Title 20

ZONING*

Chapters:

20.04 Comprehensive Plan
20.08 General Provisions
20.10 Establishment of Zones
20.12 Definitions
20.14 Reserved
20.16 (SFR) Single-Family Residential
20.18 (MF) Multi-Family Residential
20.20 (MH) Manufactured Home Subdivision
20.22 (CBD) Central Business District
20.24 (C-1) Commercial
20.26 (CR) Commercial Recreation
20.28 (LC-P) Light Commercial-Recreation and Wetland Preserve
20.30 (AG-P) Agricultural and Wetland Preserve
20.32 (TC) Timber Conservancy
20.34 (MU) Mixed Use
20.36 (I/BP) Industrial/Business Park
20.38 (C) Churches
20.40 (H) Health Care Facilities
20.42 (CM) Cemeteries
20.44 (ST) State Land
20.46 (SC) School Site/Community Center
20.48 (U) Municipal Utilities Sites
20.50 (O) Open Space Preserve
20.52 (PK) Public Parks
20.54 (DH, PG, BPA) Federal Ownership Areas
20.55 Planned Unit Developments
20.56 Conditional Uses
20.57 Livestock Conditional Uses
20.58 Non-Conforming Uses, Structures, Lots
20.60 Site Rezones
20.62 Administrative Provisions/Penalties

* Editor's note: The zoning map with amendments thereto is on file in the office of Clerk/Treasurer.

Chapter 20.04

COMPREHENSIVE PLAN

Sections:

20.04.010 Plan adopted--Hearing.

20.04.010 Plan adopted--Hearing.

An urban area comprehensive land use plan for the City of North Bonneville has been completed and accepted by the North Bonneville Planning Commission, and pursuant to state law the council being the legislative body of the town did hold a public hearing on the plan on May 26, 1999.

There being no written or oral objections to the urban area comprehensive land use plan, the plan was unanimously adopted, by motion, by the City Council on June 8, 1999. (Ord. 835 §§ 1, 2, 2003)

Chapter 20.08

GENERAL PROVISIONS

Sections:

20.08.010 Title/purpose.
20.08.020 Scope.
20.08.030 Applicability.
20.08.040 Applicability of other ordinances.
20.08.050 Applicability of Shoreline Management Act of 1971.
20.08.060 Review and filing fees.

20.08.010 Title/purpose.

This Chapter shall be known as the Zoning Ordinance of the City of North Bonneville, Washington. The purpose of this chapter is to promote the orderly development of North Bonneville, Washington; to conserve and stabilize the value of property and the integrity of the city's extensive planning efforts; to prevent conflicts arising from incompatible land uses and to preserve the environmental quality and values of the city's unique setting; and to otherwise promote the public health, safety, and welfare. (Ord. 1053, 2015; Ord. 802, 2001)

20.08.020 Scope.

Hereafter no building or structure shall be erected, reconstructed, altered, enlarged or relocated, and no building, structure or premise shall be used in any zone except in compliance with the provisions of this title and then only after securing all required permits.

Any building, structure or use lawfully existing at the time of passage of the ordinance codified in this title, although not in compliance therewith, may only be continued as provided in Chapter 20.58. (Ord. 802, 2001)

20.08.030 Applicability.

The provisions of this title shall apply only to those areas covered by the official zoning map of the City of North Bonneville. (Ord. 802, 2001)

20.08.040 Applicability of other ordinances.

All buildings, structures, land uses and occupancies located in any zone shall conform to the provisions of all other applicable chapters, notwithstanding this chapter, including but not limited to: Chapter 17.04, adopting provisions of the International Building Code; Chapter 19.08, regulating Plats and Subdivisions; Chapter 19.04, regulating Short Subdivisions; Chapter 17.20, Site and Building Plan Review. (Ord. 981, 2011; Ord. 802, 2001)

20.08.050 Applicability of Shoreline Management Act of 1971.

Shoreline areas and their associated wetlands within the City of North Bonneville are subject to the standards and procedures of the Shoreline Management Act of 1971, RCW Chapter 90.57, and any subsequent regulations which the city shall adopt pursuant to that title. (Ord. 802, 2001)

20.08.065 Treatment of residential structures occupied by persons with handicaps.

Consistent with RCW 36.70A.410 and the federal Fair Housing Amendments Act of 1988 (42 U.S.C. Sec. 3602), the City of North Bonneville shall not enact or maintain any ordinance, development regulation, zoning regulation, official control, policy, or administrative practice which treats a residential structure occupied by persons with handicaps differently than a similar residential structure occupied by a family or other unrelated individuals. For purposes of this section, "handicaps" are as defined in the federal Fair Housing Amendments Act of 1988.

20.08.070 Affordable Housing — Non-Discrimination.

Consistent with RCW 36.130.020, as adopted or hereafter amended, the City of North Bonneville shall not adopt, impose, or enforce requirements on an affordable housing development that are different than the requirements imposed on housing developments generally. Nothing in this section prohibits the city from extending preferential treatment to affordable housing developments, including but not limited to reductions or waivers of fees or modifications to applicable development standards that reduce or are likely to reduce the development or operating costs of an affordable housing development.

Chapter 20.10

ESTABLISHMENT OF ZONES/ EXCLUSIVE LAND USES

Sections:

20.10.010 Establishment of zones--Zoning map.
20.10.020 Interpretation of zone boundaries.
20.10.030 Classification of zones.

20.10.010 Establishment of zones--Zoning map.

The city is divided into general land use zones as shown on the Official Zoning Map which together with all explanatory matter thereon is adopted by reference and declared to be part of this chapter.

If changes are made in zone boundaries or other matters portrayed on the official zoning map, such changes shall be entered on the map promptly after the amendment has been approved by the City Council.

The official zoning map shall be located in the office of the City Planning Department and shall be the final authority as to the current zone boundaries. (Ord. 802, 2001)

(Zoning Map Amendments: Ord. 528, 1983--Optimum Town Land; Ord. 533, 1983--Lot C-33 to CBD-D; Ord. 578, 1986--Tol Annexation; Ord. 616, 1988--Lots C-6, C-7, C-8 & C-9 to CBD-D)

20.10.020 Interpretation of zone boundaries.

When uncertainty exists as to the boundaries as shown on the official zoning map, the Planning Commission shall interpret the zone boundaries. (Ord. 1039, 2014; Ord. 802, 2001)

20.10.030 Classification of zones.

For the purpose of this chapter, the following zone classifications are established:

Zone	Map Symbol
Single-Family Residential	SFR
Multi-Family Residential	MF
Manufactured Home Subdivision	MH
Central Business District	CBD
Commercial	C- 1
Commercial Recreation	CR
Light Commercial-Recreation and Wetland Preserve	LC-P
Agricultural and Wetland Preserve	AG-P
Timber Conservancy	TC
Mixed Use	MU
Industrial/Business Park	I/BP
Churches	C
Health Care Facilities	H
Cemeteries	CM
State Land	ST
Public Use Areas:	
School Site/Community Center	SC
Municipal Utilities Sites	U
Open Space Preserves	O
Public Parks	PK

Federal Ownership Areas:	
Day Use and Historic Sites	DH
Power Generation Facilities	PG
Transmission Line Corridors	BPA

(Ord. 936, 2008; Ord. 802, 2001)

Chapter 20.12

DEFINITIONS

Sections:

20.12.010 Purpose.
20.12.020 Accessory building or accessory use.
20.12.024 Adult family home.
20.12.030 Basement.
20.12.040 Buildable area.
20.12.050 Building.
20.12.060 Building height.
20.12.070 Building line.
20.12.080 Building main.
20.12.090 Building site.
20.12.095 Carport
20.12.100 Contiguous.
20.12.110 Corner lot.
20.12.120 Council.
20.12.125 Dedicated open space.
20.12.130 Dwelling.
20.12.140 Dwelling unit.
20.12.150 Family.
20.12.160 Flood plain.
20.12.170 Hazardous waste.
20.12.180 Hazardous waste treatment and storage facility, on-site.
20.12.190 Hazardous waste storage.
20.12.200 Hazardous waste treatment.
20.12.210 Highway oriented business.
20.12.220 Home office.
20.12.230 Home business.
20.12.240 Kitchen.
20.12.242 Livestock
20.12.245 Living space
20.12.247 Overnight Lodging
20.12.250 Lot.
20.12.260 Lot depth.
20.12.270 Lot width.
20.12.272 Manufactured home.
20.12.273 Marijuana or cannabis
20.12.274 Medical cannabis collective garden
20.12.275 Mini-warehouse/storage unit.
20.12.280 Mobile home.

20.12.290 Mobile home park.
20.12.300 Multifamily dwelling.
20.12.310 Nonconforming building or structure.
20.12.320 Nonconforming use.
20.12.330 Nursing home.
20.12.340 Official zoning map.
20.12.350 Principal uses permitted outright.
20.12.360 Prohibited uses.
20.12.370 Projection.
20.12.373 Residential care facility.
20.12.375 Self-service storage facility.
20.12.380 Story.
20.12.390 Single-family dwelling.
20.12.395 Site-built home.
20.12.400 Structure.
20.12.410 Sign, advertising.
20.12.420 Sign, business.
20.12.426 Usable cannabis
20.12.430 Use.
20.12.440 Variance.
20.12.450 Yard.
20.12.460 Yard, front.
20.12.470 Yard, rear.
20.12.480 Yard, side.
20.12.490 Zone.

20.12.010 Purpose.

For the purposes of this chapter, certain terms are herewith defined. Unless it is plainly evident from the context that a different meaning is intended, the words and terms used in this chapter shall have the following meanings. (Ord. 802, 2001)

20.12.020 Accessory building or accessory use.

A subordinate use, structure, building or portion of a building such as a garage, woodshed, or utility building located on the same lot as the main building or use to which it is an accessory. (Ord. 802, 2001)

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. (Ord. 1057, 2015)

20.12.030 Basement.

A story partly or wholly underground and having at least one-half (1/2) of its height, measured from its floor to its finished ceiling, below the average adjoining grade. (Ord. 802, 2001)

20.12.040 Buildable area.

That portion of land which remains after the required yards have been excluded from the building site. (Ord. 802, 2001)

20.12.050 Building.
A combination of materials to form a structure that is safe and stable, and adapted to permanent or continued occupancy. It is a structure having a roof supported by walls or columns for the housing or enclosure of persons, animals, chattels or property of any kind. (Ord. 802, 2001)

20.12.060 Building height.
The vertical distance from the average undisturbed grade within the area of the building foundation to the highest point of the roof coping or the highest gable of a pitch or hip roof. (Ord. 802, 2001)

20.12.070 Building line.
A line parallel with the property line located on the inside border of the required yard. (Ord. 802, 2001)

20.12.080 Building main.
The principal building on a lot or building site designed or used to accommodate the primary use to which the premises are devoted. When more than one (1) building on the premises is designed or used for the primary use, each such building is considered a main building. (Ord. 802, 2001)

20.12.090 Building site.
A parcel of land occupied or intended to be occupied by a main building and its accessory buildings, together with all the open space and yards required by this chapter. (Ord. 802, 2001)

20.12.095 Carport.
"Carport" means an attached or detached permanent structure open on two or more sides that is used primarily for the storage of private vehicles. (Ord. 958, 2009)

20.12.100 Contiguous.
An area defined by a continuous perimeter; provided, that two (2) areas shall be deemed "contiguous" if the only property separating them is public right-of-way. For purposes of this definition public right-of-way does not include a navigable waterway. (Ord. 802, 2001)

20.12.110 Corner lot.
A lot that abuts on two (2) or more intersecting streets. (Ord. 802, 2001)

20.12.120 Council.
"Council," when used in this chapter, refers to the City Council of North Bonneville, Washington. (Ord. 802, 2001)

20.12.125 Dedicated open space.
"Dedicated open space" means a dedicated open space lot as designated on the face of a recorded plat and shall not include any unused portion of any street or highway right-of-way. (Ord. 871 § 1 (part), 2005)

20.12.130 Dwelling.
A building or portion thereof providing complete housekeeping facilities for one (1) family. (Ord. 802, 2001)

20.12.140 Dwelling unit.
A "dwelling unit" means one (1) or more rooms in a building designed for occupancy by one (1) family for living and sleeping purposes and having not more than one (1) kitchen. (Ord. 802, 2001)

20.12.141 Emergency Housing
Indoor accommodations for individuals or families who are homeless or at imminent risk of becoming homeless that is intended to address the basic health, food, clothing, and personal hygiene needs of individuals or families. Emergency housing may or may not require occupants to enter into a lease or an occupancy agreement. Length of stay: up to 60 days.

20.12.142 Emergency Shelter

A facility that provides a temporary shelter for individuals or families who are currently homeless. Emergency shelter may not require occupants to enter into a lease or an occupancy agreement. Emergency shelter facilities may include day and warming centers that do not provide overnight accommodations.

20.12.150 Family.

Two (2) or more persons related by blood, marriage, or adoption living together as a single housekeeping unit in a dwelling unit. It also means any number of persons unrelated in blood, marriage, or adoption living together as a single housekeeping unit, provided that nothing in this definition limits the application of generally applicable health and safety provisions, occupant load standards established by the applicable building code, or lawful limits on group living arrangements regulated under state law or short-term rentals as defined in RCW 64.37.010. ~~Two (2) or more persons related by blood, marriage, or adoption living together as a single housekeeping unit in a dwelling unit. It also means a group of persons unrelated in blood, marriage or adoption living together as a single housekeeping unit, but such group shall, for purposes of this title, be considered one (1) family for each four (4) persons in the group. (Ord. 802, 2001)~~

20.12.160 Flood plain.

All land areas below the elevation of thirty-eight (38) feet as taken from U.S. Army Corps of Engineers topographical maps. (Ord. 802, 2001)

20.12.170 Hazardous waste.

All dangerous and extremely hazardous waste as defined in RCW 70.105.010, except for moderate-risk waste. (Ord. 802, 2001; Ord. 622, 1988)

20.12.180 Hazardous waste treatment and storage facility, on-site.

These treatment and storage facilities treat and store wastes generated on the same geographically contiguous or bordering property. (Ord. 802, 2001; Ord. 622, 1988)

20.12.190 Hazardous waste storage.

The holding of dangerous waste for a temporary period as regulated by State Dangerous Waste Regulations, Chapter 173-303 WAC. (Ord. 802, 2001; Ord. 622, 1988)

20.12.200 Hazardous waste treatment.

The physical, chemical or biological processing of dangerous waste to make wastes nondangerous or less dangerous, safer for transport, amenable for energy or material resource recovery, amenable for storage, or reduced in volume. (Ord. 802, 2001; Ord. 622, 1988)

20.12.210 Highway oriented business.

A use which is dependent upon a large flow of traffic and convenient highway access. It includes such uses as motels, restaurants, automobile service stations and produce stands. (Ord. 802, 2001)

20.12.220 Home office.

A room or work-space within a residence used for part-time business purposes but not as a client-patronage office or as the principal place of call for the business operation. (Ord. 802, 2001)

20.12.230 Home business.

An operation of a personal business within a dwelling or accessory buildings by a member or members of a family residing therein. (Ord. 802, 2001)

20.12.240 Kitchen.

"Kitchen" means a room or rooms used or intended or designed to be used for the preparation or cooking of food. (Ord. 802, 2001)

20.12.242 Livestock.

Non-household animals raised within a specific property boundary and are not routinely left free to roam within a household or office of a business. These non-household animals will commonly be referred to as livestock, including but not limited to, chickens, ducks, geese, turkeys, pheasants, horses, cows, sheep, goats, ponies, llamas, rabbits, pigs, reptiles, and bees. (Ord. 994, 2011)

20.12.245 Living space

"Living space" is the gross living area that is occupied by a person or persons within the internal confines of an approved residential dwelling. (Ord. 945, 2008)

20.12.247 A classification of land uses where an owner or manager receives or seeks compensation for use or occupancy

Overnight Lodging of visitor accommodations for a period of less than 30 consecutive days per rental period and which are subject to taxation under NBMC 3.02 Hotel/Motel Tax - excise tax on furnishing of lodging. Overnight lodging includes Bed & Breakfast, Campground, Hostel, Hotel, Motel, Vacation Rental Home, and other similar uses.

20.12.250 Lot.

A "lot" is a parcel of land under one (1) ownership used or capable of being used under the regulations of this title, including both the building site, all required side yards, and other open spaces. (Ord. 802, 2001)

20.12.260 Lot depth.

The horizontal distance measured between the front yard line and the rear lot line at their mid-points. (Ord. 802, 2001)

20.12.270 Lot width.

The horizontal distance measured between the two (2) side lot lines at their mid-points. (Ord. 802, 2001)

20.12.272 Manufactured home.

A "manufactured home" means a single-family home which:

1. Is comprised of at least two (2) fully en-closed parallel sections, is not less than twenty (20) feet in width and is at least nine hundred (900) square feet;

2. Was originally constructed with and now has a composition or wood shake or shingle, coated metal, or similar roof of not less than 3:12 pitch; and

3. Has exterior siding similar in appearance to siding materials commonly used on site-built single-family homes built according to the International Building Code. (Ord. 871 § 1 (part), 2005: Ord. 802, 2001)\

A "manufactured home" means a single-family dwelling built in accordance with the federal Manufactured Housing Construction and Safety Standards Act (42 U.S.C. Sec. 5401-5403, as amended), and bearing the appropriate federal certification label. A manufactured home must meet all of the following requirements:

A. Be placed on a permanent foundation as specified by the manufacturer, with the space from the bottom of the home to the ground enclosed by concrete or an approved concrete product;

B. Be thermally equivalent to the Washington State Energy Code; and

C. Have exterior siding similar in appearance to siding materials commonly used on site-built single-family homes built according to the International Building Code.

~~3.~~ A manufactured home meeting these requirements shall be regulated for siting purposes in the same manner as site-built homes.

20.12.273 Marijuana or cannabis

"Marijuana" or "cannabis" means all parts of the plant *Cannabis*, whether growing or not. (Ord. 1009, 2012)

20.12.274 Medical cannabis collective garden

"Medical cannabis collective garden" or "collective garden" means any place, area or garden where qualifying patients share responsibility and engage in the production, processing, and /or delivery of cannabis for medical use as set forth in chapter 69.51A RCW and subject to the limitations therein. (Ord. 1009, 2012)

20.12.275 Mini-warehouse/storage unit.

A "mini-warehouse/storage unit" is a fully en-closed building or group of buildings in a controlled-access compound that contains varying sizes of individual, compartmentalized, and controlled-access stalls or lockers for the storage of customers' goods and wares. Mini-warehouse storage units shall be limited to dead storage only. (Ord. 802, 2001; Ord. 662, 1990)

20.12.280 Mobile home.

A "mobile home" is a transportable, factory-built home designed and intended to be used as a year-round dwelling, and built prior to the enactment of the Federal Manufactured Housing and Safety Standards Act of 1974. Mobile homes are no longer built, and their placement within the city limits is prohibited. (Ord. 871 § 1 (part), 2005: Ord. 802, 2001)

20.12.290 Mobile home park.

A "mobile home park" is any property used for the accommodation of two (2) or more inhabited mobile homes and as otherwise defined in Title 16. (Ord. 802, 2001)

20.12.300 Multifamily dwelling.

"Multifamily dwelling" means:

1. A building containing two (2) or more dwelling units, designed to house two (2) or more families living independently of each other; or
2. A cluster of buildings, each building being designed to house one (1) or more families living independently of each other. (Ord. 802, 2001)

20.12.310 Nonconforming building or structure.

A building, structure or portion thereof that was legally in existence, either constructed or altered at the time of passage of the ordinance or amendments thereto, which does not conform with this title or amendments thereto. (Ord. 802, 2001)

20.12.320 Nonconforming use.

An activity in a structure or on a tract of land that was legally in existence, either constructed or altered at the time of passage of the zoning ordinance on 9/19/78 or amendments thereto, which does not conform with the use regulations of the zone in which it is located. (Ord. 802, 2001)

20.12.330 Nursing home.

Any home, place or institution which operates or maintains facilities providing care for convalescent or chronically ill persons or both for a period longer than twenty-four (24) consecutive hours for three (3) or more persons, not related by blood or marriage to the operator, who by reason of illness or infirmity are unable to properly care for themselves. (Ord. 802, 2001)

20.12.340 Official zoning map.

A map of the City of North Bonneville approved by the City Council which accurately portrays the location and boundaries of the distinct zones enumerated and described by this chapter and which is adopted as part of this chapter. (Ord. 802, 2001)

20.12.276 Organic Materials Management Facility

A facility that collects, processes, or recycles organic materials, including but not limited to food scraps, food waste, yard and garden debris, agricultural byproducts, wood waste, and biosolids, for the purpose of diverting such materials from landfills through composting, anaerobic digestion, or other organic materials processing methods, consistent with RCW 70A.205.010. Organic materials management facilities do not include solid waste transfer stations, landfills, or hazardous waste treatment and storage facilities.

