

Chapter 19.45
BC—COMMUNITY BUSINESS DISTRICT

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19.45.010 Purpose and intent.

The purpose of the Community Business (BC) zoning district is to provide for small commercial areas to serve surrounding local neighborhoods. These regulations are intended to encourage: (1) convenient services and retail for nearby residents; (2) local business viability; and (3) an attractive physical environment that is oriented to pedestrians, visible to customers, suitable for mixed uses, and sensitive to the residential character of nearby neighborhoods.

19.45.020 Allowed uses.

The land uses identified in the following table are allowed in the BC District unless otherwise prohibited by another provision of the municipal code. The manner in which the uses are allowed is shown in the following table. The table lists potential uses in the left-hand column, with major categories of use indicated by bold font and, as appropriate, specific uses shown in standard font directly below the associated major use category. The four columns on the right list four methods for allowing each use. The methods are abbreviated as: “P” for “permitted use,” “C” for “conditional use,” “A/P” for “accessory permitted use,” and “HO” for “home occupation conditional use.” An X marks by which method the use is allowed; if an X is not indicated after a major category of use, it is not allowed, except as specifically provided in the table. If a use is not included in the table below, it is not allowed in this district unless otherwise specifically allowed pursuant to Title 18. Footnotes provide additional information that shall be applied. All uses are also subject to additional requirements of the municipal code.

Type of Use	P	C	A/P	HO
Commercial				
Commercial facilities	X ¹			
Home occupations				X
Light Industrial				
Manufacturing facilities			X ²	
Membership Organization		X		
Medical/Healthcare	X ³			
Miscellaneous				
Guardhouse or caretaker residence			X ⁴	
Hazardous waste and treatment storage			X	
Storage facilities			X	
Parking Facilities			X	
Public Service Facilities	X ⁵			
Public Utility Facilities	X			
Recreation/Entertainment/Cultural facilities	X ⁶			
Residential				
Assisted living		X		
Group homes		X ⁷		
Motels, hotels, inns	X			
Multifamily dwellings	X ⁸			
Residential care facilities		X		
School/Daycare		X ⁹		
Transportation Facilities	X ¹⁰			

¹ With limitations on retail size per MTMC 19.45.040.

² Permitted only for processing and assembly of retail merchandise, at least some of which is displayed and sold on-site, and not to exceed a gross floor area of 5,000 square feet.

³ Excluding hospitals and ambulance services.

⁴ Except that any such facilities used for habitation must be within the same building that contains the property's primary use.

⁵ Excluding public works facilities greater than 1,000 square feet.

⁶ Excluding video arcades.

⁷ Only if established as an essential public facility, pursuant to Chapter 18.15 MTMC.

⁸ Only as part of a mixed-use development, consistent with MTMC 19.45.040 and 19.45.050, unless otherwise exempted by this chapter.

⁹ Excluding daycare homes, which are subject to home occupation permits.

¹⁰ Excluding any building or shelter greater than 200 square feet in area.

19.45.030 Building types, locations, and dimensions.

A. Building type defined. The following are the general building types, based on the number of stories, which are allowed within the BC district, subject to subsections B and C of this section:

1. Building Type A: One-story commercial building;
2. Building Type B: Two-story commercial or mixed-use building;
3. Building Type C: Three-story commercial or mixed-use building;
4. Building Type D: Four story commercial or mixed-use building;
5. Building Type E: Townhome or live/work unit comprising two or three stories.

B. Location by building type. The location of each building type, as identified in subsection A of this section, is limited within the BC district, based on the following:

1. Building Types A, B, and C may be located on any legal parcel in the BC district.
2. Building Type D may be located on any legal parcel in the BC district, provided that the parcel is north of 216th Street SW.
3. Building Type E may be located on any legal parcel in the BC district, except that it shall not be located within 50 feet of the public street right-of-way unless one of the following conditions apply: (a) the building faces 224th Street SW; or (b) the building contains at least 150 square feet of ground floor space suitable for a home occupation or commercial use, provided that such space has a publicly accessible entry which is separate from the entry to the dwelling and provided further that the building does not front an arterial.

C. **Dimensional requirements.** The dimensional requirements for each building or lot are listed in the table below, subject to other provisions of this chapter.

Front yard setback (min./max.)	5 feet ¹ /15 feet
Rear yard setback (min.)	0/20 feet ²
Side yard setback (min.)	0/10 feet ²
Lot width at street (min.)	50 feet
Lot coverage (max.)	40/75% ³
Building height (max.)	
South of 216 th Street SW	3 stories ⁴
North of 216 th Street SW	4 stories ⁵
Minimum landscaped area (as portion of lot):	
Building Type A or B	15%
Building Type C or D	10%
Building Type E	N/A
Shared open space (min.)	50% of the minimum landscaped area

¹ Except as otherwise provided in the Community Business District Design Standards.

² The greater number shall be used if the lot abuts property in any RS or RM zoning district.

