

**Ordinance 2007-17**

**AN ORDINANCE OF THE TOWN OF EATONVILLE AMENDING THE DEVELOPMENT REGULATIONS PERTAINING TO FORMULA TAKE OUT RESTAURANTS AND DRIVE-IN RESTAURANTS**

**Whereas, the Town of Eatonville's Planning Commission has recommended this ordinance for approval; and,**

**Whereas, formula take-out food restaurants are not specifically addressed in the Eatonville Municipal Code; and**

**Whereas, it is desired to permit formula take-out food restaurants in C-1 Zones subject to standards listed in EMC 18.08.020; and**

**Whereas, it is desired to permit formula take-out food restaurants in C-2 Zones;**

**NOW, THEREFORE, the Town Council hereby ordained amends Title 18.04.110 and 18.04.140 as follows:**

**18.04.110 C-1 – Downtown commercial district.**

It is the purpose of the C-1 district to provide a place and create environmental conditions which will encourage the location of dense and varied retail, office, residential, civic and recreational activities which will benefit and contribute to the vitality of a central downtown location, to recognize and preserve the historic pattern of development in the area. In the C-1 area, permitted uses should be primarily pedestrian-oriented and able to take advantage of on-street and structured off street parking lots.

A. Principally Permitted Uses in C-1 Zone. All of the uses below are permitted in the C-1 zoning district:

1. Retail establishments, including convenience goods, department and variety stores, and specialty shops such as apparel and accessories, gift shops, toy shops, card and paper goods shops, home and home accessory shops such as furniture stores and hardware stores, antique shops, and book shops;
2. Personal services such as barber and beauty shops, dry cleaning, television and radio repair, shoe repair;
3. Food-related shops, restaurants (including outdoor seating areas and excluding drive-in restaurants and formula take-out food restaurants), night clubs, and taverns;
4. Professional and administrative offices;
5. Performing and cultural arts uses, such as theatres, museums, art galleries and studios;
6. Hotels;
7. Printing establishments, business services such as copy services;
8. Mortuaries;
9. Existing dwellings may be rebuilt, repaired and otherwise changed for human

occupancy.

Accessory uses for existing buildings may be constructed. Such uses are garages, carports, storage sheds and fences;

10. Parks;
11. Multifamily residential uses;
12. Multifamily residential uses for senior citizens;
13. Banks and financial institutions (including drive-through drop boxes but excluding any other drive-in services);
14. Group homes class I-A, I-B and I-C;
15. Any other use that is determined by the planning director to be of the same general character as the above-permitted uses and in accordance with the stated purpose of the district;
16. Single-family residential uses;
17. Automobile sales;
18. Automobile repair;
19. Automobile dealership;
20. Woodworking shops with four or less personnel on the premises, including but not limited to employees, owners, proprietors, managers and sales agents.

B. Special Permit Uses. The following uses are permitted provided that they conform to the development standards listed in EMC 18.08.020:

1. Day care centers with no more than 12 children and no on-site parking;
2. Formula take-out food restaurants.

C. Accessory Uses. Permitted accessory uses are as follows:

1. Accessory uses and buildings customarily appurtenant to a permitted use, such as incidental storage facilities, which must be enclosed, and loading and unloading areas;
2. For permitted uses, hazardous substance land uses, including on-site hazardous waste treatment and/or storage facilities which do not accumulate more than 5,000 pounds of hazardous substances or wastes or any combination thereof at any one time on site, subject to the provisions of EMC 18.08.050(D)(9), except off-site hazardous waste treatment and/or storage facilities which are not permitted in this district.

D. Conditional Uses. Conditional uses are as follows:

1. Commercial parking lots or structures;
2. Railway and bus depots, taxi stands;
3. Group homes class II-A, II-B, II-C and III;
4. General conditional uses as listed in EMC 18.08.030;
5. Woodworking shops with five or more personnel on the premises, including, but not limited to, employees, owners, proprietors, managers and sales agents. Conditions for woodworking shops appear in EMC 18.08.030.