20.12.341 Permanent Supportive Housing

Subsidized, leased housing with no limit on length of stay that prioritizes people who need comprehensive support services to retain tenancy and utilizes admissions practices designed to use lower barriers to entry than would be typical for other subsidized or unsubsidized rental housing, especially related to rental history, criminal history, and personal behaviors. Permanent supportive housing is paired with on-site or off-site voluntary services designed to support a person living with a complex and disabling behavioral health or physical health condition who was experiencing homelessness or was at imminent risk of homelessness prior to moving into housing to retain their housing and be a successful tenant in a housing arrangement, improve the resident's health status, and connect the resident of the housing with community-based health care, treatment, or employment services. Permanent supportive housing is subject to all of the rights and responsibilities defined in chapter 59.18 RCW.

20.12.350 Principal uses permitted outright.

Those uses allowed as a matter of right with certain land-use zones without public hearing, zoning permits, conditional exceptions, or variance; provided that such use is in accordance with conditions stated elsewhere in this title. (Ord. 802, 2001)

20.12.360 Prohibited uses.

Any use which is not specifically enumerated or interpreted as allowable in that zone. (Ord. 802, 2001)

20.12.370 Projection.

A combination of material constructed or added to a building or structure that extends into the yards, but is not part of the bearing members, roof, or enclosure and is not essential to the creation of usable space. (Ord. 802, 2001)

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. (Ord. 1057, 2015)

20.12.375 Self-service storage facility.

"Self-service storage facility" means any real property designed and used for the purpose of renting or leasing individual storage space to occupants who are to have access to the space for the purpose of storing and removing personal property on a self-service basis, but does not include a garage or other storage area in a private residence. No occupant may use a storage space in a self-service storage facility for residential purposes. For the purposes of this definition, the word "occupant" means one (1) who leases a space within a self-service storage facility, see RCW Chapter 19.150.010(3). (Ord. 802, 2001)

20.12.380 Story.

That portion of a building included between the surface of any floor and the surface of the floor next above it or if there be no floor above it, then the space between such floor and the ceiling next above it. "First story" means any floor not over four (4) feet above the average ground level at front line of building. (Ord. 802, 2001)

20.12.390 Single-family dwelling.

Any dwelling designed and intended for use by one (1) family. A single-family dwelling may be site-built or manufactured. (Ord. 871 § 1 (part), 2005: Ord. 802, 2001)

20.12.395 Site-built home.

A "site-built home" means a dwelling that is constructed on site where it will be used. (Ord. 871 § 1 (part), 2005)

20.12.400 Structure.

A combination of materials constructed or erected which has a permanent location on the ground. (Ord. 802, 2001)

20.12.410 Sign, advertising.

Any structure or portion thereof that is intended for advertising purposes on which letters, figures, or pictorial matter are, or intended to be, displayed; other than a business sign. (Ord. 802, 2001)

20.12.420 Sign, business.

Any sign, structure or device which directs attention to the premises on which it is located, or the occupancy of the premises, or the foods and services manufactured, produced or available on the premises. (Ord. 802, 2001)

20.12.421 Transitional Housing

a project that provides housing and supportive services to homeless persons or families for up to two years and that has as its purpose facilitating the movement of homeless persons and families into independent living.

20.12.426 Usable cannabis

"Usable cannabis" means dried flowers of the Cannabis plant having a tetrahydrocannabinol (THC) concentration greater than three-tenths of one percent per weight or volume. Useable cannabis excludes stems, stalks, leaves, seeds or roots. For purposes of this subsection, "dried" means containing less than fifteen percent moisture content by weight. (Ord. 1009, 2012)

20.12.430 Use.

An activity or purpose for which land or a premises or a building thereon is designed, arranged, or intended, or for which it is occupied or maintained, let or leased. (Ord. 802, 2001)

20.12.440 Variance.

A method by which an adjustment is made to the regulations because of the unusual nature, shape, topographic conditions or extraordinary situation connected with a specific piece of property, for which the literal enforcement of the ordinance would pose undue hardship. (Ord. 802, 2001)

20.12.450 Yard.

That land unoccupied or obstructed from the ground upward, except for such encroachments as may be permitted by this title, of uniform depth or width which lies between the property line and building line. (Ord. 802, 2001)

20.12.460 Yard, front.

The yard facing the street which provides direct and convenient access to the lot or parcel of land. (Ord. 871 § 1 (part), 2005: Ord. 802, 2001; Ord. 386, 1978)

20.12.470 Yard, rear.

The yard opposite the front yard which shall include both curved and angled rear lot lines as the base for measurement. (Ord. 871 § 1 (part), 2005: Ord. 802, 2001; Ord. 386, 1978)

20.12.480 Yard, side.

A yard extending from the front yard to the rear yard between the side wall line of the principal building and the side lot line. (Ord. 802, 2001; Ord. 386, 1978)

20.12.490 Zone.

A specific area or district designated on the official interim zoning map. Such area is subject to all the regulations applicable to the zone that are contained in this title. (Ord. 802, 2001)

Chapter 20.14

(RESERVED)

Chapter 20.16

(SFR) SINGLE-FAMILY RESIDENTIAL

Sections:

20.16.010 Permitted uses.
20.16.020 Prohibited uses.
20.16.030 Conditional uses.
20.16.040 Property development standards.
20.16.050 Home businesses.
20.16.060 Signs.
20.16.070 Fences.
20.16.080 Accessory use, accessory buildings and garages.

20.16.090 Setbacks.

* Prior ordinance history: Ords. 670, 613

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. (Ord. 1057, 2015; Ord. 945, 2008; Ord. 871 § 3 (part), 2005)

~~K.~~L. Transitional shelter or permanent supportive housing

20.16.020 Prohibited uses.

A. Outside storage of wrecked, dismantled or partially dismantled, inoperable, or unlicensed (vehicle licensing plates and current tabs) and uninsured vehicles.

B. Use of mobile homes, trailers, motor homes or campers, except for the use of a single, currently licensed, self-contained trailer or motor home for up to one year from the date of an approved residential building permit. (Ord. 1114,(part) 2019

.

C. Parking or storage of industrial or agriculture vehicles and equipment on lots.

D. Outside collections of automobile, truck or other motor vehicle parts or paints, fuels, and lubricants.

E. Outside accumulations of garbage, trash, household goods yard trimmings, or other materials which create a public nuisance or fire hazard.

F. On premise storage of flammable, toxic, corrosive, or explosive chemicals, gases, or materials other than reasonable amounts of normal household paints, cleaners, solvents, fuels.

G. Possession of non-household animals including, but not limited to, horses, cows, sheep, goats, ponies, swine, fowl, and poisonous insects, reptiles kept without approval of the City Council.

H. Medical marijuana cooperatives as defined in RCW 69.51A.250.

I. Recreational marijuana producers, processors, and retailers as defined in RCW 69.50.101.(Ord. 871 § 3 (part), 2005, Ord. 1151, 2022)

20.16.030 Conditional uses.

A. Churches, schools, bed and breakfast or tourist homes., and family day care provider home facilities, consistent with RCW 36.70A.450 and RCW 43.216.010~~, bed and breakfast or tourist homes.~~

B. Livestock with a livestock conditional use permit.

(Ord. 1152, 2022, Ord. 1057, 2015; Ord. 1039, 2014; Ord. 994, 2011; Ord. 871 § 3 (part), 2005)

20.16.040 Property development standards.

A. Single-family standards:

1. A single-family residential dwelling shall have a minimum floor area of nine hundred (900) square feet of living space.

2. All single-family dwellings shall be placed on permanent foundations.

3. All dwellings shall be not less than twenty (20) feet in width at the narrowest point of its first story.

4. All manufactured homes must be new on the date of installation.

5. Maximum building height shall not exceed thirty-five (35) feet in single-family residential zones.

6. No business signs shall be erected or displayed on residential lots or adjacent street right-of-way buffer strips, except as provided in Section 20.16.060 of this chapter.

7. Lots zoned single-family residential shall be no less than twelve thousand (12,000) square feet in area with a minimum width of no less than fifty (50) feet at the point of access.

8. No contour or existing topography shall be substantially altered by fill, excavation, channeling or other device that would cause flooding, inundation, siltration, or erosion by stormwater on adjoining lots, open spaces, or rights-of-way.

9. A minimum of four (4) off-street parking spaces including, but not limited to a garage, shall be provided. The size of each space shall meet a minimum standard of nine feet (9') wide and nineteen feet (19') long.

B. Duplex standards:

1. Each duplex unit shall have a minimum floor area of nine hundred (900) square feet of living space.

2. Each duplex unit shall have its own water meter and be served by its own water and sewer connection.

3. A minimum of four (4) off-street parking spaces including, but not limited to a garage, for each duplex unit shall be provided. The size of each space shall meet a minimum standard of nine feet (9') wide and nineteen feet (19') long.

4. Duplexes shall comply with International Building Code requirements and all other applicable ordinances.

5. Setbacks for duplexes on residential lots shall be as set forth in Section 20.16.090 of this chapter.

C. Planned unit development:

1. Pursuant to Chapter 20.55, Planned Unit Developments, of this title, a PUD is an allowed design tool in this zone. (Ord. 945, 2008; Ord. 871 § 3 (part), 2005)

20.16.050 Home businesses.

A. Only persons residing on the premises may be engaged in the home business.

B. There shall be no outside displays of merchandise.

C. The home business shall not affect the outside appearance as a residence. Business shall be conducted in such a manner as to give no outward appearance nor manifest any characteristic of a business that would infringe upon the rights of neighboring residents to enjoy a peaceful occupancy of their homes.

D. Business signs shall be permitted as per Section 20.16.060 of this chapter.

E. No home business shall create undue noise, generate excessive vehicular traffic or parking on public or private property, cause unsightly collections of materials, or otherwise create a nuisance, hazard or

disturbance detrimental to the health, safety and welfare of the public.

F. Not more than one-fourth (1/4) of the total floor space in the residence, including main buildings, garages, and accessory buildings shall be used for the home business. (Ord. 871 § 3 (part), 2005)

20.16.060 Signs.

The following signs shall be permitted:

A. Signs which identify the street address or occupant of a residence shall not exceed three (3) square feet in combined area.

~~A.~~B. Temporary real estate and construction signs shall not exceed six (6) square feet in area, although one (1) sign may contain advertising on both sides.

~~B.~~C. Temporary "garage sale" signs shall not exceed six (6) square feet in area and shall be removed when the garage sale is over.

~~C.~~D. Temporary signs promoting a political candidate, cause or issue shall not exceed six (6) square feet in area each and shall be removed within two (2) days following the election for which the sign was intended.

~~D.~~E. Temporary real estate signs shall be removed within seven (7) days after the premise has been sold, leased or rented.

~~E.~~F. Temporary signs for construction, remodeling or other service companies shall be removed upon completion of the contracted work.

~~F.~~G. Business signs shall be limited to one (1) per household and only identify the business being conducted at the residence. Signs shall not exceed three (3) square feet and shall be attached to the residence. No sign shall be attached to the roof.

~~G.~~H. No sign or device illuminating a sign shall make use of flashing lights or produce glare that is disturbing to neighboring residents. (Ord. 1019, 2013; Ord. 945, 2008; Ord. 871 § 3 (part), 2005)

20.16.070 Fences.

A. Fence heights shall not exceed six (6) feet along rear or side lot lines.

B. Fence heights shall not exceed four (4) feet along front lot lines.

C. On corner lots the fence height along the side yard adjacent to the street shall not exceed four (4) feet for the first twenty-five (25) feet from the lot corner.

D. Fences shall not be constructed or kept in any manner which could constitute a safety hazard to the person or property of adjoining landowners or to the general public. (Ord. 871 § 3 (part), 2005)

20.16.080 Accessory use, accessory buildings and garages.

A. Any plumbing and/or sewer facilities in any accessory building or garage shall be subject to International Building Code (IBC) requirements and limited to the exclusive private use of the residents of the principal building.

B. Garages and all accessory buildings used as studios, workshops or for home occupations shall conform to IBC requirements and to the setback requirements for principal buildings. (Ord. 945, 2008; Ord. 871 § 3 (part), 2005)

20.16.090 Setbacks.

A. Front yard--Twenty-five (25) feet from the front lot line to any principal, secondary or accessory building. The twenty-five (25) foot setback shall be applied to the private land parcel or lot and shall be exclusive of any street right-of-way.

B. Rear yard--Twenty (20) feet which shall include both curved and angled rear lot lines as the base for measurement. The twenty (20) foot setback from the rear lot line(s) applies to the principal structure only.

C. Side yards--Eight (8) foot setback from the side lot line applies to the principal structure.

D. Accessory buildings--Five (5) feet from side and rear lot lines. No accessory building shall be allowed in any front yard. (Ord. 871 § 3 (part), 2005; Ord. 386, 1978)

Chapter 20.18

(MF) MULTIFAMILY RESIDENTIAL

Sections:

20.18.010 Permitted uses.

20.18.020 Prohibited uses.
20.18.030 Conditional uses.
20.18.040 Property development standards.
20.18.050 Home businesses.
20.18.060 Signs.
20.18.070 Fences.
20.18.080 Accessory use, accessory buildings and garages.
20.18.090 Setbacks.

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. (Ord. 1057, 2015; Ord. 894 § 1 (part), 2006)

~~F.~~G. Transitional shelter or permanent supportive housing

20.18.020 Prohibited uses.

A. Outside storage of wrecked, dismantled or partially dismantled, inoperable, or unlicensed (vehicle licensing plates and current tabs) and uninsured vehicles;

B. Use of mobile homes, trailers, motor homes or campers, except for the use of a single, currently licensed, self-contained trailer or motor home for up to one year from the date of an approved residential building permit.(Ord. 1114, (part) 2019

C. Parking or storage of industrial or agriculture vehicles and equipment on lots;

D. Outside collections of automobile, truck or other motor vehicle parts or paints, fuels, and lubricants;

E. Outside accumulations of garbage, trash, household goods, yard trimmings, or other materials which create a public nuisance, health or fire hazard;

F. On-premises storage of flammable, toxic, corrosive, or explosive chemicals, gases, or materials other than reasonable amounts of normal household paints, cleaners, solvents, fuels;

G. Livestock.

H. Medical marijuana cooperatives as defined in RCW 69.51A.250.

I. Recreational marijuana producers, processors, and retailers as defined in RCW 69.50.101 (Ord. 994, 2011; Ord. 894 § 1 (part), 2006, Ord. 1151, 2022)

20.18.030 Conditional uses.

Uses that require a conditional use permit:

A. Nursing homes;

B. Churches, schools, day care, bed and breakfast or tourist homes.

(Ord. 1152, 2022, Ord. 1057, 2015; Ord. 1039, 2014; Ord. 894 § 1 (part), 2006)

20.18.040 Property development standards.

A. A multifamily dwelling unit shall have a minimum living area of five hundred fifty (550) square feet excluding closets, porches, entry hall and landings, common laundry and storage rooms, and basement or other rooms used exclusively for storage or housing of mechanical or central heating equipment.

B. Lots zoned multifamily residential shall be no less than ten thousand (10,000) square feet in area.

C. A minimum of two (2) off-street parking spaces shall be provided per dwelling unit.

D. Garbage containers of adequate number and size shall be provided in convenient location for use by residents of the building and shall be enclosed from the effects of weather and from intrusion by animals.

E. Plans of multifamily buildings submitted to the city for approval shall include provisions for noise isolation between dwelling units.

F. Multifamily dwellings shall comply with International Building Code requirements and all other applicable ordinances.

G. Maximum building height shall not exceed forty-five (45) feet in the multifamily residential zone.

H. No business signs shall be erected or displayed on residential lots or adjacent street right-of-way buffer strips, except as provided in Section 20.18.060.

I. Pursuant to Chapter 20.55, Planned Unit Developments, a PUD is an allowed design tool in this zone. (Ord. 894 § 1 (part), 2006)

20.18.050 Home businesses.

A. Only persons residing on the premises may be engaged in the home business.

B. There shall be no outside displays of merchandise.

C. The home business shall not affect the outside appearance as a residence. Business shall be conducted in such a manner as to give no outward appearance nor manifest any characteristic of a business that would infringe upon the rights of neighboring residents to enjoy a peaceful occupancy of their homes.

D. Business signs shall be permitted as per Section 20.18.060.

E. No home business shall create undue noise, generate excessive vehicular traffic or parking on public or private property, cause unsightly collections of materials, or otherwise create a nuisance, hazard or disturbance detrimental to the health, safety and welfare of the public.

F. Not more than one-fourth (1/4) of the total floor space in the residence, including main buildings, garages, and accessory buildings shall be used for the home business. (Ord. 894 § 1 (part), 2006)

20.18.060 Signs.

The following signs shall be permitted:

A. Signs which identify the street address or occupant of a residence shall not exceed three (3) square feet in combined area.

B. Temporary real estate and construction signs shall not exceed six (6) square feet in area, although one (1) sign may contain advertising on both sides.

C. Temporary "garage sale" signs shall not exceed six (6) square feet in area and shall be removed when the garage sale is over.

D. Temporary signs promoting a political candidate, cause or issue shall not exceed six (6) square feet in area each and shall be removed within two (2) days following the election for which the sign was intended.

E. Temporary real estate signs shall be removed within seven (7) days after the premises has been sold, leased or rented.

F. Temporary signs for construction, remodeling or other service companies shall be removed upon completion of the contracted work.

G. Business signs shall be one (1) per household and only identify the business being conducted at the residence. Signs shall not exceed three (3) square feet and shall be attached to the residence. No sign shall be attached to the roof.

H. No sign or device illuminating a sign shall make use of flashing lights or produce glare that is disturbing to neighboring residents. (Ord. 1019, 2013; Ord. 894 § 1 (part), 2006)

20.18.070 Fences.

A. Fence heights shall not exceed six (6) feet along rear or side lot lines.

B. Fence heights shall not exceed four (4) feet along front lot lines.

C. On corner lots the fence height along the side yard adjacent to the street shall not exceed four (4) feet for the first twenty-five (25) feet from the lot corner.

D. Fences shall not be constructed or kept in any manner which could constitute a safety hazard to the person or property of adjoining landowners or to the general public. (Ord. 894 § 1 (part), 2006)

20.18.080 Accessory use, accessory buildings and garages.

A. Any plumbing and/or sewer facilities in any accessory building or garage shall be subject to International Building Code requirements and limited to the exclusive private use of the residents of the principal building.

B. Sewer stub-out facilities shall not be provided in or adjacent to any garage or accessory building for use.

C. Garages and all accessory buildings used as studios, workshops or for home occupations shall conform to International Building Code requirements and to the setback requirements for principal buildings. (Ord. 894 § 1 (part), 2006)

20.18.090 Setbacks.

A. Front yard: twenty-five (25) feet from the front lot line to any principal, secondary or accessory building;

B. Rear yard: ten (10) feet which shall include both curved and angled rear lot lines as the base for measurement. The ten (10) foot setback from the rear lot line(s) applies to the principal structure only;

C. Side yards: eight (8) foot setback from the side lot line applies to the principal structure. Ten (10) feet where side yard adjoins a main arterial city street;

D. Accessory buildings: five (5) feet from side and rear lot lines. No accessory building shall be allowed in any front yard. (Ord. 894 § 1 (part), 2006; Ord. 386, 1978)

Chapter 20.20

(MH) MANUFACTURED HOME SUBDIVISION*

Sections:

20.20.010 Permitted uses.
20.20.020 Prohibited uses.
20.20.025 Conditional uses.
20.20.030 Property development standards.
20.20.040 Home businesses.
20.20.050 Signs.
20.20.060 Fences.
20.20.070 Accessory use, accessory buildings and garages.
20.20.080 Setbacks.

