



# Chapter 25.58

## Old Fort Lake Districts



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### 25.58 Old Fort Lake Zoning

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#### 25.58.010 Purpose and applicability.

The Old Fort Lake Subarea Zoning (DMC 25.58) and Design Standards (DMC 25.71) are the official land use regulations guiding development within the Old Fort Lake subarea. These regulations are adopted under Chapter 35A.63 RCW and mandated in RCW 36.70A.040 and is consistent with the state's Growth Management Act, the Old Fort Lake Subarea Plan, and the DuPont Comprehensive Plan to serve the public health, safety, and welfare; to provide for orderly planned use of land resources; and to further the policies of the Subarea Plan. This code helps implement the subarea plan, which may be used to help interpret this code but does not itself regulate land uses. All land uses and development activities within the subarea must comply with the applicable requirements of this code, including requirements of the applicable land use district, with one exception. Approximately 46 acres of land within the subarea is owned by the Nisqually Tribe and has not been allocated a future land use or zoning designation. When development of the Tribe's property is planned, the Old Fort Lake Subarea Plan will need to be amended and a zoning designation determined through a public process.

#### 25.58.020 How the provisions of this chapter are applied.

This chapter provides permitted and conditional uses and bulk regulations per zoning district in the Old Fort Lake Subarea. Uses in the Old Fort Lake Subarea are also subject to the Design Standards in DMC 25.71.

#### 25.58.030 Zoning Districts

These zoning regulations implement the vision, goals, and policies of the Old Fort Lake Subarea Plan. The Old Fort Lake Subarea is intended to provide a range of residential, commercial, entertainment and recreational opportunities that are sustainable, embodies DuPont's high

quality of life, existing character, and its rich history. The subarea includes the following zoning designations. See the Zoning Use Table in DMC 25.71.050(A) for the full list of allowed uses per district.

- (1) Single-Family (SF): This zoning designation intends to provide for detached single family and duplex uses at a base density of two units per lot. Attached units can be on their own fee-simple lot, or all on one lot.
- (2) Middle Housing (MH): This zoning designation intends to provide for attached housing types from two to six units that meet the definition of Middle Housing in DMC 25.10 Definitions. Attached units can be on their own fee-simple lot, or all on one lot.
- (3) Multifamily (MF): This zoning designation intends to provide for higher density housing in buildings greater than 6 units. The buildings may be no taller than 50 feet, not including underground parking structures. No more than 200 units are permitted per building.
- (4) Neighborhood Business (NB): This zoning designation is intended to provide for smaller scale commercial type uses that serve the subarea and city residents, such as retail and restaurants, personal service uses, light manufacturing buildings no greater than 50,000 SF, professional and medical offices and banks and credit unions.
- (5) Commercial (COMM): This zoning designation is intended to provide for higher intensity commercial uses such as retail spaces, restaurants, commercial recreation that may draw from a larger region.
- (6) Entertainment (ENT): This zoning designation is intended to provide for entertainment and recreation type uses such as hotels, commercial recreation, retail, restaurants, and community and cultural centers. These uses may draw visitors from the region and be supportive of the adjacent golf course use.
- (7) Civic (CIV): This zoning designation is intended to provide for public and quasi-public uses such as schools, public parks, convention centers, community and cultural centers, churches, and public utilities.
- (8) Parks, Recreation and Open Space (PROS): This zoning designation is intended to provide for recreational uses and open space that implement the goals and policies of the subarea plan.

#### **25.58.040 District map.**

[Insert approved Zoning Map, which will mirror the Land Use Map]

#### **25.58.050 Use Table in Old Fort Lake Subarea zones.**

- (1) **Use Regulations** - Use regulations within the Old Fort Lake Subarea are identified in Table 25.58.050(A)
  - (a) Permitted Use: A "P" indicates that the specific use is a permitted use.
  - (b) Accessory Use: An "A" indicates that the specific use is permitted as an accessory use to other uses within the district. Where an "A," a slash (/), and a letter are

displayed in the table (e.g., A/P), the use may be permitted as an accessory use or established as a standalone use subject to the corresponding review procedure (indicated by the “P” or “C”).

