principal use in this Article.

Section 20.6 Bulk Regulations20.61 Height of Buildings and Lot Coverage

(a) The gross floor area of any structure, not including floor area used for parking, shall not exceed two and one half ($2\frac{1}{2}$) times the area of the lot except as modified in Section 22.2.

(b) The height and lot coverage for existing permitted residential structures shall be as provided in Section 13.5.

20.62 Lot Area

(a) No minimum lot area requirements for non-residential buildings.

(b) Lot area requirements for an existing residential building or residential parts or existing hotels shall be as provided in Section 13.52, and for existing motels and trailer parks as provided in Section 12.22 (b) and (d).

Section 20.6 Bulk Regulations

0-87225

20.63 Required Yards

- (a) Each lot shall have yards of not less than the following depths and widths, except as modified in Section 22.4.

Front Yard: None required for non-residential buildings.

Front yard for existing residential buildings or residential parts shall be ten (10) feet.

Side Yards: None required for non-residential buildings.

Side yards for residential buildings or residential parts shall be as provided in Section 13.53.

Rear Yard: Ten (10) feet required for non-residential buildings except as modified in Section 22.48 (d). Rear yards for residential buildings and residential parts shall be as provided in Section 13.53.

Section 20.7 Prohibited Uses

AMENDED ~~ORD.~~

101267

- (a) Dwelling units not in existence on the premises at the effective date of this Ordinance, except for watchman or caretaker quarters.
- (b) Schools, except trade schools.
- (c) Hospitals and other institutions for human care.
- (d) Motels, hotels and trailer parks.
- (e) Any use, other than a permitted IG use, which is permitted in the IH zone.

ARTICLE 21 IH HEAVY INDUSTRIAL ZONE

Section 21.1 Required Conditions

- (a) All uses permitted in this Article, except those permitted in IG zone, shall be five hundred (500) feet or more from any lot in an R zone.

Section 21.2 Principal Uses Permitted Outright21.21 The following uses

- (a) IG uses permitted conditionally or outright as specified and regulated in Article 20, unless modified in this Article.
- (b) Animal black or bone black manufacture
Blast Furnace
Cement or lime manufacture
Chlorine manufacture
Creosote manufacture or treatment
Distillation of wood, coal or bones, or manufacture of their by-products
Fertilizer manufacture
Forge or foundry
Glue, size or gelatin manufacture
Hair factory
Petroleum refining or storage
Potash manufacture from kelp
Rolling or blooming mill
Tar distillation or manufacture
Tannery
Wool pulling or scouring

ARTICLE 21 IH HEAVY INDUSTRIAL ZONE

Section 21.3 Principal Conditional Uses permitted when authorized by the Board after public hearing in accordance with the provisions of Article 26.

AMENDED-ORD

91138

91702

21.31 The following uses:

- (a) Acid manufacture: hydrochloric, nitric, picric, sulphurous, or sulphuric acid.
- (b) Explosives, storage as permitted by the Fire and Explosion Ordinance.
- (c) Extraction of animal or fish fats and oils.
- (d) Incineration or reduction of garbage, offal, dead animals, or refuse.
- (e) Hog farm
- (f) Pulp manufacture
- (g) Rendering of fat, tallow or lard
- (h) Slaughter house
- (i) Smelting of ore
- (j) Stock yards
- (k) Any use determined by the Board to be of the same general character as the principal uses permitted in this Article, subject to the provisions of Section 21.1 but excluding uses specified in Section 21.6.

Section 21.4 Accessory Uses Permitted Outright21.41 The following uses:

- (a) Accessory uses customarily incidental to a permitted principal use except uses prohibited in Section 21.6.

ARTICLE 21 IH HEAVY INDUSTRIAL ZONE

Section 21.5 Bulk Regulations21.51 Height of buildings and lot coverage

- 0-87225
- (a) The gross floor area of any structure, not including floor area used for parking, shall not exceed two and one half ($2\frac{1}{2}$) times the area of the lot, except as modified in Section 22.2.

21.52 Lot Area

- (a) No minimum lot area requirements

21.53 Required Yards

- (a) Each lot shall have a rear yard of not less than the following depths and widths, except as modified in Section 22.4:

Front Yard: None required

Side Yard: None required

Rear Yard: Ten (10) feet

Section 21.6 Prohibited Uses

- (a) Dwellings, except for watchmen and caretaker quarters
- (b) Schools, except for trade schools
- (c) Hospitals and other institutions for human care
- (d) Motels, hotels and trailer parks
- (e) Any use prohibited by any other law or ordinance.

ARTICLE 22

BULK REGULATION MODIFICATIONS

Section 22.1 General

A-97998

Bulk regulations as provided in Articles 6 through 22 inclusive shall be subject to the special requirements and exceptions set forth in this Article and the Building Code.

Section 22.2 Building Height Modifications

22.21 Height Regulations around Major Airports

0-87225
0-88921
0-89229
0-89659
98216
97998 98838

EX "B" - See
CF #231505
Part 3
(Box of Maps
in Corner #3
in Vault)

(a) For the purpose of this subsection, land in the vicinity of major airports is hereby divided into approach areas, transition areas and turning areas, all as designated and shown on the map entitled "Airport Height Map", which map is marked Exhibit "B" and by this reference made a part of of this Ordinance.

(b) No structure shall be erected, altered or maintained, nor shall any tree be allowed to grow, in any area created by this subsection to a height in excess of the height limit herein established for such areas; provided, however, that this provision shall not prohibit the construction or the alteration of a building to a height of thirty five (35) feet above the natural lot grade at the building site.

The datum plane for the measurement of the maximum permitted heights in approach areas shall be the elevation of the base lines indicated on the Airport Height Map. The datum plane for the transition area and the turning area shall be the established elevation of the airport as indicated on the Airport Height Map.

ARTICLE 22 BULK REGULATION MODIFICATIONS

Section 22.2 Building Height modifications (continued) AMENDED ORD. 88921

22.21 (continued)

- (c) The maximum height permitted except as provided in paragraph (b) of this subsection, and unless otherwise regulated by this Ordinance, is hereby established for the following areas:
- (1) In approach areas -- to the height of the inclined plane of approach areas, as shown on the Airport Height Map.
 - (2) In transition areas -- to the height of the inclined plane of the transition areas, as shown on the Airport Height Map.
 - (3) In the turning area -- one hundred fifty (150) feet above the datum plane or sixty (60) feet above the natural lot grade at the building site, whichever is greater, provided that a greater height may be authorized by the Board in the manner prescribed in Section 26.23.

22.22 Exceptions to Height Limits

C-98833

- (a) The following type of structures or structural parts shall not be subject to a height limitation except in airport areas as specified in Section 22.21: tanks and bunkers, church spires, belfries, domes, monuments, water towers, fire and hose towers, observation towers, stadiums, transmission towers, chimneys, smoke stacks, flag poles, radio towers, masts, aerials, bulkheads, water tanks, monitors, scenery lofts, cooling towers, grain elevators, gravel and cement tanks and bunkers, gas holders, drive-in theater projection screens, provided such structures or parts shall be fifty (50) feet or more from any adjoining lot line; penthouses containing elevator or ventilating

ARTICLE 22 BULK REGULATION MODIFICATIONS

Section 22.2 Building Height modifications (continued) AMENDED ORD. 8892/

22.22 continued

machinery or stair penthouses if located twenty (20) feet
or more from the side lot line.

Section 22.3 Lot Area Modifications22.31 Lot Area exceptions for certain lots

- (a) In the case of a corner lot, or a lot a side lot line of which abuts upon a street, place or alley, the width of the lot may include one half ($\frac{1}{2}$) the width of the abutting side street, place or alley, for the purpose of computing the lot area, provided, however, that no lot area thus computed shall exceed by more than twenty five percent (25%) of the actual net area of the lot contained within its lot lines.