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. (Ord. 1057, 2015; Ord. 880 (part), 2005)
~~K.~~L. Transitional shelter or permanent supportive housing

20.20.020 Prohibited uses.

A. Outside storage of wrecked, dismantled or partially dismantled, inoperable, or unlicensed (vehicle licensing plates and current tabs) and uninsured vehicles.
B. Use of mobile homes, trailers, motor homes or campers, except for the use of a single, currently licensed, self-contained trailer or motor home for up to one year from the date of an approved residential building permit. (Ord.1114, 2019 (part))

C. Parking or storage of industrial or agriculture vehicles and equipment on lots.
D. Outside collections of automobile, truck or other motor vehicle parts or paints, fuels, and lubricants.
E. Outside accumulations of garbage, trash, household goods, yard trimmings, or other materials which create a public nuisance or fire hazard.
F. On premise storage of flammable, toxic, corrosive, or explosive chemicals, gases, or materials other than reasonable amounts of normal household paints, cleaners, solvents, fuels.
G. Livestock.
H. Medical marijuana cooperatives as defined in RCW 69.51A.250.
I. Recreational marijuana producers, processors, and retailers as defined in RCW 69.50.101 (Ord. 994, 2011; Ord. 958, 2009; Ord. 880 (part), 2005, Ord. 1151, 2022)

20.20.025 Conditional uses.

A. Livestock with a livestock conditional use permit as specified in Chapter 20.57.
Ord. 1169, 2025 Ord. 1152, 2022, Ord. 1057, 2015; Ord. 1039, 2014; Ord. 994, 2011

20.20.030 Property development standards.

A. A single-family residential dwelling shall have a minimum floor area of nine hundred (900) square feet of living space.
B. All manufactured homes shall be placed on permanent foundations.
C. All dwellings shall be not less than twenty (20) feet in width at the narrowest point.
D. All manufactured homes must be new on the date of installation.
E. Maximum building height shall not exceed thirty-five (35) feet.
F. No business signs shall be erected or displayed on residential lots or adjacent street right-of-way buffer strips, except as provided in Section 20.20.050 of this chapter.
G. Lots zoned manufactured home subdivision shall be no less than seven thousand five hundred (7,500) square feet in area.

H. No contour or existing topography shall be substantially altered by fill, excavation, channeling or other device to cause flooding, inundation, siltration, or erosion by stormwater on adjoining lots, open spaces, or rights-of-way.

I. A minimum of two (2) off-street parking spaces including, but not limited to a garage, shall be provided. The size of each space shall meet a minimum standard of nine feet (9') wide and nineteen feet (19') long. (Ord. 958, 2009; Ord. 880 (part), 2005)

20.20.040 Home businesses.

A. Only persons residing on the premises may be engaged in the home business.

B. There shall be no displays of merchandise outside the building.

C. The home business shall not affect the outside appearance of the building as a residence and shall be conducted in such a manner as to give no outward appearance nor manifest any characteristic of a business that would infringe upon the rights of neighboring residents to enjoy a peaceful occupancy of their homes.

D. Business signs shall be permitted as per Section 20.20.050 of this chapter.

E. No home business shall create undue noise, generate excessive vehicular traffic or parking on public or private property, cause unsightly collections of materials, or otherwise create a nuisance, hazard or disturbance detrimental to the health, safety and welfare of the public.

F. Not more than one-fourth (1/4) of the total floor space in the residence, including main buildings, garages, and accessory buildings shall be used for the home business. (Ord. 880 (part), 2005)

20.20.050 Signs.

The following signs shall be permitted:

A. Signs which identify the street address or occupant of a residence shall not exceed three (3) square feet in combined area.

B. Temporary real estate and construction signs shall not exceed six (6) square feet in area, although one (1) sign may contain advertising on both sides.

C. Temporary "garage sale" signs shall not exceed six (6) square feet in area and shall be removed when the garage sale is over.

D. Temporary signs promoting a political candidate, cause or issue shall not exceed six (6) square feet in area each and shall be removed within two (2) days following the election for which the sign was intended.

E. Temporary real estate signs shall be removed within seven (7) days after the premise has been sold, leased or rented.

F. Temporary signs for construction, remodeling or other service companies shall be removed upon completion of the contracted work.

G. Business signs shall be limited to one (1) per household and only identify the business being conducted at the residence. Signs shall not exceed three (3) square feet and shall be attached to the residence. No sign shall be attached to the roof.

H. No sign or device illuminating a sign shall make use of flashing lights or produce glare that is disturbing to neighboring residents. (Ord. 1019, 2013; Ord. 880 (part), 2005)

20.20.060 Fences.

A. Fence heights shall not exceed six (6) feet along rear or side lot lines.

B. Fence heights shall not exceed four (4) feet along front lot lines.

C. On corner lots the fence height along the side yard adjacent to the street shall not exceed four (4) feet for the first twenty-five (25) feet from the lot corner.

D. Fences shall not be constructed or kept in any manner which could constitute a safety hazard to the person or property of adjoining landowners or to the general public. (Ord. 958, 2009; Ord. 880 (part), 2005)

20.20.070 Accessory use, accessory buildings and garages.

A. Any plumbing and/or sewer facilities in any accessory building or garage shall be subject to International Building Code requirements and limited to the exclusive private use of the residents of the principal building.

B. Sewer stub-out facilities shall not be provided in or adjacent to any garage or accessory building for use by dependent trailers.

C. Garages and all accessory buildings used as studios, workshops or for home occupations shall conform to International Building Code requirements and to the setback requirements for principal buildings. (Ord. 880 (part), 2005)

20.20.080 Setbacks.

A. Front yard--Twenty (20) foot setback from the back curb edge to the principal building eave line.

B. Rear yard--Twenty (20) foot setback minimum from rear of lot to eave line. The twenty (20) foot setback from the rear lot line(s) applies to the principal structure only.

C. Side yards--Eight (8) foot setback from the side lot line to the eave line of the principal structure.

D. Accessory buildings--Five (5) feet from side and rear lot lines. No accessory building other than a carport shall be allowed in any front yard. (Ord. 958, 2009; Ord. 880 (part), 2005)

Chapter 20.22

(CBD) CENTRAL BUSINESS DISTRICT

Sections:

20.22.010 Permitted uses.
20.22.020 Prohibited uses.
20.22.030 Conditional uses.
20.22.040 Development and design standards.
20.22.050 Additional requirements
20.22.060 Signs.
20.22.070 Building heights.
20.22.080 Setbacks.

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. (Ord. 1057, 2015; Ord. 1053, 2015; Ord. 949, 2009; Ord. 881 (part), 2005; Ord. 622, 1988; Ord. 616, 1988)

~~F.~~G. Transitional shelter or permanent supportive housing

20.22.020 Prohibited uses.

A. All industrial and manufacturing uses or services except as provided in Section 20.22.030.

B. Motels, service stations, warehouses and storage facilities except for storage uses normally associated with the on-premise operating business.

C. Sales and service of automobiles, trucks, motor homes, recreational vehicles, trailers, motorcycles and pleasure boats and small engine repair.

D. Junk yards and salvage yards, automobile or truck wrecking yards.

E. Bus or truck terminals. A bus stop and loading areas may be designated by the City Council.

F. Open storage areas.

G. Livestock.

H. Medical marijuana cooperatives as defined in RCW 69.51A.250.

I. Recreational marijuana producers, processors, and retailers as defined in RCW 69.50.101 (Ord. 1151, 2022, Ord. 1053, 2015; Ord. 994, 2011; Ord. 949, 2009; Ord. 881 (part), 2005; Ord. 616, 1988)

20.22.030 Conditional uses.

A. Veterinarian facilities and offices.

B. Low impact manufacturing uses including, but not limited to: (1) small component assembly; (2) printing or copying; and (3) manufacture of handcrafted products may be permitted if the manufacturing operation does not create any nuisances or discharge any toxic substances that could be considered disruptive to the public or adjacent businesses. In addition, the primary focus of the business shall be onsite retail sales of the manufactured product(s).
(Ord. 1152, 2022, Ord. 1039, 2014; Ord. 949, 2009; Ord. 881 (part), 2005; Ord. 616, 1988)

20.22.040 Development and design standards.

These development standards are intended to encourage good quality design in new building construction, enhanced street safety, and provide a comfortable street environment by providing features of interest to pedestrians. Good design results in buildings that are in visual harmony with nearby buildings leading to a central downtown district that is attractive, interesting, active, and safe. These qualities, in turn, contribute to the creation of a downtown core, which facilitates easy pedestrian movement, and establishment of a rich mixture of uses.

A. All development shall conform to Chapter 17.20, Site and Building Plan Review, and to any and all architectural and design standards which may be adopted by the city.

B. Building codes -- All construction shall meet the requirements of the International Building Code.

C. Pedestrian Accessibility

1. Buildings shall maintain and enhance the pedestrian scale and orientation of the downtown core.

2. Special attention shall be given to designing a primary building entrance, which is both attractive and functional.

3. Pedestrian environment may be enhanced through the use of street furniture, landscaping, awnings and movable planters of seasonal flowers.

4. Covered walkways are encouraged.

D. Building Materials and Colors

1. Facades shall be varied and articulated to provide visual interest to pedestrians.

2. Exterior building materials shall convey an impression of durability. Material such as masonry, stone, stucco, and wood are encouraged.

3. T1-11 style siding is not permitted.

4. Preferred colors for exterior building finishes are earth tones, creams, and pastels of earth tones. High-intensity primary colors, metallic colors and black may be utilized as trim and detail colors but shall not be used as primary wall colors.

E. Roof standards/surfacing:

1. Pitched roof structures shall have a minimum pitch of 4.5/12 (four and one-half inches of rise to twelve inches of horizontal run).

2. Flat roofs are permitted with detailed stepped parapets or detailed brick coursing.

3. Parapet corners must be designed to emphasize the center or primary entrance(s), unless the primary entrance is at the corner of the building.

4. Visible sloped roofs must be subdued earthtone in color and non-reflective.

5. All mechanical, electrical, communications, and service equipment must be screened from public view by parapets, walls, or by other approved means.

7. All exposed metal flashing, roof jacks and plumbing vents shall have matte finishes and be non-reflective.

8. All roof drainage shall be connected to the city stormwater system.

F. Building Orientation and Entrance Standards

1. Buildings must have an entrance open to the public during all business hours.

2. Building entrances must be architecturally emphasized and visible from the street and/or the public path system.

G. Alcoves, Porches: Buildings should incorporate features such as arcades, roofs, porches, alcoves, porticoes, and awnings to protect pedestrians from the rain and sun. Awnings and entrances may be designed to be shared between two structures.

H. Windows

1. Ground Floor Windows: All buildings must provide ground floor windows along the pedestrian walkways within the CBD.

a. Required window areas must be windows that allow views into working areas of lobbies, pedestrian entrances, or display windows.

b. Required windows must have a sill no more than three-feet above grade.

c. Darkly tinted windows and mirrored windows that block two-way visibility are prohibited as ground floor windows along pedestrian walkways.

d. Any wall that faces public walkways and/or common areas must contain at least 25% of the ground floor wall area in displays areas, windows, or doorways.

I. Landscaping/Streetscape: Benches, outdoor seating, and small trash receptacles should complement the existing overall architectural character of the CBD.

J. Lighting

1. All building entrances and exits must be well lighted.

2. Exterior lighting must be an integral part of the architectural design and be in keeping with the overall architectural character of the CBD.

3. Lighting must be at pedestrian scale and the source light must be shielded to reduce glare.

K. External Storage - The external storage of merchandise and/or materials directly or indirectly related to a business is prohibited.

L. Outdoor Seasonal Displays of Merchandise - Outdoor seasonal displays of merchandise are permitted during business hours only. A minimum pedestrian walkway width of five feet must be maintained at all times.

M. Garbage and refuse areas – Building plans shall include provisions for the storage of garbage containers.

1. Garbage containers shall be fully enclosed and covered.

2. Disposal and storage of hazardous or toxic substances in garbage or refuse receptacles is strictly prohibited.

3. Each structure shall provide for collection of its trash and recyclable materials within the boundaries of each parcel.

4. All trash collection areas must be located within the structure, or behind the building in an enclosure. (Ord. 949, 2009; Ord. 881 (part), 2005; Ord. 616, 1988)

20.22.050 Additional requirements.

Provisions of the CBD code shall be applicable to a change in use subject to site and design review. The Planning Commission will evaluate for compliance with these provisions and guidelines in the Central Business District. (Ord. 949, 2009)

20.22.060 Signs.

A. Signs and graphics -- Signs shall be an integrated part of the main structure. Signs or symbols shall be limited to the nature of the business on the premise and shall not exceed ten (10) percent of the surface of the wall to which it is attached. Projecting signs and signs larger than ten (10) percent of the wall surface may be permitted subject to approval by the Planning Commission. Bold colors and graphics shall be allowed as an integral part of business signing. No sign on or attached to a building shall extend above the roof peak or parapet. No sign shall be mounted or painted on a roof surface. Illuminated signs shall be allowed, provided, there are no pulsating or flashing lights.

B. Other signs -- Temporary, incidental or directional signs which are no more than eight (8) square feet in size and located on the business property are permitted. Temporary, incidental or directional signs larger than eight (8) square feet in size and/or not located on the business property may be permitted subject to approval by the Planning Commission. (Ord. 949, 2009; Ord. 881 (part), 2005)

20.22.070 Building heights.

Maximum building height shall not exceed forty-five (45) feet. (Ord. 881 (part), 2005)

20.22.080 Setbacks.

All commercial and public buildings shall be entitled to build up to the property line and may have common or community walls as required by the International Building Code. There shall be no building or overhang infringement onto any adjoining private property. Roof overhangs and construction required to coordinate with a covered mall concept that projects infringements, other than foundations, onto public property shall be allowed and shall be considered as a design element subject to review and modification by the city in the site and building plan reviews. (Ord. 881 (part), 2005; Ord. 386, 1978)

Chapter 20.24

(C-1) COMMERCIAL

Sections:

20.24.010 Permitted uses.
20.24.020 Prohibited uses.
20.24.030 Conditional uses.
20.24.040 Development and design standards.
20.24.050 Signs.
20.24.060 Building heights.
20.24.070 Setbacks.

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. (Ord. 882 (part), 2005)

F. Indoor emergency shelter and emergency housing.

(Ord. 1150, 2022, Ord. 1057, 2015; Ord. 1010, 2012; Ord. 1009, 2012; Ord. 622, 1988; Ord. 662, 1990)

20.24.020 Prohibited uses.

A. Junk and salvage yards, automobile or truck wrecking yards.

B. Industrial, warehousing and manufacturing uses or services, except those permitted as a conditional use under Section 20.24.030 of this chapter.

C. Livestock.

D. Medical marijuana cooperatives as defined in RCW 69.51A.250.

E. Recreational marijuana producers, processors, and retailers as defined in RCW 69.50.101 (Ord. 994, 2011; Ord. 882 (part), 2005, Ord. 1151, 2022)

20.24.030 Conditional uses.

Uses that require a conditional use permit:

A. Veterinarian clinics;

B. Light manufacturing and assembly of light and small items made from previously manufactured materials. These items may include office machines, components thereof, cabinets, electronic equipment, electromechanical and other small items. Provided, that all operations, except off-street parking, are conducted wholly within a completely enclosed building;

(Ord. 1152, 2022, Ord. 1039, 2014; Ord. 882 (part), 2005)

20.24.040 Development and design standards.

A. Property development standards -- All development shall conform to Chapter 17.20, Site and Building Plan Review, of this code, and to any and all architectural and design standards which may be adopted by the city.

B. Building codes -- All construction shall meet the requirements of the International Building Code.

C. Landscaping -- All landscape development should be designed particularly to enhance the building scale and form and be compatible with other nearby landscaping. New plantings shall be so maintained that they will blend into the area in the shortest possible time. The site plan shall detail the location and areas to be landscaped with a landscaping schedule on the face of the site plan. Minimally, all of the front yard not used for parking shall be landscaped.

D. Fencing -- Fences may be placed anywhere within the site. Fences will have a maximum height of eight (8) feet for solid fences and twelve (12) feet for wire fences.

E. Exterior walls--Exterior walls of all buildings shall be of exposed concrete aggregate, stucco, glass, architectural metal, brick or other pre-finished material. Concrete, concrete block or wood siding are also acceptable materials for exterior walls, but they shall be finished by painting, staining or other processing.

F. Exterior exposed metal--All exposed metal surfaces shall be a matte finish of an earth-tone color. Mechanical equipment and vents located on the building or its roof surface shall be matte finished to prevent reflective glare. All exposed metal flashing, roof jacks and plumbing vents shall be matte finished/non-reflective.

G. Building color--A color palate of the exterior building finish and signing shall be submitted as a part of the site and building plan review materials.

H. Utilities--All electrical, telephone, and other utilities shall be brought underground into the site and to the buildings.

I. Loading--All loading must be on-site and no on-street loading is permitted. All truck loading aprons and other loading areas shall be paved with concrete or asphalt, be well-drained and of strength adequate for the truck traffic expected.

J. Parking--All vehicles must be parked on the site. No on-street parking is permitted. Minimum parking stall width should be eight (8) feet, six (6) inches and length nineteen (19) feet. All parking areas shall be paved with concrete or asphalt and shall conform to all regulations hereinafter in effect.

K. Outside storage--All storage and refuse shall be visually screened by landscaping barriers, walls or coverings and be included in plans and specifications. Such barriers, walls or coverings shall not restrict access to emergency exits.

L. Noxious effects:

1. No vibration other than that caused by highway vehicles or trains shall be permitted which is discernible at the property line of the use concerned.

2. Except for exterior lighting, operations producing heat or glare shall be conducted entirely within an enclosed building. Exterior lighting shall be directed away from adjacent properties.

3. All materials, including wastes, shall be stored and all grounds shall be maintained in a manner which will not attract or aid the propagation of insects or rodents or create a hazard.

4. No noxious, hazardous or offensive trade, business or activity shall be conducted, nor anything be done which may be or become a nuisance.

5. Disposal or storage of hazardous or toxic substances in garbage or refuse receptacles is strictly prohibited. On-site hazardous waste treatment and storage facilities shall conform to State Siting Criteria. (Ord. 882 (part), 2005)

20.24.050 Signs.

A. Signs and graphics--Signs shall be an integrated part of the main structure. Signs or symbols shall be limited to the nature of the business on the premise and shall not exceed ten (10) percent of the surface of the wall to which it is attached. Projecting signs and signs larger than ten (10) percent of the wall surface may be permitted subject to approval by the Planning Commission. Bold colors and graphics shall be allowed as an integral part of business signing. No sign on or attached to a building shall extend above the roof peak or be mounted or painted on a roof surface. Illuminated signs shall be allowed, provided, there are no pulsating or flashing lights involved.

B. Signs/freestanding--Freestanding illuminated signs shall be permitted on each commercial lot, provided, there are no pulsating or flashing lights. Freestanding signs shall be located within the front yard or between the rear lot line and building. No portion of a sign shall be closer than five (5) feet to any adjoining private lot. Maximum size of a freestanding sign on the rear of a lot shall be sixty (60) square feet and maximum height shall be forty (40) feet. Maximum size of a freestanding sign in the front of a lot shall be thirty (30) square feet and the maximum height shall be thirty (30) feet. Signs or symbols shall be limited to a description of the nature of business on the premises. No commercial lot shall have more than two (2) freestanding signs.

C. Other signs--Temporary, incidental or directional signs which are no more than eight (8) square feet in size and located on the business property are permitted. Temporary, incidental or directional signs

larger than eight (8) square feet in size and/or not located on the business property may be permitted subject to approval by the Planning Commission. (Ord. 882 (part), 2005)

20.24.060 Building heights.

Maximum building height shall not exceed forty-five (45) feet. (Ord. 882 (part), 2005)

20.24.070 Setbacks.

A. Front yard--Zero (0) feet from the front lot line to the principal structure. No portion of a structure, foundation, fence or sign shall infringe onto the adjoining property, public street right-of-way or open space.

B. Rear yard--Zero (0) feet from the rear lot line to the principal structure. No portion of a structure, foundation, fence or sign shall infringe onto the adjoining property or public open space.

C. Side yard--Eight (8) feet from the side lot line to the principal structure. Ten (10) feet setback where a side yard adjoins a main arterial city street.

D. Accessory buildings--Eight (8) feet from the side lot line.

E. Common or community walls--All common or community walls shared by adjoining lots shall meet the requirements of the International Building Code. (Ord. 882 (part), 2005; Ord. 386, 1978)

Chapter 20.26

(CR) COMMERCIAL RECREATION

Sections:

20.26.010 Purpose.
20.26.020 Definitions.
20.26.030 Permitted uses.
20.26.040 Prohibited uses.
20.26.050 Conditional uses.
20.26.060 Property development standards.
20.26.070 Recreational vehicle parks and facilities design standards.

