

Chapter 17.55

CI-1 COMMERCIAL AND INDUSTRIAL ZONE

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17.55.010 Title.

This chapter shall be called “CI-1 Commercial and Industrial Zone.” (Ord. 1857 § 2 (Exh. B), 2018).

17.55.020 Application.

This chapter shall apply to all uses and developments in areas zoned CI-1. (Ord. 1857 § 2 (Exh. B), 2018).

17.55.030 Purpose.

The CI-1 zone is intended to implement the CI comprehensive plan designation by accommodating a mix of light industrial and outdoor sales uses including automobile and recreational vehicles sales, heavy equipment sales, lumber yards, contractor offices, nurseries, light industry, storage buildings, and other similar uses. The uses permitted in this zone are typically auto-oriented, rely on good freeway access and visibility, have associated outdoor storage or sales lots, or involve low impact industrial or manufacturing processes, such as food preparation and processing and the assembly of products from pre-manufactured components or materials. Uses that involve outdoor manufacturing, loud or consistent noises, or that result in noxious odors or emissions are not permitted. In addition, uses, such as hotels, nursing homes, and apartments, that could interfere with, or be negatively impacted by, the intended purposes of the CI-1 zone are prohibited or restricted. The regulations in this chapter are intended to create an attractive and welcoming environment and are focused on minimizing clutter and contributing to a sense of unity and order.

17.55.040 Authority.

This chapter is adopted pursuant to the provisions of chapters 35.63, 35A.63, 36.70A, and 36.70B RCW and other applicable laws and regulations. (Ord. 1857 § 2 (Exh. B), 2018).

17.55.050 Permitted primary uses.

- A. Indoor commercial entertainment, all types;
- B. Craft industries;
- C. Personal services;
- D. Retail, all types;
- E. Offices, all types;
- F. Drive through facilities;
- G. Contractor offices;
- H. Private passenger transportation services;
- I. Car wash;

- J. Meeting facilities, all sizes;
 - K. Passenger and recreational vehicles sales;
 - L. Commercial child day care centers, all sizes;
 - M. Eating and drinking establishments, all sizes;
 - N. Heavy vehicle and equipment sales;
 - O. Pet boarding, daycare, subject to the following:
 - 1. Kennels shall be entirely indoors;
 - 2. Outside exercise areas shall be surrounded on all sides not adjacent to a building or structure by a solid masonry wall six feet in height and screening shall be provided between the wall and adjoining property lines or streets consistent with the requirements for a Type III separation buffer identified in BMC 17.81.110;
 - 3. Outside exercise areas shall be used for short term supervised play and exercise only. Animals shall not have access to individual outdoor runs or be left unsupervised, or for extended periods of time, in outdoor areas.
 - Q. Fueling stations;
 - R. Veterinary clinics;
 - S. Hospitals;
 - T. Laboratories and research facilities;
 - U. Lumber yards;
 - V. Manufactured home sales;
 - Y. Health care facilities, all sizes;
 - Z. Specialized instruction;
 - AA. Personal storage;
 - BB. Nurseries and garden supply;
 - DD. Industrial, minor;
 - FF. Private schools, all sizes;
 - GG. Theaters;
 - HH. Vehicle repair, all types;
 - II. Utilities, small and medium; (Ord. 1857 § 2 (Exh. B), 2018).
 - JJ. Commercial laundries;
- 17.55.060 Permitted accessory uses.**
- A. Automobile parking facilities and charging stations;
 - B. Outdoor storage yards and sales lots;

- C. Caretaker dwellings and employee or student housing;
- D. Warehousing and distribution;
- E. Accessory buildings and structures associated with a permitted primary use;
- F. Telecommunication macro facilities, subject to the following requirements:
 - 1. Macro facilities may be located on buildings and structures; provided, that the immediate interior wall or ceiling adjacent to the facility is not a designated residential space.
 - 2. The macro facility shall be exempt from review by the community development director or designee if the antenna and related components are the same color as the existing building, pole or support structure on which it is proposed to be located.
 - 3. The shelter or cabinet used to house radio electronic equipment shall be contained wholly within a building or structure, or otherwise appropriately concealed, camouflaged or located underground.
 - 4. Macro facilities shall comply with the height limitation specified for all zones except as follows: Omnidirectional antennas may exceed the height limitation by 15 feet, or in the case of nonconforming structures the antennas may extend 15 feet above the existing structure. Panel antennas may exceed the height limitation if affixed to the side of an existing building and architecturally blends in with the building. Placement of an antenna on a nonconforming structure shall not be considered to be an expansion of the nonconforming structure. (Ord. 1857 § 2 (Exh. B), 2018).
- G. Heavy vehicle and equipment repair, when associated with a related sales use;
- H. Heliports, when associated with a hospital or healthcare facility.