- (c) Conditional Use: A “C” = indicates that the specific use is a conditional use.
- (d) Prohibited Use: A blank space indicates use is prohibited in the subdistrict.

| DMC Table 25.58.050(A)<br>Old Fort Lake Subarea<br>Use Table <sup>1</sup> |                  |    |    |    |     |     |     |      |
|---|------------------|----|----|----|-----|-----|-----|------|
| Use Type  | Zoning Districts |    |    |    |     |     |     |      |
|   | SF               | MH | MF | NB | ENT | COM | CIV | PROS |
| <b>Residential Use Types</b>  |                  |    |    |    |     |     |     |      |
| Detached Single-Family  | P                |    |    |    |     |     |     |      |
| Duplex  | P                | P  |    |    |     |     |     |      |
| Accessory Dwelling Unit(s)  | P                |    |    |    |     |     |     |      |
| Middle Housing  |                  | P  |    |    |     |     |     |      |
| Multifamily (Apartments)<br>(no more than 200 units per building)         |                  |    | P  |    |     |     |     |      |
| Assisted Living facility  |                  |    | C  |    |     |     |     |      |
| Adult retirement community  | C                | C  | P  |    |     |     |     |      |
| Adult Family Homes  | P                | P  | P  |    |     |     |     |      |
| Home occupations  | A                | A  | A  |    |     |     |     |      |
| Family day care   | P                | P  | P  |    |     |     |     |      |
| <b>Civic/Public Use Types</b>   |                  |    |    |    |     |     |     |      |
| Schools   | C                | C  | C  |    |     |     | P   |      |
| Churches  | C                | C  | C  |    |     |     | P   |      |
| Public Parks, Open Space and<br>Recreation <sup>2</sup>                   |                  |    |    |    |     |     | P   | P    |
| Public Uses other than Parks and<br>schools                               |                  |    |    |    |     |     | P   | C    |
| Convention Center   |                  |    |    |    | A   |     | P   |      |
| Community and Cultural Services (less<br>than 30,000 SF)                  |                  |    |    | P  | P   |     | P   | C    |
| Electric Vehicle Charging Stations  | P                | P  | P  | P  | P   | P   | P   | P    |

<sup>1</sup> Further Land Use Restrictions. Some uses may be restricted based on a State of Washington Department of Ecology Consent Decree and/or private restrictive covenant. These uses may only be allowed when not prohibited/restricted by a consent decree and/or restrictive covenant. The applicant shall demonstrate compliance as part of the land use and/or building permit review.

<sup>2</sup> Parks, recreation, and open space associated/required for residential development per the DMC, are permitted in the associated zoning districts for those types of uses.

| DMC Table 25.58.050(A)<br>Old Fort Lake Subarea<br>Use Table <sup>1</sup> |                  |    |    |     |     |     |     |      |
|---|------------------|----|----|-----|-----|-----|-----|------|
| Use Type  | Zoning Districts |    |    |     |     |     |     |      |
|   | SF               | MH | MF | NB  | ENT | COM | CIV | PROS |
| Public Utilities  | P                | P  | P  | P   | P   | P   | P   | P    |
| Quasi-Public Uses   |                  |    |    | P   |     |     | P   |      |
| Wireless Communication Facilities   | C                | C  | C  | C   | C   | C   | C   |      |
| Small Cell Facility   | C                | C  | C  | C   | C   | C   | C   |      |
| Wireless Communication Facilities, attached                               | A                | A  | A  | A   | A   | A   | A   | A    |
| Accessory Wireless Communications Antennas                                | A                | A  | A  | A   | A   | A   | A   | A    |
| Office/Neighborhood Business Use Types                                    |                  |    |    |     |     |     |     |      |
| Light Manufacturing (up to 50,000 SF)                                     |                  |    |    | P   |     | C   |     |      |
| Research and Development  |                  |    |    | P   |     | C   |     |      |
| Nursing Homes with up to 180 beds   |                  |    | C  | P   |     |     |     |      |
| Office  |                  |    |    | P   |     | C   |     |      |
| Clinics   |                  |    |    | P   |     | C   |     |      |
| Personal Services   |                  |    |    | P   |     | P   |     |      |
| Automotive Repair   |                  |    |    | P   |     | C   |     |      |
| Banks and Credit Unions   |                  |    |    | P   |     | P   |     |      |
| Commercial Use Types  |                  |    |    |     |     |     |     |      |
| Commercial Indoor and Outdoor Recreation                                  |                  |    | C  | P   | P   | P   |     | C    |
| Automobile service station  |                  |    |    | C   |     |     |     |      |
| Retail Establishment (individual tenant spaces up to 20,000 SF)           |                  |    |    | P   | P   | P   | P   |      |
| Retail Establishment (individual tenant spaces over 20,000 SF)            |                  |    |    | C   | C   | P   |     |      |
| Restaurants   |                  |    |    | P   | P   | P   | P   |      |
| Restaurants with drive thru window (see prohibited uses)                  |                  |    |    | C   | C   | C   |     |      |
| Food/Beverage Truck   |                  |    |    | P   | P   | P   | P   | P    |
| Taverns   |                  |    |    | P   | P   | P   |     |      |
| Brewery   |                  |    |    | P   | P   | P   |     |      |
| Hotel (up to 150 rooms)   |                  |    |    |     | P   |     |     |      |
| Hotel (over 150 rooms)  |                  |    |    |     | C   | C   |     |      |
| Child Day Care Centers  |                  |    |    | A/P | A/P | A/P | A/P |      |

