

Perry moved Amendment 7A.  
The motion carried.

7a

12/9/24

Commercial Uses in R Zones  
if Amd 3 passes  
(PO)

[J. Ngo]

Sponsor: Perry, Balducci

Proposed No.: 2023-0440.2

1 **AMENDMENT TO STRIKING AMENDMENT S1 TO PROPOSED ORDINANCE**

2 **2023-0440, VERSION 2**

3 Beginning on page 271, strike lines 5790 through 5791, and insert:

4 "A. (~~General services~~) Personal services and temporary lodging land uses.

(( <del>P-Permitted Use</del> <del>C-Conditional Use</del> <del>S-Special Use</del>		RESOURCE			R U R A L	RESIDENTIAL				COMMERCIAL/INDUSTRIAL))				
		A	F	M		RA (31)	UR	<u>R-1</u>	(( <del>R1-8</del> ) <u>R-4</u> <del>-R-8</del> )	<u>R-12</u> <u>R-48</u>	N B	CB	RB	O
	PERSONAL SERVICES:													
((72	General Personal Service							<del>C25</del> <del>C37</del>	<del>C25</del> <del>C37</del>	P	P	P	<del>P3</del>	<del>P3</del> )
* _	<u>Sports Club</u> (8)				<u>C3</u>	<u>P6</u> <u>C7</u>	<u>P6</u> <u>C3</u> <u>C7</u>	<u>P6</u> <u>C3</u> <u>C7</u>	<u>P6</u> <u>C3</u> <u>C7</u>	<u>P6</u> <u>C</u>	<u>P</u>	<u>P</u>		

* _	<u>Specialized Instruction School</u>		<u>P1</u> <u>8</u>		<u>P19</u> <u>C20</u>	<u>P19</u> <u>C20</u>	<u>P19</u> <u>C20</u>	<u>P19</u> <u>C20</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P17</u>	<u>P</u> <u>38</u>
7231 7241	<u>Beauty and Barber Shops</u>						<u>P6</u> <u>C25</u> <u>C37</u>	<u>P13</u> <u>C25</u> <u>C37</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
7251	<u>Shoe Repair Shops</u>						<u>P6</u> <u>C25</u> <u>C37</u>	<u>P13</u> <u>C25</u> <u>C37</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
7211 7213 7215 7219	<u>Laundry, Cleaning, and Garment Services</u>						<u>P6</u> <u>C25</u> <u>C37</u>	<u>P13</u> <u>C25</u> <u>C37</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
7212	<u>Drycleaner and Garment Pressing</u>						<u>P6</u> <u>C25</u> <u>C37</u>	<u>P13</u> <u>C25</u> <u>C37</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
7216	Drycleaning Plants												<u>P</u>
7217	<u>Carpet and Upholstery Cleaning</u>								<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
7218	Industrial Launderers												<u>P</u>
7261	Funeral Home/Cremat ory				<u>C4</u>	<u>C4</u>	<u>C4</u>	<u>C4</u>		<u>P</u>	<u>P</u>		
*	Cemetery, Columbarium or Mausoleum ( <u>5</u> )			<u>P24</u> <u>C((<del>5</del> and 34))</u>	<u>P24</u> <u>C((<del>5</del> )</u>	<u>P24</u> <u>C</u>	<u>P24</u> <u>C((<del>5</del> )</u>	<u>P24</u> <u>C((<del>5</del> )</u>	<u>P2</u> <u>4</u>	<u>P24</u>	<u>P24</u> <u>C((<del>5</del> )</u>	<u>P24</u>	

*	<del>((Day Care))</del> <u>Daycare I and II</u>	<del>P((6))</del> <u>40</u>			<del>P((6))</del> <u>2</u>	<del>P((6))</del> <u>P</u>	<del>P((6))</del> <u>)</u>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P((7))</del> <u>)</u>	<del>P((7))</del> <u>7))</u>
<del>((</del>	<del>Day Care II</del>				<del>P8</del> <u>€</u>	<del>P8</del> <u>€</u>		<del>P8</del> <u>€</u>	<del>P8</del> <u>€</u>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P7</del> <u>P7</u>
074	<u>Veterinary Clinic</u>	<u>P9</u>			<u>P9</u> <u>€10</u> <u>and 31</u>	<u>P9</u> <u>€10</u>			<u>P10</u> <u>0</u>	<u>P10</u>	<u>P10</u>		<u>P))</u>
753	Automotive Repair (1)								<u>P1</u> <u>1</u>	<u>P</u>	<u>P</u>		<u>P</u>
754	Automotive Service								<u>P1</u> <u>1</u>	<u>P</u>	<u>P</u>		<u>P</u>
76	Miscellaneous Repair (44)				<u>P32</u>	<u>P32</u>	<u>P32</u>	<u>P32</u>	<u>P32</u>	<u>P3</u> <u>2</u>	<u>P</u>	<u>P</u>	<u>P</u>
<del>((866))</del> *	<del>((Church, Synagogue, Temple))</del> <u>Religious Facility</u>				<u>P12</u> <u>C27</u> <del>((and 31))</del>	<u>P12</u> <u>C</u>	<u>P12</u> <u>C</u>	<u>P12</u> <u>C</u>	<u>P12</u> <u>C</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<del>((83</del>	<del>Social Services (2)</del>				<del>P12</del> <u>€31</u>	<del>P12</del> <u>€</u>		<del>P12</del> <u>€</u>	<del>P12</del> <u>€</u>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P))</del>
<u>074</u>	<u>Veterinary Clinic</u>	<u>P9</u>			<u>P9</u> <u>C10</u>	<u>P9</u> <u>C10</u>			<u>P10</u> <u>0</u>	<u>P10</u>	<u>P10</u>		<u>P</u>
0752	Animal <del>((s))</del> Specialty <del>((s))</del> Services				<u>C</u> <u>P35</u> <u>P36</u>	<u>C</u>			<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<del>((</del>	<del>Stable</del>	<del>P1</del> <u>4</u> <u>€</u>			<del>P14</del> <u>€31</u>	<del>P14</del> <u>€</u>		<del>P14</del> <u>€</u>					

*	Commercial Kennel or Commercial Cattery	P4 2			C43	C43					C43	P43		
*	<u>Dog Training Facility</u>	<u>C3</u> 4			<u>C34</u>	<u>C34</u>				P	P	P		P
((#	<del>Theatrical Production Services</del>										P30	P28))		
7221	<u>Portrait Photographic Studios</u>						<u>P6</u> <u>C25</u> <u>C37</u>	<u>P13</u> <u>C25</u> <u>C37</u>	P	P	P	P		
*	Artist Studios				P28	P28	<u>P28</u>	P28	P28	P	P	P	P29	P
*	Interim Recycling Facility				P21	P21	<u>P21</u>	P21	P21	P2	P22	P	P21	P
((#	<del>Dog training facility</del>	<u>C3</u> 4			<u>C34</u>	<u>C34</u>				P	P	P		P
	<b>HEALTH SERVICES:</b>													
801-04	Office/Outpati ent Clinic				P12 C13a	P12 C13a		P12 C13a C37	P12 C13a C37	P	P	P	P	P
805	Nursing and Personal Care Facilities							E		P	P			
806	Hospital							C13a	C13a		P	P	E	
807	Medical/Denta l Lab										P	P	P	P
808-09	Miscellaneous Health										P	P	P))	

	<b><u>TEMPORARY LODGING:</u></b>												
7011	<u>Hotel/Motel</u> (14)									P	P	P	
*	<u>Bed and Breakfast Guesthouse</u>	P1 5			P15	P15	P15	P15	P15	P1	P16	P16	
7041	<u>Organization Hotel/Lodging Houses</u>						P23					P	
	<b><u>((EDUCATION SERVICES:</u></b>												
*	<u>Elementary School</u>				P39 P40	P		P	P		P16 P40	P16 P40	P16 P40
*	<u>Middle/Junior High School</u>				P40 C39 and 31	P		P	P		P16 C40	P16 C40	P16 C40
*	<u>Secondary or High School</u>				C39 and 31 C41 and 31	P26		P26	P26		P16 C15	P16 C15	P16
*	<u>Vocational School</u>					P13a C		P13a C	P13a C			P15	P17 P
*	<u>Specialized Instruction School</u>	P1 8			P19 C20 and 31	P19 C20		P19 C20	P19 C20	P	P	P	P17 38
*	<u>School District Support Facility</u>					P23 C		P23 C	P23 C	C1 5	P15	P15	P15 P15

5 B. Development conditions."

6

7 On page 276, beginning on line 5802, strike lines 5802 through 5814, and insert:

8 ~~"e. 217 Carpet and Upholstery Cleaning.))~~ Only outside the urban area and  
9 subject to the following:

10 a. Not allowed in the RA-10 or RA-20 zones.