17.55.070 Conditional uses.

The following uses may be permitted when a conditional use permit has been issued pursuant to the provisions of Title 14A BMC:

- A. Multiunit buildings and nursing homes, all sizes, subject to the following:
 - 1. Enhanced pedestrian amenities shall be provided;
 - 2. The site shall not have frontage on I-5 or an arterial street;
 - 3. The applicant shall demonstrate why the parcel is not suitable for outdoor sales or minor industrial uses, taking into consideration factors such as the size, configuration, and location of the site, market conditions, visibility, critical area constraints, and other uses in the vicinity of the proposal;
 - 4. The development shall include measures to protect residents and occupants from light, glare, and noise impacts commonly associated with outdoor sales and minor industrial uses. At a minimum screening shall be provided consistent with the requirements for a Type III separation buffer identified in BMC 17.81.110;
 - 5. Large multiunit buildings, large nursing homes, and any residential development including more than eight dwelling units shall be subject to the following activity area requirements:
 - a. A children's play area(s) shall be provided with a minimum area of 225 square feet plus 20 additional square feet for each unit or nursing home room. Nursing homes may provide a picnic area, community room, or community garden in place of play area;
 - b. Common open space shall be provided for passive or active outdoor recreation at a rate of 50 square feet for each unit or nursing home room;

- c. Individual patios, decks, or balconies shall be provided for at least 25 percent of the units or nursing home rooms.
6. Pedestrian access shall be provided throughout the site and shall provide a complete and logical circulation system that connects each dwelling unit or nursing home room to adjoining streets and developments, parking areas, common areas, and trash and recycling areas. Pedestrian paths shall be equipped with pedestrian scale lighting.
7. Trash and recycling areas shall be located in a central location and fully screened from view. Trash and recycling areas shall not be visible from adjoining public streets or neighboring properties.
8. Exterior lighting shall be provided for parking areas, access streets, and pedestrian paths in accordance with the requirements of Chapter 17.70 BMC.
9. Parking areas shall be located behind, between, or alongside buildings. Parking shall not be located between a street and a building and shall be fully screened from view.

B. Hotels and emergency housing, subject to the following:

1. Enhanced pedestrian amenities shall be provided;
2. The site shall not have frontage on I-5 or an arterial street;
3. The applicant shall demonstrate why the parcel is not suitable for outdoor sales or minor industrial uses, taking into consideration factors such as the size, configuration, and location of the site, market conditions, visibility, critical area constraints, and other uses in the vicinity of the proposal;
4. The development shall include measures to protect occupants from the light, glare, and noise impacts commonly associated with outdoor sales and minor industrial uses. At a minimum screening shall be provided consistent with the requirements for a Type III separation buffer identified in BMC 17.81.110;
5. Parking areas shall be located behind, between, or alongside buildings. Parking shall not be located between a street and a building and shall be fully screened from view.

C. Outdoor commercial entertainment;

D. Pet boarding, overnight, subject to the following:

1. Outdoor runs and exercise areas shall not be located between the primary structure and an adjoining street or public right-of-way;
2. Areas containing outdoor runs or exercise areas shall be surrounded on all sides not adjacent to a building or structure by a masonry wall six feet in height and screening shall be provided between the wall and adjoining property lines or streets consistent with the requirements for a Type III separation buffer identified in BMC 17.81.110;
3. Outdoor runs may be provided but individual indoor sleeping areas shall be provided for all pets;
4. Overnight boarding facilities shall include additional measures to mitigate and reduce the sound of barking including, but not limited to, acoustic insulation, additional landscaping, masonry walls, and operational procedures;
5. Overnight boarding facilities shall only be permitted on sites where all of the adjacent parcels are zoned CI-1 or CI-2. If the site is adjacent to an unincorporated area, all of the adjacent unincorporated parcels shall have a Skagit County natural resource lands designation;
6. The site shall not have frontage on I-5 or an arterial street.

E. Heavy vehicle and equipment repair;

F. Towing service, subject to the following:

1. All outdoor storage yards or outdoor areas where vehicles are impounded shall be consistent with the requirements of BMC 17.55.080.B;
2. The towing service shall maintain a registration as required by Chapter 46.55 RCW. Only towing services with a current Washington State registration shall be considered a legally authorized use;
3. The term "towing service" does not include wrecking yards or hulk haulers which are prohibited uses in the CI-1 zone.