E. Development Standards. The development standards are as follows:

1. Minimum Lot. Minimum lot of record or 5,000 square feet, whichever is less;
2. Maximum Site Coverage. One hundred percent;
3. Setbacks. None except as required by landscaping or if off-street parking is provided

onsite;

4. Height Limitation. Three stories or 40 feet;

5. Landscaping. The landscaping requirements of Chapter 18.07 EMC shall apply;

6. Building construction shall conform to the following criteria:

a. Visible walls shall be of lap siding, brick, stone, or stucco with no more than 50 percent glazing of any wall and glazing area calculated to include all mullions and jambs;

b. Roofs of buildings less than 25 feet tall shall be no flatter than four feet horizontal to one foot vertical and shall be finished with dark earth-toned flat tiles, shakes, textured shingles, or metal panels.

F. Signs. The sign requirements of Chapter 18.06 EMC shall apply.

G. Off-Street Parking. The off-street parking requirements of Chapter 18.05 EMC shall apply.

(Ord. 99-11 §§ 4, 5, 1999; Ord. 99-06 § 6, 1999; Ord. 94-06 § 2, 1994).

#### **18.04.140 C-2 – General commercial district.**

The purpose and intent of the general commercial district is to recognize the existence of commercial areas developed in strips along certain major thoroughfares; to provide use incentives and development standards which will encourage the redevelopment and upgrading of such areas; to provide for a range of trade, service, entertainment and recreation land uses which occur adjacent to major traffic arterials and residential uses; and to provide areas for development which are automobile-oriented and designed for convenience, safety and the reduction of the visual blight of uncontrolled advertising signs, traffic control devices and utility equipment.

A. Principally Permitted Uses. Principally permitted uses are as follows:

1. Trade.

a. Wholesale. Bakery.

b. Retail – General Merchandise.

i. Department stores;

ii. Dry goods and general merchandise;

iii. Electrical supplies;

iv. Farm equipment;

v. Hardware;

vi. Heating and plumbing equipment;

vii. Lumberyards;

viii. Mail order houses;

ix. Merchandise vending machine operators;

x. Paint, glass and wallpaper;

xi. Variety stores.

c. Retail – Food.

i. Bakeries, with accessory manufacturing;

ii. Candy, nut and confectionery, with accessory manufacturing;

iii. Dairy products;

- iv. Fruits and vegetables;
- v. Groceries;
- vi. Meat, fish and poultry;
- d. Retail – Automotive, Marine Craft, Aircraft and Accessories.
  - i. Aircraft and accessories;
  - ii. Marine craft and accessories;
  - iii. Motor vehicles (new or used cars and recreation vehicles);
  - iv. Tires, batteries and accessories;
  - v. Gasoline service stations.
- e. Retail – Apparel and Accessories. New or used apparel and accessories.
- f. Retail – Furniture, Home Furnishings and Equipment. New or used, finished or unfinished furniture, home furnishings and equipment.
- g. Retail – Eating and Drinking Establishments.
  - i. Drinking establishments (taverns and cocktail lounges);
  - ii. Eating establishments (restaurants, including formula take-out food restaurants).
- h. Retail – Other.
  - i. Antiques;
  - ii. Bicycles;
  - iii. Books;
  - iv. Bottled gas;
  - v. Cameras and photographic supplies;
  - vi. Cigars and cigarettes;
  - vii. Computers and software;
  - viii. Drug and proprietary items;
  - ix. Florists;
  - x. Fuel and ice dealers;
  - xi. Fuel oil;
  - xii. Gifts, novelties and souvenirs;
  - xiii. Hay, grains and feeds;
  - xiv. Jewelry;
  - xv. Liquor;
  - xvi. Newspapers;
  - xvii. Optical goods;
  - xviii. Pets and pet supplies;
  - xix. Secondhand merchandise;
  - xx. Sporting goods;
  - xxi. Stationery;
  - xxii. Videocassette sales and rentals.