- (e) Prohibited uses in the Old Fort Lake Subarea:
  - (i) Drive-through facilities without seating for at least 15 percent of the restaurant's total floor area
  - (ii) Fish processing and other animal rendering operations.
  - (iii) Vehicle sales.
  - (iv) Wrecking yards, bulk fuel distributors, heavy equipment repair, mini-storage and like uses are prohibited.
  - (v) Adult motel, adult motion picture theater, or adult cabaret.
  - (vi) Warehouse/distribution.

## 25.58.060 Dimensional regulations

- (1) The dimensional standards are established pursuant to Table 25.58.060.A.

| <b>DMC Table 25.58.060.A</b>                       |                                 |   |                           |                           |
|--|---------------------------------|---|---------------------------|---------------------------|
| <b>Dimensional regulations per zoning district</b> |                                 |   |                           |                           |
| <b>Zoning District</b>                             | <b>Maximum Building Height*</b> | <b>Front Yard Setback</b>                           | <b>Side Yard Setback</b>  | <b>Rear Yard Setback</b>  |
| <b>Single-Family (SF)</b>                          | 35 feet                         | See DMC 25.71.770(5)                                |                           |                           |
| <b>Middle Housing (MH)</b>                         | 35 feet                         | See DMC 25.71.770(5)                                |                           |                           |
| <b>Multifamily (MF)</b>                            | 50 feet                         | Depending on block frontage type, see DMC 25.71.310 | See DMC Table 25.71.320.A | See DMC Table 25.71.320.A |
| <b>Neighborhood Business (NB)</b>                  | 45 feet                         | Depending on block frontage type, see DMC 25.71.310 | See DMC Table 25.71.320.A | See DMC Table 25.71.320.A |
| <b>Commercial (COMM)</b>                           | 45 feet                         | Depending on block frontage type, see DMC 25.71.310 | See DMC Table 25.71.320.A | See DMC Table 25.71.320.A |
| <b>Entertainment (ENT)</b>                         | 45 feet;<br>Hotels 50 feet      | Depending on block frontage type, see DMC 25.71.310 | See DMC Table 25.71.320.A | See DMC Table 25.71.320.A |
| <b>Civic (CIV)</b>                                 | 45 feet                         | Depending on block frontage type, see DMC 25.71.310 | See DMC Table 25.71.320.A | See DMC Table 25.71.320.A |
| <b>Parks, Recreation and Open Space</b>            | 35 feet                         | Depending on block frontage type, see DMC 25.71.310 | See DMC Table 25.71.320.A | See DMC Table 25.71.320.A |

\*Height of a building does not include underground structured parking. Height is measured as defined in DMC 25.10.080.035. In the Old Fort Lake Subarea, the height of a building is inclusive of rooftop mechanical equipment.