20.26.010 Purpose.

The purpose of this zone is to allow for and encourage land uses which provide recreational opportunities, activities, visitor accommodations, and supporting commercial uses that diversify the economy of North Bonneville by utilizing, in an environmentally sensitive manner, the city's abundant scenic and natural amenities. (Ord. 848 § 1, 2003)

20.26.020 Definitions.

"Recreational vehicle" means a vehicle or trailer designed or used for recreational camping or travel use, whether self-propelled or mounted on or drawn by another vehicle, or any structure inspected, licensed and designated a recreational vehicle by and bearing the insignia of the State of Washington or any other state or federal agency having the authority to license recreational vehicles. Recreational vehicles include any dependent or independent recreational vehicles which are described as follows:

1. "Dependent recreational vehicle" means any tent, trailer, camper, motor home or similar recreational vehicles that do not have self-contained sewer, water or electrical systems, which is dependent upon a service building for toilet and lavatory facilities.

2. "Independent recreational vehicle" means any trailer, camper, motor home, or similar recreational vehicles, which can operate independent of connections to sewer, water and electrical systems. The

vehicle may contain a water-flushed toilet, lavatory, shower or kitchen sink, all of which are connected to water storage and sewage holding tanks located within the vehicle.

"Recreational vehicle park (RV Park)" means a parcel of land containing three (3) or more recreational vehicle sites, and/or three (3) or more occupied recreational vehicles. Recreational vehicle parks can serve dependent and/or independent recreational vehicles.

"Service building" means a structure housing toilet, lavatory, shower, laundry and such other facilities as may be required by these regulations.

"Visitor accommodations" mean lodging, including lodges, hotels, motels, bed and breakfast facilities, time-share units, rental homes and cabins, condominiums, townhouses and other similar visitor-oriented accommodations consistent with the purposes of Chapter 20.26. (Ord. 848 § 2, 2003)

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; amphitheaters; 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.

~~B.~~C. Indoor emergency shelter and emergency housing. (Ord. 1057, 2015; Ord. 875 § 1 (part), 2005: Ord. 848 § 3, 2003: Ord. 845 § 6, 2003: Ord. 802, 2001)

20.26.040 Prohibited uses.

A. Automobile, motorcycle, or recreational vehicle race courses and outdoor shooting ranges.

B. Slaughter houses and rendering plants.

C. All industrial and manufacturing uses or services, except as described in Section 20.26.030.

D. Junk and salvage yards, automobile and truck wrecking yards.

E. Airports, airstrips, and landing fields.

F. Surface mining.

G. Medical marijuana cooperatives as defined in RCW 69.51A.250.

H. Recreational marijuana producers, processors, and retailers as defined in RCW 69.50.101 (Ord. 1151, 2022, Ord. 848 § 4, 2003: Ord. 802, 2001)

20.26.050 Conditional uses.

A. Commercial uses such as restaurants and small retail shops, if they are not located as part of a primary recreational or visitor use with a conditional use permit.

B. Livestock with a livestock conditional use permit.

(Ord. 1152, 2022, Ord. 1039, 2014; Ord. 994, 2011; Ord. 875 § 1 (part), 2005: Ord. 848 § 5, 2003: Ord. 802, 2001)

20.26.060 Property development standards.

A. All development within the commercial recreation zone shall conform to Chapter 17.20, Site and Building Plan Review, and to all other city ordinances pertaining to building standards, construction, public safety, street design and construction, and setback requirements.

B. Minimum lot size for single-family residential construction shall be twelve thousand (12,000) square feet.

C. Pursuant to Chapter 20.55, Planned Unit Developments, a PUD is an allowed use in this zone.

D. All development other than recreational vehicle parks within the commercial recreation zone shall meet the following standards:

1. Maximum building height shall be forty-five (45) feet, excluding chimney projections, spires, antennas and other building appurtenances, except that with the review and approval of the Planning

Commission, a greater height may be allowed for a building or structure, provided, it does not interfere with the views of a substantial number of properties, and there is an overriding public interest in allowing a greater height. For each ten (10) foot increase in height that is allowed, there shall be an additional setback of fifteen (15) feet from any property line.

2. Setbacks. Twenty-five (25) feet in the front yard; ten (10) feet in the rear yard; eight (8) feet in the side yard(s) as measured from the property line to the principal structure.

3. Signage shall be limited to that necessary to provide relevant recreation or facility information, interpretive information, vehicular and pedestrian direction, and for safety purposes.

4. Landscaping.

a. Landscaping should be designed to enhance the building scale and form and be compatible with other nearby landscaping. The site plan shall detail the location and areas to be landscaped and materials to be used. At a minimum, all of the front yard area not used for parking or driveways shall be landscaped.

b. Landscape buffers around the perimeter of parking areas accommodating more than ten (10) vehicles shall be provided. Minimum required widths are ten (10) feet, except on the side of the parking lot adjacent to the principal building, which shall have a minimum required width of five (5) feet.

c. Interior landscaped buffers breaking up continuous areas of parking shall be provided for any parking areas with more than fifty (50) spaces. The minimum width of interior landscaped buffers separating each subarea of fifty (50) spaces or less shall be five (5) feet.

d. Existing vegetation, particularly mature trees, shall be maintained to the maximum extent practicable, and used to screen parking areas and campsites.

5. Exterior Building Materials. Exterior building materials and colors should enable structures to blend with their setting.

6. Building walls should be broken up to avoid a blank look and to provide a sense of scale.

7. Exterior Lighting. Exterior lighting for all uses and signs shall be directed downward and otherwise shielded, designed, and sited in a manner that results in light being directed onto the site and of an intensity or brightness that does not reflect or cause glare onto any adjacent use.

8. Outside Storage. All storage and refuse shall be visually screened by landscaping barriers, walls, fences, or coverings and be included in plans and specifications. Such barriers, walls, fences, or coverings shall not restrict access to emergency exits.

9. Loading. All loading must be on-site and no on-street loading is permitted. All truck loading aprons and other loading areas shall be paved with concrete or asphalt, be well-drained and of a strength adequate for the truck traffic expected.

10. Fences. All fences must be located on-site. Fences shall have a maximum height of eight (8) feet for solid fences and twelve (12) feet for wire fences. (Ord. 848 § 6, 2003: Ord. 845 § 7, 2003: Ord. 802, 2001)

20.26.070 Recreational vehicle parks and facilities design standards.

Recreational vehicle parks and facilities shall meet the following standards:

A. General.

1. The design of the park shall not cause an increase in storm water runoff onto adjacent properties.

2. Each site will have the site number posted in a conspicuous place for emergency services and park users.

3. A recreational vehicle park may allow tent camping subject to the rules pertaining to dependent recreational vehicle sites.

4. No permanent accessory structures, including, but not limited to, lean-tos, decks, porches, will be allowed to be built on or attached to recreational vehicles. Awnings or any other accessories that are attached to the recreational vehicle are permitted.

5. Maximum building height shall not exceed forty-five (45) feet.

6. Lot Coverage. No buildings, accessory structures, or other impervious surfaces shall occupy or cover more than sixty (60) percent of a lot.

7. Signage shall be limited to that necessary to provide relevant recreation or facility information, interpretive information, vehicular and pedestrian direction, and for safety purposes.

8. Exterior Building Materials. Exterior building materials and colors should enable structures to blend with their setting.

9. Building walls should be broken up to avoid a blank look and to provide a sense of scale.

10. Recreational vehicle parks do not constitute a division of land. Individual sites within a recreational vehicle park may not be separately sold.

B. Setbacks.

1. Park Perimeter. A ten (10) foot perimeter setback is required.

2. Interior Park Roads. A ten (10) foot setback is required from the edge of the road right-of-way or road easement.

3. City Roads. A twenty-five (25) foot setback is required from the edge of the road right-of-way or road easement.

4. Between Vehicle Sites. A minimum ten (10) foot unobstructed area shall be maintained between each recreational vehicle and adjacent recreational vehicle sites to allow for fire suppression and access.

C. Open Space and Common Facilities.

1. At least twenty (20) percent of the total land within all parks shall be open space.

a. Open space shall be land dedicated to common facilities, playgrounds, or recreation space.

b. At least half of the open space must be suitable for active recreational pursuits.

c. This open space shall not include roads, service buildings, or recreational vehicle sites.

2. The layout of common facilities within the development and the circulation (vehicular and pedestrian) within the development shall be designed in such a way to protect the public health, safety, and welfare. Walkways to common facilities shall not interfere with or cross a recreational vehicle site. Particular attention to pedestrian safety shall be given to points where walkways cross roads.

D. Service Buildings. All parks catering to dependent recreational vehicles shall include service buildings adequately equipped with flush-type toilet fixtures, lavatories and showers. Service buildings are optional for recreational vehicle parks serving only independent recreational vehicles. All service buildings shall be constructed according to all applicable local, state and federal regulations.

E. Solid Waste/Garbage Disposal. All recreational vehicle parks shall have an adequate number of conveniently located garbage cans or garbage dumpsters to serve the recreational vehicle sites. Solid waste containers shall be maintained in a clean and sanitary condition, free of insects, rodents, wildlife, and domestic animals. Garbage shall not be allowed to accumulate outside of a garbage container, and shall be serviced regularly.

F. Roads. All recreational vehicle park roads shall meet the standards in Chapters 12.24 and 12.28, except for the following:

1. Access roads shall be clearly marked and designed for traffic safety, emergency vehicle access, and ease of vehicle movement into, out of, and within the park.

2. Individual recreational vehicle sites shall not be provided with direct access to an arterial.

3. All park entry and exit points shall be clearly marked and provide safe merging onto and off of public roads.

4. Interior park roads may be single-lane or two (2) lane roads.

a. Single-lane roads shall be one (1) way roads only, shall have a minimum of a twenty (20) foot right-of-way with a minimum twelve (12) foot width of driving surface, with separate entry and exit points. If a loop road is used within the park it may use the same point for entry and exit, but that area shall be two (2) lanes with a minimum twenty (20) foot width of driving surface and a right-of-way width of four (4) additional feet on both sides of roadway (twenty-eight (28) foot row width for a twenty (20) foot road width). Roads shall be signed "No parking," and shall be subject to a posted five (5) mile-per-hour speed limit.

b. Two (2) lane roads shall have a minimum twenty (20) foot width of driving surface, a right-of-way width of four (4) additional feet on both sides of roadway (twenty-eight (28) foot row width for a twenty (20) foot road width), and have a fire access turnaround at the end of the dead-end road. Traffic control signs shall be the same as required for single-lane roads.

5. All weather alternatives for road surfacing may be approved for interior park roads.

G. Fences/Screening.

1. The park boundary line abutting the entry access road shall have a minimum of fifty (50) percent screening; all other park boundary lines shall be fully screened. All screening shall meet the criteria in subsection (G)(2) of this section.

2. A fence and/or natural year-round vegetative screen shall be established and maintained around the perimeter of a recreational vehicle park, except as noted in subsection (G)(1) of this section, to obscure viewing the park development from adjacent properties and roadways. An existing vegetative screen or structure may also be used to obscure viewing the park development from adjacent property and roadways. The fence or year-round natural vegetative screen shall be within the ten (10) foot perimeter setback and shall not encroach upon any of the sites within the park. Existing terrain features may also be taken into consideration when requiring screening.

a. Fences shall be no less than five (5) feet in height. Fences may be of wood, metal, plastic or concrete, and shall be designed to screen the recreational vehicle or mobile home park.

b. A natural vegetative screen shall be a continuous row of year-round site-obscuring vegetation a minimum of five (5) feet tall at planting. This natural year-round vegetative screen shall be maintained by replacing all dead or dying plants with year-round vegetation that meets the five (5) foot height requirements.

c. An existing natural year-round vegetative screen shall screen visibility of the park and be maintained at a minimum of five (5) feet tall. Nothing may be constructed, erected or placed within the vegetative strip, with exception that utility lines may transverse these areas. This natural year-round vegetative screen shall be maintained by replacing all dead and dying plants with year-round vegetation that meets the five (5) foot height requirements.

3. Outside Storage. All storage and refuse shall be visually screened by landscaping barriers, walls, fences, or coverings and be included in plans and specifications. Such barriers, walls, fences, or coverings shall not restrict access to emergency exits.

H. Lighting.

1. All entrance and exit points shall be adequately illuminated.

2. Service buildings and community recreation areas shall be adequately illuminated.

3. Walkways leading to service buildings and community recreation areas shall be adequately illuminated to protect pedestrians.

4. All exterior lighting within the park shall be directed downward and sited, hooded and shielded so that it is not highly visible from adjacent properties. Shielding and hooding materials shall be composed of non-reflective, opaque materials. (Ord. 848 § 7, 2003)

Chapter 20.28

(LC-P) LIGHT COMMERCIAL RECREATION AND WETLAND PRESERVE

Sections:

20.28.010 Permitted uses.
20.28.020 Prohibited uses.
20.28.030 Conditional uses.
20.28.040 Property development standards.

20.28.010 Permitted uses.

Uses that are permitted as a matter of right:

A. Golf courses, aqua-culture, agriculture, parks, riding stables, commercial greenhouses, nurseries.

B. Open space and wetland preserves. (Ord. 802, 2001)

20.28.020 Prohibited uses.

All prohibited uses in the Commercial Recreation zone are prohibited in the Light Commercial Recreation and Wetland Preserve zone. (Ord. 802, 2001)

20.28.030 Conditional uses.

A. Single-family residential construction, surface mining, small boat marinas with a conditional use permit.

B. Livestock with a livestock conditional use permit.

(Ord.1152, 2022, Ord. 1039, 2014; Ord. 994, 2011; Ord. 802, 2001)

C. Transitional shelter or permanent supportive housing

20.28.040 Property development standards.

A. All development within the Light Commercial Recreation and Wetland Preserve zone shall conform to Chapter 17.20, Site and Building Plan Review, and to building standards, construction, public safety, and setback requirements.

B. Minimum lot size for single-family residential construction shall be two (2) acres. (Ord. 802, 2001)

Chapter 20.30

(AG-P) AGRICULTURAL AND WETLAND PRESERVE

Sections:

20.30.010 Permitted uses.
20.30.020 Prohibited uses.
20.30.030 Conditional uses.
20.30.040 Property development standards.

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. (Ord. 1057, 2015; Ord. 802, 2001)

20.30.020 Prohibited uses.

A. All prohibited uses in the Commercial Recreation zone are prohibited uses in the Agricultural and Wetland Preserve zone.

B. Mobile home parks, recreational vehicle parks. (Ord. 802, 2001)

20.30.040 Property development standards.

A. All development within the Agricultural and Wetland Preserve zone shall conform to Chapter 17.20, Site and Building Plan Review, and to all other city ordinances pertaining to building standards, construction, public safety, and setback requirements.

B. Minimum lot size for single-family residential construction shall be two (2) acres. (Ord. 802, 2001)

Chapter 20.32

(TC) TIMBER CONSERVANCY

Sections:

20.32.010 Permitted uses.
20.32.020 Prohibited uses.
20.32.030 Conditional uses.
20.32.040 Property development standards.

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. (Ord. 1057, 2015; Ord. 835 § 5, 2003: Ord. 802, 2001)

20.32.020 Prohibited uses.

A. All prohibited uses in the Commercial Recreation zone are prohibited uses in the Timber Conservancy zone.

B. Mobile/manufactured home parks, trailer parks, recreational vehicle parks. (Ord. 802, 2001)

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.

(Ord. 1152, 2022, Ord. 1057, 2015; Ord. 1039, 2014; Ord. 994, 2011; Ord. 802, 2001)

20.32.040 Property development standards.

A. All development within the timber conservancy zone shall conform to all city ordinances pertaining to building standards, construction, public safety, and setback requirements.

B. Minimum lot size for single-family residential construction shall be three (3) acres. (Ord. 1138, 2021 Ord. 802, 2001)

Chapter 20.34

(MU) MIXED USE

Sections:

20.34.010 Permitted uses.
20.34.020 Prohibited uses.
20.34.030 Conditional uses.
20.34.040 Property development standards.

20.34.050 Signs.
20.34.060 Building heights.
20.34.070 Setbacks.

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. Accessory Uses. On-site hazardous waste treatment and storage facilities subject to State Siting Criteria (RCW 70.105.210). (Ord. 963, 2010; Ord. 845 § 8, 2003; Ord. 802, 2001; Ord. 622, 1988)

~~D.~~E. Transitional shelter or permanent supportive housing

20.34.020 Prohibited uses.

A. All commercial, industrial or manufacturing uses which are known to create problems by emission of smoke, dust, odors, fumes or excessive noise.

B. Automobile, motorcycle or recreational vehicle race courses and outdoor shooting ranges.

C. Outside storage of wrecked, dismantled or partially dismantled, inoperable, or unlicensed (vehicle licensing plates and current tabs) and uninsured vehicles;

D. Adult family homes, residential care facilities;

E. Use of mobile homes, trailers, motor homes or campers;

F. Outside accumulations of garbage, trash, household goods, yard trimmings, or other materials which create a public nuisance, health or fire hazard.

G. Medical marijuana cooperatives as defined in RCW 69.51A.250.

H. Recreational marijuana producers, processors, and retailers as defined in RCW 69.50.101 (Ord. 1151, 2022, Ord. 1057, 2015; Ord. 963, 2010; Ord. 802, 2001; Ord. 622, 1988)

20.34.030 Conditional uses.

A. Livestock with a livestock conditional use permit.

(Ord. 1152, 2022, Ord. 1039, 2014; Ord. 994, 2011)

20.34.040 Property development standards.

A. All single-family dwellings shall be placed on permanent foundations.

B. All dwellings shall be not less than twenty (20) feet in width at the narrowest point of its first story.

C. All manufactured homes must be new on the date of installation.

D. No contour or existing topography shall be substantially altered by fill, excavation, channeling or other device that would cause flooding, inundation, silt ration, or erosion by stormwater on adjoining lots, open spaces, or rights-of-way.

E. A minimum of two (2) off-street parking spaces shall be provided per dwelling unit.

F. Garbage containers of adequate number and size shall be provided in a convenient location for use and shall be enclosed from the effects of weather and from intrusion by animals.

G. Plans of multifamily buildings submitted to the city for approval shall include provisions for noise isolation between dwelling units.

H. Each dwelling unit shall have its own water meter and be served by its own water and sewer connection.

I. Pursuant to Chapter 20.55, Planned Unit Developments, a PUD is an allowed design tool in this zone. (Ord. 963, 2010; Ord. 845 § 9, 2003: Ord. 802, 2001)

20.34.050 Signs.

Signs shall be limited to the nature of the business on the premise and shall not exceed thirty-two (32) square feet. No portion of the sign shall be closer than five (5) feet from the property line. Only one

freestanding sign shall be allowed per lot and shall not be taller than twelve (12) feet at the highest point. (Ord. 963, 2010)

20.34.060 Building height.

Maximum building height shall not exceed forty-five (45) feet in the mixed use zone. (Ord. 963, 2010; Ord. 835 § 6, 2003)

20.34.070 Setbacks.

A. Front yard--Twenty-five (25) feet from the front lot line to the principal structure. The twenty-five (25) foot setback shall be exclusive of any street right-of-way.

B. Rear yard--Ten (10) feet from the rear lot line to the principal structure.

C. Side yard--Eight (8) feet to principal building from the side lot line on freestanding buildings. Ten (10) feet where a side yard adjoins a main arterial city street.

D. Accessory buildings--Five (5) feet from the side and rear lot lines. No accessory building shall be allowed in the front yard. (Ord. 1126, 2020, Ord. 963, 2010)

Chapter 20.36

(I/BP) INDUSTRIAL/BUSINESS PARK

Sections:

20.36.010 Purpose.
20.36.020 Permitted uses.
20.36.030 Prohibited uses.
20.36.040 Conditional uses.
20.36.050 Property development standards.

20.36.010 Purpose.

The Industrial/Business Park zone provides for light manufacturing, product assembly and wholesale trade; business and professional services; research, business and corporate offices; and other similar or supporting enterprises. This zone is intended to encourage planned developments featuring significant open space and landscaping, integrated architecture and signage, and unified ownership and management. (Ord. 955, 2009; Ord. 802, 2001)

20.36.020 Permitted uses.

Uses permitted in the I/BP zone include:

A. Manufacturing or assembly of food products; textile products; furniture and fixtures; hand-crafted stone, clay, glass products; signs, advertising display; small electrical equipment and appliances; fabricated products; light fabricated building components; toys, jewelry, musical instruments; chemical products.