22.32 Lot Area exceptions for one or two lots of single ownership.

- (a) In any zone, except an M or I zone, a single family dwelling may be established on a lot which cannot satisfy the lot area requirements of the zone, or on each of two such lots when they have a common side lot line, provided that all other bulk regulations shall apply and provided further that the owner of such lot or lots does not own any adjoining property, and that the ownership of such lot or lots was of public record or under bona fide contract of purchase prior to the effective date of this Ordinance. Said exception shall not apply to three (3) or more such lots which are contiguous, vacant lots fronting on the same street and are held under the same ownership on or after the effective date of this Ordinance.

ARTICLE 22 BULK REGULATION MODIFICATIONS

Section 22.3 Lot Area Modifications (continued)

22.32 (continued)

- amended* (b) In RM, RMH, B or C zone, a duplex dwelling may be established on a lot having less than the required four thousand (4,000) square feet of area, provided that yard and lot coverage regulations shall apply and provided further that the owner of such lot does not own any adjoining property and that such lot was of public record or under bona fide contract of purchase prior to the effective date of this Ordinance.

Section 22.4 Yard Modifications

22.41 Exceptions Permitting Accessory Buildings in Certain Required Yards in R zones.

- (a) A one story garage, carport or other permitted accessory building not over twelve (12) feet in height and not over one thousand (1000) square feet in area may be erected in a rear yard, provided, however, that said accessory building shall be twelve (12) feet or more from the center line of an alley and five (5) feet or more from the principal building, or a rear lot line where no alley exists. In the case of a through lot, such building shall be located no nearer to either street lot line than the depth of the required front yard on either street. In the case of a reversed corner lot, such building, if in the required rear yard of such lot, shall be located no closer to the side street lot line than the required front yard of the adjoining key lot and in no case closer to such lot line than the principal building to which it is accessory. Accessory

ARTICLE 22 BULK REGULATION MODIFICATIONS

Section 22.4 Yard Modifications (continued) AMENDED ORD: 88921, 89983, 90110

22.41 (continued)

buildings exceeding one thousand (1000) square feet in area and/or twelve (12) feet in height, shall provide side yards as required for the principal building.

- (b) A one story private garage or carport may be erected in a required front yard when the existing grade at a point ten (10) feet back from the front lot line on the center line of the proposed private garage or carport would be two (2) feet or less below the highest point of the roof of said structure; a one story private garage or carport not exceeding ten (10) feet in height at the front of such structure may be erected in the required front yard when the existing grade slopes downward from the elevation at the front lot line at a rate of twenty (20) percent or more.

22.42 Yard Exceptions for Certain Architectural Features for Single Family Dwellings

- (a) Chimneys, flues, belt courses, leaders, sills, pilasters, lintels, ornamental features, cornices, eaves, sun shades, gutters, and the like may project not more than one and one half feet ($1\frac{1}{2}'$) into any required yard, provided that in no case shall such features be closer than three (3) feet to any side lot line.

- (b) Carports and covered, unenclosed ground story porches may project into a required rear yard but not within fifteen (15) feet of the center line of any alley nor within twelve (12) feet of any rear lot line not an alley lot line nor closer than five (5) feet

Section 22.4 Yard Modifications (continued) AMENDED ORD. 88921, 89983, 90110

22.42 (continued)

to an accessory building, provided that such carport or open, ground story porch and any other accessory buildings do not in occupy more than twenty five (25) percent of the required rear yard.

- Ord-103120 — (c) Fences, free standing walls and retaining walls, six (6) feet or less in height above ground or mean level, may be erected in any required side or rear yard or one four (4) feet or less in a required front yard.

(D)-101240

22.43 Front Yard Requirements for Special Conditions

- 0-90110
0-103839 (a) In any R zone when at least thirty five (35) percent of the frontage in any one block front is improved with permitted principal buildings and all of such buildings have front yard depths greater than the minimum front yard requirement for the zone, then all new buildings in the block front shall provide a front yard with a depth of not less than the minimum existing front yard depth in the block front.
- (b) In any zone when the side lot line of a lot adjoins either directly or across the alley the side lot line of another lot in a less intensive zone then the front yard for such lot shall be not less than the average of the front yards required in the block front on either side of the zone boundary line.

22.44 Exceptions to Front Yard Requirements

- 0-90110
0-103839 (a) In any R zone when at least fifty (50) percent of the frontage in any one block front is improved with permitted principal buildings and all of such buildings have front yards, the depth as 3-20-57 of which are less than

ARTICLE 22 BULK REGULATION MODIFICATIONS

Section 22.4 Yard Modifications (continued) AMENDED ORD. 88921, 89983, 90110

22.44 (continued)

the minimum front yard depths required in the zone, then new buildings located within the block front shall provide front yards with depth at least equal to the average depths of front yards in the block front.

- 0-90110 (b) On any lot where the natural gradient or slope, as measured from the front lot line along the center line of the lot for a distance of sixty (60) feet is in excess of thirty five (35) percent, then the required front yard may be reduced one foot for each one (1) percent of gradient or slope in excess of thirty five (35) percent, provided however, that the provisions of Section 22.43 (a) shall prevail when also applicable.
- (c) In a BN or CG zone, the front yard depth of any lot need not exceed the average of the established front yard depths of lots in the same block front and in the same zone. Vacant lots shall be considered as having a front yard depth of twenty (20) feet.

22.45 Side Yard Requirements for Special Conditions

- 0-90110
0-103829 (a) When the side lot line of a lot in any zone adjoins the side lot line of a lot in a less intensive zone, then the adjoining side yard for such lot shall not be less than the minimum side yard that would be required for a building of equal height and depth in the less intensive zone.

ARTICLE 22 BULK REGULATION MODIFICATIONS

126.

Section 22.4 Yard Modifications (continued) AMENDED ORD. 88921, 88983, 90110

22.45 (continued)

- (b) In any R zone, where a building exceeds fifty (50) feet in length of side wall along a side yard which abuts upon another lot, the least width of any such side yard shall be not less than the following:

For 1 story buildings -10% of total side yard length

For 2 story buildings -13% " " "

For 3 story buildings - 16% " " "

Plus 2% for each additional story over 3, but in no case shall a structure be required to provide a side yard greater than fifty (50) feet.

These provisions shall not apply to garden crypt walls.

- (c) In the case of a reversed corner lot in any zone, the side yard on the street side of said lot shall be not less than the required front yard of the key lot adjoining either directly or across an alley, provided, however, that when such corner lot is less than sixty (60) feet wide the side yard on the street side shall be not less than fifty (50) percent of required front yard of the key lot.

22.46 Exceptions to Side Yard Requirements

0-90110
0-103839

- (a) In any R zone, each side yard on an interior lot which is less than forty (40) feet wide may be reduced to not less than ten (10) percent of such lot width, but in no case to less than

ARTICLE 22 BULK REGULATION MODIFICATIONS

Section 22.4 Yard Modifications (continued) AMENDED ORD. 88921, 89983, 90110

22.46 (continued)

- three (3) feet, provided that such lot was a lot of record held under separate ownership from adjoining property on the effective date of this Ordinance, and provided further that such lot is used for a single family dwelling.
- (b) Where the side wall of a building is not parallel with the side lot line or is broken or otherwise irregular, the average width of such side yard shall be not less than the required side yard; provided, however, that such side yard shall not be narrower at any point than one half ($\frac{1}{2}$) the otherwise required least side yard, or narrower than three (3) feet in any case.
- (c) In the case of a required side yard adjoining an alley, such side yard width may be measured to the center line of said alley, provided, however, that at no point shall the principal building be closer than three (3) feet to said alley.

22.47 Rear Yard Requirements for Special Conditions

0-90110

0-103839

- (a) In any zone when the rear lot line of a lot abuts directly upon the rear lot line or side lot line of another lot in a less intensive zone, then the rear yard for the lot in the more intensive zone shall be not less than one half ($\frac{1}{2}$) the required rear yard depth in the less intensive zone.

22.48 Exceptions to Rear Yard Requirements

0-90110

0-103839

- (a) In any R zone, the rear yard for a lot having a depth of less than one hundred (100) feet may be reduced to not less than twenty five (25) percent of such depth, but in no case to

ARTICLE 22 BULK REGULATION MODIFICATIONS

128.