³ The greater number may be used only if at least 90% of the required on-site parking is understructure.

⁴ Not to exceed 40 feet.

⁵ North of 216th not to exceed 50 feet.

19.45.040 Landscaping and shared open space requirements.

A. **Landscaping.** The percentages described for minimum landscaped area in MTMC 19.45.030.C represent the minimum portion of landscaping required. At times, to meet other requirements of this and other codes, more landscaped areas will be required. Landscaping should be appropriate to urban areas and may include decorative hardscape such as pavers, brick walkways. It may also include screening of parking areas, landscaping of setback areas, and providing usable outdoor space. In general, all areas not used for building or parking shall be landscaped.

B. **Shared open space.** For any development that contains multifamily dwellings, excluding Building Type E, 50% of the minimum landscaped area, as required pursuant to MTMC 19.45.030, shall be provided as shared open space. This space should provide for both passive and active use and be as level as the topography allows. It shall include at least one sitting area and may include other features, such as a fountain, maintained vegetation, or artwork. Where the shared open space is adjacent to a public walkway or street, direct access to all or a portion of the open space shall be provided from the public right-of-way; such access may

include provision to secure the open space from public entry at appropriate times. Shared open space may also be provided that is not part of the surface landscaped area and is limited in use only to building residents, but in such case the space will not be counted toward meeting the minimum landscaped area requirement.

19.45.050 Special regulations.

Special regulations, as specified below, shall apply to certain uses and locations in the BC district:

A. Sexually oriented businesses/adult entertainment establishments shall not be permitted.

B. For all multiple-household residential development, the ground floor shall be primarily for commercial uses, consistent with the City's building code, except that Building Type E, as provided for in MTMC 19.45.030, may have commercial or residential uses on the ground floor.

C. Bicycle storage for multiple-household dwellings shall be subject to the same standards as required within the RM districts.

D. All uses shall be conducted wholly within an entirely enclosed building except for the following:

- 1) Public utility facilities.
- 2) Parking facilities and loading areas, provided that no area outside of an enclosed building shall be used for storage, repair or sale of vehicles.
- 3) Vehicle service stations.
- 4) Outdoor advertising structures.
- 5) Sale or display of retail goods as part of a permitted farmers market, street vendor cart/stand or seasonal event, or sale or display of fresh market produce, including cut flowers, in conjunction with an adjacent business, provided that no combination of awnings or tents that comprise more than a total of 200 square feet anywhere on the lot shall remain outdoors on-site for more than 72 consecutive hours unless the structures are specifically permitted as a temporary use or part of an approved building in compliance with applicable building and fire code standards.

E. Uses that create a nuisance by reason of smoke, fumes, odor, steam, gases, vibration, hazard or noise shall be prohibited.

F. The storage of hazardous waste shall be allowed only as an accessory use to a legally established primary use of the property and shall be managed subject to all applicable federal, state, and local statutes.

G. Any use that includes an emergency vehicle as part of its operation shall be designed for emergency vehicle egress that is as safe as possible for pedestrians and traffic.

H. Street improvements, including curb, gutter, sidewalk, and planting area, shall be required for any lot that is being developed to include a new building or building expansion greater than 500 square feet, where such improvements are lacking or inconsistent with current City standards as required pursuant to MTMC 19.45.060.

I. Conditional uses shall be evaluated in part based on:

- 1) Pedestrian-orientation.
- 2) Provision for transition between single-household zones and more intense uses.
- 3) Site and building design that is sensitive to the neighborhood context.

J. Outdoor play areas that serve any school or daycare center with more than 12 juvenile attendees shall be designed in a manner that buffers potential noise impacts on any adjacent residents in a RS or RM district.

K. Single household dwellings legally established prior to March 30, 2008 may be rebuilt, repaired, expanded, and otherwise changed for human occupancy to an extent not to exceed 50 percent of the actual value of the building. Accessory uses for an existing single-household dwelling such as garages, carports, storage sheds, and fences may be constructed subject to the same limits. Any improvements shall comply with the development regulations specified for the RS 7200 zoning district for single-household dwellings and accessory structures.

L. In this zoning district, no single retail establishment, whether located in a single building or combination of buildings on a site, shall exceed 60,000 (sixty thousand) square feet of gross floor area in the aggregate. The term "gross floor area" shall include indoor and outdoor space utilized for retail display and sale of goods. The gross floor area of adjacent stores shall be aggregated in cases where the stores (1) are engaged in the selling of similar or related goods, wares or merchandise and operate under common ownership or management; (2) share checkstands, a warehouse, or a distribution facility; or (3) otherwise operate as integrated business enterprises.

M. Off-street parking shall be provided for multiple household dwellings in a total amount that equals at least 1.25 parking spaces per unit for each unit of two or less bedrooms and 1.0 additional parking space for each bedroom beyond two bedrooms in a unit. Parking spaces must include guest or flexible space, which is not contained within a private dwelling, at a ratio of at least one space for every four dwelling units unless a parking study is provided that documents to the satisfaction of the City's traffic engineer that a slightly different ratio of guest or flexible parking space is appropriate.