B. Services. Small appliance and/or engine repair; office machine and equipment manufacturing and repairing; printing, publishing; business services such as duplicating, fax, etc.; professional services, such as but not limited to: legal, engineering, architectural, planning, consulting; scientific services; research facilities, testing and experimental laboratories; corporate headquarters and regional offices; utility and communications offices; government offices and services; self-service storage facilities.

C. Wholesale and retail sales of goods and services manufactured on site as provided in 20.36.020. (Ord. 955, 2009; Ord. 835 § 7, 2003; Ord. 802, 2001; Ord. 622, 1988)

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.
D. Medical marijuana cooperatives as defined in RCW 69.51A.250.
E. Recreational marijuana producers, processors, and retailers as defined in RCW 69.50.101 (Ord. 1151, 2022, Ord. 1057, 2015; Ord. 994, 2011)

20.36.040 Conditional uses.

A. Wholesale and retail sales of goods and service not manufactured on site; lodging; restaurant, deli, including carry-out and delivery; card lock fuel; warehouse storage; on-site living quarters complying with the requirements of the International Building Code for a resident caretaker or manager; vehicle and equipment storage.

B. Organic materials management facilities, consistent with RCW 70A.205.040(3) and any areas identified by Skamania County for organic materials management facility siting, subject to the following conditions:

1. All processing activities shall be conducted wholly within an enclosed building or within a fully screened outdoor area, except for vehicle access and loading.
2. The facility shall demonstrate compliance with all applicable state and federal permits, including any permits required by the Washington State Department of Ecology.
3. The facility shall implement odor control measures sufficient to prevent nuisance impacts to adjacent properties.
4. Hours of operation for vehicle loading and unloading shall be limited to 7:00 a.m. to 7:00 p.m.
5. A traffic management plan shall be submitted demonstrating that truck traffic associated with the facility can be accommodated without adverse impacts to adjacent uses or public streets.

(Ord. 1152, 2022, Ord. 1039, 2014; Ord. 955, 2009; Ord. 835 § 8, 2003; Ord. 802, 2001)

20.36.050 Property development standards

All development within the Industrial/Business Park zone shall conform to all city ordinances pertaining to building standards, construction, site and building plan review, public safety, setback requirements, and the following:

A. Building Design and Finish. Exterior walls of all buildings shall be of a material that is harmonious with the local setting and contributing to the overall architectural character of the area. Exterior material should be similar, but not limited to, exposed concrete aggregate, stucco, glass, architectural metal, brick or other pre-finished material found acceptable by the City's Planning Commission. All exposed surfaces shall be earth tone in color. Metal surfaces shall be matte finished so as not to create a glare. This also applies to all mechanical equipment, vents, and metal flashings on the building or roof surface.

B. Setbacks. Front yard (that side of the building that faces the primary entrance way to the building) shall be twenty-five (25) feet; sides, eight (8) feet; rear, ten (10) feet. The setback for any yard that is adjacent to a residential area, a different zoning area, or a public roadway/highway shall be a minimum of fifty (50) feet and shall consist of appropriate landscaping as described within this section to screen the industrial use/activity from the public view. On corner parcels (bordered by two or more streets) within the Light Industrial/Business Park zoned areas, there shall be one front yard established, and the remaining sides shall be side yards. The minimum setbacks shall follow the front and side requirements.

C. Parking Areas. Off-street parking shall be provided, sufficient for all employees and expected visitors/customers at any one time, and for all vehicles such as trucks, vans, cargo containers used by the industrial activity at the site. All vehicles will be parked within the industrial site. No off-site, on street parking will be allowed at any time. Parking shall be designed and built to allow easy and safe egress for all vehicles and allow adequate access for fire and emergency vehicles at all times. Parking areas will also be landscaped providing trees and shrubs among the vehicle parking area to break-up the number of parking spaces and provide an aesthetically pleasing appearance.

D. Loading Zones. Adequate loading areas shall be provided on each site. All loading areas within parking areas shall be located to minimize viewing from adjacent properties and roadways. They shall be screened from horizontal view with the use of dense landscaping, mounds, view screen fencing, or other

approved means.

E. Paving. All roadways, pathways, and parking and loading areas shall be paved with concrete or asphalt paving conforming to city standards. Roadways shall be designed to carry the weight of the largest delivery trucks expected in normal use, or the weight of the city fire trucks, whichever is greater. The perimeter of all paving areas shall have concrete curbs throughout.

F. Lighting. Site and building lighting shall be designed to minimize glare or objectionable effects to the adjacent properties. Residential neighborhoods are of particular concern. Site-lighting poles shall not exceed twenty (20) feet in height and shall direct light downward. Lighting sources viewed from above or below on an adjacent property shall be shielded. Building lighting is to be concealed and indirect. Lighting in service areas is to be contained to conceal visibility of light sources from street and adjacent property. Site lighting is to be designed to provide uniform distribution, and the light levels shall be adequate for reasonable security and safety on the premises.

G. Materials and Equipment Storage. Outside storage is permitted in designated areas and shall be screened from public view by fencing or landscaping.

H. Maximum Building Height. Buildings shall not be greater than forty (40) feet in height.

I. Walls and Fences. Walls or fences shall not be higher than ten (10) feet.

J. Landscaping. Landscaping material shall not obstruct accessibility to buildings by fire trucks or other emergency vehicles. Landscaping plans shall be provided as part of the site and building plan review process. A twenty-five (25) foot minimum landscaped planting strip shall be required adjacent to building facades facing a different zoned area, especially any residential zoned area, and any public street/highway outside the Light Industrial/Business Park zoned areas so as to screen the Light Industrial/Business Park area from public view. Curvilinear design and tree groupings are encouraged to create interest and variety. Plantings shall be of a type indigenous to the area such as fir, pine, cedar and oak. Initial plantings shall be such height, diameter and quantity as to immediately provide a screen between the industrial site and the public. Landscaping shall not be required between buildings within the Light Industrial/Business Park zoned areas except as stipulated above.

K. Waivers. Variation from the stated setbacks and landscape strip sizes may be allowed by the Planning Commission if the Light Industrial/Business Park parcel is affected by development constraints such as wetlands; there is an excessive amount of cut or fill required; or, the parcel size is of such size as to prevent development if the setbacks and/or landscaping strip sizes are enforced. The Planning Commission will consider alternative setbacks and/or landscaping strips as presented by the owner/developer and render a determination for waiver after considering the impact such a waiver will have on adjacent properties and zoning, and the general appearance of the surrounding area.

L. Landscape maintenance. Owners shall maintain the landscaping in a healthy and neat manner. When installation of landscaping is required by this title, to assure survivorship of new plantings, the owner shall be responsible for the monitoring, maintenance and replacement, if necessary, of new landscaping to assure 100 percent survivorship for trees and 90 percent survivorship for shrubs and ground cover. The mandatory maintenance of landscaping for a one-year period shall be assured by the owner/developer prior to the issuance of a certificate of occupancy by requiring one of the following options, subject to the approval of the city as legal form prior to acceptance:

1. The depositing with the city Clerk/Treasurer of a certified or cashier's check for 150 percent of the estimated cost of landscaping, as approved by the City Planning Commission.

2. The posting of a performance bond 50 percent of the estimated cost of maintenance as approved by the City Planning Advisor.

3. Filing with the city through the City Planning Commission of a service contract for maintenance of the landscaping.

4. Such other written commitments that will assure satisfactory maintenance of landscaping.

M. Developed Area. An industrial/business park lot may not have a developed area of more than eighty (80) percent, leaving a minimum of twenty (20) percent for open space, green area and landscaping.

N. Utilities. All electrical, telephone, and other utilities shall be underground.

O. Signs. Signs relating to the business and activity housed in the business park are allowed, subject to the following restrictions. Signs close to the ground and no higher than three feet are acceptable. Signs may also be affixed to the sides of the building. Those off of the building and close to the ground shall be no larger than twenty-four (24) square feet. Those signs affixed to the building shall be no larger than thirty-two (32) square feet. Signs may be illuminated. Flashing or moving signs are not allowed. No other signs are allowed except for a business park directory/identifier sign. The directory/identifier sign shall be

no higher than eight (8) feet in height and shall be located so as not to create a safety issue.

P. Solid Waste. Solid waste shall be confined within fenced enclosures or suitable containment, not visible from the roadway. (Ord. 970, 2010; Ord. 955, 2009; Ord. 913 § 1, 2006; Ord. 802, 2001; Ord. 386, 1978)

20.37 Transitional and permanent supportive housing facilities

As required by RCW 35.21.683 and 35A.21.430 as adopted or hereafter amended, permanent supportive housing and transitional housing are permitted in any zone in which residential dwelling units or hotels are allowed, which is all residential and commercial zones. In residential zones, permanent supportive housing and transitional housing must be within the type, scale, density, and intensity of residential use(s) allowed in that zone and are subject to the following criteria:

A. The number of permanent supportive and transitional housing facilities allowed on any given lot shall be no more than the number of standard dwelling units that would be allowed under NBMC [_____].

B. Permanent supportive and transitional housing facilities must meet the same development and operating regulations as permitted residential dwellings, including adhering to building and fire codes, to ensure consistency in health and safety for all residents.

C. Permanent supportive and transitional housing facilities must be a 24-hour-per-day facility where rooms or units are assigned to specific residents for the duration of their stay. Transitional housing facilities shall require a minimum length stay of 72-hours.

D. On-site services such as laundry, hygiene, meals, case management, and social programs are limited to the assigned residents and shall not be available for drop in or other use by nonresidents.

E. Prior to the start of operation for a permanent supportive housing or transitional housing facility, an occupancy agreement shall be submitted to the city meeting the following requirements. The city shall review and determine that the occupancy agreement meets the following requirements to the city's satisfaction before approving the occupancy agreement.

1. Property owners and/or facility operators shall use and enforce the occupancy agreement approved by the city.

2. The occupancy agreement shall include but is not limited to the following:

a. Names and contact information for onsite staff. The facility operator shall notify the city of each staff change(s) within 72 hours.

b. Description of the services to be provided onsite.

c. Description of the staffing plan including the following:

i. Number, function, and general schedule of staff supporting residents and operations.

ii. Staff certification requirements.

iii. Staff training programs.

iv. Staff to resident ratios.

v. Roles and responsibilities of all staff.

vi. The name and contact information for at least one organization member located off-site.

d. Rules and/or code of conduct describing resident expectations and consequences for failing to comply. At minimum, the code of conduct shall be consistent with state law prohibitions and restrictions concerning the following:

i. Possession and use of illegal drugs onsite.

ii. Threatening or unsafe behavior.

iii. Possession and use of weapons.

e. A fire safety plan reviewed and approved by the Skamania County Fire District 5 confirming fire department access.

f. A plan for avoiding potential impacts on nearby residences including a proposed mitigation approach (for example, a Good Neighbor Agreement Plan) that addresses items such as noise, smoking areas, parking, security procedures, and litter.

g. Description of eligibility for residency and resident referral process.

20.38 Indoor Emergency Shelters and Indoor Emergency Housing

A. As required by RCW 35.21.683 and 35A.21.430 as adopted or hereafter amended, indoor emergency shelters and indoor emergency housing are permitted in any zone in which hotels are allowed, which includes the C-1 Commercial zone and the CR Commercial Recreation zone in the city of North Bonneville.

1. Indoor emergency shelters, transitional housing, indoor emergency housing, and permanent supportive housing must meet the same development and operating regulations as permitted residential dwellings, including adhering to building and fire codes, to ensure consistency in health and safety for all residents. For requirements applicable to hosting of unhoused people by religious organizations, see Chapter 20.43 of this title.
2. Emergency housing or emergency shelters shall be regulated the same as hotels and motels, with the following additional requirements necessary for public health and safety:
    a. The density of emergency housing or emergency shelter within a facility shall not exceed the requirements of the underlying zone. No occupied structures may exceed occupancy limits set by the currently adopted building code;
    b. On-site services such as laundry, hygiene, meals, case management, and social programs are limited to the residents of the facility;
    c. No emergency housing or emergency shelter may also be used as a designated supervised/safer consumption site, supervised/safer injection facility, or supervised/safer injection service;
    d. The organization managing and operating the emergency housing or emergency shelter facility shall be responsible for the operation and maintenance of the facility itself, and the conduct of the residents of the facility, regardless of whether the organization contracts with a third party for the provision of any services related to the facility itself or its residents;
    e. The organization managing and operating the emergency housing or emergency shelter facility shall be responsible for the safety of residents of the facility and shall establish a plan to remove individuals who present a threat to other residents, the property of other residents, or the residents or property of adjacent property;
    f. The organization managing and operating the emergency housing or emergency shelter facilities shall provide sanitation and basic safety measures including the following:
        i. If on-site food preparation takes place, a kitchen area separated from sleeping areas, with handwashing and dishwashing stations stocked with soap;
        ii. Two large first-aid kits that include emergency eye wash bottles and naloxone (Narcan) kits;
        iii. Cleaning supplies including gloves, trash-grabber tool, disinfectant, hand sanitizer, masks, buckets, paper towels, etc.;
        iv. Refuse receptacles and trash service; and
        v. Storage of personal belongings; and
    g. Prior to receiving any permits, or prior to beginning operation if no permits are required, the organization managing and operating the emergency housing or emergency shelter facilities shall provide a plan to the city that includes the following information:
        i. Emergency contact information;
        ii. Proposed population to be served; and
        iii. Confirmation of sanitation and basic safety measures required for emergency housing and emergency shelters.
    h. Notification.
        i. Advance Notice Required. The organization managing and operating the emergency housing or emergency shelter facility shall notify the city of the proposed emergency housing or emergency shelter facility a minimum of thirty days in advance of the proposed date of establishment of the facility. The advance notification shall contain the following information:
            (A) The date the facility will commence;

Commented [AB1]: Hotels are a conditional use in the I/BP zone, do we want shelters there too?

(B) The length of time the facility will continue;
(C) The maximum number of residents proposed for the facility;
(D) The host location;
(E) The names of the organization(s) managing and operating the facility; and
(F) The manner in which the facility will comply with the requirements of this chapter.

ii. Informational Meeting Required. The organization managing and operating the emergency housing or emergency shelter facility shall conduct at least one informational meeting within, or as close to, the location where the proposed facility will be located, a minimum of two weeks prior to beginning operation. The time and location of the meeting shall be agreed upon between the city and the organization managing and operating the facility. All property owners within five hundred feet of the proposed facility shall be notified by mail ten days in advance of the meeting. In lieu of notice by mail, an alternative means of notice may be provided that is reasonably calculated to notify the neighboring property owners within five hundred feet of the proposed facility.

ii. Signs Required. The applicant shall also provide notice of the facility and the meeting within the same time frame as the mailed notice by posting two signs on the site or in a location immediately adjacent to the site that provides visibility of the signs to motorists using adjacent streets. The community development director or designee shall establish standards for size, color, layout, design, and placement for installation and removal of the signs. (Ord. 1633 § 4, 2025).

20.39 Prohibition on Moratoriums for STEP Housing Permits.

Consistent with RCW 36.70A.390, as adopted or hereafter amended, the City of North Bonneville shall not adopt a moratorium on permit applications for emergency shelters, transitional housing, indoor emergency housing, or permanent supportive housing as defined in NBMC 20.37 and 20.38. Any moratorium adopted by the city that would have the effect of prohibiting or delaying the acceptance, processing, or approval of permit applications for such facilities is prohibited.

Chapter 20.38

(C) CHURCHES

Sections:

20.38.010 Permitted uses.
20.38.020 Prohibited uses.
20.38.030 Property development standards.

20.38.010 Permitted uses.

Uses that are permitted as a matter of right:

A. Churches, related accessory building and parking areas.

B. Church bazaars and related activities, church processions. (Ord. 802, 2001)

20.38.020 Prohibited uses.

A. All retail, commercial and industrial uses;

B. Livestock.

D. Medical marijuana cooperatives as defined in RCW 69.51A.250.

E. Recreational marijuana producers, processors, and retailers as defined in RCW 69.50.101 (Ord. 1151, 2022, Ord. 1057, 2015; Ord. 994, 2011; Ord. 802, 2001)

20.38.030 Property development standards.

All development within the Church zone shall conform to Chapter 17.20, Site and Building Plan Review, and to all other city ordinances pertaining to building standards, construction, public safety, and setback requirements. (Ord. 802, 2001)

Chapter 20.40

(H) HEALTH CARE FACILITIES

Sections:

20.40.010 Permitted uses.
20.40.020 Prohibited uses.
20.40.030 Property development standards.

20.40.010 Permitted uses.

Uses that are permitted as a matter of right:

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

B. Adult family homes, residential care facilities. (Ord. 1057, 2015; Ord. 802, 2001; Ord. 614, 1988)

20.40.020 Prohibited uses.

A. All retail and industrial uses.

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

C. Livestock.

D. Medical marijuana cooperatives as defined in RCW 69.51A.250.

E. Recreational marijuana producers, processors, and retailers as defined in RCW 69.50.101 (Ord. 1151, 2022, Ord. 1057, 2015; Ord. 994, 2011; Ord. 802, 2001; Ord. 614, 1988)

20.40.030 Property development standards.

All development within the Health Care Facilities zone shall conform to Chapter 17.20, Site and Building Plan Review, and to all other city ordinances pertaining to building standards, construction, public safety and setback requirements. (Ord. 802, 2001; Ord. 614, 1988)

Chapter 20.41

(BRB) BUILDING RE-USE BONUS

20.41 New Housing in Existing Buildings

20.41.010 . Purpose.

Consistent with RCW 35.21.990 and RCW 35A.21.440 as adopted or hereafter amended, the City of North Bonneville hereby incorporates the following requirements into its development regulations, zoning regulations, and other official controls applicable to buildings in commercial, mixed-use, or residential zones.

20.41.020. Definitions.

"Existing building" means a building that received a certificate of occupancy at least three (3) years prior to the permit application to add housing units.

20.41.030. Prohibitions on Local Regulation.

The City of North Bonneville shall not:

A. Impose a restriction on housing unit density that prevents the addition of housing units at a density up to fifty (50) percent more than what is allowed in the underlying zone, if constructed entirely within an existing building envelope in a building located within a zone that permits multifamily housing, provided that generally applicable health and safety standards, including but not limited to building code and fire and life safety standards, can be met within the building;

B. Impose parking requirements on the addition of dwelling units or living units added within an existing building; however, the city may require the retention of existing parking that is required to satisfy existing residential parking requirements under local laws and for nonresidential uses that remain after the new units are added;

C. With the exception of emergency housing and transitional housing uses, impose permitting requirements on the use of an existing building for residential purposes beyond those requirements generally applicable to all residential development within the building's zone, including requiring a change of use permit;

D. Impose design standard requirements, including setbacks, lot coverage, and floor area ratio requirements, on the use of an existing building for residential purposes beyond those requirements generally applicable to all residential development within the building's zone, except as provided in RCW 36.70A.810 and 36.70A.812;

E. Impose exterior design or architectural requirements on the residential use of an existing building beyond those necessary for health and safety of the use of the interior of the building or to preserve character-defining streetscapes, unless the building is a designated landmark or is within a historic district established through a local preservation ordinance;

F. Prohibit the addition of housing units in any specific part of a building except ground floor commercial or retail that is along a major pedestrian corridor as defined by the city, unless the addition of the units would violate applicable building codes or health and safety standards;

G. Require unchanged portions of an existing building that have been used for residential or previously permit-approved conditioned space purposes to meet the current energy code solely because of the addition of new dwelling units within the building. When any other existing building is converted to new dwelling units, changed portions of each of those new units must meet the requirements of the current energy code, except if: a. The square footage of new dwelling units does not exceed two thousand five hundred (2,500) square feet or fifty (50) percent of the total building square footage, whichever is greater; b. The building owner submits documentation, in a form acceptable to the city, showing the building's residential units' projected energy use intensity is less than or equal to the energy use intensity target in accordance with the clean buildings performance standard in RCW 19.27A.210; or c. In all areas zoned for residential housing, an additional housing unit is created within an existing home;

H. Deny a building permit application for the addition of housing units within an existing building due to nonconformity regarding parking, height, setbacks, elevator size for gurney transport, or modulation, unless the city official with decision-making authority makes written findings that the nonconformity is causing a significant detriment to the surrounding area; or

I. Require a transportation concurrency study under RCW 36.70A.070 or an environmental study under chapter 43.21C RCW based on the addition of residential units within an existing building.