Section 22.4 Yard Modifications (continued) AMENDED ORD. 88921, 89983, 90110

22.48 continued

less than ten (10) feet, provided that such lot was a lot of record held under separate ownership from adjoining property in the rear on the effective date of this Ordinance and provided further, that the building on such lot does not exceed thirty five (35) feet in height.

- (b) In any zone, in the case of a required rear yard abutting upon an alley along the rear lot line, such rear yard depth may be measured to the center line of said alley, provided, however, that at no point shall the principal building be closer than six (6) feet to said alley.
- (c) In any R zone a rear yard need not exceed the depth of the required front yard in the case of a lot abutting at the rear lot line upon a public park, playground or open water not less than fifty (50) feet in width.
- (d) In any C, M, or I zone when the rear lot line of a lot abuts upon an alley or railroad right-of-way, no rear yard shall be required for non-residential buildings.
- (e) In the case of a through lot in any zone, the required rear yard in a block front need not exceed a required front yard in the same block front.

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section 22.49

Section 22.5 Lot Coverage Modifications

0-87225
0-88283
0-89983

22.51 Exceptions for Corner Lots

- (a) In the case of a corner lot or a lot the side lot line of which abuts upon a street, place or alley, the width of the lot may include one half ($\frac{1}{2}$) the width of the abutting side street, place or alley for the purpose of computing the lot coverage for a principal building, provided, however, that no lot area thus computed shall exceed by more than twenty five (25) percent the actual net area of the lot contained within its lot lines.

22.52 Exceptions for Accessory Buildings

- (a) A detached accessory building shall not occupy more than twenty five (25) percent of the required area of the required rear yard.
- (b) In any RMH, BC, BM or C zone an attached accessory parking garage limited in height to twelve (12) feet may occupy all of the required rear yard if said yard is bounded on three (3) sides by streets, places or alleys.

Section 23.1 Required Automobile Parking Spaces

AMENDED ORD.

9/1/88
94036
103864

- (a) Offstreet parking spaces for automobiles shall be provided as an accessory use in accordance with the requirements of this Article at the time any building or structure is erected or enlarged or expanded in height or lot coverage, in all zones except Central Business District which shall consist of the BM and CM zones.

Section 23.2 General Provisions AMENDED ORD. 87225, 87712

0-87225

23.21 Size and Access

0-89712
0-91138
0-92089
0-98608
0-99368
0-101413

- (a) Each offstreet parking space shall have an area of not less than one hundred sixty (160) square feet exclusive of access drives or aisles, and shall be of usable shape and condition. There shall be adequate provision for ingress and egress from each parking space.

23.22 Location

- (a) Offstreet parking facilities shall be located as hereinafter specified; where a distance is specified, such distance shall be the walking distance measured from the nearest point of the parking facilities to the nearest point of the building that such facility is required to serve.
- (1) For single family and duplex dwellings - on the same lot with the building they are required to serve.
- (2) For multiple dwellings - not more than four hundred fifty (450) feet from the building they are required to serve.

Section 23.2 (continued) AMENDED ORD. 87225, 89712

23.22 (continued)

- (3) For houseboats, hospitals, sanitariums, childrens institutions, homes for the retired, nursing and convalescent homes, dormitories, boarding, rooming and lodging houses, community clubs and club rooms, fraternity, sorority and group student houses, not more than six hundred (600) feet from the building they are required to serve.
- (4) For uses other than those specified above - not over eight hundred (800) feet from the building they are required to serve.
- (5) No parking space shall be located in a required front yard or in a required side yard abutting upon a street except as provided in Section 22.4.
- (6) Any parking facility provided in a building and when not on the same lot with the principal use to which it is accessory shall be considered for bulk regulation purposes, a principal use on the lot on which located.

23.23 Units of Measurement

- (a) In stadiums, sports arenas, churches and other places of assembly in which patrons or spectators occupy benches, pews, or other similar seating facilities, each twenty (20) inches of width of such seating facilities should be counted as one seat for the purpose of determining requirements for offstreet parking facilities under this Ordinance.

Section 23.2 (continued) AMENDED ORD. 872245, 89712

23.23 (continued)

- (b) When a unit of measurement determining the number of required parking spaces results in the requirements of a fractional space, any fraction up to and including one-half ($\frac{1}{2}$) shall be disregarded and fractions over one-half ($\frac{1}{2}$) shall require one parking space.

23.24 Expansions or Enlargements

- (a) Whenever any structure is enlarged or expanded in height or in lot coverage, then offstreet parking spaces shall be provided for said expansion or enlargement in accordance with the requirements of Section 23.3; however, no parking spaces need to be provided in the case of an enlargement or expansion where the number of parking spaces required for such expansion or enlargement is less than ten (10%) per cent of the parking spaces specified in Section 23.3 for a similar structure. Nothing in this provision shall be construed to require offstreet parking spaces for the portion of such structure existing at the effective date of this Ordinance except as provided in Section 5.2, nor shall a change in use in an existing structure require any additional offstreet parking spaces.

23.25 Mixed Occupancies

- (a) In the case of two or more uses in the same building, the total requirements for offstreet parking facilities shall be the sum of the requirements for the several uses computed separately. Offstreet parking facilities for one use shall not be considered as providing required parking facilities for any other use, except as hereinafter specified in Section 23.28 for joint use.

Section 23.2 (continued) AMENDED ORD. 87 225, 89712

23.26 Uses NotSpecified

- (a) In the case of a use not specifically mentioned in Section 23.3, the requirements for off-street parking facilities shall be determined by the Board. Such determination shall be based upon the requirements for the most comparable use specified in Section 23.3.

23.27 Cooperative Parking Facility

Up to fifteen (15%) per cent reduction in the number of required parking spaces may be authorized by the Board following approval of a plan which complies with the following conditions:

- (a) The plan shall be for a collective parking facility serving two or more buildings or uses developed through voluntary cooperation or under any parking district which may hereafter be provided by law.
- (b) Such collective parking facility shall occupy an area of no less than twenty thousand (20,000) square feet.

23.28 Joint Use

The Board may authorize the joint use of parking facilities by the following uses or activities under the following conditions:

- (a) Up to fifty (50%) per cent of the parking facilities required by this section for a theater, bowling alley, dance hall, bar or restaurant may be supplied by the offstreet parking facilities provided by certain other types of buildings or uses specified in Section 23.28 (d).
- (b) Up to fifty (50%) per cent of the offstreet parking facilities required by this section for any building or use specified under below
- (d) /may be supplied by the parking facilities provided for uses specified in Section 23.28(e).

Section 23.2 (continued) AMENDED ORD. 87225, 89712

23.28 (continued)

- (c) Up to one hundred (100%) per cent of the parking facilities required by this Section for a church or for an auditorium incidental to a public or private graded school may be supplied by the off-street parking facilities provided by uses specified in Section 23.28(d).
- (d) For the purposes of this Section, the following uses are considered as primarily day-time uses: banks, business offices, retail stores, personal service shops, household equipment or furniture shops, clothing or shoe repair or service shops, manufacturing or wholesale buildings and similar uses.
- (e) For the purposes of this Section, the following uses are considered as primarily night-time or Sunday uses: auditoriums incidental to a public or private graded school, churches, bowling alleys, dance halls, theaters, bars or restaurants.
- (f) Conditions required for joint use:
- (1) The building or use for which application is being made to utilize the offstreet parking facilities provided by another building or use, shall be located within eight hundred (800) feet of such parking facilities.
 - (2) The applicant shall show that there is no substantial conflict in the principal operating hours of the two buildings or uses for which joint use of offstreet parking facilities is proposed.
 - (3) A properly drawn legal instrument, executed by the parties concerned for joint use of offstreet parking facilities, duly approved as to form and manner of execution by the Corporation Counsel shall be filed with the Superintendent.

Section 23.2 (continued) AMENDED ORD. 87225, 89712

23.29 Use of Paved Recreation Space for Parking

The Board may authorize the use of space designed and primarily used for recreation purposes for a portion of the required parking space under the following conditions and others deemed appropriate:

- (a) Such parking areas shall be subject to all locational and development provisions of this Article.
- (b) Such portions of the recreation area to be used for parking shall be paved with a durable, dustless, surface.
- (c) Such parking space may be credited only to space requirements of the principal use which it is intended to serve.