2. Services.

- a. Finance, Insurance and Real Estate Services.
  - i. Banking and related services;
  - ii. Commodity brokers, dealers and related services;
  - iii. Housing and investment services;
  - iv. Insurance brokers, agents and related services;
  - v. Insurance carriers;

- vi. Real estate agents, brokers and related services;
  - vii. Real estate operators, leasers and management services;
  - viii. Real estate subdividing and developing services;
  - ix. Security brokers and dealers and related services;
  - x. Title abstracting and insurance services.
- b. Personal Services.
- i. Beauty and barber services;
  - ii. Diaper services;
  - iii. Funeral and crematory services;
  - iv. Laundering and dry cleaning (self services);
  - v. Laundering, dry cleaning and dyeing services;
  - vi. Linen supply and industrial laundry services;
  - vii. Photographic services;
  - viii. Pressing, alteration and garment repair;
  - ix. Rug cleaning and repair services;
  - x. Shoe repair, shoe shining and hat cleaning services.
- c. Business Services.
- i. Advertising services;
  - ii. Automobile and truck rental;
  - iii. Blueprinting and photocopying services;
  - iv. Business and management consulting services; adjustment and collection services;
  - v. Consumer and mercantile credit reporting services; adjustment and collection services;
  - vi. Detective and protective services;
  - vii. Disinfecting and exterminating services;
  - viii. Employment services;
  - ix. Equipment rental and leasing services;
  - x. Food lockers without food preparation facilities;
  - xi. Motion picture distribution and services;
  - xii. News syndicate services;
  - xiii. Other dwelling and business services;
  - xiv. Outdoor advertising services;
  - xv. Photo finishing services;
  - xvi. Research, development and testing services;
  - xvii. Stenographic services and other duplicating and mailing services;
  - xviii. Trading stamp services;
  - xix. Window cleaning services.
- d. Repair Services.
- i. Armature rewinding services;
  - ii. Automobile repair services;
  - iii. Automobile wash services;
  - iv. Electrical repair services;
  - v. Fleet vehicle maintenance;
  - vi. Radio and television repair services;

- vii. Reupholster and furniture repair services;
  - viii. Small engine repair;
  - xix. Truck repair;
  - x. Watch, clock and jewelry repair services.
- e. Professional Services.
- i. Accounting, auditing and bookkeeping services;
  - ii. Educational and scientific research services;
  - iii. Engineering and architectural services;
  - iv. Hospital services;
  - v. Legal services;
  - vi. Medical and dental laboratory services;
  - vii. Medical and dental services;
  - viii. Medical clinic, outpatient services;
  - ix. Sanitarium, convalescent and rest home services;
  - x. Urban planning services.
- f. Contract Construction Services.
- i. Building construction, general contractor services;
  - ii. Carpentering, wood flooring, and woodworking shops;
  - iii. Concrete services;
  - iv. Electrical services;
  - v. Masonry stonework, tile setting and plastering services;
  - vi. Painting, paper hanging and decorating services;
  - vii. Plumbing, heating and air conditioning services;
  - viii. Roofing and sheet metal services;
  - ix. Water well drilling services.
- g. Educational Services.
- i. Art and music schools;
  - ii. Barber and beauty schools;
  - iii. Business and stenographic schools;
  - iv. Correspondence schools;
  - v. Dancing schools;
  - vi. Driving schools, auto;
  - vii. Driving schools, truck;
  - viii. Vocational or trade schools.
- h. Miscellaneous Services.
- i. Animal grooming parlors;
  - ii. Business associations and organizations;
  - iii. Civic, social and fraternal associations;
  - iv. Labor unions and similar labor organizations;
  - v. Veterinary clinics and animal hospital services when located no closer than 150 feet to any residential use, providing the animals are housed indoors, with no outside runs, and the building is soundproofed. Soundproofing must be designed by competent acoustical engineers;
  - vi. Welfare and charitable services.

### 3. Residential.

- a. Lodgings:
  - i. Hotels;
  - ii. Motels.
- b. Existing dwellings may be rebuilt, repaired and otherwise changed for human occupancy. Accessory uses for existing dwellings may be constructed. Such uses are garages, carports, storage sheds and fences.
- c. Transitional housing facilities, limited to a maximum of 20 residents at any one time and four resident staff.
- d. Housing:
  - i. Single-family residential uses;
  - ii. Multifamily residential uses.

4. Cultural, Entertainment and Recreational.

- a. Cultural Activities and Nature Exhibitions.
  - i. Art galleries;
  - ii. Historic and monument sites.
- b. Public Assembly.
  - i. Amphitheaters;
  - ii. Arenas and field houses;
  - iii. Auditoriums;
  - iv. Drive-in movies;
  - v. Exhibition halls;
  - vi. Legitimate theaters (live);
  - vii. Motion picture theaters;
  - viii. Stadiums.
- c. Amusements and Recreation.
  - i. Amusement parks;
  - ii. Athletic clubs;
  - iii. Bowling;
  - iv. Fairgrounds;
  - v. Go-cart tracks;
  - vi. Golf driving ranges;
  - vii. Miniature golf;
  - viii. Skating (roller or ice);
  - ix. Tennis;
  - x. Video arcades.

5. Other Uses.

- a. Other retail trade, service or entertainment or recreational uses that are of the same general character as those listed in this subsection, which are deemed compatible with other permitted uses in this district and which operate in accordance with the stated purpose of this district.
- b. Municipal uses and buildings.

B. Special Permit Uses. The following uses are permitted:

- 1. Nursery schools and day care centers;
- 2. Churches;
- 3. ~~Formula take-out food restaurants~~ Drive-in Restaurants.

C. Accessory Uses. Permitted accessory uses are as follows:

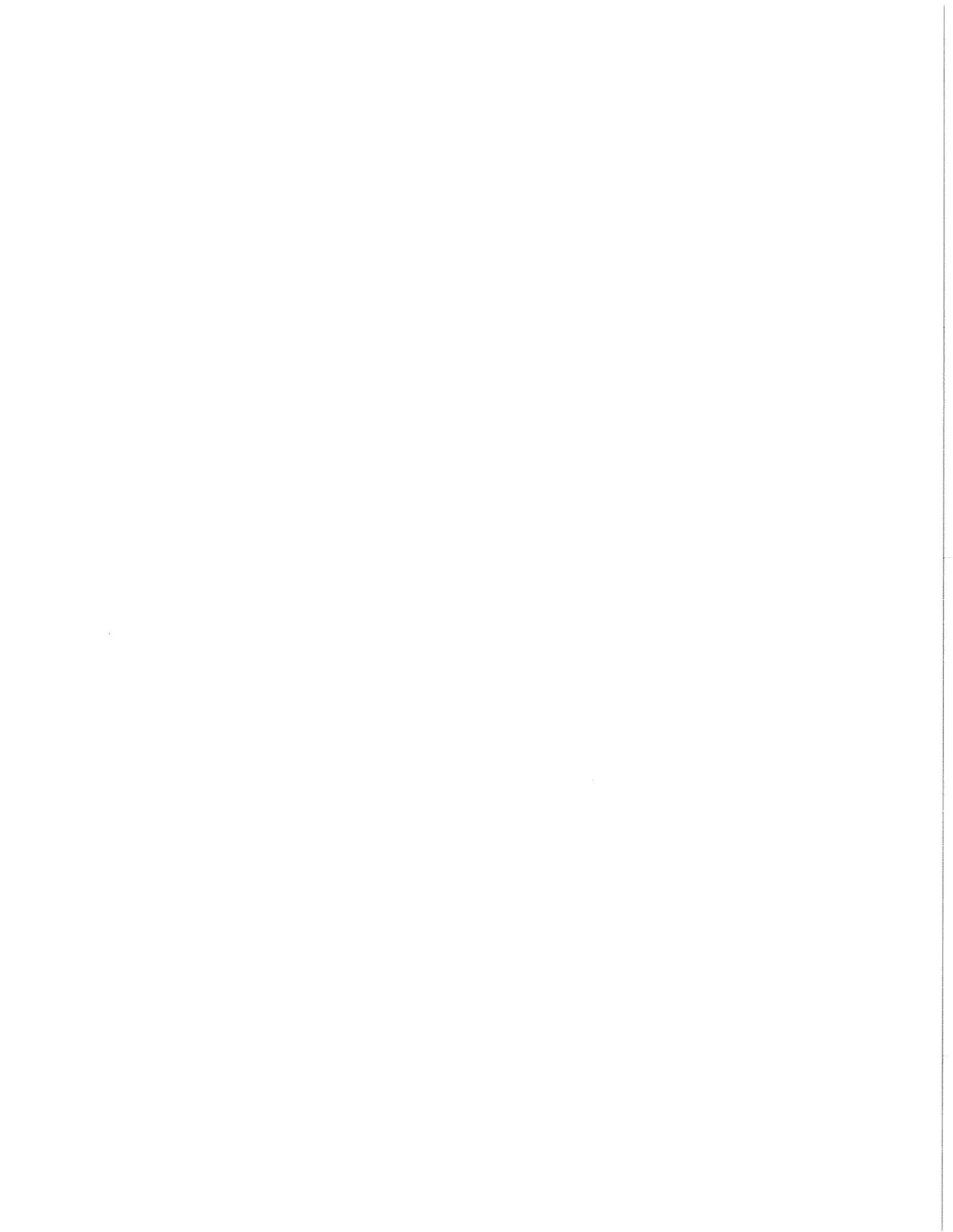
1. Accessory uses and buildings customarily appurtenant to a permitted use, such as incidental storage facilities;
2. For permitted uses, hazardous substance land uses, including on-site hazardous waste treatment or storage facilities which do not accumulate more than 10,000 pounds of hazardous substances or wastes or any combination thereof at any one time on the site, subject to the provisions of EMC 18.08.050(D)(9), except off-site hazardous waste treatment or storage facilities, which are not permitted in this district.