20.41.040. Life Safety Exception.

Nothing in this section requires the city to approve a building permit application for the addition of housing units constructed entirely within an existing building envelope in a building located within a zone that permits multifamily housing in cases in which the building cannot satisfy life safety standards.

Chapter 20.42

(CM) CEMETERIES

Sections:

20.42.010 Permitted uses.
20.42.020 Prohibited uses.
20.42.030 Property development standards.

20.42.010 Permitted uses.

Uses that are permitted as a matter of right:

A. Burial grounds and crypts for the interment of human remains.

B. Accessory buildings, open space, parking areas. (Ord. 802, 2001)

20.42.020 Prohibited uses.

All others not listed in Section 20.42.010 are prohibited. (Ord. 802, 2001)

20.42.030 Property development standards.

All cemetery design and construction shall conform to the minimum standards of the Skamania County Cemetery District No. 1. (Ord. 802, 2001)

Chapter 20.43

(ROH) RELIGIOUS ORGANIZATION HOSTING OF THE HOMELESS

Sections:

20.43.010 Purpose and authorization.
20.43.020 Definitions.
20.43.030 Prohibited city actions.
20.43.040 Memorandum of understanding.
20.43.050 Sex offender checks.
20.43.060 Homeless client management information system.
20.43.070 Nondiscrimination.
20.43.080 Public meeting required.

20.43.010 Purpose and authorization.

Consistent with RCW 35.21.915 as adopted or hereafter amended, a religious organization may host homeless persons on property owned or controlled by the religious organization, whether within buildings on the property or elsewhere on the property outside of buildings. The provisions of this chapter apply to outdoor encampments, indoor overnight shelters, temporary small houses on-site, and vehicle resident safe parking hosted by religious organizations. Indoor emergency shelters and housing hosted by religious organizations are additionally subject to Section 20.38 of this title.

20.43.020 Definitions.

For the purposes of this chapter:

A. "Managing agency" means an organization such as a religious organization or other organized entity that has the capacity to organize and manage a homeless outdoor encampment, temporary small houses on-site, indoor overnight shelter, or vehicle resident safe parking program.

B. "Outdoor encampment" means any temporary tent or structure encampment, or both.

C. "Religious organization" means the federally protected practice of a recognized religious assembly, school, or institution that owns or controls real property.

D. "Temporary" means not affixed to land permanently and not using underground utilities.

20.43.030 Prohibited city actions.

The City of North Bonneville shall not enact an ordinance or regulation or take any other action that:

A. Imposes conditions other than those necessary to protect public health and safety on a religious organization's decisions regarding the location of housing or shelter for homeless persons, including outdoor encampments, indoor overnight shelters, temporary small houses on-site, or vehicle resident safe parking, on

property owned or controlled by the religious organization;
B. Requires a religious organization to obtain insurance pertaining to the liability of the city with respect to homeless persons housed on property owned by the religious organization, or otherwise requires the religious organization to indemnify the city against such liability;
C. Imposes permit fees in excess of the actual costs associated with the review and approval of permit applications. The city may reduce or waive permit fees for a religious organization that is hosting the homeless;
D. Limits a religious organization's availability to host an outdoor encampment to fewer than six (6) months during any calendar year, provided that the city may require a separation of no more than three (3) months between subsequent or established outdoor encampments at a particular site;
E. Limits a religious organization's outdoor encampment hosting term to fewer than four (4) consecutive months;
F. Limits the number of simultaneous religious organization outdoor encampment hostings within the city during any given period of time, provided that simultaneous and adjacent outdoor encampments may be limited if located within one thousand (1,000) feet of another outdoor encampment concurrently hosted by a religious organization;
G. Limits a religious organization's availability to host safe parking at its on-site parking lot, except that the following criteria apply:
1. No less than one (1) space may be devoted to safe parking per ten (10) on-site parking spaces;
2. Restroom access must be provided either within buildings on the property or through portable facilities, with provision for proper disposal of waste if recreational vehicles are hosted; and
3. Religious organizations providing safe parking must continue to abide by any existing on-site parking minimum requirements so that safe parking does not reduce total available parking below the minimum required, provided that the city may enter into a memorandum of understanding with a religious organization that reduces the minimum number of on-site parking spaces required;
H. Limits a religious organization's availability to host an indoor overnight shelter in spaces with at least two accessible exits due to lack of sprinklers or other fire-related concerns, except that:
1. If a city fire official finds that fire-related concerns pose an imminent danger to persons within the shelter, the city may take action to limit such hosting; and
2. The city may require a memorandum of understanding for fire safety that includes local fire district inspections, an outline for appropriate emergency procedures, a determination of the most viable means to evacuate occupants from inside the host site with appropriate illuminated exit signage and panic bar exit doors, and a completed fire watch agreement indicating: posted safe means of egress; operable smoke detectors, carbon monoxide detectors as necessary, and fire extinguishers; and a plan for monitors who spend the night awake and are familiar with emergency protocols, who have suitable communication devices, and who know how to contact the local fire department; or
I. Limits a religious organization's ability to host temporary small houses on land owned or controlled by the religious organization, except that the following criteria apply:
1. A renewable one-year duration agreed to by the host religious organization and the city via a memorandum of understanding;
2. Maximum unit square footage of one hundred twenty (120) square feet, with units set at least six (6) feet apart;
3. Electricity and heat, if provided, must be inspected by the city;
4. Space heaters, if provided, must be approved by the local fire authority;
5. Doors and windows must be included and be lockable;
6. Each unit must have a fire extinguisher; and
7. Adequate restrooms must be provided, including restrooms solely for families if present, along with handwashing and potable running water to be available if not provided within the individual units.

20.43.040 Memorandum of understanding.

The city may require a host religious organization and any distinct managing agency to enter into a memorandum of understanding to protect the public health and safety of both hosting residents and city residents. At a minimum, any such agreement must address: residents' rights to seek public health and safety assistance, access social services on-site, and interact directly with the host religious organization including the ability to express concerns regarding the managing agency; a written code of conduct agreed to by the

managing agency, host religious organization, and volunteers working with residents; and, where a publicly funded managing agency exists, the ability for the host religious organization to interact with residents using a release of information.

20.43.050 Sex offender checks.

If required by the city, any host religious organization or managing agency performing hosting of an outdoor encampment, vehicle resident safe parking, or indoor overnight shelter must ensure that the city or local law enforcement has completed sex offender checks of all adult residents and guests. The host religious organization retains the authority to allow such persons to remain on the property. A host religious organization or managing agency performing hosting of vehicle resident safe parking must inform vehicle residents how to comply with laws regarding the legal status of vehicles and drivers and provide a written code of conduct consistent with area standards.

20.43.060 Homeless client management information system.

Any host religious organization performing hosting with a publicly funded managing agency must work with the city to utilize Washington's homeless client management information system as provided in RCW 43.185C.180. When the religious organization does not partner with a managing agency, the religious organization is encouraged to partner with a local homeless services provider using the homeless client management information system. Temporary, overnight, extreme weather shelter provided in religious organization buildings does not need to meet this requirement.

20.43.070 Nondiscrimination.

A religious organization hosting outdoor encampments, vehicle resident safe parking, or indoor overnight shelters for the homeless that receives funds from any government agency may not refuse to host any resident or prospective resident because of age, sex, marital status, sexual orientation, race, creed, color, national origin, honorably discharged veteran or military status, or the presence of any sensory, mental, or physical disability or the use of a trained dog guide or service animal by a person with a disability, as defined in RCW 49.60.040.

20.43.080 Public meeting required.

A. Prior to the opening of an outdoor encampment, indoor overnight shelter, temporary small house on-site, or vehicle resident safe parking, the host religious organization must hold a meeting open to the public for the purpose of providing a forum for discussion of related neighborhood concerns, unless the use is in response to a declared emergency. The religious organization must provide written notice to the City Council at least ninety-six (96) hours prior to the meeting specifying the time, place, and purpose of the meeting.

B. The city must provide community notice of the meeting by taking at least two of the following actions prior to the time of the meeting:

1. Delivering notice to each local newspaper of general circulation and local radio or television station that has on file with the city a written request to be notified of special meetings;
2. Posting on the city's website;
3. Prominently displaying, on signage at least two (2) feet in height and two (2) feet in width, one or more meeting notices on or adjacent to the main arterials in proximity to the location of the meeting; or
4. Prominently displaying the notice at the meeting site.

Chapter 20.44

(ST) STATE LAND

Sections:

20.44.010 Permitted uses.
20.44.020 Prohibited uses.
20.44.030 Property development standards.

20.44.010 Permitted uses.

Uses that are permitted as a matter of right:

A. All uses permitted in Single-family Residential zones.

B. Office building for governmental employees and personnel, accessory buildings, workrooms, parking areas, storage of vehicles and equipment.

C. Shelter for women and children at risk.

D. Day use picnic area, restrooms. (Ord. 802, 2001)

20.44.020 Prohibited uses.

Surface mining. (Ord. 802, 2001)

20.44.030 Property development standards.

All development within the State Land zone shall conform to State standards pertaining to building standards, construction, public safety and setback requirements. (Ord. 802, 2001)

20.44.040 Conditional uses.

A. Senior home.

(Ord. 1152, 2022, Ord. 1039, 2014; Ord. 802, 2001)

Chapter 20.46

(ROP) RELIGIOUS ORGANIZATION PROPERTY – AFFORDABLE HOUSING DENSTIY BONUS

Sections:

20.45.010 Purpose.
20.45.020 Definitions.
20.45.030 Density bonus authorized.
20.45.040 Eligibility requirements.
20.45.050 Development of policies.
20.45.060 Fees and transit.
20.45.070 Rehabilitation of existing developments.

20.45.010 Purpose.

Consistent with RCW 35.63.280 and RCW 35A.63.300 as adopted or hereafter amended, the City of North Bonneville shall allow an increased density bonus for affordable housing developments located on property owned or controlled by a religious organization, subject to the requirements of this chapter.

20.45.020 Definitions.

"Affordable housing development" means a proposed or existing structure in which one hundred percent (100%) of all single-family or multifamily residential dwelling units within the development are set aside for or are occupied by low-income households at a sales price or rent amount that may not exceed thirty percent (30%) of the income limit for the low-income housing unit.

"Low-income household" means a single person, family, or unrelated persons living together whose adjusted income is less than eighty percent (80%) of the median family income, adjusted for household size, for Skamania County where the affordable housing development is located.

"Religious organization" has the same meaning as in Section 20.43.020(C) of this title.

20.45.030 Density bonus authorized.

The city shall allow an increased density bonus consistent with local needs for any affordable housing development of any single-family or multifamily residence located on real property owned or controlled by a religious organization, provided the eligibility requirements of Section 20.45.030 are met. The amount of the density bonus shall be **[TO BE DETERMINED — City Council determination needed]** above the base

density allowed in the underlying zone.

20.45.040 Eligibility requirements.
To qualify for a density bonus under this chapter, an affordable housing development must meet all of the following requirements:
A. The affordable housing development is set aside for or occupied exclusively by low-income households;
B. The affordable housing development is part of a lease or other binding obligation that requires the development to be used exclusively for affordable housing purposes for at least fifty (50) years, even if the religious organization no longer owns the property; and
C. The affordable housing development does not discriminate against any person who qualifies as a member of a low-income household based on race, creed, color, national origin, sex, veteran or military status, sexual orientation, or mental or physical disability, or otherwise act in violation of the federal Fair Housing Amendments Act of 1988 (42 U.S.C. Sec. 3601 et seq.).

20.45.050 Development of policies.
The city may develop policies to implement this chapter upon receipt of a request from a religious organization for an increased density bonus for an affordable housing development.

20.45.060 Fees and transit.
A. The religious organization developing the affordable housing development must pay all fees, mitigation costs, and other charges required through the development.
B. If applicable, the religious organization developing the affordable housing development should work with the local transit agency to ensure appropriate transit services are provided to the development.

20.45.070 Rehabilitation of existing developments.
This chapter applies to any religious organization rehabilitating an existing affordable housing development.

Chapter 20.46

(SC) SCHOOL SITE/COMMUNITY CENTER

Sections:

20.46.010 Permitted uses.
20.46.020 Prohibited uses.
20.46.030 Property development standards.

20.46.010 Permitted uses.
Uses that are permitted as a matter of right: Public school, community center building, parking areas, athletic field, tennis court. (Ord. 802, 2001)

20.46.020 Prohibited uses.
A. All residential, retail, commercial and industrial uses;
B. Livestock. (Ord. 1057, 2015; Ord. 994, 2011; Ord. 802, 2001)

20.46.030 Property development standards.
All development within the School Site/Community Center zone shall conform to Chapter 17.20, Site and Building Plan Review, and to all other city ordinances pertaining to building standards, construction, public safety, and setback requirements. (Ord. 802, 2001)

Chapter 20.48

(U) MUNICIPAL UTILITIES SITES

Sections:

20.48.010 Permitted uses.
20.48.020 Conditional uses.
20.48.030 Property development standards.

20.48.010 Permitted uses.

Uses that are permitted as a matter of right: Municipal utilities facilities and accessory buildings, storage of vehicles, equipment, and materials, parking areas. (Ord. 802, 2001)

20.48.020 Conditional uses.

Uses that require a conditional use permit:

A. Storage of private recreational vehicles, motor homes, trailers, boats, boat trailers.

B. Communications facilities, public and private, including towers, masts, antennas, accessory buildings, fences, access roads, and parking.
(Ord. 1152, 2022, Ord. 1039, 2014; Ord. 802, 2001)

20.48.030 Property development standards.
All development within the Municipal Utilities Sites zone shall conform to Chapter 17.20, Site and Building Plan Review, and to all other city ordinances pertaining to building standards, construction, public safety, and setback requirements. (Ord. 802, 2001)

Chapter 20.50

(O) OPEN SPACE PRESERVE

Sections:
20.50.010 Permitted uses.
20.50.020 Prohibited uses.
20.50.030 Property development standards.

20.50.010 Permitted uses.
Uses that are permitted as a matter of right: Public open space areas, noise mitigation mounds, pedestrian pathways. (Ord. 802, 2001)

20.50.020 Prohibited uses.
A. All residential, retail, commercial and industrial uses;
B. Livestock;
C. All motorized vehicles except public maintenance equipment and motorized wheelchairs. (Ord. 1057, 2016; Ord. 802, 2001)

20.50.030 Property development standards.
All development within the Open Space Preserve zone shall conform to all city ordinances pertaining to building standards, construction, public safety, and setback requirements. (Ord. 802, 2001)

Chapter 20.52

(PK) PUBLIC PARKS

Sections:
20.52.010 Permitted uses.
20.52.020 Prohibited uses.
20.52.030 Conditional uses.
20.52.040 Property development standards.

20.52.010 Permitted uses.
Uses that are permitted as a matter of right: Public open space areas, wildlife protected areas, playgrounds, picnic and barbeque facilities, public restrooms, ball fields and courts, pedestrian pathways. (Ord. 802, 2001)

20.52.020 Prohibited uses.

A. All residential, retail, commercial and industrial uses;
B. Livestock (Ord. 1057, 2015; Ord. 802, 2001)

20.52.030 Conditional uses.
A. Uses for which a conditional use permit is required: Carnivals, special holiday events, private gatherings at which more than fifty (50) persons are expected.
(Ord. 1152, 2022, Ord. 1039, 2014; Ord. 802, 2001)

20.52.040 Property development standards.
All development within the Public Parks zone shall conform to all city ordinances pertaining to building standards, construction, public safety, and setback requirements. (Ord. 802, 2001)

Chapter 20.54

(DH, PG, BPA) FEDERAL OWNERSHIP AREAS

Sections:

20.54.010 (DH) day use and historic sites.
20.54.020 (PG) power generation facilities.
20.54.030 (BPA) transmission line corridors.

20.54.010 (DH) day use and historic sites.
Federal ownership areas not subject to city regulations. (Ord. 802, 2001)

20.54.020 (PG) power generation facilities.
Federal ownership areas not subject to city regulations. (Ord. 802, 2001)

20.54.030 (BPA) transmission line corridors.
Federal ownership areas not subject to city regulations. (Ord. 802, 2001)

Chapter 20.55

PLANNED UNIT DEVELOPMENTS

Sections:

20.55.010 Purpose.
20.55.020 Applicability.
20.55.030 Definitions.
20.55.040 Ownership.
20.55.050 Density.
20.55.060 Permitted uses.
20.55.070 Open space.
20.55.075 Request for modification of zoning requirements.
20.55.080 Construction and design standards.
20.55.090 Preliminary plan application.
20.55.100 Preliminary plan review process.
20.55.110 Preliminary plan hearing.
20.55.120 City council action.
20.55.130 Preliminary plan approval.
20.55.140 Final plan application.
20.55.150 Final plan review process.

20.55.155 Public dedications.
20.55.160 Final plan approval.
20.55.170 Variances.
20.55.180 Amendment of an approved preliminary planned unit development.
20.55.190 Phased development.
20.55.200 Sale of lots--Lots subject to final PUD.
20.55.210 Violation--Penalties.

20.55.010 Purpose.

To provide flexibility in the development of land, and to promote a more efficient and aesthetically better use of land, and to allow a compatible mixing of building types or land uses through design control, planned unit developments shall be permitted as described in this chapter. (Ord. 828 § 2 (part), 2003)

20.55.020 Applicability.

A. Planned unit developments may be permitted in the following zone districts: single-family residential (SFR), multifamily residential (MF), mixed use (MU), and commercial recreation (CR).

B. The gross development area of the planned unit development site shall be at least three (3) acres in size, not including area covered with water. (Ord. 828 § 2 (part), 2003)

20.55.030 Definitions.

As used in this chapter, the following terms are defined in this section:

"Administrator" means the City Planning Advisor.

"Days" means calendar days, unless otherwise specified.

"Natural condition" means undisturbed and void of human-made or human-caused activity such as, but not limited to, landscaping and vegetation removal, structures, or construction that changes the character or topography of the land on which the activity, structure, or construction occurs. Natural condition does not include vegetation or noxious weeds controlled by RCW 17.10.140 and 17.10.154 or fire prevention measures controlled by the Fire Prevention Code.

"Open space" means land not covered by buildings or structures, except minor recreational structures. Open space does not include streets, driveways, parking lots, or loading areas.

1. Common Open Space. Open space reserved primarily for the leisure and recreational use of all planned unit development residents, and owned and maintained in common by them through a planned unit development owners association.

2. Public Open Space. Open space designed primarily for use by the public, dedicated in fee, easement, or other controlled access to a public agency, maintained by that public agency.

"Planned unit development (PUD)" means the development of an area of land as a single entity for a number of dwelling units or a number of uses, according to a plan which need not correspond in lot size, setbacks, density, lot coverage or required open space to the regulations otherwise required by the zoning ordinance of the City of North Bonneville.

"Planned unit development owners association" means an incorporated, nonprofit organization operating under recorded land agreements through which:

1. Each owner in a planned unit or other described land area is automatically a member; and

2. Each owner is automatically subject to a charge for a proportionate share of the expenses for the organization's activities, such as maintaining a common property.

"Recreational amenities" means one (1) or more of the following: enclosed activity/play areas, outdoor courts and activity areas, water related activities, or similar developments. (Ord. 828 § 2 (part), 2003)

20.55.040 Ownership.

A. All of the land owned in common must be held and maintained under a single entity in perpetuity.

B. The site plan shall contain a description of the land under common ownership.

C. Private ownership of lots, parcels, dwellings, or structures within a planned unit development is permitted. (Ord. 828 § 2 (part), 2003)

20.55.050 Density.

A. Maximum Density. The maximum density schedule shall serve as the guideline for determining the maximum dwelling unit density in the planned unit development.

1. For those areas not served by city water or sewer the maximum density shall be two (2) acres of land per dwelling unit.

2. For those areas served by city water only, the maximum density shall be twenty thousand (20,000) square feet of land per dwelling unit.

3. For those areas served by city water and sewer, the maximum density shall be the number of dwelling units permitted by the underlying zone district.