Section 23.3 Parking Spaces Required: AMENDED ORD. 89796

AMENDED ORD.

89796

91138

91202

92030

92492

96278

99368

100613

101117

101413

102816

103364

The minimum number of offstreet parking spaces required shall be set forth in the following:

UseParking Spaces Required

Single family, duplex dwellings
or houseboats

1 for each dwelling unit

Multiple dwellings in any zone
except RMH zone

3 for each 4 dwelling units

Multiple dwellings in RMH zone

1 for each 2 dwelling units up to 50;
25 plus 1 for each 3 dwelling units in
excess of 50.

Motels

1 for each unit in the motel

Boarding, lodging or rooming
houses, fraternity, sorority,
or group student houses

1 for each 3 sleeping rooms or for each
6 beds whichever amount is greater.

Hotels

1 for each 4 bedrooms

Hospitals, sanitariums, nursing
and convalescent homes

1 for each 2 staff doctors plus 1 for
each 5 employees plus 1 for each 6 beds.

Section 23.3 (continued) AMENDED ORD. 89796

<u>Use</u>	<u>Parking Spaces Required</u>
<u>Children's institutions, homes for the retired</u>	1 for each 5 employees plus one for each 6 beds
Theaters, skating rinks, auditoriums, and other indoor places of public assembly	1 for each 100 sq.ft. floor area of main auditorium or of principal place of assembly not containing fixed seats and for floor area containing fixed seats 1 for each 10 seats.
Stadiums and outdoor sports arenas or areas	1 for each 10 seats
<u>Schools, community clubs and community centers</u>	1 for each 80 sq.ft. of floor area of main auditorium or other assembly rooms not containing fixed seats, and for floor area containing fixed seats 1 for each 8 seats.
<u>Churches</u>	1 for each 80 sq.ft. of floor area in the nave not containing fixed seats and for floor area containing fixed seats, 1 for each 8 seats.
Libraries and museums	1 for each 250 sq.ft. of floor area open to public
Dance Halls	1 for each 75 sq.ft. of floor area used for dancing.
Bowling alleys	5 for each bowling alley
Medical or dental <u>clinics</u>	1 for each 200 sq.ft. of <u>gross floor area</u>
Banks, business or professional offices	1 for each 400 sq.ft. of <u>gross floor area</u>
Offices not providing customer services on the premises	1 for each 800 sq.ft. of <u>gross floor area</u>
Mortuaries or funeral homes	1 for each 100 sq.ft. of floor area of assembly rooms used for service
Pleasure craft moorages	1 for each 2 moorage stalls

Section 23.3 (continued) AMENDED ORD. 89796

<u>Use</u>	<u>Parking Spaces Required</u>
Establishments for the sale and consumption on the premises of food and beverages, including fraternal and social clubs:	None for <u>gross floor area</u> under 2000 sq.ft.
having not more than 4,000 sq.ft. of <u>gross floor area</u>	1 for each 200 sq.ft. of <u>gross floor area</u> when in excess of 2000 sq.ft.
having more than 4,000 sq.ft. of <u>gross floor area</u>	20 plus 1 for each 150 sq.ft. of <u>gross floor area</u> in excess of 4000 sq.ft.
Food markets:	None for <u>gross floor area</u> under 2500 sq.ft.
having not more than 7,500 sq.ft. of <u>gross floor area</u>	1 for each 300 sq.ft. of <u>gross floor area</u> when in excess of 2500 sq.ft.
having more than 7,500 sq.ft. of <u>gross floor area</u>	25 plus 1 for each 150 sq.ft. of <u>gross floor area</u> in excess of 7500 sq.ft.
Retail stores, except as otherwise specified herein:	None for <u>gross floor area</u> under 2500 sq.ft.
having not more than 4,000 sq.ft. of <u>gross floor area</u>	1 for each 500 sq.ft. of <u>gross floor area</u> when in excess of 2500 sq.ft.
having more than 4,000 sq.ft. but not more than 20,000 sq.ft. of <u>gross floor area</u>	8 plus 1 for each 300 sq.ft. of <u>gross floor area</u> in excess of 4000 sq.ft.
having more than 20,000 sq.ft. of <u>gross floor area</u>	61 plus 1 for each 150 sq.ft. of <u>gross floor area</u> in excess of 20,000 sq.ft.
Office and household furniture and appliance sales establishments	None for <u>gross floor area</u> under 2500 sq.ft., 1 for each 600 sq.ft. of <u>gross floor area</u> when in excess of 2500sq.ft.
Motor vehicle or machinery sales, <u>wholesale stores</u> , furniture stores.	1 for each 2000 sq.ft. of <u>gross floor area</u> .
Manufacturing uses, research and testing laboratories, creameries, bottling establishments, bakeries, canneries, printing and engraving shops.	1 for each 1000 sq.ft. of <u>gross floor area</u> , except that office space shall provide parking as required for offices.
Warehouses and storage buildings	1 for each 2000 sq.ft. of <u>gross floor area</u> , except that office space shall be provided as required for offices.

Section 23.3 (continued) AMENDED ORD. 89796

<u>Use</u>	<u>Parking Spaces Required</u>
Freight Terminals	1 for each 2000 sq.ft. of <u>gross floor area</u> except that office space shall provide parking as required for offices
Passenger Terminals	1 for each 100 sq.ft. of waiting room space
Branch Post Offices	1 space for each 500 sq.ft. of <u>gross floor area</u>
Terminal Post Office	1 space for each 1000 sq.ft. of <u>gross floor area</u>

Section 23.4 General Provisions for Development and Maintenance of Parking Areas for ten or more vehicles

AMENDED ORD.

88921

91700

92085

99368

101296

23.41 Parking Areas in B, C, M and I zones

In any zone other than an R zone a parking area for 10 or more vehicles shall be developed in accordance with the following requirements:

(a) Border Barricades

A rail, fence, wall or other continuous barricade of a height sufficient to retain all cars completely within the property shall be provided, except at exit or access driveways, provided, however, that screening shall be provided on each side of a parking area which abuts upon or faces across a street, alley, or place any lot in an R zone, in accordance with the provisions of Section 23.42(a)

(b) Entrances and Exits

The location and design of all entrances and exits shall be subject to the approval of the City Engineer provided that no entrance or exit shall be closer than fifteen (15) feet to any lot located in an R zone

Section 23.4 (continued) AMENDED ORD: 88921, 91700,

23.42 Accessory Parking Areas in R zones

In any R zone, a parking area accessory to a permitted use in that zone and for ten(10) or more vehicles shall be developed in accordance with the following requirements:

(a) Screening

Screening shall be provided on each side of such parking area which abuts upon or faces across a street, alley or place any lot in an R zone, except that no screening is required on any side of a parking area where the elevation of the lot line is six (6) or more feet higher than the finished elevation of the parking surface. A parking area screening shall meet the following conditions:

- (1) It shall be not less than four (4) and not more than six (6) feet in height above the grade of the parking lot surface, but in no case shall be permitted to constitute a traffic hazard. Such screening shall be maintained in good condition.
- (2) It shall not be located in any required yard which abuts upon a street lot line and it shall be maintained in good condition.
- (3) Slopes or other areas between the screen or, where such screening is not required, the area devoted to parking, and a lot line shall be landscaped with grass, hardy shrubs or evergreen ground cover and shall be maintained in good condition.

- (4) - added by Ord. 101296.
- (b) Entrances, exits, surfacing, lighting, signs and internal landscaping:

The requirements of Section 23.41 (b), (c), (d), (e), (f), shall apply.

Section 23.42 (continued) AMENDED ORD. 88921, 9/7/00

(c) Operation

Except for emergencies, no automobile repair or service of any kind shall be conducted on any such parking area. No charge for use of such parking area shall be made in any R zone except on a weekly or monthly basis, provided that in an RMH zone, hourly or daily charges may be made.