G. Shooting range, indoors, subject to the following:

1. Indoor shooting ranges shall include additional measures to mitigate and reduce the sound of gunfire including, but not limited to, acoustic insulation, additional landscaping, masonry walls, and operational procedures, and hours of operation;
2. Indoor shooting ranges shall only be permitted on sites where all of the adjacent parcels are zoned CI-1 or CI-2. If the site is adjacent to an unincorporated area, all of the adjacent unincorporated parcels shall have a Skagit County natural resource lands designation;

17.55.080 Additional regulations.

A. No on-site hazardous substance processing and handling, or hazardous waste treatment and storage facilities shall be permitted, unless clearly incidental and secondary to a permitted use, subject to the requirements of the International Fire Code.

B. Outdoor storage yards and service areas. All service yards shall be surrounded on all sides not adjacent to a building by a solid, site obscuring fence or wall six-feet in height and landscaped consistent with the requirements for Type I screening identified in BMC 17.81.110. Outdoor storage yards and service areas shall be located behind, between, or alongside buildings and shall not be located between a buildings and a street.

C. Development abutting a less intensive zone shall provide for a transition area and screening as required by chapters 17.70 and 17.81 BMC, and shall be subject to the following:

1. Uses generating noise after 9:00 p.m. shall not be permitted, including taverns, assembly occupancies, restaurants with cocktail lounges or dance floors, all night businesses, shooting ranges, overnight pet boarding, and other similar types of uses; and
2. Measures shall be taken to prevent light and glare from being directed to residential uses. (Ord. 1857 § 2 (Exh. B), 2018).

D. Parking areas and outdoor sales lots shall be located behind, between, or alongside buildings and shall not be located between a building and a street.

17.55.090 Development standards.

A. Lot Area and Dimension.

1. Minimum lot area: none.
2. Minimum lot width: none.
3. Minimum lot depth: none.

B. Maximum Building and Impervious Surface Coverage.

1. Building coverage: none.

2. Impervious surface coverage: 80 percent.

C. Minimum Setbacks.

1. Front: none.
2. Side: none.
3. Street: none.
4. Rear: none.

D. Maximum Setbacks.

1. Front: 10 feet.
2. Street: 10 feet.
3. Exceptions. Exceptions may be granted in the following situations:
 - a. As minimally necessary to accommodate a wider sidewalk;
 - b. A portion of the building façade may be recessed as minimally necessary to accommodate a recessed pedestrian entrance or plaza. In such cases a direct pedestrian connection, with a minimum width of 10 feet shall be provided between the adjoining street and the entrance, plazas shall be surfaced with concrete or pavers, and the recessed entrance or plaza shall be publicly accessible;
 - b. As minimally necessary to avoid a utility easement that makes compliance with the maximum setback impossible;
 - c. The expansion or modification of an existing building where compliance with the maximum setback is not feasible due to the location of the existing building and the size of the proposed expansion. In such cases the expansion shall be constructed forward of the existing building line and closer to the street;
 - d. As minimally necessary to accommodate development on irregular shaped lots where the street frontages are angular or curvilinear. In such instances buildings shall be located as close as possible to the street frontages;
 - e. For corner lots, buildings shall be located at the corner or intersection;
 - f. For lots with more than two street frontages, the maximum setback shall be applied to the street frontages with the highest classification. For example, if a parcel has frontage on two arterial streets and a local access street, the maximum setback shall apply to the two arterial streets;
 - d. Drive-through uses, provided the building shall not be setback more than necessary to accommodate the drive through and queuing lanes;
 - e. Fueling stations and car washes, provided this exception applies only to fueling islands, and buildings washing equipment. Associated retail buildings shall comply the requirements of this section.

E. Maximum building height: 45 feet, except:

1. Buildings may exceed 45 feet if one foot of setback is provided from each property line for each foot the building exceeds 45 feet; and
2. An additional 15 feet of height may be permitted when parking is located under the building.

F. Fences. See BMC 17.70.070.

G. Parking. See chapter 17.85 BMC.

H. Landscaping. See chapter 17.80 BMC.

I. Signs. See chapter 17.95 BMC. (Ord. 1857 § 2 (Exh. B), 2018).

J. Lighting. See chapter 17.70 BMC:

