

Chapter 17.60

CI-2 COMMERCIAL AND INDUSTRIAL ZONE

Sections:

- 17.60.010 Title.
- 17.60.020 Application.
- 17.60.030 Purpose.
- 17.60.040 Authority.
- 17.60.050 Permitted primary uses.
- 17.60.060 Permitted accessory uses.
- 17.60.070 Conditional uses.
- 17.60.080 Additional regulations.
- 17.60.090 Development standards.

17.60.010 Title.

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

17.60.020 Application.

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

17.60.030 Purpose.

The CI-1 zone is intended to implement the CI comprehensive plan designation by accommodating uses such as manufacturing, warehousing, and distribution that require little or no retail contact with the general public, large tracts of land, and access to rail. The uses permitted in this zone may involve outdoor manufacturing, intensive nighttime operations, loud and consistent noise emissions, or light, glare, and odor impacts. The uses permitted in this zone may also generate heavy truck traffic or involve loading and unloading operations that are incompatible with general pedestrian or vehicle traffic. The CI-2 zoning designation is primarily associated with the North and South Burlington Industrial Areas but has also been applied to other areas of existing industrial development. The regulations in this chapter are intended to accommodate the needs of uses involving manufacturing processes, assembly, fabrication, processing, bulk handling, storage and warehousing, and outdoor activities and to minimize the impacts of such uses through the application of appropriate design and performance standards.

While non-industrial uses may, in limited circumstances, be permitted in this zone, the overall purpose of the CI-2 is to maintain a large block of industrial land, minimize conflicts between incompatible uses, and to discourage, restrict, or prohibit non-industrial uses that could conflict or interfere with the intended purposes of the zone. (Ord. 1857 § 2 (Exh. B), 2018).

17.60.040 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. (Ord. 1857 § 2 (Exh. B), 2018).

17.60.050 Permitted primary uses.

Hereafter all buildings, structures, or parcels of land shall only be used for the following, unless otherwise provided for in this title:

- A. Adult entertainment use; provided, that it shall be located a minimum of 1,000 feet from any residential zone, 1,000 feet from any school, public or private, 1,000 feet from any church, and 1,000 feet from any park, measured along the right-of-way;
- B. Vehicle parking and storage;
- C. Fueling stations;
- D. Warehousing and distribution;

E. Car wash;

F. Pet boarding, daycare and 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 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;

G. Contractor offices;

H. Nurseries and garden supply;

I. Bulk material sales and storage;

J. Heavy vehicle and equipment repair;

K. Personal storage;

L. Vehicle repair, all types;

M. Specialized instruction, limited to job training and vocational education where the course of instruction is related to another use listed as permitted in this chapter, including, but not limited to, training and education for construction trades, mechanics, industrial workers, heavy equipment and vehicle operation and repair, and machinists;

N. Lumber yards;

O. Industrial, major and minor;

V. Recreational marijuana processors and producers subject to the following:

1. The definitions set forth in BMC 17.01.050 shall apply.
2. Recreational marijuana processors and producers shall only be permitted when licensed by the state of Washington.
3. Location.
 - a. No more than one medical or recreational marijuana use or garden shall be located on a single parcel or in a single structure.
 - b. Shall be located fully within a permanent structure designed to comply with the city building code and constructed under a building permit from the city regardless of the size or configuration of the structure.
 - c. Shall not be located in a mobile structure.

d. Shall not be located within 1,000 feet of any elementary or secondary school, playground, recreation center or facility, child care center, public park, public transit center, library, or arcade, single-family residential zone or another medical or recreational marijuana use. The measurement shall be taken in a straight line from property boundary to property boundary.

e. No production, processing or delivery of marijuana may be visible to the public nor may it be visible through windows.

f. All requirements of state laws must be met.

g. All fertilizers, chemicals, gases and hazardous materials shall be handled in compliance with all applicable local, state and federal regulations. No fertilizers, chemicals, gases or hazardous materials shall be allowed to enter a sanitary sewer or storm sewer system nor be released into the atmosphere outside of the structure where the garden is located.

h. No odors shall be allowed to migrate beyond the interior portion of the structure where the garden or processing facility is located;

W. Manufactured home sales;

X. Utilities, small and medium;

Y. Outdoor storage yards;

Z. Printing, publishing, and allied industries including such processes as lithography, etching, and engraving, binding, blueprinting, photocopying, and film processing;

AA. Craft industries;

BB. Auction houses and wholesalers;

CC. Laboratories and research facilities;

DD. Private passenger transportation services;

EE. Towing service, subject to the following:

1. All outdoor storage yards or outdoor areas where vehicles are impounded shall have screening consistent with the requirements for a Type III separation buffer identified in BMC 17.81.110
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 classified as conditional uses in the CI-2 zone.

FF. Personal storage;

GG. Commercial laundries.

17.60.060 Permitted accessory uses.

A. Caretaker dwellings and employee or student housing;

B. Offices, all types;

C. On-site day commercial child day center serving the employees of a permitted use;

D. On-site recreational facilities serving the employees of a permitted use;

- E. Outdoor storage yards and sales lots;
- F. Eating and drinking establishment;
- G. Retail and wholesale trade of products produced, manufactured, or assembled on site;
- H. Telecommunication macro facilities may be permitted, subject to the following requirements, except as limited by the Telecommunications Act of 1996 as amended:
 - 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 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.
 - 3. 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.
- I. Existing monopole I and lattice towers may be extended in height to maximum of 160 feet in height without complying with setback requirements. (Ord. 1857 § 2 (Exh. B), 2018).

17.60.070 Conditional uses.

The following uses shall be considered conditional uses and shall require a conditional use permit:

- A. Meeting facilities, all sizes;
- B. Wrecking yards and hulk haulers;
- C. Indoor commercial entertainment, all types;
- D. Outdoor commercial entertainment;
- E. Shooting range, indoors;
- F. Utilities, large;
- G. Truck stop;
- H. Industrial, high impact;.
- I. Animal and food processing including the following:
 - 1. Tanning and dressing of hides,
 - 2. Curing, canning, freezing, canning and processing of meat and seafood,
 - 3. Pickling and brine curing;
- T. Bulk storage or processing of oil, gas, petroleum, butane, liquid petroleum, gas and similar products, unless clearly incidental and secondary to support a principally permitted use;
- U. Concrete mixing and batching plants, including ready-mix concrete facilities;
- Z. Rock crushing plants;

AA. Sales and rental of motorized vehicles;

BB. Transmission towers, subject to the following, except as limited by the Telecommunications Act of 1996 as amended:

1. Antennas may not extend more than 15 feet above their supporting structure, monopole, lattice tower, building or other structure;
2. Site location and development shall preserve the preexisting character of the surrounding buildings and land uses and the zone district to the extent consistent with the function of the communications equipment. Wireless communication towers shall be integrated through location and design to blend in with the existing characteristics of the site to the extent practicable. Existing on-site vegetation shall be preserved or improved, and disturbance of the existing topography shall be minimized, unless such disturbance would result in less visual impact of the site to the surrounding area;
3. Accessory equipment facilities used to house wireless communications equipment should be located within buildings or placed underground when possible. When they cannot be located in buildings, equipment shelters or cabinets shall be screened and landscaped in conformance with chapter 17.80 BMC;
4. No equipment shall be operated so as to produce noise in levels above 45 dB as measured from the nearest property line on which the attached wireless communication facility is located;
5. New transmission towers and additional height on existing towers shall comply with performance standards for industrial uses adjacent to less intensive or residential zones consistent with chapters 17.70 and 17.81 BMC;
6. New transmission towers shall only be permitted within the Burlington Hill special management area;
7. New transmission towers shall only be permitted where co-location exists.

17.60.080 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. 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 the following:

2. Uses generating noise after 9:00 p.m. shall not be permitted, including assembly occupancies, restaurants with cocktail lounges or dance floors, all night businesses, shooting ranges, overnight pet boarding, and other similar types of uses. This shall not include shift work for an industrial or manufacturing use;
3. Measures shall be taken to prevent light and glare from being directed to residential uses; and

C. Outdoor storage yards and service areas. All service yards shall be surrounded on all sides not adjacent to, and directly abutting, 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.

17.60.090 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 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.

E. Fences. See Chapter 17.70 BMC.

F. Parking. See chapter 17.85 BMC.

G. Landscaping. See Chapter 17.81 BMC.

H. Signs. See Chapter 17.95 BMC.

I. Performance Standards. See Chapter 17.70 BMC.