B. Density Bonus. The City Council may increase the allowable density over the basic density within a planned unit development by up to twenty (20) percent on sites if the planned unit development provides one (1) or more of the following:

1. Distinctiveness and excellence in design of the overall plan. (Up to five (5) percent increase)

2. Additional common or public open space, over that required. (Up to five (5) percent increase)

3. Recreational amenities. (Up to five (5) percent increase)

4. Preservation of significant landscape features and natural areas, public access to shoreline areas of the site. (Up to five (5) percent increase)

5. Improvement of air, water or noise level qualities of the area. (Up to five (5) percent increase)

6. Energy conservation or use of renewable energy resources. (Up to five (5) percent increase) (Ord. 828 § 2 (part), 2003)

20.55.060 Permitted uses.

The uses permitted in a PUD shall be governed by the use regulations of the underlying zoning district. (Ord. 828 § 2 (part), 2003)

20.55.070 Open space.

A. At least forty (40) percent of the gross acreage of the planned unit development shall be public or common open space. Not more than one-half (1/2) of the common or public open space provided may include land with slopes of twenty (20) percent or greater, floodplain areas, delineated wetlands or their buffer zones as defined in Chapter 21.10 of this code, or areas covered with water as measured at the ordinary high water mark.

B. Locations, shapes, sizes and other characteristics of open spaces shall be consistent with their proposed uses and the purposes of the planned unit development.

C. Open spaces containing significant pre-existing landscape features may be left unaltered or may be modified to assure protection of the features.

D. Open space designations shall be permanent.

E. Open space shall be conveyed to an owners' association by written instrument, or dedicated to the city under conditions pursuant to Section 20.55.155. (Ord. 828 § 2 (part), 2003)

20.55.075 Request for modification of zoning requirements.

The applicant may request a modification of the requirements and standards of the underlying zoning district as follows:

A. Minimum lot size;

B. Setbacks;

C. Density, pursuant to Section 20.55.050;

D. Lot coverage;

E. Open space, pursuant to Section 20.55.070;

F. Other. The applicant may request a modification of any requirement or standard of the underlying zoning district except as otherwise provided in Chapter 20.55.

In order to be granted any such modifications, the applicant shall demonstrate that the proposed development complies with the purpose of this chapter. The applicant shall bear the burden of supporting any change in the requirements. (Ord. 828 § 2 (part), 2003)

20.55.080 Construction and design standards.

A. The provisions of all applicable codes and ordinances of the City of North Bonneville shall apply to any planned unit development, except that the applicant may request a modification of the requirements and standards of the underlying zone district pursuant to Section 20.55.075.

B. General Standards.

1. All roads, bridges, drains, culverts, sidewalks, curbs, storm sewers, fire protection systems, and related structures or devices shall be constructed in accordance with standards in effect at the time of construction. These standards shall be those contained in the North Bonneville Municipal Code.

2. Perimeter Buffer. A building setback of 25 feet shall apply to the exterior boundary of the PUD. This area shall remain in its natural condition. Where buffer disturbance is unavoidable during adjacent construction, revegetation will be required with native plant materials.

3. Distance Between Buildings. Distances between structures shall assure adequate sunlight and meet the minimum distances required by the International Building Code and International Fire Code.

4. Building Height. Maximum allowed building height shall be governed by the regulations of the underlying zoning district.

C. Required Protective Improvements.

1. Land on which there exits any topographic condition hazardous to the safety or general welfare of persons or property in or near a proposed subdivision shall not be subdivided unless the construction of protective improvements will eliminate the hazards or unless land subject to the hazard is reserved for uses that will not expose persons or property to the hazards.

2. Protective improvements and restrictions on use shall be clearly noted on the preliminary and final plans.

D. No residential lots shall have road frontage along two (2) opposite boundaries unless topographical features or the need to provide separation of the lots from arterial roads, railways, commercial activities or industrial activities justifies the use of reverse frontage lots.

E. Lot Access.

1. Every lot shall be provided with satisfactory access by a public road or a private road connecting to a public road in conformance with Chapter 12.24.

2. Lots adjacent to a road which has been designated an arterial by the city shall be provided with access other than the arterial, unless a variance is granted to this requirement.

F. Utility Easement. Easements for electric, telephone, water, gas, and other utilities shall be of sufficient width to ensure maintenance and to permit future utility installations.

G. Underground Utility Installations. Under-ground installation of utilities is required.

H. Drainage and Storm Sewer Easements. Easements for drainage channels and ways shall be of sufficient width to ensure that the same may be maintained and improved. Easements for storm sewers shall be provided and shall be of sufficient width and proper location to permit future installation. Storm drainage improvements may be required by the city as a condition of approval of a planned unit development.

I. Water Supply and Sanitary Sewer Systems. All facilities and devices of water supply and sanitary sewer systems shall meet the standards of Title 13 of the North Bonneville Municipal Code, the Department of Ecology, and the Department of Health.

J. Sidewalks or Pathways. Sidewalks or pathways shall be required in a planned unit development and, where feasible, shall be integrated with the city's existing pathway system. Sidewalks or pathways shall

be located within dedicated rights-of-way, easements, or common areas and shall be accessible to all residential units.

1. Easements for pedestrian sidewalks or pathways shall be a minimum of 10 feet wide. Structure setbacks shall be a minimum of 15 feet from the edge of easement.

2. Construction of sidewalks and pathways shall meet the requirements of Chapter 12.24, Street Design and Planning Standards.

K. Roads--General.

1. All planned unit developments shall be served by one or more public roads providing ingress to and egress from the planned unit development.

2. Major roads within every planned unit development shall conform with the city comprehensive plan and shall provide for the continuation of major roads which serve property contiguous to the planned unit development.

3. Road networks shall provide ready access for fire and other emergency vehicles and equipment, and routes of escape for inhabitants.

4. The road pattern shall conform to the general circulation of the area and provide for future roads and connections.

5. Whenever existing streets adjacent to or within a tract are of inadequate width, additional right-of-way shall be provided by the applicant, at no cost to the city, at the time of preliminary PUD approval.

L. Roads--Design Standards. The design and construction of all streets and roads shall conform to the standards of Chapter 12.24, Street Design and Planning Standards. If topographic features warrant, the city may require wider right-of-way widths than specified in Chapter 12.24.

M. All roads and drainage facilities shall be designed by a professional engineer licensed in the State of Washington. (Ord. 981, 2011; Ord. 828 § 2 (part), 2003)

20.55.090 Preliminary plan application.

Application for planned unit development shall be made on forms provided by the planning department and shall contain all of the following:

A. Written documents:

1. The names, addresses of persons or firms holding interest in the proposed planned united development.

2. A legal description of the total site proposed for development, including a statement of present and proposed ownership and present and proposed zoning.

3. The names and addresses of all owners of adjacent property.

4. A statement of planning objectives to be achieved by the PUD through the particular approach proposed by the applicant. This statement should include a description of the character of the proposed development and adjacent areas, discussion of how the proposed development will relate to the natural environment and significant landscape features of the site and adjacent areas, and the rationale behind the assumptions and choices made by the applicant.

5. Identification of proposed modification of zoning requirements or standards with reasons supporting the proposed modification(s).

6. A development schedule indicating the approximate date when construction of the PUD or stages of the PUD can be expected to begin and be completed.

7. A statement of the applicant's intentions with regard to the future selling or leasing of all or portions of the PUD, such as land areas, dwelling units, etc.

8. Draft conditions, covenants and restrictions (CCRs), articles of incorporation, bylaws, and other documents regarding the establishment of a homeowners' association which provides for the permanent ownership, maintenance, protection, and use of the PUD including streets (if privately owned), storm drain facilities, utilities, common areas (e.g., storage areas, parking areas, and landscaping), open spaces, and other common facilities.

9. Quantitative data for the following: total number and type of dwelling units; parcel sizes; proposed lot coverage of buildings and structures approximate gross and net residential acreage; total amount of

open space; amounts of common and public open space; total area and types of nonresidential construction; economic feasibility studies or market analysis.

B. Site Plan and Supporting Drawings. A site plan and any other drawings necessary to show the major features of the proposed PUD. Drawings shall be drawn to scale at a minimum scale of fifty (50) feet to the inch on standard sheets (twenty-two (22) inches by thirty-two (32) inches or twenty-four (24) inches by thirty-six (36) inches). One (1) mylar original and four (4) sets of paper copies are required. Additional copies may be requested by staff if necessary. The applicant shall utilize the services of the following professionals in developing the planning and construction documents for a proposed planned unit development:

- An architect licensed by the State of Washington;
- A civil engineer registered in the State of Washington;
- A surveyor licensed in the State of Washington;
- A landscape architect licensed by the State of Washington, if applicable.

Plans shall include the following minimum information:

1. An accurate survey of the property showing the existing site conditions, including contours at two (2) foot intervals, water courses, floodplains, wetlands, areas subject to natural hazards, significant landscape features, and forest cover;

2. Proposed lot lines and layout design;

3. The location and floor area size of all existing and proposed buildings and structures, including dwelling units, and nonresidential structures;

4. The location and size in acres or square feet of all areas to be conveyed, dedicated, or reserved as common or public open spaces or recreational areas and sites;

5. The existing and proposed circulation system of public and private roads, including off-street parking areas, service areas, loading areas, and major points of access to public rights-of-way;

6. The existing and proposed pedestrian circulation system, including its interrelationships with the vehicular circulation system indicating proposed treatments of points of conflict;

7. The existing and proposed systems for providing sewage disposal, water, electricity, gas, fire protection and telephone services and all easements for access and maintenance;

8. A general schematic landscape plan indicating the materials to be used;

9. Information on land areas adjacent to the proposed PUD, including current uses, zoning classifications, densities, circulation systems, public facilities, and significant landscape features in sufficient detail to show the relationships between the proposed development and the adjacent areas;

10. The proposed treatment of the perimeter of the PUD, including materials and techniques to be used, such as landscaping, screens, fences and walls;

11. A site drainage plan showing proposed site drainage patterns, storm water facilities and treatment, and relationships to existing city facilities;

12. A grading and erosion control plan;

13. Identification of phases of development, meeting the requirements of Section 20.55.190, if applicable.

C. Subdivision. Platting is required for all projects which involve or contemplate the subdivision of land.

1. General. The applicant may request that the city process a preliminary plat or short plat application in conjunction with a preliminary PUD plan.

2. Procedure. The city may review and decide upon a preliminary plat or short plat at the same hearing as the preliminary PUD plan.

3. Plat Requirements. The preliminary plat must comply with the procedure, standards, and criteria of Chapter 19.08 and must conform to the preliminary PUD plan. The short plat must comply with the procedure, standards, and criteria of Chapter 19.04 and must conform to the preliminary PUD plan. (Ord. 828 § 2 (part), 2003)

20.55.100 Preliminary plan review process.

A. An application for a preliminary PUD approval shall be processed according to the procedures for Type III land use decisions established in Chapter 18.01, Land Development Administrative Procedures.

B. In addition to review under all requirements of Titles 18 and 19 of this code, if applicable, based on comments from city departments and applicable agencies, the city shall review the proposal subject to the criteria contained in this chapter, and shall approve any such proposal only when consistent with all the provisions of this chapter. (Ord. 828 § 2 (part), 2003)

20.55.110 Preliminary plan hearing.

Review by Planning Commission. The Planning Commission shall review the preliminary plan and other relevant information and make recommendations thereon to the City Council. In order to recommend approval of the preliminary PUD plan, the Planning Commission must find that:

A. The proposal is not detrimental to present and potential surrounding land uses;

B. The proposal is in conformance with the purposes and standards prescribed in this chapter;

C. The proposal includes appropriate provisions for drainage, roads, alleys, pathways, and other public ways, water supplies, sanitary wastes, parks, playgrounds, fire protection facilities, school sites and grounds, and other public and private facilities and improvements;

D. If a subdivision application is being processed concurrently, the proposal meets the requirements of Chapter 19.04 or 19.08 as applicable. (Ord. 828 § 2 (part), 2003)

20.55.120 City council action.

A. In order to approve a preliminary PUD plan, the City Council must find that:

1. The proposal is not detrimental to present and potential surrounding land uses;

2. The proposal is in conformance with the purposes and standards prescribed in this chapter;

3. The proposal includes appropriate provisions for drainage, roads, alleys, pathways and other public ways, water supplies, sanitary waste, parks, playgrounds, fire protection facilities, school sites and grounds, and other public and private facilities and improvements;

4. The proposal meets the requirements of Chapter 19.04 or 19.08 if applicable;

5. All expenses and fees related to the review of the preliminary PUD plan, including legal and engineering fees, have been paid to the city.

B. Disapproval--Resubmittal--Fee. A preliminary plan disapproved by the City Council must be revised by the applicant if it is to be resubmitted to the Administrator. The full review process must be reinitiated and all fees must again be paid. (Ord. 828 § 2 (part), 2003)

20.55.130 Preliminary plan approval.

A. Effect of Approval. Preliminary plan approval by the council shall constitute authorization for the developer to develop the planned unit development's facilities and improvements in strict accordance with standards established by this chapter and any conditions imposed by the council.

B. Expiration of Approval--Forfeiture of Fees. Preliminary plan approval shall be effective for three (3) years from the date of approval by the council. If, except as provided in subsection C of this section, a final plan is not filed with the Administrator within three (3) years of the date of approval of the preliminary plan, the preliminary plan shall be null and void. All fees paid to the Clerk/Treasurer shall be forfeited.

C. Extensions. An applicant who files a written request with the City Council at least thirty (30) days before the expiration of the three (3) year period may be granted a one (1) year extension upon showing that the applicant has attempted in good faith to submit the final plan within the three (3) year period. No additional fee is required. (Ord. 828 § 2 (part), 2003)

20.55.140 Final plan application.

A. Filing of Final Plan--Time Limit. The developer shall file the original and five (5) copies of a proposed final plan with the Administrator within three (3) years following the council's approval of a preliminary plan.

B. Final Plan--Application Content. An application for a final PUD plan shall be made on forms provided by the planning department and shall contain all of the following:

1. Names and addresses of persons or firms holding interest in the PUD;

2. A legal description of the total site area, including a statement of present and proposed ownership;

3. The names and addresses of all owners of adjacent properties;

4. Final declaration of conditions, covenants and restrictions (CCR's), articles of incorporation, bylaws, and other documents regarding the establishment of a homeowners' association which provides for the permanent ownership, maintenance, protection, and use of the PUD including streets (if privately owned), storm drain facilities, utilities, common areas (e.g., storage areas, parking areas, and landscaping), open spaces, and other common facilities;

5. Final PUD plan (drawn to scale on a twenty-four (24) inch by thirty-six (36) inch sheet) including the following:

a. Name of the planned unit development;

b. Scale, north arrow, and date of preparation;

c. Legal description of the total PUD site area;

d. An accurate survey of the property including:

i. Water courses, floodplains, wetlands, and areas subject to natural hazards,

ii. All lot lines,

iii. Exact location, width, and names of all streets, alleys, and other public ways within and adjacent to the PUD,

iv. Exact location, width, and purpose of all easements and dedications for rights-of-way provided for public and private services and utilities,

v. Accurate outlines and legal descriptions of any areas to be dedicated or reserved for public use, with the purpose of such dedication or reservation and any limitations indicated thereon and in the dedication,

vi. Accurate outlines of any area to be reserved by deed covenant for common use of owners of property within the PUD, together with the purpose of such reservation,

vii. Locations and dimensions of any existing structures, and

viii. Locations and dimensions of all existing and proposed parking areas, landscape areas, pathways and sidewalks;

e. Any restrictions or conditions on the lots or tracts within the PUD, as required by the city or at the discretion of the property owner, including but not limited to environmentally sensitive areas and buffers;

f. As-built drawings of all improvements, including streets, water facilities, sewer facilities, drainage related facilities, and other utilities;

g. If private roads are approved for the PUD, the following note shall be on the face of the PUD plan:

NOTE: Purchasers of lots or units in this development are advised that the road (roads) within this development are private. Private roads are not maintained by the City of North Bonneville. The lot or unit owners within the development must pay for all maintenance of the private road(s) including grading, surfacing, drainage and snow plowing. The size, design and condition of the private road(s) may effect subsequent attempts to dedicate the road(s) to the city;

h. A reference to any protective covenants, deed restrictions, or conveyances that shall be recorded prior to the final PUD plan;

i. The name and seal of the Washington State licensed land surveyor or Washington State licensed engineer responsible for preparation of the final PUD plan, and a signed certification on the plan by said surveyor to the effect that it is a true and correct representation of the land actually

surveyed by him or her, that the existing monuments shown thereon exist as located and that all dimensional and geodetic details are correct;

j. A signed, notarized certification stating that the PUD has been made with the free consent and in accordance with the desires of all the persons with ownership and/or security interests in the property. If the plan includes a dedication, the certificate or a separate written instrument shall contain the dedication of all streets and other areas to the public, any individual or individuals, or to any corporation, public or private, as shown on the plan. Such certificate or instrument shall be signed and acknowledged before a notary public by all parties having any interest in the land subdivided. The owner shall waive all claims against the city, on behalf of the owner and the owner's successors and assigns, which may be occasioned by the establishment and/or construction of any streets, roads, storm drainage improvements, or other improvements;

k. Signature blocks for the appropriate certifications of the City Clerk, Public Works Director, Mayor, County Assessor, and County Recorder;

l. Any additional pertinent information as required at the discretion of the Administrator.

C. Subdivision. Platting is required for the subdivision of land. If a preliminary plat was approved as part of the preliminary PUD plan, the applicant shall file a final plat application, in conformance with Chapter 19.08, at the time a final PUD plan is submitted. Such a final subdivision shall not be approved unless and until the associated final PUD plan is approved.

D. Determination of Completeness. In addition to the final PUD plan application requirements in this section, the Administrator shall be satisfied:

1. That the final plan satisfies all conditions and approvals required in the preliminary plan, including but not limited to, required approvals of all applicable agencies involved in the preliminary plan review;

2. That the proposed final plan bears the certificates and statements of approval required by this chapter;

3. That a title insurance report furnished by the developer confirms the title of the land in the proposed planned unit development and is vested in the name of the owners whose signatures appear on the plan's certificate;

4. That the facilities and improvements required to be provided by the developer have been installed in accordance with the preliminary PUD approval and applicable regulations or, alternatively, that the developer has provided a performance bond to the City Clerk in an amount sufficient to assure such completion of all required improvements.

5. That the Clerk/Treasurer and County Treasurer have certified that taxes and assessments have been collected. (Ord. 828 § 2 (part), 2003)

20.55.150 Final plan review process.

A. An application for a final PUD approval shall be processed according to the procedures for Type IV land use decisions established in Chapter 18.01, Land Development Administrative Procedures.

B. In addition to review under all requirements of Titles 18 and 19 of this code, if applicable, based on comments from city departments and applicable agencies, the city shall review the proposal subject to the criteria contained in this chapter, and shall approve any such proposal only when consistent with all the provisions of this chapter. (Ord. 828 § 2 (part), 2003)

20.55.155 Public dedications.

Where a public dedication is to be made, such dedication shall be in conformance with the comprehensive plan and development code of the city. All public dedications shall be subject to the approval of the City Council upon: (1) the completion of a meeting with the grantor and City Council to determine if the city has an interest in the acquisition of the property; (2) review of the property by city staff to estimate acquisition and maintenance liability to the city; and (3) a public meeting is conducted by the City Council to consider acceptance of the donation. Notice of the public meeting shall be provided by the city to all property owners within three hundred (300) feet of the subject property and not fewer than ten (10) days in advance of the meeting. (Ord. 828 § 2 (part), 2003)

20.55.160 Final plan approval.

A. In order to approve a final PUD plan, the council must find that:

1. The conditions imposed when the preliminary plan was approved have been met;

2. The final PUD plan substantially conforms to the approved preliminary PUD plan. "Substantially conforms" means that, as compared to the preliminary PUD, the final PUD contains no revisions in density, uses, design, or development standards or in the site plan;

3. The Clerk/Treasurer and County Treasurer have certified that taxes and assessments have been duly paid, satisfied or discharged;

4. The public use and interest will be served by approving the proposed final plan;

5. The bond, if there is one, by its terms assures completion of improvements;

6. The CCRs, articles of incorporation, bylaws, and other documents relating to the operation and maintenance of the PUD ensure compliance with the requirements of this chapter;

7. All fees related to the review of the final PUD, including legal and engineering fees have been paid to the city; and

8. The requirements of this chapter have been satisfied by the developer.

B. If the council approves a final plan, it shall be the duty of the Clerk/Treasurer to secure the required signatures.

C. Recording. After a final plan is approved and required signatures secured, the Clerk/Treasurer shall forward the original final plan and related PUD owners association documents to the County Auditor for recording. The applicant shall furnish the city with a reproducible mylar copy of the recorded PUD plan, along with a copy of the recorded PUD owners association documents.

