

**CITY OF NORTH BONNEVILLE
ORDINANCE NUMBER 1057**

**AN ORDINANCE OF THE CITY OF NORTH BONNEVILLE, WASHINGTON, AMENDING
NORTH BONNEVILLE MUNICIPAL CODE TITLE 20 ZONING.**

WHEREAS, updating of certain chapter definitions and uses are needed to address changes that have been made by the state and to the municipal code; and

WHEREAS, the City of North Bonneville after careful consideration and study has deemed it necessary and desirable to amend certain sections of the zoning codes to better reflect the current desires of the city; and

NOW, THEREFORE, The City Council of the City of North Bonneville does hereby ordain as follows:

Section 1.

Legend: New language added = underlined
 Old language deleted = ~~strikethrough~~

Amending TITLE 20 ZONING as follows:

Chapter 20.12 Definitions

20.12.024 Adult family home.

A residential home licensed by the Washington State Department of Social and Health Service in which a person or persons provide personal care, special care, room, and board for more than one but not more than six adults who are not related by blood or marriage to the person or persons providing services, as defined by RCW 70.128.010.

~~20.12.024 Adult boarding home.~~

~~Any home or other institution which is licensed to operate and provide board and domiciliary care to seven (7) or more persons, not related by blood or marriage to the operator, as defined in RCW Chapter 18.20.020.~~

20.12.373 Residential care facility

A facility licensed by the state that cares for a least five but not more than fifteen people with functional disabilities, that has not been licensed as an adult family home pursuant to RCW Chapter 70.128.

Chapter 20.16 (SFR) Single Family Residential

20.16.010 Permitted uses.

Uses that are permitted as a matter of right:

- A. Single-family residential dwellings including site-built homes and manufactured homes;
- B. Home offices and businesses, subject to the provisions of Section 20.16.050 of this chapter;
- C. Adult family homes, residential care facilities;
- D. Garages and other accessory buildings, except for attached accessory dwellings as defined in Section 20.12.020, and structures such as utility sheds, recreational vehicle enclosures, household pet enclosures, shop and studio buildings, greenhouses;
- E. Household gardens;

F. Private swimming pools, above grade and below grade, provided they are adequately enclosed or fenced and do not constitute a hazard or attractive nuisance;

G. Parking of motor vehicles;

H. Storage or parking of boats and boat trailers kept for other than gain or sale; provided, that no boat with an overall length including the trailer exceeding thirty (30) feet shall be stored or parked in a single-family residential area;

I. Outside barbeques and cooking facilities and eating areas;

J. Outside storage of firewood; provided that it is neatly and securely stacked and does not harbor rodents or collections of harmful insects or create a fire hazard;

K. Duplex dwellings on lots in excess of seven-teen thousand five hundred (17,500) square feet subject to development standards provided in Section 20.16.040 of this chapter.

20.16.030 Conditional Uses

A. Churches, schools, day care ~~and assisted living facilities~~, bed and breakfast or tourist homes ~~with a conditional use permit~~;

B. Livestock with a livestock conditional use permit;

C. Uses that are not specifically permitted or prohibited shall be a conditional use.

Chapter 20.18 (MF) Multifamily Residential

20.18.010 Permitted uses.

Uses that are permitted as a matter of right:

A. Multifamily Residential Dwellings. Multi-family residential dwellings may contain common laundry facilities, storage rooms, or vending machines serving only the residents of the building;

B. Garages, carports, enclosed storage areas, storage buildings, and other accessory buildings or structures such as utility sheds and garbage container enclosures, for use only by the residents of the building;

C. Home offices and businesses, subject to the provisions of Section 20.18.050 of this title;

D. Play areas serving only the residents of the building and their guests;

E. Outside barbeque and cooking facilities and eating areas;

F. Adult family homes, residential care facilities.

20.18.030 Conditional uses.

Uses that require a conditional use permit:

A. ~~Adult boarding homes~~, Nursing homes;

B. Churches, schools, day care ~~and assisted living facilities~~, bed and breakfast or tourist homes;

C. Uses that are not specifically permitted or prohibited shall be a conditional use.

Chapter 20.20 (MH) Manufactured Home Subdivision

20.20.010 Permitted uses.

Uses that are permitted as a matter of right:

A. Individual single-family residential dwellings including site-built homes and manufactured homes;

B. Attached or detached porches, decks, pergolas, stairs and landings;

C. Garages and other accessory buildings and structures such as utility sheds, recreational vehicle enclosures, household pet enclosures, shop and studio buildings, greenhouses;

D. Home offices and businesses, subject to the provisions of Section 20.20.040 of this chapter;

E. Adult family homes, residential care facilities;

F. Household gardens;

G. Private swimming pools, above grade and below grade, provided they are adequately enclosed or fenced and do not constitute a hazard or attractive nuisance;

H. Parking of motor vehicles;

I. Storage or parking of boats and boat trailers kept for other than gain or sale; provided, that no boat with an overall length including the trailer exceeding thirty (30) feet shall be stored or parked in a manufactured home subdivision area;

J. Outside barbeques and cooking facilities and eating areas;

K. Outside storage of firewood; provided that it is neatly and securely stacked and does not harbor rodents or collections of harmful insects or create a fire hazard.

Chapter 20.22 (CBD) Central Business District

20.22.010 Permitted uses.

Uses that are permitted as a matter of right:

A. Retail and commercial uses including, but not limited to, retail shops and stores, restaurants and cafes, financial institutions;

B. Service businesses including, but not limited to, medical offices and clinics, legal offices, accounting and other professional offices;

C. Municipal and government buildings, offices;

D. Private dwellings as an integral part of a commercial or retail structure with the following conditions:

1. Only one dwelling unit per structure.

2. Each dwelling units shall have a minimum living area of nine hundred (900) square feet.

3. Residential uses shall not be more than fifty (50) percent of the total square footage of the structure(s) and cannot be located on the ground level.

4. The Planning Commission specifically reserves the right to disapprove any development of dwellings in conjunction with commercial development on the basis of health, safety and welfare of potential occupants and any adjacent businesses and their occupants.

E. Adult family homes, residential care facilities;

F. All business uses are to be conducted wholly within a completely enclosed building except special events, including but not limited to, sidewalk sales, city wide event participation and eating establishments which may provide outdoor eating areas on commercial lots.

Chapter 20.24 (C-1) Commercial

20.24.010 Permitted uses.

Uses that are permitted as a matter of right:

A. General commercial establishments, including but not limited to, restaurants, motels, cafes, auto parts stores, retail stores and self-storage facilities;

B. Automotive related establishments including service stations, sales and service of automobiles, trucks, recreational vehicles, motorcycles, and pleasure boats;

C. Private clubs and lodges;

D. Adult family homes, residential care facilities;

E. Private dwellings including balconies, out-side courts or patios as an integral part of a commercial or retail structure with the following conditions:

1. The dwelling units shall have a minimum living area of nine hundred (900) square feet.

2. Residential uses shall not be more than twenty-five (25) percent of the total square footage of the structure(s).

3. The design of commercial establishments which include dwellings shall be a matter subject to review and approval by the Planning Commission. The Planning Commission specifically reserves the right to disapprove any development of dwellings in conjunction with commercial development on the basis of health, safety and welfare of potential occupants.

F. Medical Cannabis Collective Gardens. All Medical Cannabis Collective Gardens shall meet the following development standards:

1. The definitions set forth in RCW 69.51A.010 and NBMC 20.12 shall apply.

2. Location:

- a. No more than one collective garden shall be located on a single parcel.
 - b. No more than one collective garden shall be located in a single structure.
 - c. Shall be located fully within a permanent structure designed to comply with the current City site and building codes and constructed under a building permit from the City regardless of the size or configuration of the structure.
 - d. Shall not be located in a mobile structure.
 - e. Shall not be located on a parcel that contains a private dwelling or residential use.
 - f. No collective garden shall be located within 500 feet of the following. The measurement shall be taken in a straight line from the property boundary to property boundary.
 - i. Another existing collective garden; or
 - ii. Public Park; or
 - iii. Community Center; or
 - iv. Elementary or secondary school (public or private); or
 - v. Day care center.
3. No production, processing or delivery of cannabis may be visible to the public nor may it be visible through windows.
4. A collective garden must meet all requirements under E2SSB 5073, including but not limited, to limitations on number of members, number of plants, amount of usable cannabis on site, maintenance of each member's valid documentation of qualifying patient status.
5. 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 sewer or stormwater sewer system nor be released into the atmosphere outside of the structure where the garden is located.
6. No odors shall be allowed to migrate beyond the interior portion of the structure where the garden is located.
7. There shall be no exterior signage relating to the collective garden.
8. A Medical Cannabis Collective Garden Safety License pursuant to Chapter 5.05 NBMC shall be obtained prior to the start of operations of the collective garden.

Chapter 20.26 (CR) Commercial Recreation

20.26.030 Permitted uses.

Uses that are permitted as a matter of right:

A. Campgrounds; recreational vehicle parks and facilities; visitor accommodations as described in Section 20.26.020 of this chapter; restaurants, lounges, gifts shops, artisan or craft studio, and other tourist related shops and services if they serve the primary recreational or tourist use; single-family residences; planned unit developments; golf courses; riding stables; amphitheatres; auditorium; public or private entertainment facilities including, but not limited to, water related activities, docks, indoor and outdoor tennis courts, trails and pathways, and picnic areas;

B. Adult family homes, residential care facilities.

Chapter 20.30 (AG-P) Agricultural and Wetland Preserve

20.30.010 Permitted uses.

Uses that are permitted as a matter of right:

A. All agricultural uses, aqua-culture, commercial greenhouses, nurseries, riding stables, parks;

B. Single family residential, adult family homes, residential care facilities;

C. Open space and wetland preserves, wildlife sanctuaries.

20.30.030 Conditional uses.

~~A. Single-family residential construction, camp grounds, stables.~~

A. Uses that are not specifically permitted or prohibited shall be a conditional use.

Chapter 20.32 (TC) Timber Conservancy

20.32.010 Permitted uses.

Uses that are permitted as a matter of right:

A. All silvicultural practices and campgrounds;

B. Single family residential, adult family homes, residential care facilities.

20.32.030 Conditional uses.

A. Livestock with a livestock conditional use permit;

B. Communications facilities, public and private, including towers, masts, antennas, accessory buildings, fences, access roads and parking;

~~C. Single-family residential construction.~~

C. Uses that are not specifically permitted or prohibited shall be a conditional use.

Chapter 20.34 (MU) Mixed Use

20.34.010 Permitted uses.

Uses that are permitted as a matter of right:

A. Single-family residential, manufactured homes, duplexes, condominiums and apartments, manufactured home parks, light industrial and manufacturing, warehouses, truck shops;

B. Private clubs and lodges;

C. Veterinary clinics and facilities;

D. Adult family homes, residential care facilities;

E. Accessory Uses. On-site hazardous waste treatment and storage facilities subject to State Siting Criteria.

Chapter 20.36 (I/BP) Industrial/Business Park

20.36.030 Prohibited uses.

A. Residential use other than on site living quarters per section 20.36.040 A.;

B. Adult family homes, residential care facilities, day care, nursing homes;

C. Livestock.

Chapter 20.38 (C) Churches

20.38.020 Prohibited uses.

A. All retail, commercial and industrial uses;

B. Livestock.

Chapter 20.40 (H) Health Care Facilities

20.40.010 Permitted uses.

Uses that are permitted as a matter of right:

1- A. Medical clinics, health care clinics, nursing homes, related accessory buildings and parking;

2- B. Elderly and/or handicapped housing which complies with HUD standards. Adult family homes, residential care facilities.

20.40.020 Prohibited uses.

A. All retail stores, service stations, residential construction, except as permitted in Section 20.40.010 and industrial uses;

B. Residential or commercial uses, except as permitted in Section 20.40.010;

C. Livestock.

Chapter 20.46 (SC) School Site/Community Center

20.46.020 Prohibited uses.

~~All commercial and retail uses, all residential uses. Livestock.~~

- A. All residential, retail, commercial and industrial uses;
- B. Livestock.

Chapter 20.50 (O) Open Space Preserve

20.50.020 Prohibited uses.

~~All commercial uses, all residential uses, all motorized vehicles except public maintenance equipment and motorized wheelchairs.~~

- A. All residential, retail, commercial and industrial uses;
- B. Livestock;
- C. All motorized vehicles except public maintenance equipment and motorized wheelchairs.

Chapter 20.52 (PK) Public Parks

20.50.020 Prohibited uses.

~~All commercial and residential uses.~~

- A. All residential, retail, commercial and industrial uses;
- B. Livestock

Section 2.

Severability.

If any section, sentence, clause or phrase of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

Section 3.

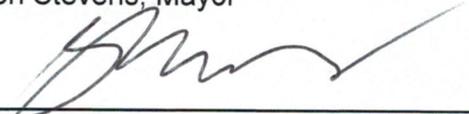
Effective Date and Publication.

This Ordinance shall be effective five days after publication of the Ordinance, or a summary thereof consisting of its title, in the official newspaper of the City.

PASSED BY THE CITY COUNCIL ON November 24th, 2015.



Don Stevens, Mayor



Steven Hasson City Administrator

Attest:

Approved as to Form:

Ken Woodrich City Attorney