D. Conditional Uses. Conditional uses are as follows:

1. Printing and publishing establishments, and accessory uses and buildings customarily appurtenant to such use;
2. Mini warehouses and self-service storage;
3. General conditional uses as listed in EMC 18.08.030, except for transitional housing with a maximum of 20 residents and four staff;
4. Kennels;
5. For permitted uses, accessory hazardous substance land uses which are not subject to cleanup requirements which accumulate more than 10,000 pounds of hazardous substances or wastes or any combination thereof at any one time on the site in any 30-day period of time, subject to the provisions of EMC 18.08.050(D)(9), except off-site hazardous waste treatment or storage facilities, which are not permitted in this district;
6. Group homes class I-A, I-B, I-C, II-A, IIB, II-C and III;
7. Recreational vehicle parks.

E. Development Standards.

1. Minimum Lot. Minimum lot area is 10,000 square feet.
2. Maximum Site Coverage. Maximum site coverage is 40 percent.
3. Front Yard. There shall be a front yard of at least 25 feet in depth.
4. Side Yard. No side yard is required, except when a side yard abuts a residential district, and then a 20-foot side yard shall be required.
5. Rear Yard. No rear yard is required, except when a rear yard abuts a residential district, and then a 20-foot rear yard shall be required.
6. Height Limitations. The height limitation is 40 feet, three stories.
7. Landscaping. The landscaping requirements of Chapter 18.07 EMC shall apply.
8. Outdoor Storage. Outdoor storage areas shall be fenced for security and public safety by a sight-obscuring fence unless it is determined through the development plan review that a sightobscuring fence is not necessary.
9. Building construction shall conform to the following criteria:
  - a. Visible walls shall be of lap siding, brick, stone, or stucco with no more than 50 percent glazing of any wall and glazing area calculated to include all mullions and jambs;
  - b. Roofs of buildings less than 25 feet tall shall be no flatter than four feet



horizontal to one foot vertical and shall be finished with dark earth-toned flat tiles, shakes, textured shingles, or metal panels.

F. Signs. The sign regulations of Chapter 18.06 EMC shall apply.

G. Off-Street Parking.

1. The off-street parking requirements of Chapter 18.05 EMC shall apply.

2. Off-street parking may be located in required yards, except in areas required to be landscaped.

(Ord. 99-11 §§ 6, 7, 1999; Ord. 94-06 § 2, 1994).

**PASSED BY THE** Town Council and approved by the Mayor of the Town of Eatonville, Washington, at a regular meeting of this \_\_ day of \_\_\_\_\_, 2007.

ATTEST:

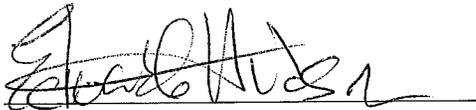


Chrystal McGlone, Town Clerk



Tom Smallwood, Mayor

APPROVED AS TO FORM:



Edward Hudson, Town Attorney