(d) Review by Board

Plans for any such parking area, when not located on same lot with principal use, shall be subject to the approval of the Board as a conditional use.

23.43 Conditional Accessory Parking Areas in R Zones

The following conditions shall apply in any R zone where accessory offstreet parking areas are permitted for Business, Commercial, Manufacturing or Industrial Uses:

- (a) Such parking area shall abut upon by at least fifty (50) feet, either directly or across an alley, a B, C, M or I zone.
- (b) Such parking area shall be used solely for the parking of private passenger vehicles.
- (c) Such parking area shall be subject to all the requirements of Section 23.42 (a), (b), and (c).
- (d) The plan for such parking area shall be reviewed by the Board, who shall hold a public hearing, giving notice of the time, place and purpose of said hearing in the manner prescribed in Section 26.34 (a). After the aforesaid plan has been approved by the Board and by the City Engineer where his approval is required,

Section 23.4 (continued) AMENDED ORD. 88921, 91700,

23.43 (continued)

the Superintendent may issue a permit in accordance therewith, and subject to any additional requirements that may be stipulated by said Board for the protection of adjacent property and in the public interest.

- (e) Any permit issued by the Superintendent may be revoked any time that the aforementioned requirements are not complied with, and any permittee who uses or permits the use of premises to which said permit relates in violation of any of the conditions specified by this section or included in such permit, shall be deemed in violation of this Ordinance and shall be subject to the penalty prescribed in Article 30 of this Ordinance. Such revocation shall not be construed as a release from the requirements of Section 23.3.

Section 23.5 Filing of Plans

The plan of a proposed parking area shall be submitted to the Superintendent at the time of the application for a building permit. Said plan shall clearly indicate the proposed development, including the location, size, shape, design, curb cuts, lighting, landscaping and other features and appurtenances of the proposed parking facility and shall be reviewed by the City Engineer, or Board, as required in this Article and the provisions of this Ordinance applicable to the zone where the use is proposed.

Section 23.6 Required Offstreet Loading Space

0-87225
0-103840 In connection with any use specified in Section 23.61 or Section 23.62 for which a building or structure is to be erected or structurally altered

Section 23.6 (continued)

or changed in use, and which requires the receipt or distribution of materials or merchandise by trucks or similar vehicles there shall be provided offstreet loading space on the basis of the minimum requirements specified in Section 23.61 and Section 23.62.

23.61 Requirements for uses having relatively high loading space demands:

- (a) Every department store, freight terminal or railroad yard, hospital or sanitarium, industrial or manufacturing establishment, retail or wholesale store or Storage Warehouse establishment or any similar use, which has, or is intended to have, an aggregate gross floor area of ten thousand (10,000) square feet or more, shall provide truck loading or unloading berths in accordance with the following table:

Square feet of aggregate <u>gross floor area</u>	Required number of berths
10,000 up to and including 16,000	1
16,001 up to and including 40,000	2
40,001 up to and including 64,000	3
64,001 up to and including 96,000	4
96,001 up to and including 128,000	5
128,001 up to and including 160,000	6
160,001 up to and including 196,000	7
For each additional 36,000	1 additional

23.62 Requirements for uses having relatively low loading space demand

- (a) Every auditorium, convention hall, exhibition hall, sports arena, hotel, office building, restaurant, or any similar use, which has or is intended to have an aggregate gross floor area of

Section 23.6 (continued)

23.62 (continued)

forty thousand (40,000) square feet or more, shall provide off-street truck loading or unloading berths in accordance herewith:

<u>Square feet of aggregate gross floor area</u>	<u>Required number of berths</u>
40,000 up to and including 60,000	1
60,001 up to and including 160,000	2
160,001 up to and including 264,000	3
264,001 up to and including 388,000	4
388,001 up to and including 520,000	5
520,001 up to and including 652,000	6
652,001 up to and including 784,000	7
784,001 up to and including 920,000	8
for each additional 140,000	1 additional

23.63 Standards for development of Loading Spaces

(a) Each offstreet loading or unloading berth shall be subject to the following minimum standards:

- (1) Each berth shall be not less than ten (10) feet in width, twenty-five (25) feet in length.
- (2) Space for such berth may occupy all, or any part, of any required yard when uncovered.
- (3) No berth shall be located closer than fifty (50) feet to any other lot in any R zone unless wholly within a completely enclosed building or unless screening subject to requirements of Section 23.42, and not less than six (6) feet in height is provided on each side which abuts upon or faces across a street, alley or place, any lot in an R zone.

ARTICLE 23 OFFSTREET PARKING AND LOADING REQUIREMENTS

145.

Section 23.6 (continued)

23.63 (continued)

(4) Access to such berth shall be from alleys when such exist

(5) Access to offstreet loading berths across street sidewalks, shall
be subject to the City Engineer's approval.

SECTION 23.7 - ADDED BY ORDINANCE 103864.

SECTION 23.8 - ADDED BY ORDINANCE 103864.

mf - 3/20/57

Section 24.1 Accessory Uses and Buildings in R Zone

- (a) Accessory buildings permitted in R zones shall be regulated as provided in Sections 22.41 and 22.52

Section 24.2 Transitional Uses in R Zones

- 0-88283
0-90722
0-94970
0-96395
- (a) In any R zone a lot, the side lot line of which adjoins directly any more intensive R zone or a B, C, M, or I zone, may be devoted to any of the uses permitted in the next more intensive R zone, provided that no such transitional use shall extend farther than sixty (60) feet from such R, B, C, M, or I zone, and provided, further, that any structure so used shall be limited to the bulk regulations of the zone in which it is located. For the purpose of applying this provision any RS zones shall be considered as RW zone and the RD 7200 zone shall be considered as RD 5000 zone.

Section 24.3 Conversion of Dwellings

Amended - 88283
0-103843

- (a) The conversion of any building into a dwelling, or the conversion of a dwelling so as to accommodate an increased number of dwelling units shall be permitted only in a zone where a new building of similar occupancy is permitted, provided, however, that any two bulk requirements may be modified by the Superintendent, by not more than ten (10) percent when all of the following conditions are met:

- (1) No yard is less than five (5) feet
- (2) The conversion will result in lot area per dwelling unit at least twenty (20) percent greater than required for a new building in the zone.

Section 24.3 (continued)

- (3) No exterior structural alterations are involved other than those required by law

Section 24.4 Planned Residential Development

AMENDED ORD.

92059
96021
98426
98698
101608
102290

- (a) In any zone except in the RS 9600, M, or I zones, when authorized by the Board after report and approval by the Commission, tracts of land consisting of five (5) acres or more, or comprising an entire block, may be developed with any number of buildings, even though the use and location of such buildings and the yards and other open spaces do not conform in all respects to the regulations for the zone in which such tract is located.
- (b) Before approval, the Commission shall determine that such plans comply with the following conditions:
- (1) That the residence development will provide a desirable and stable environment in harmony with that of the surrounding neighborhood and will insure substantially the same type of occupancy; and that it will result in intensity of land uses and standards of open spaces in keeping with requirements and standards of the Ordinance in the zone in which the proposed development is located.
- (2) That the average lot area per dwelling unit, excluding areas occupied by streets, will be at least eighty (80%) per cent of that otherwise required in the zone in which the development is located.
- (3) That off-street parking facilities are provided in accordance with the requirements of Article 22.

ARTICLE 24.

SECTION 24.41 BASIC REQUIREMENTS (ADDED BY ORD 102290) - *amended 103087*

SECTION 24.42 RESIDENTIAL PLANNED UNIT DEVELOPMENT (ADDED BY ORD 102290)

SECTION 24.43 PLANNED UNIT DEVELOPMENT - PROCEDURE FOR FILING (ADDED BY ORD 102290)

SECTION 24.44 PLANNED UNIT DEVELOPMENT - REVIEW & AUTHORIZATION (ADDED BY ORD 102290)

SECTION 24.45 COMMISSION HEARING & RECOMMENDATION (ADDED BY ORD 102290)

SECTION 24.46 COUNCIL HEARING & ACTION (ADDED BY ORD 102290)

SECTION 24.47 FINAL PLANS (ADDED BY ORD 102290)

SECTION 24.48 APPEAL TO HEARING EXAMINER (ADDED BY ORD 102290)

Section 24.6 (continued)

- (3) Any outdoor refuse storage or incineration shall be effectively screened from premises in the R zone.