19.45.060 Design standards.

A. To assure an attractive, pedestrian-friendly environment, all development occurring within the BC District upon the effective date of the ordinance codified in this section, unless otherwise exempted by this chapter, shall comply with the Community Business District (BC) Design Standards which are attached hereto and adopted by reference as though fully set forth herein and which shall be available from the department. If said design standards appear to conflict with another provision of the municipal code, the design standards shall prevail.

B. The face of any garage shall not protrude further toward an abutting street than any other building face, porch or balcony on the same side of the building.

C. Building Type E shall not have a garage entry facing the public street, unless it is set back at least 50 feet from the public right-of-way, except that Building Type E may have a garage facing the residential street known as 224th Street SW if such garage is at least 20 feet from the public right-of-way and the length of the garage wall facing the street comprises no more than two-thirds of the length of the unit's street-facing building façade.

D. The standard dimension in this district for sidewalk and planting areas is a minimum of 13 feet from the face of the street curb and shall include a 5 foot planting area next to the curb and a 7.5 foot wide sidewalk, except that as necessary, any portion of the sidewalk area that is on private property may be developed as a pedestrian activity area, consistent with applicable provisions of the BC Design Standards adopted pursuant to this chapter. Sidewalks and planting

areas to meet these dimensional requirements shall be installed as development or street reconstruction occurs.

E. In association with an existing building, the addition of a new parking lot or the expansion of an existing parking lot shall be subject to parking lot standards contained in the BC Design Standards adopted pursuant to this chapter, provided that said standards apply only to the new parking lot or the portion of the parking lot being expanded.

F. Large scale trash receptacles within 20 feet of the public right-of-way shall be screened from view. Screening shall consist of solid wood or masonry fencing 6 feet high, except as provided otherwise is the BC District Design Standards adopted pursuant to this chapter.

G. Townhomes and live/work units shall be set back at least 50 feet from the public right of way of any arterial street in order to provide space for more intense commercial uses to directly front the arterial streets, except as provided for by MTMC 19.45.060.C.

H. For each building, including each townhome and live/work unit, the length of any garage wall visible from and facing the street shall comprise no more than two-thirds of the length of the building or unit's street-facing façade, and as provided for in MTMC 19.45.060.C.

19.45.070 Special use.

Wireless communication facilities are regulated under Chapter 19.137 MTMC.

19.45.080 Compliance of existing buildings with design standards.

For expansion, reconstruction, and conversion of legal non-conforming uses or buildings existing prior to March 30, 2008, Community Business District Design Standards, as adopted pursuant to this chapter, will be applied pursuant to this section, provided that in no case shall an expansion, reconstruction, alteration or conversion result in greater inconsistency with said design standards.

Type of change	Design standard applicability
<p>Expansion For expansion, based on the new floor area equaling less than 50% of all existing buildings on the site but not exceeding 5,000 square feet</p>	<p>Building design standards, excluding maximum front building setback requirements, shall apply to any new exterior wall or roofline. If the expansion, with or without any other building alterations during a five-year period, has a value that exceeds 50% of the assessed value of all the buildings on the lot, requirements for pedestrian activity areas shall also apply, except that for lots facing two streets, the pedestrian activity area is required only along the busier street.</p>
<p>Expansion For expansion, based on the new floor area equaling either at least 5,000 square feet or 50% of all existing buildings on the site, whichever is less</p>	<p>Building design standards, excluding maximum front building setback requirements, shall apply to any new exterior wall or roofline. Site design standards for pedestrian activity areas shall apply, except that for lots fronting two streets, the pedestrian activity area is required only along the busier street.</p>
<p>Demolition or Loss For demolition or casualty loss replacement that would replace or reconstruct all or substantially all of the building</p>	<p>Design standards shall apply to the entire building and site or, in the case of multiple buildings, any portion of the site related to the building being substantially or entirely replaced or reconstructed.</p>
<p>Conversion For conversion of an existing building to a new use or for re-use of a building that has been vacant or not legally occupied for the previous 24 months and not including building alterations that have a combined value greater than 50% of the assessed value of all buildings on the lot</p>	<p>Compliance with site design standards for pedestrian activity areas is required, except that for lots fronting two streets, the pedestrian activity area is only required along the busier street. Building design standards, excluding maximum front setback requirements, shall apply to any new exterior wall.</p>
<p>Alteration or expansion For building alterations, including any expansions, that during a five-year period have a combined value of greater than 50% of the assessed value of all buildings on the site</p>	<p>Compliance with building design standards, excluding maximum front building setback requirements, is required for any new or replaced exterior wall. Compliance with site design standards for pedestrian activity areas is also required, except that for any lot fronting on two streets, the pedestrian activity area is required only along the busier street.</p>