D. Recording Fee. Before the County Auditor shall officially record a plan, the developer shall pay a recording fee for each plan filed.

E. The approved final PUD plan is binding and shall be a restriction on development which runs with the land. It shall be recorded as such. Any unauthorized deviation therefrom shall be a cause for withholding building permits on the property. (Ord. 828 § 2 (part), 2003)

20.55.170 Variances.

A. Variances--General Criteria. When the Planning Commission finds extraordinary hardship will result from strict compliance with the provisions contained within this chapter, it may vary the regulations; providing, that the adjustment authorized does not grant a special privilege inconsistent with the limitations imposed upon other properties in the vicinity and that the following circumstances are found to exist:

1. Because of special circumstances applicable to subject development, including size, shape, topography, location or surroundings, strict compliance would cause undue hardship and deprive the subject development of rights and privileges enjoyed by other properties in the vicinity;

2. That the granting of the variance will not be detrimental to the public welfare or injurious to the development, property or improvements in the vicinity;

3. That the granting of the variance will not have the effect of nullifying the intent or purpose of the regulations set forth in this chapter. (Ord. 828 § 2 (part), 2003)

20.55.180 Amendment of an approved preliminary planned unit development.

A. A proposed minor change to an approved preliminary PUD shall be incorporated into the application for final PUD approval, and any notification regarding such final PUD approval shall describe the proposed minor change(s). A "minor change" means any departure from the conditions of preliminary approval which is not a "major change" and shall under no circumstances include:

1. Substantial modification or relocation of a lot, tract, or parcel boundary line or the location or relocation of a road;

2. A reduction in any perimeter setback;

3. An increase in the residential density or gross floor area of the project;

4. A reduction of the area set aside for public or common open space;

5. Any relocation of the area set aside for public or common open space which makes it less accessible or usable to the public or occupants of the development;

6. A substantial change in the points of access, including any change to a different street;

7. A substantial increase in the impervious surfaces; or

8. Removal of trees or modification to other unique natural features that were required to be preserved under the conditions of the preliminary PUD approval.

B. Before approving a minor modification, the City Council shall find that:

1. The modification will not violate the terms and agreements of the preliminary PUD approval and the intent of the original conditions of approval is not altered;

2. The modification will not be inconsistent or cause the preliminary PUD to violate any applicable city policy or regulation; and

3. The modification will not be inconsistent or cause the preliminary PUD to be inconsistent with the decision of the city approving the preliminary PUD.

C. Modifications that involve any of the actions listed in subsections (A)(1) through (A)(8) of this section, or which fail to satisfy the required findings contained in subsection B of this section, shall be processed as a new PUD application. (Ord. 828 § 2 (part), 2003)

20.55.190 Phased development.

If developed in phases, each phase of an approved planned unit development must contain the required number of parking spaces, the required open space, landscaping and utility areas necessary to create and sustain desirable and stable environment pending completion of the total PUD as approved. All phases of the PUD must comply with the approved PUD plan, all conditions of approval, and applicable regulations. (Ord. 828 § 2 (part), 2003)

20.55.200 Sale of lots--Lots subject to final PUD.

A. Lots in a platted planned unit development may be sold to separate owners according to the separate lots as shown in the final plat filed and approved in connection therewith. No sale shall be permitted which subdivides a lot in such a manner as to create a new lot line.

B. All lots or other divisions of a subdivided planned unit development shall remain subject to compliance with the final PUD plan regardless of the fact of subdivision in compliance with North Bonneville Municipal Code Title 19, or subsequent conveyance of such individual lots or divisions. (Ord. 828 § 2 (part), 2003)

20.55.210 Violation--Penalties.

Violation Deemed Civil Infraction. Any violation of the regulations as contained in this chapter or any amendment thereto shall, except as set forth in subsection (2) of this section, be a civil infraction punishable by a fine of up to one thousand dollars ($l,000.00). (Ord. 828 § 2 (part), 2003)

Chapter 20.56

CONDITIONAL USES

Sections:

20.56.010 Purpose.
20.56.020 Imposition of conditions.
20.56.030 Conditional use permit--Contents, limitations and review.
20.56.040 Conditional use permits issued prior to the effective date of this title.
20.56.050 Application for conditional use permit.

20.56.060 Application review.
20.56.090 Penalty for violation of conditional use permit.
* Prior ordinance history: Ords. 722.

20.56.010 Purpose.

Certain uses, because of their unusual nature, infrequent occurrence, special requirements, possible safety hazards, or detrimental effects on surrounding properties and other similar reason, are classified as conditional uses. These may be allowed in certain zones by a conditional use permit granted by the Planning Commission. (Ord. 994, 2011; Ord. 802, 2001)

20.56.020 Imposition of conditions.

When considering a building application for a conditional use permit, the Planning Commission shall consider the recommendation of the Administrator and the applicable standards, provisions, and policies established by this chapter as they pertain to the proposed use and may impose specific conditions precedent to establishing the use. The conditions may:

A. Increase requirements in the standards, provisions or policies established by this chapter;

B. Stipulate the exact location of the use and structures as a means of minimizing hazards to life, limb, property damage, erosion, landslides or traffic;

C. Require structural features or equipment essential to serve the same purpose set forth in subsection B of this section;

D. Impose conditions similar to those set forth in subsections A and B of this section as deemed necessary to establish parity with uses permitted in the same district in their freedom from nuisance generating features in matters of noise, odors, air pollution, wastes, vibration, traffic, physical hazards and similar matters; provided, that the Planning Commission may not, in connection with action on a conditional use permit, reduce the requirements specified by this title as pertaining to any use nor otherwise reduce the requirements of this title in matters for which a variance is the remedy provided;

E. Assure that compatibility shall be maintained with respect to the particular use of the particular site and in consideration of other existing and potential uses, within the general area in which the use is proposed to be located;

G. Provide time limits for the use.

(Ord. 843 § 1, 2003: Ord. 802, 2001)

20.56.030 Conditional use permit--Contents, limitations and review.

A. Contents. Each conditional use permit issued by the city shall specify the location, nature and extent of the conditional use, together with all conditions that are imposed and any other information deemed necessary for the issuance of the permit.

B. Limitations. Each conditional use permit shall become null and void upon any of the following events:

1. When a condition within the contents of the permit shall have been met, such as a time limit;
2. When the use shall have been vacated for a period of a year or more;
3. When any deviation from the terms of the conditional use permit occur; or
4. When a tenant of a property for which a conditional use has been granted leaves the property; except that this shall not apply to conditional uses granted for single-family dwellings, but only to commercial, industrial or other uses which have to do with the tenant's activity on the property.

C. Review. When the property for which the conditional use permit has been granted is sold, traded or otherwise transferred to another owner, the conditional use permit shall be reviewed by the city and may be revoked for just cause. If the use is to continue in the same manner as when the permit was issued, there will be no action by the city. (Ord. 843 § 2, 2003; Ord. 802, 2001)

20.56.040 Conditional use permits issued prior to the effective date of this title.

Where a conditional use permit was granted prior to the date of adoption of the ordinance codified in this title, the following rules shall apply:

A. If the permit was granted for a certain period of time, then the permit shall not be affected by the provisions of this title; provided that it shall be renewable.

B. If the permit was granted without any time limitation and if the use would not be permitted under the provisions of this title, then the use shall be considered a "non-conforming use" under the provisions of this title. (Ord. 802, 2001)

20.56.050 Application for conditional use permit.

Each application for a conditional use permit for a building or land use shall be filed with the city on forms provided by the city. An application fee as set forth in Chapter 18.02 of this code for a conditional use permit is required at the time of submittal of the proposal. (Ord. 843 § 3, 2003)

20.56.060 Application review.

A. An application for a conditional use shall be processed according to Type II land use decisions established in Chapter 18.01, Land Use Administrative Procedures.

B. In addition to review under all requirements of Chapter 18.01, based on comments from city departments and applicable agencies, the city shall review the proposal subject to the criteria contained in this chapter, and shall approve any such proposal only when consistent with all the provisions of this chapter. (Ord. 843 § 4, 2003)

20.56.090 Penalty for violation of conditional use permit.

Any person who violates any term or condition of a conditional use permit shall be considered in violation of this title and shall be subject to the penalties prescribed in Section 20.62.060. The City Council may revoke a conditional use permit if any condition contained therein is violated. (Ord. 843 § 7, 2003: Ord. 802, 2001)

Chapter 20.57

LIVESTOCK CONDITIONAL USES

Sections:

20.57.010 Purpose.
20.57.020 Imposition of conditions.
20.57.030 Permit – contents, limitations and review.
20.57.040 Permits issued prior to the effective date of this title.
20.57.050 Application for permit.
20.57.060 Application review.
20.57.070 Violation – penalty.

* Prior ordinance history: Ords. 503

20.57.010 Purpose.

The purpose of this section is to allow for livestock within urban growth areas through the use of best management practices while protecting the uses on neighboring parcels. Livestock, because of their unusual nature, infrequent occurrence, special requirements, possible safety hazards, odor, or detrimental effects on surrounding properties, and other similar reasons, are classified as conditional uses. Livestock may be allowed in certain zones by a livestock conditional use permit granted by the Planning

Commission. Since livestock definition is broad and covers a variety of animals having differing uses, lifestyle, health conditions, and habits, an annual review is deemed necessary. (Ord. 1153, 2022, Ord. 994, 2011)

20.57.020 Imposition of conditions.

When considering an application for a livestock conditional use permit, the Planning Commission shall consider the recommendation of the Administrator and applicable standards, provisions and policies established by this chapter as they pertain to the proposed use and may impose specific conditions precedent to establishing the application. The conditions may:

A. Increase requirement in the standards, provisions or policies established by this chapter.

B. Stipulate the size and location of the habitat(s) and associated areas to control and maintain the livestock so that livestock habitat minimizes hazard to life, limb, property, soil, water and traffic.

C. Require structural features or equipment essential to maintain and control the livestock to serve the same purpose set forth in subsection B of this section.

D. Impose conditions similar to those set forth in subsection A and B of this section as deemed necessary to establish parity with uses permitted in the same district in their freedom from nuisance generating features in matters of noise, odor, pollution, visual impacts, wastes, traffic, physical hazards and similar matters. Such impositions may be established to assure compatibility with the particular use of the particular site and in consideration of other existing and potential uses within the general area.

E. Provide time limits of less than annually as necessary. (Ord. 994, 2011)

20.57.030 Permit - contents, limitations and review.

A. Contents. Each livestock conditional use permit issued by the city shall at least specify the location, number of animals by species, intended use, maintenance, and control of the individual animal and any offspring; together with all conditions and structures necessary to meet the requirements specified in section 20.57.020.

B. Limitations. Each livestock conditional use permit shall become null and void upon any of the following events:

1. When a condition within the contents of the permit is not met;

2. When the livestock use shall have been vacated for a period of a year or failure to apply for annual reapplication;

3. When any deviation from the terms of the livestock conditional use permit occur; or

4. When a tenant or owner of a property for which a livestock conditional use has been granted leaves, sells, or trades the property.

C. Review. At any time, a livestock conditional use permit may be revoked for just cause indicated in subsection B. Annually, a livestock conditional use permit will require a reapplication of the permit to determine if conditions provided on the original permit are appropriate. (Ord. 994, 2011)

20.57.040 Permits issued prior to the effective date of this title.

Where a permit was granted for livestock without any time limitation and/or if the use would not be permitted under the provisions of this title, the use shall be considered a “non-conforming use” under the provisions of this title. (Ord. 994, 2011)

20.57.050 Application for permit.

Each application for a livestock conditional use permit shall be filed with the city on forms provided by the city. An application fee as set forth in the most current fee schedule adopted by the city for a livestock conditional use permit is required at the time of the submittal of the proposal. Renewal of a livestock conditional use permit is required annually by the city. The renewal fee is set forth in the most current fee schedule adopted by the city and is required within 30 days of the permit expiration. (Ord. 1153, 2022, Ord. 994, 2011)

20.57.060 Permit review.

An application for a livestock conditional use shall be processed according to Type II land use decisions established in Chapter 18.01, Land Use Administrative Procedures. A renewal of the permit shall be processed according to a Type IB land use decisions established in Chapter 18.01 Land Use Administrative Procedures. The administrator may consult with a veterinary professional to determine the adequacy of the conditions described in the application or renewal and the fees shall include the City's cost for such review. (Ord. 1153, 2022, Ord. 994, 2011)

20.57.070 Violation – penalty.

Any person who violates any term or condition of a livestock conditional use permit shall be subject to a fine in accordance with Section 7.01.020(B.). The city may revoke a livestock conditional use permit if any condition contained therein is violated. (Ord. 994, 2011)

Chapter 20.58

NON-CONFORMING USES, STRUCTURES, LOTS

Sections:

20.58.010 Intent.
20.58.020 Non-conforming lots of record.
20.58.030 Abandonment of non-conforming use.
20.58.040 Conversions of non-conforming uses.
20.58.050 Restoration.

20.58.010 Intent.

Within the zones established by this title or amendments that may later be adopted, there exist lots and/or structures which were lawful before Ordinance 802 was passed or amended, but which would be prohibited, regulated, or restricted under the terms of this chapter to permit these non-conformities to continue until they are removed, but not to encourage their survival. It is further the intent of this chapter that a non-conformity shall not be enlarged upon, expanded or extended, or be used as grounds for adding other structures or uses prohibited elsewhere in the same zone.

Non-conformity uses are declared by this chapter to be incompatible with permitted uses in the zones involved. A non-conforming use of a structure, a non-conforming use of land, or a non-conforming use of structure and land in combination shall not be extended or enlarged after passage of Ordinance 802.

To avoid undue hardship, nothing in this chapter shall be deemed to require a change in the plans, construction, or designated use of any building on which actual construction was lawfully begun prior to the effective date of adoption or amendment of Ordinance 802 and upon which actual building construction has been carried on diligently, provided that the use or structure was in conformance with all other applicable city ordinances at the time the use or structure was begun.

Actual construction is hereby defined to include the placing of construction materials in permanent position and fastened in a permanent manner. Where excavation or demolition or removal of an existing building has been substantially begun preparatory of rebuilding, such excavation or demolition or removal shall be deemed to be actual construction, provided that work shall be carried on diligently. (Ord. 802, 2001)

20.58.020 Non-conforming lots of record.

In any zone in which single-family dwellings are permitted, a single-family dwelling and customary accessory buildings may be erected on any single lot of record at the effective date of adoption or

amendment of this chapter, notwithstanding limitations imposed by other provisions of this chapter. Such lot must be in separate ownership and not of continuous frontage with other lots in the same ownership.

This provision shall apply even though such lot fails to meet the requirements for area or width, or both, that are generally applicable in the zone, provided that yard dimensions and requirements other than those applying to area or width, or both, of the lot shall conform to the regulations for the zone in which such lot is located. Variance of yard requirements shall be obtained only through action of the Planning Commission and City Council. (Ord. 802, 2001)

20.58.030 Abandonment of non-conforming use.

A non-conforming use shall be deemed abandoned by discontinuance or abandonment for a period of eighteen (18) months and any subsequent future use of such land or buildings shall be in conformity with the provisions of this title. (Ord. 802, 2001)

20.58.040 Conversions of non-conforming uses.

A non-conforming use may be changed to a permitted use at any time. (Ord. 802, 2001)

20.58.050 Restoration.

In the event a non-conforming structure or building or portion of a building containing a non-conforming use is less than fifty (50) percent destroyed by fire, explosion, natural catastrophe or act of public enemy, nothing in this chapter shall prevent the restoration of the non-conforming structure, building or use so long as restoration is completed within one (1) year after the partial destruction. The determination of whether a building or structure is less than fifty (50) percent destroyed shall rest with the City Building Inspector and shall be based on the actual cost of replacing the structure or building. In the event that fifty (50) percent or more of the structure, building or portion thereof is destroyed, then restoration shall not be permitted. (Ord. 802, 2001)

Chapter 20.60

SITE REZONES

Sections:

20.60.010 Purpose.
20.60.020 Type of action.
20.60.030 Application.
20.60.040 Criteria for approval.
20.60.050 Zoning map.
20.60.060 Denial of site rezone.

20.60.010 Purpose.

The purpose of this chapter is to establish the type of action, contents of a complete application, and criteria for approval for site rezones. A site rezone is a change in the zoning classification of a property or properties, but shall not include area-wide rezones or a change to the comprehensive plan map, the

regulations for which are provided under Title 18, Administration of Land Development Regulations. (Ord. 847 § 1 (part), 2003)

20.60.020 Type of action.

A site rezone is a quasi-judicial process and shall be processed according to the procedures established for Type III land use decisions set forth in Chapter 18.01, Land Use Administrative Procedures. (Ord. 847 § 1 (part), 2003)

20.60.030 Application.

A. A site rezone proposal may be initiated by the City Council, the Planning Commission, or by application of a property owner or his authorized agent.

B. A land owner or authorized agent desiring a site rezone shall file an application containing the following:

1. Legal description of the property;
2. Size of property (in acreage or square feet);
3. Consent of property owner, if submitted by an authorized agent;
4. Present improvements on property;
5. North Bonneville comprehensive land use plan, land use designation, current zone classification, and desired zone classification;
6. A statement explaining how the desired zone classification is consistent with the North Bonneville comprehensive land use plan;
7. A statement explaining why the proposed zoning classification and allowed uses are suitable for the property and why the existing zoning classification and allowed uses are no longer suitable for the property;
8. Up-to-date print of Skamania County assessor's map of the area, with area proposed for rezone outlined in color; and
9. Application fee as established in Chapter 18.02, Land Development Permit Application and Appeal Fees. (Ord. 847 § 1 (part), 2003)

20.60.040 Criteria for approval.

In order for a site rezone request to be approved, the council must find that:

A. The proposal is consistent with the North Bonneville comprehensive land use plan goals, policies, and map;

B. The proposal is consistent with the purposes of the zoning ordinance;

C. The proposal is consistent with the purpose of the proposed zone district;

D. The subject property is suitable for the uses allowed under the proposed zone district;

E. The proposed zone change and associated uses are compatible with neighboring land uses; and

F. The proposal will not be detrimental to the public interest, health, safety or welfare of the city. (Ord. 847 § 1 (part), 2003)

20.60.050 Zoning map.

Upon the effective date of the adoption by ordinance of a site rezone, the official zoning map of the city shall so be amended. (Ord. 847 § 1 (part), 2003)

20.60.060 Denial of site rezone.

No application for a site rezone shall be considered within ninety (90) days of denial of the same request, unless in the opinion of the City Council new evidence or circumstances warrant reconsideration within that time. (Ord. 847 § 1 (part), 2003)

Chapter 20.62

ADMINISTRATIVE PROVISIONS/PENALTIES

Sections:

20.62.010 Administrative official.
20.62.020 Enforcement.
20.62.030 Building permits required.
20.62.040 Certification of zoning compliance.
20.62.050 Appeals.
20.62.060 Violations and penalties.

20.62.010 Administrative official.

The City Council shall appoint an administrative official who shall have the authority and duty to enforce this title. The City Council may appoint such assistant as may be necessary to assist the administrative official. (Ord. 802, 2001)

20.62.020 Enforcement.

If the administrative official shall find that any of the provisions of this title are being violated, he or she shall notify in writing the person responsible for such violation and order the action necessary to correct such violation. Said administrative official shall be authorized to order discontinuance of illegal use of land, buildings, and/or structures; or shall take any action authorized by this title to insure compliance with or to prevent violation of its provisions. (Ord. 802, 2001)

20.62.030 Building permits required.

No building permit shall be issued for any structure or building which fails to conform to the provisions of this title. (Ord. 802, 2001)

20.62.040 Certification of zoning compliance.

The administrative official shall certify that the proposed use is in compliance with the zoning requirements of this title. Such certification shall be shown on the face of all copies of site plans submitted in accordance with Chapter 17.20, Site and Building Plan Review. (Ord. 802, 2001)

20.62.050 Appeals.

All appeals from rulings or decisions of the administrative official shall be taken by the person or persons aggrieved to the Board of Appeals and Adjustments in accordance with Chapter 17.56. (Ord. 802, 2001)

20.62.060 Violations and penalties.

Violation of the provisions of this title or any amendments thereto or failure to comply with any of its requirements shall constitute a civil infraction in accordance with NBMC and shall be punishable according to Section 7.01.020(D) of this code.

Nothing herein contained shall prevent the city from taking such other lawful action as is necessary to prevent or remedy any violation. (Ord. 880 (part), 2005: Ord. 802