SECTION 24.7 SPECIAL PROVISIONS FOR CERTAIN LOTS REDUCED BELOW MINIMUM LOT AREA REQUIREMENT. (ADDED BY ORD. 94035, APPROVED 7/14/65)

(ORD. 102455 ADDS NEW SECTIONS TO PROVIDE FOR SPECIAL REVIEW DISTRICTS)

SECTION 24.81 GEN'L PURPOSE OF SPECIAL REVIEW DISTRICTS.

SECTION 24.82 PROCEDURE TO ESTABLISH, ALTER, OR ABOLISH SPECIAL REVIEW DISTRICTS.

SECTION 24.83 DEVELOPMENT GUIDELINES.

SECTION 24.84 SPECIAL REVIEW BOARDS.

SECTION 24.85 CERTIFICATES OF APPROVAL.

SECTION 24.86 APPROVAL OF CHANGES & DEVELOPMENT WITHIN THE SPECIAL REVIEW DISTRICT

SECTION 24.87 NON-CONFORMING BUILDINGS & USES.

SECTION 24.91 PIONEER SQUARE SPECIAL REVIEW DISTRICT

*Added by 0-102455,
amended by 0-104660*

SECTION 24.92 INTERNATIONAL SPECIAL REVIEW DISTRICT

AMENDED - ORD. 104068

SECTION 24.921 -ADDED BY ORD 104068

SECTION 24.922 -ADDED BY ORD 104068

SECTION 24.923 -ADDED BY ORD 104068

SECTION 24.924 -ADDED BY ORD 104068

AMENDED - ORD.

106503

SECTION 24.925 -ADDED BY ORD 104068

AMENDED - ORD.

106503

Section 25.1 General

AMENDED ORIGIN
9/1/38

- (a) It shall be the duty of the Superintendent to enforce this Ordinance. The Superintendent may call upon the Police and Fire and Health and other appropriate City Departments to assist in the enforcement of this Ordinance.

Section 25.2 Use Permits

- (a) It shall be unlawful for an owner to permit the use of any structures or buildings or premises, or any part thereof, hereafter created, enlarged, constructed, altered, moved, or converted, wholly or partly, until a use permit shall have been issued by the Superintendent.
- (b) The Superintendent shall issue a use permit only if he is satisfied that the plans filed in accordance with 25.2 (c) conform to the requirements of this Ordinance and other pertinent laws and ordinances.
- (c) Every application for a use permit to use a structure or building or premises shall be made to the Superintendent and shall be accompanied by plans in duplicate showing the actual shape and dimensions of the lot to be used, based on a recorded plat or survey by a licensed surveyor, and the exact location, size, and height of the buildings or structures to be used, the existing and intended use of each structure or building or part, the number of dwelling units and other information necessary to enforce this Ordinance. All lot corners shall be established on the ground by survey stakes prior to submission of plans. One copy of such plans shall

ARTICLE 25

ADMINISTRATION AND ENFORCEMENT

Section 25.2 (continued)

be returned to the owner when such plans have been approved, and one copy of such application and plan shall be kept in the office of the Superintendent.

Section 25.3 Building Permit Issuance on Basis of Repealed Ordinances

For a period of one (1) year after the effective date of this Ordinance, a building permit may be issued for a use consistent with the provisions of repealed Ordinances No. 45382 (Zoning Code) and No. 36032 (Mortuary Ordinance) under the following conditions:

- (a) Written notice shall be served on the Superintendent by the applicant, or his designated representative, prior to the effective date of this Ordinance, together with a showing satisfactory to the Superintendent, that construction plans are in the process of preparation.
- (b) Valid application for a building permit accompanied by final plans, as required by the Superintendent, are submitted to the Superintendent during said one (1) year period.

Section 26.1 Creation of Board

AMENDED - ORD.

A- 97384
(9 members - 2
non-voting)

102290

103333

103381

There is hereby created a Board of Adjustment of the City of Seattle as a division of the Commission, which Board shall consist of five members, each to be appointed by the Mayor and approved by the Council to serve without compensation for a term of three (3) years, subject to removal by the Mayor approved by the Council. Original appointees to said Board shall serve staggered terms of: one for one (1) year, two for two (2) years, and two for three (3) years respectively. Said Board shall utilize the Commission staff in the performance of its duties and the Commission shall designate one member of the Commission staff to serve as Secretary of said Board, and such additional positions as may be necessary shall be created from time to time by ordinance to supplement the Commission staff in connection with the performance of the duties of said Board.

Section 26.2 Duties and Powers of the Board

AMENDED - ORD.

87225, 89229, 89712 - 89860,
91700, 96668, 97384, 99051
102290,

26.21 General

0-87225
0-89229
99051ORD 102290 ADDS
NEW SEC. 26.21

The Board shall have the duty and power to hear, decide, grant or deny applications for conditional uses and special exceptions in accordance with the provisions of Sections 26.22 and 26.23, and applications for variances from the provisions of this Ordinance in accordance with the provisions of Section 26.25. Decisions of the Board shall be final, provided that written notice of appeal from the Board's

Section 26.2 (continued) AMENDED ORD. 87225, 89712, 89860,

26.21 (continued)

decision to the Council may be filed with the City Clerk within ten (10) days from the date of filing of such decision in the City Clerk's Office; and the Council shall within thirty (30) days of such filing conduct a public hearing and render a decision upon such appeal.

26.22 Conditional Uses

AMENDED ORD.

9905)

ORD 102290 ADDS
NEW SEC. 26.22

In considering applications for conditional uses, the Board shall consider the nature and condition of all adjacent uses and structures, and no such conditional use shall be authorized by the Board unless the Board finds that the authorizing of such conditional use will not be materially detrimental to the public welfare or injurious to property in the zone or vicinity in which the property is located, and that the authorization of such conditional use will be consistent with the spirit and purpose of this Ordinance. In authorizing a conditional use, the Board may impose such requirements and conditions with respect to location, installation, construction, maintenance and operation and extent of open spaces in addition to those expressly set forth in this Ordinance, as may be deemed necessary for the protection of other properties in the zone or vicinity and the public interest.

26.23 Special Exception Applications:

ORD 102290
ADDS NEW
SEC. 26.23

Subject to the considerations stipulated in Section 26.22, the Board may authorize the following special exceptions:

Section 26.2 (continued) AMENDED ORD: 87225, 89712, 89860

26.23 (continued)

0-99051 (a) Exceptions to height limits:

(1) Industrial Structures: An industrial structure which by reason of its intended use, requires exceptional height; provided however, that all such structures or portions of structures above the otherwise applicable height limit shall not occupy more than twenty five (25%)^{percent} of the lot area and shall be distant forty (40) feet or more from every lot line not a street lot line, and, when within airport areas, shall not be inconsistent with the intent and purpose of Section 22.21.

(2) Vertical Extension of Existing Building
Vertical extension of a building to the height shown by the original plans, provided such building was actually designed and constructed to carry the additional stories and provided further that said building existed upon the effective date of this Ordinance.

(3) Addition to a Building: An addition to a building or to a portion of a building to the same height as said building where the addition is essential to completion of a unit planned as such prior to the effective date of this Ordinance, and provided that application for the addition is made within ^{five}(5) years after the effective date of this Ordinance.

(b) Temporary Uses: A temporary use of premises in any zone not involving the erection of any permanent structure may be authorized by the Board therefor through issuance of a temporary and revocable permit for a period of not more than six (6) months.