11 b. The bulk and scale shall be compatible with residential or the rural character  
12 of the area;

13 c. The gross floor area shall not exceed ten thousand square feet unless the  
14 building is on the same site or adjacent to a site where a public facility is located; and

15 d. Use is limited to residents of a specified residential development or to  
16 sports clubs providing supervised instructional or athletic programs."

17

18 On page 277, strike lines 5819 through 5837, and insert:

19 ~~"6. ((Only as accessory to residential use, and:~~

20 a. ~~Outdoor play areas shall be completely enclosed by a solid wall or fence,~~  
21 ~~with no openings except for gates, and have a minimum height of six feet; and~~

22 b. ~~Outdoor play equipment shall maintain a minimum distance of twenty feet~~  
23 ~~from property lines adjoining rural area and residential zones.))~~ Only in the urban area

24 and subject to the following:

25 a. Limited to a maximum of two thousand five hundred square feet of gross  
26 floor area;

27 b. Amplified noise is prohibited;

28 c. The maximum on-site parking ratio shall be two spaces per one thousand  
29 square feet and required parking shall not be located between the building and the street;

30 and

- 31 d. Hours of operation shall be limited to 7:00 a.m. through 10:00 p.m.
- 32 7. (~~Permitted as an accessory use. See commercial/industrial accessory, K.C.C.~~
- 33 ~~21A.08.060.A.)~~ Only in the urban area and subject to the following:
- 34 a. Amplified noise is prohibited;
- 35 b. Limited to a maximum of ten thousand square feet of gross floor area unless
- 36 the building either is on the same site or adjacent to a site where a public facility is
- 37 located or is nonprofit facility located in the urban area; and
- 38 c. Hours of operation shall be limited to 7:00 a.m. through 10:00 p.m."

39

40 On page 279, strike line 5878, and insert:

41 "~~community meeting in accordance with K.C.C. 20.20.035)~~ Only in the urban area and

42 subject to the following:

- 43 a. Limited to a maximum of five thousand square feet of gross floor area;
- 44 b. Amplified noise is prohibited;
- 45 c. The maximum on-site parking ratio shall be two spaces per one thousand
- 46 square feet and required parking shall not be located between the building and the street;
- 47 and
- 48 d. Hours of operation shall be limited to 7:00 a.m. through 10:00 p.m."

49 On page 283, beginning on line 5960, strike lines 5960 through 5967, and insert:

50 "25.a. (~~Not permitted in R-1 and~~) Outside of the urban area, limited to a

51 maximum of five thousand square feet per establishment and subject to the additional

52 requirements in K.C.C. 21A.12.230."

53

54 On page 286, beginning on line 6022, strike lines 6022 and 6023, and insert:

55 "37. ((~~Not permitted in R-1 and s~~)) Subject to the additional requirements in  
 56 K.C.C. 21A.12.250."

57

58 Beginning on page 302, strike lines 6288 through 6289, and insert:

59 "A. Retail land uses.

<del>(P-Permitted Use</del> <del>C-Conditional Use</del> <del>S-Special Use</del>		RESOURCE			RU RA L	RESIDENTIAL				COMMERCIAL/INDUSTRIAL				
SI C#	SPECIFIC LAND USE	A	F	M	RA	UR	<u>R-1</u>	<del>((R1</del> <del>-8))</del> <u>R-4</u> <del>-R-</del> <u>8</u>	<u>R-12</u> =	NB	CB	RB	O	I <del>((3</del> <del>0))</del>
*	Building Materials and Hardware Stores		P23							P2	P	P		
*	Retail Nursery, Garden Center, and Farm Supply Stores	P1 C1			P1 C1					<u>P18</u>	P	P		
*	Forest Products Sales	P3 and 4	P4		P3 and 4							P		
*	Department and Variety Stores							<u>P30</u> C14 a <u>C31</u>	P14 <u>P32</u>	P5	P	P		



54	Food Stores				<u>C17</u>			<u>P30</u> C15 a <u>C31</u>	P15 <u>P32</u>	<u>P18</u>	P	P	C	P6
*	Agricultural Product Sales (28)								P25	P25	P25	P2 5	P2 5	P2 5
*	Farmers Market	P24	P24		P24	P24	<u>P24</u>	P24	P24	P24	P24	P2 4	P2 4	P2 4
*	Motor Vehicle and Boat Dealers											P8		P
55 3	Auto Supply Stores										P9	P9		P
55 4	Gasoline Service Stations									P	P	P		P
56	Apparel and Accessory Stores										P	P		
*	Furniture and Home Furnishings Stores										P	P		
58	Eating and Drinking Places				P21 C19		<u>P20</u>	P20 <u>P30</u> C16 <u>C31</u>	P20 P16 <u>P32</u>	P10	P	P	P	P
*	Remote Tasting Room				P13						P7	P7		
*	Drug Stores							<u>P30</u> C15	P15 <u>P32</u>	<u>P18</u>	P	P	C	

										<u>C31</u>				
*	(( <u>Marijuana</u> )) <u>Cannabis</u> retailer										P26 C27	P2 6 C2 7		
59 2	Liquor Stores										P	P		
59 3	Used Goods: Antiques/ Secondhand Shops										P	P		
*	Sporting Goods and Related Stores			P2 2 and 29	P22 and 29	P22 and 29	<u>P22</u> and <u>29</u>	P22 and 29	P22 and 29	P22 and 29	P29	P2 9	P2 2 and 29	P2 2 and 29
*	Book, Stationery, Video, and Art Supply Stores							<u>P30</u> C15 a <u>C31</u>	P15 <u>P32</u>	<u>P18</u>	P	P		
*	Jewelry Stores										P	P		
*	Monuments, Tombstones, and Gravestones											P		
*	Hobby, Toy, Game Shops									<u>P18</u>	P	P		
*	Photographic and Electronic Shops									<u>P18</u>	P	P		
*	Fabric Shops										P	P		

59 8	Fuel Dealers										C11	P		P
*	Florist Shops							<u>P30</u> C15 a <u>C31</u>	P15 <u>P32</u>	<u>P18</u>	P	P	P	
*	Personal Medical Supply Stores										P	P		
*	Pet Shops									<u>P18</u>	P	P		
*	Bulk Retail										P	P		
*	Auction Houses											P1 2		P
*	Livestock Sales (28)													P

60

B. Development conditions."

61

62

Beginning on page 307, strike lines 6320 through 6359, and insert:

63

"14.a. (~~Not in R-1 and~~) Outside of the urban area, limited to SIC Industry No.

64

5331-Variety Stores, limited to a maximum of five thousand square feet of gross floor

65

area, and subject to K.C.C. 21A.12.230; and

66

b. Before filing an application with the department, the applicant shall hold a

67

community meeting in accordance with K.C.C. 20.20.035.

68

15.(~~a. Not permitted in R-1 and~~) Outside of the urban area, limited to a

69

maximum of five thousand square feet of gross floor area and subject to K.C.C.

70

21A.12.230; and

71

b. Before filing an application with the department, the applicant shall hold a

72

community meeting in accordance with K.C.C. 20.20.035.

73           16.a. (~~Not permitted in R-1 and e~~)Excluding SIC Industry No. 5813-Drinking  
74 Places, and limited to a maximum of five thousand square feet of gross floor area, and  
75 subject to K.C.C. 21A.12.230, except as provided in subsection B.20. of this section; and

76           b. Before filing an application with the department, the applicant shall hold a  
77 community meeting in accordance with K.C.C. 20.20.035."

78

79 On page 316, after line 6511, insert:

80           "30. In the urban area, subject to the following:

81           a. Limited to a maximum of one thousand square feet of gross floor area;

82           b. Drive-throughs are prohibited, except for detached buildings for eating and  
83 drinking places that do not exceed two hundred square feet and are located at an  
84 intersection with an arterial;

85           c. Amplified noise is prohibited;

86           d. The maximum on-site parking ratio shall be two spaces per one thousand  
87 square feet and required parking shall not be located between the building and the street;  
88 and

89           e. Hours of operation shall be limited to 7:00 a.m. through 10:00 p.m.

90           31. In the urban area, subject to the following:

91           a. Limited to a maximum of two thousand five hundred square feet of gross  
92 floor area;

93           b. Drive-throughs are prohibited, except for detached buildings for eating and  
94 drinking places that do not exceed two hundred square feet and are located at an  
95 intersection with an arterial;

96           c. Amplified noise is prohibited;

97 d. The maximum on-site parking ratio shall be two spaces per one thousand  
98 square feet and required parking shall not be located between the building and the street;  
99 and

100 e. Hours of operation shall be limited to 7:00 a.m. through 10:00 p.m.

101 32. In the urban area, subject to the following:

102 a. Limited to a maximum of five thousand square feet of gross floor area;

103 b. Drive-throughs are prohibited, except for detached buildings for eating and  
104 drinking places that do not exceed two hundred square feet and are located at an  
105 intersection with an arterial;

106 c. Amplified noise is prohibited;

107 d. The maximum on-site parking ratio shall be two spaces per one thousand  
108 square feet and required parking shall not be located between the building and the street;  
109 and

110 e. Hours of operation shall be limited to 7:00 a.m. through 10:00 p.m."

111

112 On page 518, after line 10156, insert:

113 "SECTION 239. Ordinance 10870, Section 360, as amended, and K.C.C.

114 21A.12.230 are hereby amended as follows:

115 ((The general)) In the R-4 through R-48 zones outside the urban area, personal  
116 service uses ((~~the~~)) in SIC ((#)) Major Group 72 ((~~except 7216, 7218 and 7261~~)) listed in  
117 K.C.C. 21A.08.050 and ((~~the~~)) retail uses, except agricultural ((~~crop~~)) product sales,

118 listed in K.C.C. 21A.08.070 ((~~which are located in the R-4 through R-48 zones~~)) shall be  
119 subject to the following requirements:

120 A. Each individual establishment shall not exceed ~~((5,000))~~ five thousand square  
121 feet of gross floor area and the combined total of all contiguous commercial  
122 establishments shall not exceed ~~((15,000))~~ fifteen thousand square feet of gross floor  
123 area;

124 B. Establishments shall not be located less than one mile from another  
125 commercial establishment, unless located with other establishments meeting the criteria  
126 in ~~((paragraph A))~~ subsection A. of this section;

127 C. Establishment sites shall abut an intersection of two public streets, each of  
128 which is designated as a neighborhood collector or arterial and which has improved  
129 pedestrian facilities for at least ~~((1/4th))~~ one-quarter mile from the site;

130 D. The maximum on-site parking ratios for establishments and sites shall be ~~((2~~  
131 ~~per 1000))~~ two per one thousand square feet and required parking shall not be located  
132 between the building(s) and the street; and

133 E. Buildings shall comply with the building facade modulation and roofline  
134 variation requirements in K.C.C. ~~((21A.14.080 and .090))~~ 21A.14.070 and at least one  
135 facade of the building shall be located within five feet of the sidewalk.

136 F. If the personal service or retail use is located in a building with ~~((multifamily))~~  
137 residential uses, then the commercial use shall be on the ground floor and shall not  
138 exceed ~~((25))~~ twenty-five percent of the total floor area of the building.

139 G. Sign and landscaping standards for the use apply."  
140

141 On page 825, strike line 16248.  
142

143 Renumber the remaining sections consecutively and update any internal references  
144 accordingly.

145

146 **EFFECT prepared by J. Ngo:** This amendment would make the following changes:

147 **Sports clubs:**

- 148 - In the RA zone, remove specific conditions for amplified noise and hours of  
149 operation limitations, which would instead be reviewed during the conditional use  
150 permit process.
- 151 - Outside the urban area, in the R-1 through R-48, and NB zones:
  - 152 o Remove an allowance for sports clubs as a Permitted use.
  - 153 o As a Conditional use:
    - 154 ■ Add back a requirement for bulk and scale to be compatible with  
155 the character of the area.
    - 156 ■ Remove specific conditions for amplified noise and hours of  
157 operation limitations, which would instead be reviewed during the  
158 conditional use permit process.
    - 159 ■ Add back a requirement limiting the use to residents of a specified  
160 residential development or sports clubs providing supervised  
161 instructional or athletic programs.

162

163 **Beauty and Barber Shops; Shoe Repair Shops; Laundry, Cleaning, and Garment**  
164 **Services; Drycleaners and Garment Pressing; and Portrait Photographic Studios:**

- 165 - Outside of the urban area, the R-4 through R-8 zones:
  - 166 o Remove an allowance for these uses, when less than 2,500 sf in size, to be  
167 a Permitted use with conditions.
  - 168 o Add back an allowance for these uses, when less than 5,000 sf in size and  
169 subject to K.C.C. 21A.12.230, to be a Conditional use.
  - 170 o Add back an allowance for these uses, with no size limitation, when  
171 subject to K.C.C. 21A.12.250, to be a Conditional use.
- 172 - Outside of the urban area, in the R-12 through R-48 zones:
  - 173 o Remove an allowance for these uses, when less than 5,000 sf in size, to be  
174 a Permitted use with conditions.
  - 175 o Add back an allowance for these uses, when less than 5,000 sf in size and  
176 subject to K.C.C. 21A.12.230, to be a Conditional use.
  - 177 o Add back an allowance for these uses, with no size limitation, when  
178 subject to K.C.C. 21A.12.250, to be a Conditional use.

179

180 **Department and Variety Stores; Food Stores; Book, Stationery, Video, and Art**  
181 **Supply Stores; and Florist Shops:**

- 182 - Outside of the urban area, in the R-4 through R-8 zones:
  - 183 o Remove an allowance for these uses, when less than 1,000 sf in size, to be  
184 a Permitted use with conditions.
  - 185 o As a Conditional use:
    - 186 ■ Add back in a requirement to comply with K.C.C. 21A.12.230.
    - 187 ■ Increase the size limitation from 2,500 sf back to 5,000 sf.

- 188 - Outside of the urban area, in the R-12 through R-48 zone, as a Permitted use:  
189     o Add back in a requirement to comply with K.C.C. 21A.12.230 and a  
190     community meeting requirement.  
191     o Remove provisions that would prohibit on drive-throughs, limit amplified  
192     noise, and limit the hours of operation.  
193

194 **Eating And Drinking Places and Drug Stores:**

- 195 - Outside of the urban area, in the R-4 through R-8 zone:  
196     o Remove an allowance for these uses, when less than 1,000 sf in size, to be  
197     a Permitted use with conditions.  
198     o As a Conditional use:  
199         ▪ Add back in a requirement to comply with K.C.C. 21A.12.230 and  
200         a community meeting requirement.  
201         ▪ Increase the size limitation from 2,500 sf back to 5,000 sf.  
202     o Remove provisions that would prohibit drive-throughs of eating and  
203     drinking places larger than 200 sf and prohibit them at the intersection of  
204     an arterial, limit amplified noise, and limit the hours of operation.  
205 - Outside of the urban area, in the R-12 through R-48 zone, as a Permitted use:  
206     o Remove provisions that would prohibit on drive-throughs of eating and  
207     drinking places larger than 200 sf and not at the intersection of an arterial,  
208     limit amplified noise, and limit the hours of operation.  
209     o Add back in a requirement to comply with K.C.C. 21A.12.230 and a  
210     community meeting requirement.  
211

212 **K.C.C. 21A.12.230:**

- 213 - Removes the repeal of K.C.C. 21A.12.230, limits the section to the rural R-4  
214 through R-48 zones, and makes technical corrections to K.C.C. 21A.12.230.  
215 K.C.C. 21A.12.230 concerns the maximum size limitation, location, minimum  
216 spacing requirements, parking, building and roofline modulation, and other design  
217 standards for personal services and retail use in the R-4 through R-48 zones  
218 outside the urban area.  
219



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**COMPARISON SUMMARY**

**Sports Clubs**

**Executive's transmittal and existing code**  
**K.C.C. 21A.08.040, Recreation and Cultural Land Uses - Page 181, line 3889**

SIC#	SPECIFIC LAND USE	A	F	M	RA	UR	RI-8	RI2-48	NB	CB	RB	O	I
*	Sports Club (17)				C4 and 18	C4	C4	C4	C	P	P		

- 226 4. Not permitted in the RA-10 or RA-20 zones. Limited to recreation facilities  
 227 subject to the following conditions and limitations:  
 228 a. The bulk and scale shall be compatible with residential or rural character of  
 229 the area;  
 230 b. For sports clubs, the gross floor area shall not exceed ten thousand square  
 231 feet unless the building is on the same site or adjacent to a site where a public facility is  
 232 located or unless the building is a nonprofit facility located in the urban area; and  
 233 c. Use is limited to residents of a specified residential development or to sports  
 234 clubs providing supervised instructional or athletic programs.  
 235 17. Only for stand-alone sports clubs that are not part of a park.  
 236 18. Subject to review and approval of conditions to comply with trail corridor  
 237 provisions of K.C.C. chapter 21A.14 when located in an RA zone.

238  
239 **Striking Amendment S1**  
 240 **K.C.C. 21A.08.050 Personal Services and Lodging Land Uses - Page 271, line 5790**

SIC #	SPECIFIC LAND USE	A	F	M	RA (31)	UR	R-1	R-4 - R-8	R-12 - R-48	NB	CB	RB	O	I
*	Sports Club (8)				C3	P6 C7	P6 C7	P6 C7	P6 C7	P6 C	P	P		

- 241 3. (~~Limited to SIC Industry Group and Industry Nos.:~~  
 242 ~~a. 723 Beauty Shops;~~  
 243 ~~b. 724 Barber Shops;~~  
 244 ~~c. 725 Shoe Repair Shops and Shoeshine Parlors;~~  
 245 ~~d. 7212 Garment Pressing and Agents for Laundries and Drycleaners; and~~  
 246 ~~e. 217 Carpet and Upholstery Cleaning.)) Subject to the following:  
 247 a. Not ((permitted)) allowed in the RA-10 or RA-20 zones. ((Limited to  
 248 recreation facilities subject to the following conditions and limitations:))  
 249 ((~~a.~~) ~~b.~~ The bulk and scale shall be compatible with ((~~residential or~~) the rural  
 250 character of the area;  
 251 ((~~b.~~ For sports clubs, ~~t~~)) ~~c.~~ The gross floor area shall not exceed ten thousand  
 252 square feet unless the building is on the same site or adjacent to a site where a public  
 253 facility is located; ((~~or unless the building is a nonprofit facility located in the urban~~  
 254 area; and  
 255 e.) ~~d.~~ Use is limited to residents of a specified residential development or to  
 256 sports clubs providing supervised instructional or athletic programs;  
 257 e. Outdoor amplified noise is not allowed; and  
 258 f. Hours of operation shall be limited to 7:00 a.m. through 10:00 p.m.  
 259 6. ((~~Only as accessory to residential use, and:~~~~

260 ~~a. Outdoor play areas shall be completely enclosed by a solid wall or fence,~~  
 261 ~~with no openings except for gates, and have a minimum height of six feet; and~~  
 262 ~~b. Outdoor play equipment shall maintain a minimum distance of twenty feet~~  
 263 ~~from property lines adjoining rural area and residential zones.)) Subject to the following:~~  
 264 ~~a. Limited to a maximum of two thousand five hundred square feet of gross~~  
 265 ~~floor area;~~  
 266 ~~b. Amplified noise is prohibited;~~  
 267 ~~c. The maximum on-site parking ratio shall be two spaces per one thousand~~  
 268 ~~square feet and required parking shall not be located between the building and the street;~~  
 269 ~~and~~  
 270 ~~d. Hours of operation shall be limited to 7:00 a.m. through 10:00 p.m.~~  
 271 ~~7. ((Permitted as an accessory use. See commercial/industrial accessory,~~  
 272 ~~K.C.C. 21A.08.060.A.)) Subject to the following:~~  
 273 ~~a. Amplified noise is prohibited;~~  
 274 ~~b. Limited to a maximum of ten thousand square feet of gross floor area unless~~  
 275 ~~the building either is on the same site or adjacent to a site where a public facility is~~  
 276 ~~located or is nonprofit facility located in the urban area; and~~  
 277 ~~c. Hours of operation shall be limited to 7:00 a.m. through 10:00 p.m.~~  
 278 ~~8. Only ((as a reuse of a public school facility subject to K.C.C. chapter 21A.32,~~  
 279 ~~or an accessory use to a school, church, park, sport club or public housing administered~~  
 280 ~~by a public agency, and:~~  
 281 ~~a. Outdoor play areas shall be completely enclosed by a solid wall or fence,~~  
 282 ~~with no openings except for gates and have a minimum height of six feet;~~  
 283 ~~b. Outdoor play equipment shall maintain a minimum distance of twenty feet~~  
 284 ~~from property lines adjoining rural area and residential zones;~~  
 285 ~~c. Direct access to a developed arterial street shall be required in any~~  
 286 ~~residential zone; and~~  
 287 ~~d. Hours of operation may be restricted to assure compatibility with~~  
 288 ~~surrounding development)) for standalone sports clubs that are not part of a park.~~  
 289 ~~31. Subject to review and approval of conditions to comply with trail corridor~~  
 290 ~~provisions of K.C.C. chapter 21A.14 ((when located in an RA zone)).~~  
 291

292 **Council Staff Comments:** For development condition 3, the text starting with a. (line  
 293 233 through 244 above) should have been shown as new underline text and language  
 294 shown as struck-out should have been deleted because this text is moved from the  
 295 recreation and cultural table to the general personal. This is corrected in this line  
 296 amendment (in addition to the other changes that this line amendment makes).  
 297

298 **This Line Amendment**

SIC #	SPECIFIC LAND USE	A	F	M	RA (31)	UR	R-1	R-4 - R-8	R-12 - R-48	NB	CB	RB	O	I
*	<u>Sports Club (8)</u>				<u>C3</u>	<u>P6</u> <u>C7</u>	<u>P6</u> <u>C3</u> <u>C7</u>	<u>P6</u> <u>C3</u> <u>C7</u>	<u>P6</u> <u>C3</u> <u>C7</u>	<u>P6</u> <u>C</u>	<u>P</u>	<u>P</u>		

299 ~~3. ((Limited to SIC Industry Group and Industry Nos.:~~  
 300 ~~a. 723 Beauty Shops;~~  
 301 ~~b. 724 Barber Shops;~~  
 302 ~~c. 725 Shoe Repair Shops and Shoeshine Parlors;~~

303 ~~d. 7212-Garment Pressing and Agents for Laundries and Drycleaners; and~~  
304 ~~e. 217-Carpet and Upholstery Cleaning.)) "e. 217-Carpet and Upholstery Cleaning.))~~  
305 Only outside the urban area and subject to the following:  
306 a. Not allowed in the RA-10 or RA-20 zones.  
307 b. The bulk and scale shall be compatible with residential or the rural  
308 character of the area;  
309 c. The gross floor area shall not exceed ten thousand square feet unless the  
310 building is on the same site or adjacent to a site where a public facility is located; and  
311 d. Use is limited to residents of a specified residential development or to  
312 sports clubs providing supervised instructional or athletic programs.  
313 ~~6. ((Only as accessory to residential use, and:~~  
314 ~~a. Outdoor play areas shall be completely enclosed by a solid wall or fence,~~  
315 ~~with no openings except for gates, and have a minimum height of six feet; and~~  
316 ~~b. Outdoor play equipment shall maintain a minimum distance of twenty feet~~  
317 ~~from property lines adjoining rural area and residential zones.)) Only in the urban area~~  
318 ~~and subject to the following:~~  
319 a. Limited to a maximum of two thousand five hundred square feet of gross  
320 floor area;  
321 b. Amplified noise is prohibited;  
322 c. The maximum on-site parking ratio shall be two spaces per one thousand  
323 square feet and required parking shall not be located between the building and the street;  
324 and  
325 d. Hours of operation shall be limited to 7:00 a.m. through 10:00 p.m.  
326 ~~7. ((Permitted as an accessory use. See commercial/industrial accessory,~~  
327 ~~K.C.C. 21A.08.060.A.)) Only in the urban area and subject to the following:~~  
328 a. Amplified noise is prohibited;  
329 b. Limited to a maximum of ten thousand square feet of gross floor area unless  
330 the building either is on the same site or adjacent to a site where a public facility is  
331 located or is nonprofit facility located in the urban area; and  
332 c. Hours of operation shall be limited to 7:00 a.m. through 10:00 p.m."  
333 ~~8. Only ((as a reuse of a public school facility subject to K.C.C. chapter 21A.32,~~  
334 ~~or an accessory use to a school, church, park, sport club or public housing administered~~  
335 ~~by a public agency, and:~~  
336 ~~a. Outdoor play areas shall be completely enclosed by a solid wall or fence,~~  
337 ~~with no openings except for gates and have a minimum height of six feet;~~  
338 ~~b. Outdoor play equipment shall maintain a minimum distance of twenty feet~~  
339 ~~from property lines adjoining rural area and residential zones;~~  
340 ~~c. Direct access to a developed arterial street shall be required in any~~  
341 ~~residential zone; and~~  
342 ~~d. Hours of operation may be restricted to assure compatibility with~~  
343 ~~surrounding development)) for standalone sports clubs that are not part of a park.~~  
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345

**Effect:**

- In the RA zone, remove specific conditions for amplified noise and hours of operation limitations, which would instead be reviewed during the conditional use permit process.
- Outside the urban area, in the R-1 through R-48, and NB zones:
  - o Remove an allowance for sports clubs as a Permitted use.

- 351 ○ As a Conditional use:
- 352     ▪ Add back a requirement for bulk and scale to be compatible with
- 353     the character of the area.
- 354     ▪ Remove specific conditions for amplified noise and hours of
- 355     operation limitations, which would instead be reviewed during the
- 356     conditional use permit process.
- 357     ▪ Add back a requirement limiting the use to residents of a specified
- 358     residential development or sports clubs providing supervised
- 359     instructional or athletic programs.

**Beauty And Barber Shops; Shoe Repair Shops; Laundry, Cleaning, And Garment Services; Drycleaners And Garment Pressing; And Portrait Photographic Studios**

**Executive's transmittal and existing code**  
**K.C.C. 21A.08.050, General Services Land Uses - Page 196, line 4175**

SIC#	SPECIFIC LAND USE	A	F	M	RA	UR	R1-8	R12-48	NB	CB	RB	O	I
72	General Personal Service						C25 C37	C25 C37	P	P	P	P3	P3
7216	Drycleaning Plants												P
7218	Industrial Launderers												P
7261	Funeral Home/Crematory					C4	C4	C4		P	P		

- 367 3. Limited to SIC Industry Group and Industry Nos.:
- 368     a. 723-Beauty Shops;
- 369     b. 724-Barber Shops;
- 370     c. 725-Shoe Repair Shops and Shoeshine Parlors;
- 371     d. 7212-Garment Pressing and Agents for Laundries and Drycleaners; and
- 372     e. 217-Carpet and Upholstery Cleaning.
- 373 4. Only as accessory to a cemetery, and prohibited from the UR zone only if the
- 374 property is located within a designated unincorporated Rural Town.
- 375 25. Not permitted in R-1 and limited to a maximum of five thousand square feet
- 376 per establishment and subject to the additional requirements in K.C.C. 21A.12.230.
- 377 37. Not permitted in R-1 and subject to the additional requirements in K.C.C.
- 378 21A.12.250.

379  
380 **Council Staff Comments:** In the Executive's transmittal and existing code, General  
381 Personal Service includes all of the uses in [SIC 72](#), which are the following uses:

382 Industry Group 721: Laundry, Cleaning, And Garment Services

- 383     • 7211 [Power Laundries, Family and Commercial](#)
- 384     • 7212 [Garment Pressing, and Agents for Laundries and Drycleaners](#)
- 385     • 7213 [Linen Supply](#)
- 386     • 7215 [Coin-Operated Laundries and Drycleaning](#)
- 387     • 7216 [Drycleaning Plants, Except Rug Cleaning](#)
- 388     • 7217 [Carpet and Upholstery Cleaning](#)
- 389     • 7218 [Industrial Launderers](#)

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- 7219 [Laundry and Garment Services, Not Elsewhere Classified](#)  
Industry Group 722: Photographic Studios, Portrait
- 7221 [Photographic Studios, Portrait](#)  
Industry Group 723: Beauty Shops
- 7231 [Beauty Shops](#)  
Industry Group 724: Barber Shops
- 7241 [Barber Shops](#)  
Industry Group 725: Shoe Repair Shops And Shoeshine Parlors
- 7251 [Shoe Repair Shops and Shoeshine Parlors](#)  
Industry Group 726: Funeral Service And Crematories
- 7261 [Funeral Service and Crematories](#)  
Industry Group 729: Miscellaneous Personal Services
- 7291 [Tax Return Preparation Services](#)
- 7299 [Miscellaneous Personal Services, Not Elsewhere Classified](#)

**Striking Amendment S1**

**K.C.C. 21A.08.050 Personal Services and Lodging Land Uses - Page 271, line 5790**

SIC #	SPECIFIC LAND USE	A	F	M	RA (31)	UR	R-1	R-4 – R-8	R-12 – R-48	NB	CB	RB	O	I
((72	<i>General Personal Service</i>							<del>C25</del> <del>C37</del>	<del>C25</del> <del>C37</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P3</del>	<del>P3</del>
7231	<i>Beauty and Barber Shops</i>							<u>P6</u>	<u>P25</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
7241														
7251	<i>Shoe Repair Shops</i>							<u>P6</u>	<u>P25</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
7211	<i>Laundry, Cleaning, and Garment Services</i>							<u>P6</u>	<u>P25</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
7213														
7215														
7219														
7212	<i>Drycleaner and Garment Pressing</i>							<u>P6</u>	<u>P25</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
((7216	<i>Drycleaning Plants</i>													<del>P</del>
7217	<i>Carpet and Upholstery Cleaning</i>									<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
((7218	<i>Industrial Launderers</i>													<del>P</del>
7261	<i>Funeral Home/Crematory</i>					C4	<u>C4</u>	C4	C4		P	P		
7221	<i>Portrait Photographic Studios</i>							<u>P6</u>	<u>P25</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	

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4. ~~Only as accessory to a cemetery((, and prohibited from the UR zone only if the property is located within a designated unincorporated Rural Town)).~~
6. ~~((Only as accessory to residential use, and:~~
- ~~a. Outdoor play areas shall be completely enclosed by a solid wall or fence, with no openings except for gates, and have a minimum height of six feet; and~~
- ~~b. Outdoor play equipment shall maintain a minimum distance of twenty feet from property lines adjoining rural area and residential zones.)) Subject to the following:~~
- a. Limited to a maximum of two thousand five hundred square feet of gross floor area;
- b. Amplified noise is prohibited;

418 c. The maximum on-site parking ratio shall be two spaces per one thousand  
 419 square feet and required parking shall not be located between the building and the street;  
 420 and

421 d. Hours of operation shall be limited to 7:00 a.m. through 10:00 p.m.

422 25.a. ((Not permitted in R-1 and I)) Limited to a maximum of five thousand  
 423 square feet ((per establishment and subject to the additional requirements in K.C.C.  
 424 21A.12.230-)) in the R-12 through R-48 zones;

425 b. Amplified noise is prohibited;

426 c. The maximum on-site parking ratio shall be two spaces per one thousand  
 427 square feet and required parking shall not be located between the building and the street;  
 428 and

429 d. Hours of operation shall be limited to 7:00 a.m. through 10:00 p.m.

430 31. Subject to review and approval of conditions to comply with trail corridor  
 431 provisions of K.C.C. chapter 21A.14 ((when located in an RA zone)).

432 37. ((Not permitted in R-1 and subject to the additional requirements in K.C.C.  
 433 21A.12.250-)) Repealed.

434

435 **Council Staff Comments:** In Striking Amendment S1, the services listed under SIC 72  
 436 are broken into their individual SIC Industry numbers, if not already existing.

437

438 **This Line Amendment**

SIC #	SPECIFIC LAND USE	A	F	M	RA (3L)	UR	R-1	R-4 – R-8	R-12 – R-48	NB	CB	RB	O	I
((72	<u>General Personal Service</u>							<u>C25</u> <u>C37</u>	<u>C25</u> <u>C37</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P3</u>	<u>P3</u> )
7231	<u>Beauty and Barber Shops</u>							<u>P6</u> <u>C25</u> <u>C37</u>	<u>P13</u> <u>C25</u> <u>C37</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
7241														
7251	<u>Shoe Repair Shops</u>							<u>P6</u> <u>C25</u> <u>C37</u>	<u>P13</u> <u>C25</u> <u>C37</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
7211	<u>Laundry, Cleaning, and Garment</u>							<u>P6</u> <u>C25</u> <u>C37</u>	<u>P13</u> <u>C25</u> <u>C37</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
7213	<u>Services</u>													
7215														
7219														
7212	<u>Drycleaner and Garment Pressing</u>							<u>P6</u> <u>C25</u> <u>C37</u>	<u>P13</u> <u>C25</u> <u>C37</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
((7216	<u>Drycleaning Plants</u>													<u>P</u> )
7217	<u>Carpet and Upholstery Cleaning</u>									<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
((7218	<u>Industrial Launderers</u>													<u>P</u> )
7261	<u>Funeral Home/Crematory</u>					<u>C4</u>	<u>C4</u>	<u>C4</u>	<u>C4</u>		<u>P</u>	<u>P</u>		
7221	<u>Portrait Photographic Studios</u>							<u>P6</u> <u>C25</u> <u>C37</u>	<u>P13</u> <u>C25</u> <u>C37</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	

439 4. Only as accessory to a cemetery((, and prohibited from the UR zone only if  
 440 the property is located within a designated unincorporated Rural Town)).

441 6. ((Only as accessory to residential use, and:

442 ~~a. Outdoor play areas shall be completely enclosed by a solid wall or fence,~~  
443 ~~with no openings except for gates, and have a minimum height of six feet; and~~  
444 ~~b. Outdoor play equipment shall maintain a minimum distance of twenty feet~~  
445 ~~from property lines adjoining rural area and residential zones.)) Only in the urban area~~  
446 ~~and subject to the following:~~  
447 ~~a. Limited to a maximum of two thousand five hundred square feet of gross~~  
448 ~~floor area;~~  
449 ~~b. Amplified noise is prohibited;~~  
450 ~~c. The maximum on-site parking ratio shall be two spaces per one thousand~~  
451 ~~square feet and required parking shall not be located between the building and the street;~~  
452 ~~and~~  
453 ~~d. Hours of operation shall be limited to 7:00 a.m. through 10:00 p.m.~~  
454 ~~13.((a. Except as otherwise provided in subsection B.13.b. of this section, only~~  
455 ~~as a reuse of a surplus nonresidential facility subject to K.C.C. chapter 21A.32.~~  
456 ~~b. Allowed for a social service agency on a site in the NB zone that serves~~  
457 ~~transitional or low income housing located within three hundred feet of the site on which~~  
458 ~~the social service agency is located.~~  
459 ~~e. Before filing an application with the department, the applicant shall hold a~~  
460 ~~community meeting in accordance with K.C.C. 20.20.035)) Only in the urban area and~~  
461 ~~subject to the following:~~  
462 ~~a. Limited to a maximum of five thousand square feet of gross floor area;~~  
463 ~~b. Amplified noise is prohibited;~~  
464 ~~c. The maximum on-site parking ratio shall be two spaces per one thousand~~  
465 ~~square feet and required parking shall not be located between the building and the street;~~  
466 ~~and~~  
467 ~~d. Hours of operation shall be limited to 7:00 a.m. through 10:00 p.m.~~  
468 ~~25.a. ((Not permitted in R-1 and)) Outside of the urban area, limited to a~~  
469 ~~maximum of five thousand square feet per establishment and subject to the additional~~  
470 ~~requirements in K.C.C. 21A.12.230.~~  
471 ~~31. Subject to review and approval of conditions to comply with trail corridor~~  
472 ~~provisions of K.C.C. chapter 21A.14 ((when located in an RA zone)).~~  
473 ~~37. ((Not permitted in R-1 and s))Subject to the additional requirements in~~  
474 ~~K.C.C. 21A.12.250.~~  
475

476

477 **Effect:**

- 478 - Outside of the urban area, in the R-4 through R-8 zones:
  - 479 ○ Remove an allowance for these uses, when less than 2,500 sf in size, to be
  - 480 a Permitted use with conditions.
  - 481 ○ Add back an allowance for these uses, when less than 5,000 sf in size and
  - 482 subject to K.C.C. 21A.12.230, to be a Conditional use.
  - 483 ○ Add back an allowance for these uses, with no size limitation, when
  - 484 subject to K.C.C. 21A.12.250, to be a Conditional use.
- 485 - Outside of the urban area, in the R-12 through R-48 zones:
  - 486 ○ Remove an allowance for these uses, when less than 5,000 sf in size, to be
  - 487 a Permitted use with conditions.

- 488 ○ Add back an allowance for these uses, when less than 5,000 sf in size and
- 489 subject to K.C.C. 21A.12.230, to be a Conditional use.
- 490 ○ Add back an allowance for these uses, with no size limitation, when
- 491 subject to K.C.C. 21A.12.250, to be a Conditional use.

**Department and Variety Stores; Food Stores; Book, Stationery, Video, and Art Supply Stores; and Florist Shops**

**Executive's transmittal**  
**K.C.C. 21A.08.070, Retail Land Uses - Page 216, line 4530**

SIC#	SPECIFIC LAND USE	A	F	M	RA	UR	RI-8	R12-48	NB	CB	RB	O	I
*	Department and Variety Stores						C14a	P14	P5	P	P		
54	Food Stores				C30		C15a	P15	P31	P	P	C	P6
58	Eating and Drinking Places				P21 C19		P20 C16	P20 P16	P10	P	P	P	P
*	Drug Stores						C15	P15	P31	P	P	C	
*	Book, Stationery, Video, and Art Supply Stores						C15a	P15	P	P	P		
*	Florist Shops						C15a	P15	P	P	P	P	

- 498 5. Limited to SIC Industry No. 5331-Variety Stores, and further limited to a
- 499 maximum of two thousand square feet of gross floor area.
- 500 6. Limited to a maximum of five thousand square feet of gross floor area.
- 501 10. Excluding SIC Industry No. 5813-Drinking Places.
- 502 14.a. Not in R-1 and limited to SIC Industry No. 5331-Variety Stores, limited to a
- 503 maximum of five thousand square feet of gross floor area, and subject to K.C.C.
- 504 21A.12.230; and
- 505 b. Before filing an application with the department, the applicant shall hold a
- 506 community meeting in accordance with K.C.C. 20.20.035.
- 507 15.a. Not permitted in R-1 and limited to a maximum of five thousand square feet
- 508 of gross floor area and subject to K.C.C. 21A.12.230; and
- 509 b. Before filing an application with the department, the applicant shall hold a
- 510 community meeting in accordance with K.C.C. 20.20.035.
- 511 16.a. Not permitted in R-1 and excluding SIC Industry No. 5813-Drinking Places,
- 512 and limited to a maximum of five thousand square feet of gross floor area and subject to
- 513 K.C.C. 21A.12.230, except as provided in subsection B.20. of this section; and
- 514 b. Before filing an application with the department, the applicant shall hold a
- 515 community meeting in accordance with K.C.C. 20.20.035.
- 516 19. Only as:
- 517 a. an accessory use to a permitted manufacturing or retail land use, limited to
- 518 espresso stands to include sales of beverages and incidental food items, and not to include
- 519 drive-through sales; or
- 520 b. an accessory use to a recreation or multiuse park, limited to a total floor area
- 521 of three thousand five hundred square feet.
- 522 20. Only as:
- 523 a. an accessory use to a recreation or multiuse park; or
- 524 b. an accessory use to a park and limited to a total floor area of one thousand
- 525 five hundred square feet.



- 526 21. Accessory to a park, limited to a total floor area of seven hundred fifty square  
 527 feet.  
 528 30. Only within a former grange hall incorporated under chapter 24.28 RCW and  
 529 listed in the National Register of Historic Places or designated as a King County landmark  
 530 subject to K.C.C. chapter 21A.32 and if the parcel is located within one thousand feet of a  
 531 Rural Neighborhood Commercial Center as designated by the King County Comprehensive  
 532 Plan.  
 533 31. In rural neighborhood commercial centers, limited to ten thousand square feet  
 534 of gross floor area.

535 **Striking Amendment S1**  
 536 **K.C.C. 21A.08.070 Retail Land Uses - Page 302, line 6288**  
 537

SIC #	SPECIFIC LAND USE	A	F	M	RA	UR	R-1	R-4 – R-8	R-12 – R-48	NB	CB	RB	O	I
*	Department and Variety Stores							<del>((C14</del> P14 C15 (#))	P((#4)) 16	P5	P	P		
54	Food Stores				C17			<del>((C15</del> P14 C15 (#))	P((#5)) 16	P18	P	P	C	P6
58	Eating and Drinking Places				P21 C19		P20	P20 <del>((C16</del> P14 C15 )	P20 P16	P10	P	P	P	P
*	Drug Stores							P14 C15	P((#5)) 16	P18	P	P	C	
*	Book, Stationery, Video, and Art Supply Stores							P14 C15( (#))	P((#5)) 16	P18	P	P		
*	Florist Shops							P14 C15 (#))	P((#5)) 16	P18	P	P	P	

- 538  
 539 5. Limited to SIC Industry ((No.)) 5331-Variety Stores, and further limited to a  
 540 maximum of two thousand square feet of gross floor area.  
 541 6. Limited to a maximum of five thousand square feet of gross floor area.  
 542 10. Excluding SIC Industry ((No.)) 5813-Drinking Places.  
 543 14.a. ((Not in R-1 and limited to SIC Industry No. 5331-Variety Stores,  
 544 t)) Limited to a maximum of ((five)) one thousand square feet of gross floor area; ((, and  
 545 subject to K.C.C. 21A.12.230; and  
 546 b. Before filing an application with the department, the applicant shall hold a  
 547 community meeting in accordance with K.C.C. 20.20.035.))  
 548 b. Drive-throughs are prohibited, except for detached buildings for eating and  
 549 drinking places that do not exceed two hundred square feet and are located at an  
 550 intersection with an arterial;  
 551 c. Amplified noise is prohibited;  
 552 d. The maximum on-site parking ratio shall be two spaces per one thousand  
 553 square feet and required parking shall not be located between the building and the street;  
 554 and  
 555 e. Hours of operation shall be limited to 7:00 a.m. through 10:00 p.m.

556           15. ~~((a. Not permitted in R-1 and I))~~ Limited to a maximum of ~~((five))~~ two  
557 thousand ~~five~~ hundred square feet of gross floor area; ~~((and subject to K.C.C.~~  
558 21A.12.230; and  
559           ~~b. Before filing an application with the department, the applicant shall hold a~~  
560 ~~community meeting in accordance with K.C.C. 20.20.035.)~~  
561           b. Drive-throughs are prohibited, except for detached buildings for eating and  
562 drinking places that do not exceed two hundred square feet and are located at an  
563 intersection with an arterial;  
564           c. Amplified noise is prohibited;  
565           d. The maximum on-site parking ratio shall be two spaces per one thousand  
566 square feet and required parking shall not be located between the building and the street;  
567 and  
568           e. Hours of operation shall be limited to 7:00 a.m. through 10:00 p.m.  
569           16.a. ~~((Not permitted in R-1 and excluding SIC Industry No. 5813-Drinking~~  
570 ~~Places, and I))~~ Limited to a maximum of five thousand square feet of gross floor area;  
571 ~~((and subject to K.C.C. 21A.12.230, except as provided in subsection B.20. of this~~  
572 ~~section; and~~  
573           ~~b. Before filing an application with the department, the applicant shall hold a~~  
574 ~~community meeting in accordance with K.C.C. 20.20.035.)~~  
575           b. Drive-throughs are prohibited, except for detached buildings for eating and  
576 drinking places that do not exceed two hundred square feet and are located at an  
577 intersection with an arterial;  
578           c. Amplified noise is prohibited;  
579           d. The maximum on-site parking ratio shall be two spaces per one thousand  
580 square feet and required parking shall not be located between the building and the street;  
581 and  
582           e. Hours of operation shall be limited to 7:00 a.m. through 10:00 p.m.  
583           17. ~~((Repealed))~~ Only within a former grange hall incorporated under chapter  
584 24.28 RCW and listed in the National Register of Historic Places or designated as a King  
585 County landmark subject to K.C.C. chapter 21A.32 and if the parcel is located within one  
586 thousand feet of a rural neighborhood commercial center as designated by the King  
587 County Comprehensive Plan.  
588           18. ~~((Repealed))~~ In rural neighborhood commercial centers, limited to fifteen  
589 thousand square feet of gross floor area.  
590           19. Only as:  
591           a. an accessory use to an ~~((permitted manufacturing))~~ allowed industrial or  
592 retail land use, limited to espresso stands to include sales of beverages and incidental  
593 food items, and not to include drive-through sales; or  
594           b. an accessory use to a recreation or multiuse park, limited to a total floor  
595 area of three thousand five hundred square feet.  
596           20. Only as:  
597           a. an accessory use to a recreation or multiuse park; or  
598           b. an accessory use to a park and limited to a total floor area of one thousand  
599 five hundred square feet.  
600           21. Accessory to a park, limited to a total floor area of seven hundred fifty  
601 square feet.  
602

603 **This Line Amendment**

SIC #	SPECIFIC LAND USE	A	F	M	RA	UR	R-1	R-4 – R-8	R-12 – R-48	NB	CB	RB	O	I
*	Department and Variety Stores							<u>P30</u> <u>C14a</u> <u>C31</u>	<u>P14</u> <u>P32</u>	<u>P5</u>	<u>P</u>	<u>P</u>		
54	Food Stores				<u>C17</u>			<u>P30</u> <u>C14a</u> <u>C31</u>	<u>P14</u> <u>P32</u>	<u>P18</u>	<u>P</u>	<u>P</u>	<u>C</u>	<u>P6</u>
58	Eating and Drinking Places				<u>P21</u> <u>C19</u>		<u>P20</u>	<u>P20</u> <u>P30</u> <u>C16</u> <u>C31</u>	<u>P20</u> <u>P16</u> <u>P32</u>	<u>P10</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
*	Drug Stores							<u>P30</u> <u>C15</u> <u>C31</u>	<u>P15</u> <u>P32</u>	<u>P18</u>	<u>P</u>	<u>P</u>	<u>C</u>	
*	Book, Stationery, Video, and Art Supply Stores							<u>P30</u> <u>C15a</u> <u>C31</u>	<u>P15</u> <u>P32</u>	<u>P18</u>	<u>P</u>	<u>P</u>		
*	Florist Shops							<u>P30</u> <u>C15a</u> <u>C31</u>	<u>P15</u> <u>P32</u>	<u>P18</u>	<u>P</u>	<u>P</u>	<u>P</u>	

604 5. Limited to SIC Industry (~~(No.)~~) 5331-Variety Stores, and further limited to a  
605 maximum of two thousand square feet of gross floor area.

606 6. Limited to a maximum of five thousand square feet of gross floor area.

607 10. Excluding SIC Industry (~~(No.)~~) 5813-Drinking Places.

608 14.a. (~~(Not in R-1 and)~~) Outside of the urban area, limited to SIC Industry No.  
609 5331-Variety Stores, limited to a maximum of five thousand square feet of gross floor  
610 area, and subject to K.C.C. 21A.12.230; and

611 b. Before filing an application with the department, the applicant shall hold a  
612 community meeting in accordance with K.C.C. 20.20.035.

613

614 15. (~~(a. Not permitted in R-1 and)~~) Outside of the urban area, limited to a  
615 maximum of five thousand square feet of gross floor area and subject to K.C.C.  
616 21A.12.230; and

617 b. Before filing an application with the department, the applicant shall hold a  
618 community meeting in accordance with K.C.C. 20.20.035.

619 16.a. (~~(Not permitted in R-1 and e)~~) Excluding SIC Industry No. 5813-Drinking  
620 Places, and limited to a maximum of five thousand square feet of gross floor area, and  
621 subject to K.C.C. 21A.12.230, except as provided in subsection B.20. of this section; and

622 b. Before filing an application with the department, the applicant shall hold a  
623 community meeting in accordance with K.C.C. 20.20.035.

624 17. (~~(Repealed)~~) Only within a former grange hall incorporated under chapter  
625 24.28 RCW and listed in the National Register of Historic Places or designated as a King  
626 County landmark subject to K.C.C. chapter 21A.32 and if the parcel is located within one  
627 thousand feet of a rural neighborhood commercial center as designated by the King  
628 County Comprehensive Plan.

629 18. (~~(Repealed)~~) In rural neighborhood commercial centers, limited to fifteen  
630 thousand square feet of gross floor area.

631 19. Only as:

632 a. an accessory use to an (~~(permitted manufacturing)~~) allowed industrial or  
633 retail land use, limited to espresso stands to include sales of beverages and incidental  
634 food items, and not to include drive-through sales; or

- 635                    *b. an accessory use to a recreation or multiuse park, limited to a total floor*  
636 *area of three thousand five hundred square feet.*  
637                    *20. Only as:*  
638                    *a. an accessory use to a recreation or multiuse park; or*  
639                    *b. an accessory use to a park and limited to a total floor area of one thousand*  
640 *five hundred square feet.*  
641                    *21. Accessory to a park, limited to a total floor area of seven hundred fifty*  
642 *square feet.*  
643                    *30. In the urban area, subject to the following:*  
644                    *a. Limited to a maximum of one thousand square feet of gross floor area;*  
645                    *b. Drive-throughs are prohibited, except for detached buildings for eating and*  
646 *drinking places that do not exceed two hundred square feet and are located at an*  
647 *intersection with an arterial;*  
648                    *c. Amplified noise is prohibited;*  
649                    *d. The maximum on-site parking ratio shall be two spaces per one thousand*  
650 *square feet and required parking shall not be located between the building and the street;*  
651 *and*  
652                    *e. Hours of operation shall be limited to 7:00 a.m. through 10:00 p.m.*  
653                    *31. In the urban area, subject to the following:*  
654                    *a. Limited to a maximum of two thousand five hundred square feet of gross*  
655 *floor area;*  
656                    *b. Drive-throughs are prohibited, except for detached buildings for eating and*  
657 *drinking places that do not exceed two hundred square feet and are located at an*  
658 *intersection with an arterial;*  
659                    *c. Amplified noise is prohibited;*  
660                    *d. The maximum on-site parking ratio shall be two spaces per one thousand*  
661 *square feet and required parking shall not be located between the building and the street;*  
662 *and*  
663                    *e. Hours of operation shall be limited to 7:00 a.m. through 10:00 p.m.*  
664                    *32. In the urban area, subject to the following:*  
665                    *a. Limited to a maximum of five thousand square feet of gross floor area;*  
666                    *b. Drive-throughs are prohibited, except for detached buildings for eating and*  
667 *drinking places that do not exceed two hundred square feet and are located at an*  
668 *intersection with an arterial;*  
669                    *c. Amplified noise is prohibited;*  
670                    *d. The maximum on-site parking ratio shall be two spaces per one thousand*  
671 *square feet and required parking shall not be located between the building and the street;*  
672 *and*  
673                    *e. Hours of operation shall be limited to 7:00 a.m. through 10:00 p.m.*  
674

675 **Effect:**

676 **Department and Variety Stores; Food Stores; Book, Stationery, Video, and Art**  
677 **Supply Stores; and Florist Shops:**

- 678        - Outside of the urban area, in the R-4 through R-8 zones:  
679                ○ Remove an allowance for these uses, when less than 1,000 sf in size, to be  
680                a Permitted use with conditions.  
681                ○ As a Conditional use:  
682                        ■ Add back in a requirement to comply with K.C.C. 21A.12.230.

- 683                           ▪ Increase the size limitation from 2,500 sf back to 5,000 sf.
- 684 - In the rural R-12 through R-48 zone, as a Permitted use:
- 685     ○ Add back in a requirement to comply with K.C.C. 21A.12.230 and a
- 686     community meeting requirement.
- 687     ○ Remove provisions that would prohibit on drive-throughs, limit amplified
- 688     noise, and limit the hours of operation.
- 689

**Eating And Drinking Places and Drug Stores:**

- 690
- 691 - Outside of the urban area, in the R-4 through R-8 zone:
- 692     ○ Remove an allowance for these uses, when less than 1,000 sf in size, to be
- 693     a Permitted use with conditions.
- 694     ○ As a Conditional use:
- 695         ▪ Add back in a requirement to comply with K.C.C. 21A.12.230 and
- 696         a community meeting requirement.
- 697         ▪ Increase the size limitation from 2,500 sf back to 5,000 sf.
- 698     ○ Remove provisions that would prohibit drive-throughs of eating and
- 699     drinking places larger than 200 sf and prohibit them at the intersection of
- 700     an arterial, limit amplified noise, and limit the hours of operation.
- 701 - Outside of the urban area, in the R-12 through R-48 zone, as a Permitted use:
- 702     ○ Remove provisions that would prohibit on drive-throughs of eating and
- 703     drinking places larger than 200 sf and not at the intersection of an arterial,
- 704     limit amplified noise, and limit the hours of operation.
- 705     ○ Add back in a requirement to comply with K.C.C. 21A.12.230 and a
- 706     community meeting requirement.
- 707

**Other Changes**

- 708
- 709 - Removes the repeal of K.C.C. 21A.12.230, limits the section to the rural R-4
- 710     through R-48 zones, and makes technical corrections to K.C.C. 21A.12.230.
- 711     K.C.C. 21A.12.230 concerns the maximum size limitation, location, minimum
- 712     spacing requirements, parking, building and roofline modulation, and other design
- 713     standards for personal services and retail use in the R-4 through R-48 zones.
- 714