Section 26.2 (continued) AMENDED ORD. 87225, 89712, 89860,

26.23 (continued)

- (c) Stone quarry, sand, gravel or clay pits: The use of premises in any zone for the excavation of stone, sand, gravel, clay or other natural deposits may be authorized by the Board for a period of one (1) year, subject to the following provisions: Plans for such excavations shall consist of two (2) copies of a topographic map, with such cross-sections as are necessary to show adequately the topography of the property in question and its relation to streets, alleys, and surrounding property, together with two (2) copies of a similar map showing the extent of the proposed excavation and the contours of the ground after the removal of the material. A copy of each map shall be submitted to the City Engineer who shall report to the Board his findings. Before authorizing such use, the Board shall request a report from the Commission in order to determine whether the proposed excavation will interfere with logical future development of the tract for building or other purposes, and whether it will depreciate the value of nearby property.

26.24

26.25 Application for Variance:

- 0-99051 (a) In specific cases the Board may authorize variances from the provisions or requirements of this Ordinance which will not be contrary to the public interest; but only where, owing to special

Section 26.2 (continued) AMENDED ORD. 87225, 89712, 89869

26.25 (continued)

conditions pertaining to a specific piece of property, the literal interpretation and strict application of the provisions or requirements of this Ordinance would cause undue and unnecessary hardship. No such variance in the provisions or requirements of this Ordinance shall be authorized by the Board unless the Board finds that all the following facts and conditions exist:

- (1) Exceptional or extraordinary circumstances or conditions applying to the subject property or to the intended use thereof that do not apply generally to other properties in the same zone or vicinity.
- (2) Such variance is necessary for the preservation and enjoyment of a substantial property right of the appellant possessed by the owners of other properties in the same zone or vicinity.
- (3) The authorization of such variance will not be materially detrimental to the public welfare or injurious to property in the vicinity or zone in which the property is located.
- (4) The authorization of such variance will not adversely affect the comprehensive land use plan.

- (b) In authorizing a variance, the Board may attach thereto such conditions regarding the location, character and other features of the proposed structures or use as it may deem necessary to carry out the spirit and purposes of this Ordinance and in the public interest. A variance so authorized shall become void after the expiration of one/⁽¹⁾year if no substantial construction has taken place in accordance with the plans for which such variance was authorized.

ARTICLE 26

BOARD OF ADJUSTMENT

Section 26.3 Board Procedure

0- 88283

0- 89712

0- 89229

0- 89860

0- 47499

0- 102290

26.31 General

- (a) The Board shall adopt rules and regulations for its own government, not inconsistent with the provisions of this or any other ordinance of the City of Seattle. Meetings of the Board shall be held at the call of the Chairman and at such other times as the Board may determine.
- (b) All official meetings of the Board shall be open to the public. The Board shall keep minutes of its proceedings, showing the action of the Board upon each question, and shall keep records of its examinations and other official actions taken by it, all of which shall be immediately filed in the office of the Board and shall be a public record.
- (c) All actions of the Board shall be by resolution, which shall include the reasons for each decision. The concurring vote of three (3) members of the Board shall be necessary to decide in favor of an applicant on any matter upon which it is required to render a decision under this ordinance.

26.32 Filing Applications

An application to the Board, in cases in which it has jurisdiction under the provisions of this Ordinance, may be made by any property owner, tenant, authorized agent or any government officer, department, board or bureau affected. Such application, together with all the plans, specifications and other papers

ARTICLE 26

BOARD OF ADJUSTMENT

Section 26.3 (continued) AMENDED ORD. 87225, 89712, 89860,

26.32 (continued)

pertaining to the application, shall be filed with the Secretary of the Board. Each application shall be accompanied by a receipt of the City Treasurer showing payment by the applicant of a fee of twenty-five (25) dollars.

26.33

26.34 Board Hearings

When an application addressed to the Board has been filed in accordance with the provisions of this ordinance the Secretary of the Board shall set a date for hearing the same. Notice of such hearing shall be given not less than ten (10) days prior to the date of such hearing to the public by posting not less than two placards in conspicuous public places within three hundred (300) feet of property concerned, and to the applicant and the Superintendent personally or by mail. Such placards and notices shall be in the form prescribed by the Board and shall set forth the time, place and purpose of such hearing; and such additional notices may be given by mail as determined by the Board.

ARTICLE 26

BOARD OF ADJUSTMENT

Section 26.3 (continued) AMENDED ORD: 87225, 89712, 89860,

26.35 Decisions of the Board

The Board shall decide all applications at a public hearing not later than forty five (45) days after the filing of an application. A certified copy of the final decision shall be transmitted to the applicant, the Superintendent, the City Clerk and the Commission, not later than five (5) days after such decision, and unless said decision is appealed to the Council within fifteen (15) days of the date thereof, the same shall be final. The Superintendent shall be bound by and incorporate the terms and conditions of any final decision in the permit to the applicant wherever a permit is authorized.

26.4

NON-INTERFERENCE (Added by ORD 102290)

ARTICLE 27

AMENDMENT TO ORDINANCE

Section 27.1 Procedure for Amendment by Petition AMENDED ORD. 88921

27.11 Filing Petition

AMENDED ORD.
91138

92998
96252
97499
102290

A petition to amend the Zoning Ordinance shall be filed with the City Clerk by the property owners, or authorized agents, or group of interested persons, and shall be transmitted by the City Clerk to the Council. Such petition shall be in the form of a letter, addressed to the Council, and signed by the owner, or authorized agent, or a group of interested persons. If such petition is for an amendment to the official Zoning Map then it shall include a legal description and the location of property sought to be reclassified, present and proposed zoning classification, justification for the requested change, name and address of the owners of the property, and a statement as to the petitioner's interest in the property to be reclassified, if other than the owner, and shall be accompanied by receipt of the City Treasurer showing payment by the applicant of a fee of fifty (\$50) Dollars to defray costs of processing said petition. No fees will be refunded.

102290 27.12 Referral of Petition to Commission

The Council shall refer each petition for amendment to the Zoning Ordinance to the Commission for recommendation.

27.13 Commission Hearings

The Commission, before making its recommendation to the Council shall consider and reach a decision on each proposed Zoning Ordinance amendment at a public hearing. There shall be each year and ninety (90) days apart, four (4) public hearings for this purpose. Notice of the time, place and purpose of a Commission hearing shall be given in the following manner:

Section 27.1 (continued) AMENDED ORD: 88921

27.13 (continued)

- (1) In connection with a hearing on a proposed amendment of the Zoning Map involving an area of less than ten (10) acres, by mailing written notice not less than ten (10) days prior to the date of such hearing to the owners of all property proposed for zone reclassification, and of all property within three hundred (300) feet thereof, using for this purpose the names of property owners as shown upon the records of the County Treasurer. Failure to send notices by mail to any property owner, where the address of such owner is not included in the County records, shall not invalidate any proceedings in connection with such amendment.
- (2) In connection with a hearing on a proposed amendment of the Zoning Ordinance text or on a proposed amendment of the Zoning Map involving an area of ten (10) acres or more, by publishing notification in the official City publication not less than ten (10) days nor more than twenty (20) days prior to the date of hearing.
- (3) The Commission may recess any hearing in order to obtain additional information, or to serve further notice upon such other property owners or persons as it decides may be interested in such application or appeal. Upon recessing for such purpose the Commission shall announce the time and date when such hearing will be resumed.
- (4) The Commission shall transmit its findings and recommendation to the Council within thirty (30) days after the conclusion of the quarterly hearing at which the matter is considered.

ARTICLE 27

AMENDMENT TO ORDINANCE

Section 27.1 (continued) AMENDED ORD. 88921

27.14 Council Hearings

After receipt by the Council of the findings and recommendations of the Commission, the Public Safety Committee or other committee of the Council shall hold a public hearing to consider such findings and recommendations. Notification as to the time and place of such Council hearing shall be given at the Commission hearing at which the subject amendment is considered or by the City Clerk in the manner prescribed in Section 27.13.

27.15

27.16 Petitioning Limited

No petition for a zone boundary or zone classification amendment to the Zoning Ordinance shall be again considered by the Council where the requested change has been denied after public hearing within the twelve (12) month period immediately preceding the filing of such petition.

Section 27.2 Procedure for Amendments initiated by Council

AMENDED ORD.

102290

The Council shall refer its proposals for amendments to the Zoning Ordinance to the Commission for recommendation. Thereafter the Commission and the Council shall follow the procedures set forth in Sections 27.13, 27.14 and 27.15.

SECTION 27.41 (ADDED BY ORD. 87326, APPROVED JULY 7, 1958)

AMENDED ORD.

88283

ARTICLE 27

AMENDMENTS TO ORDINANCE

Section 27.3 Procedure for Amendments Initiated by Commission

AMENDED - ORD.

102290 Amendments initiated by the Commission shall be subject to the provisions of Section 27.13 and 27.14.

Section 27.4 Special Review of Ordinance ~~REPEALED-ORD. 94036~~

REPEALED-ORD.
94036

- (a) At least once each three (3) months during the year immediately following the effective date of this Ordinance, the Council, or a committee thereof, shall hold a special hearing for the purpose of reviewing applications to amend this ordinance. Such hearings shall be limited to applications concerning property which has been changed by this ordinance in basic classification. The Council shall refer all such applications to the Commission for review and recommendation prior to action thereon.

Applications for zoning map amendments made pursuant to this provision will not be subject to the fee stipulated in Section 27.11 (a) of this Ordinance.

- (b) The provisions applicable to the EBM zone are hereby suspended pending further action by ordinance, and properties so classified shall be subject to the regulations for the CM zone; and further, the bulk provisions for non-residential structures in BM and CM zones are in a like manner suspended. Pending such action by ordinance, the City Council or a committee thereof shall conduct a series of conferences with interested parties during a period of not more than one (1) year to ascertain appropriate zoning provisions for the Central Business District.

ARTICLE 27.

SECTION 27.4 COMMISSION HEARING ON TEXT AMENDMENTS (NEW SEC. ADDED BY ORD 102290)

SECTION 27.41 COUNCIL CONSIDERATION OF COM'N RECOMMENDATIONS (NEW SEC. ADDED BY ORD 102290).

SECTION 27.5 HEARING EXAMINER'S HEARING ON MAP AMENDMENTS (ADDED BY ORD 102290)

SECTION 27.51 COUNCIL CONSIDERATION OF HEARING EXAMINER'S RECOMMENDATIONS (ADDED BY ORD 102290)

SECTION 27.6 FINAL ACTION BY COUNCIL (ADDED BY ORD 102290)

SECTION 27.7 PETITIONING LIMITED (ADDED BY ORD 102290)

SECTION 27.8 COND'L USES AUTHORIZED BY COUNCIL - APPLICATION (ADDED BY ORD 102290)

SECTION 27.81 REPORT BY DIRECTOR (ADDED BY ORD 102290)

SECTION 27.82 NOTICE (ADDED BY ORD 102290)

SECTION 27.83 HEARING EXAMINER'S HEARING ON COND'L USE (ADDED BY ORD 102290)

SECTION 27.84 COUNCIL CONSIDERATION (ADDED BY ORD 102290)

Section 28.1 Procedure for applying for specified conditional uses.

28.11 Filing application

0-88920
92998
94970
96252
96372
97499
102290 Application for conditional uses to be authorized by the Council may be filed with the City Clerk by the property owner, tenant, authorized agent, or any government officer, department, board or bureau affected. Such application, together with all the plans, specifications and other papers pertaining to the application shall be accompanied by a receipt of the City Treasurer showing payment by the applicant of a fee of twenty-five (25) dollars.

28.12 Referral of Application to Commission

The Council shall refer each such application for conditional use to the Commission for recommendation.

28.13 Commission Hearings

The Commission, before making its recommendation to the Council on any application for a conditional use, shall consider the same at a public hearing to be held within thirty (30) days after receipt of such application. Notice of such hearing shall be given not less than ten (10) days prior to the date of such hearing to the public by posting not less than two placards in conspicuous public places within three hundred (300) feet of the property to which such application relates and to the applicant and Superintendent personally or by mail. Such placards and notices shall be in the form prescribed by the Commission and shall set forth the time, place and purpose of such hearing; and such additional notices may be given by mail as determined by the Commission.

Section 28.1 (continued) AMENDED ORD. 88920

28.13 (continued)

- (b) The Commission may carry over consideration of any application to a subsequent hearing in order to obtain additional information, or to serve further notice upon such other property owners or persons as it decides may be interested in such application.
- (c) The Commission shall transmit its recommendation to the Council within thirty (30) days after the hearing at which the matter is decided.

28.14 Council Hearings

- (a) After receipt by the Council of the findings and recommendations of the Commission, the Public Safety Committee of the Council shall hold a public hearing to consider such findings and recommendations. Notification as to the time and place of such Council hearing shall be given at the Commission hearing at which the subject amendment is considered or by the City Clerk in the manner prescribed in Section 27.13.

(Sec. 28.15 - Ord 94970 adds - this is not on municipal)

SECTION 28.2 SPECIAL EXCEPTIONS (ADDED BY ORD. 102290)

SECTION 28.3 VARIANCES (ADDED BY ORD. 102290)

SECTION 28.4 APPLICATIONS (ADDED BY ORD 102290) - Amended: 103294,

SECTION 28.41 REPORT OF DIRECTOR (ADDED BY ORD 102290)

ARTICLE 28 CONT'D

SECTION 28.42 NOTICE OF HEARING EXAMINER'S HEARING (ADDED BY ORD 102290)

SECTION 28.43 HEARING BEFORE HEARING EXAMINER (ADDED BY ORD 102290)

SECTION 28.5 APPEAL TO THE BOARD OF ADJUSTMENT (ADDED BY ORD 102290)
AMENDED-ORD. 103381

SECTION 28.51 NOTICE OF BOARD OF HEARING (ADDED BY ORD 102290)

SECTION 28.52 BOARD APPEAL LIMITED (ADDED BY ORD 102290)

SECTION 28.53 BOARD CONSIDERATION (ADDED BY ORD 102290)

SECTION 28.54 BOARD DECISIONS (ADDED BY ORD 102290)
AMENDED-ORD. 103381

SECTION 28.55 APPLICATIONS LIMITED (ADDED BY ORD 102290)

ARTICLE 29

SEPARABILITY

Section 29 If any section, paragraph, subdivision, clause, phrase, or provision of this Ordinance shall be adjudged invalid or held unconstitutional, the same shall not affect the validity of this Ordinance as a whole or any part or provision thereof other than the part so decided to be invalid or unconstitutional.

ARTICLE 30

VIOLATIONS AND PENALTIES

Section 30 Anyone violating or failing to comply with any of the provisions of this Ordinance shall upon conviction thereof be fined in a sum of not exceeding three hundred dollars (\$300.00) or imprisoned in the City jail for a term not exceeding ninety (90) days, or may be both so fined and imprisoned and each day that any one shall continue to violate or fail to comply with any of the provisions of this Ordinance shall be considered a separate offense.

ARTICLE 31

REPEAL

Section 31 That Ordinance No. 36032, entitled:

"AN ORDINANCE relating to and providing for the location of undertaking establishments, morgues, public, community or association mausoleums, and crematories for the disposition of the bodies of the dead within certain districts and localities within the City of Seattle, and prohibiting the construction and maintenance of such institutions outside of such districts, providing penalties for violation and repealing all ordinances in conflict.",

approved May 20, 1916, and Ordinance No. 45382, entitled:

"AN ORDINANCE regulating and restricting the location of trades and industries; regulating and limiting the use of buildings and premises, and the height and size of buildings; providing for yards, courts or other open spaces; establishing districts for the said purposes; defining offenses and prescribing penalties.",

approved June 28, 1923, be and the same are hereby repealed; Provided, that such repeal shall not be construed as affecting the application of such ordinances to violations thereof prior to the effective date of this ordinance.

Section 32... This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 24 day of June, 1957,
and signed by me in open session in authentication of its passage this 24 day of
June, 1957. Clara Kiser

President _____ of the City Council.

Approved by me this 24 day of June, 1957.
Jordan J. Clinton
Mayor.

Filed by me this 24 day of June, 1957.

Attest: Noshonoma

City Comptroller and City Clerk.

(SEAL)

Published JUL 9 1957

By W. A. Perrine

Deputy Clerk.