

**CITY OF WHITE SALMON
ORDINANCE NO. 2012-12-910**

AN ORDINANCE OF THE CITY OF WHITE SALMON, WA, AMENDING CHAPTER 17 BY REPLACING CHAPTER 17.48 TO UPDATE THE COMMERCIAL ZONING, REPEALING PRIOR COMMERCIAL ZONING DESIGNATIONS AND STANDARDS AND IMPLEMENTING NEW COMMERCIAL ZONING PROVISIONS, INCLUDING SEVERABILITY AND AN EFFECTIVE DATE

WHEREAS, the City of White Salmon ("City") acknowledges the need to update commercial zoning regulations in the City to better reflect the types of uses desired for and succeeding in existing commercial areas while anticipating possible additional needs in potential new commercial areas, and

WHEREAS, the City wishes to adopt the following ordinance to implement new and restated commercial zoning regulations within the City for the protection of the health and safety of the residents and the environment.

WHEREAS, the City Council remanded Chapter 17.48 to the Planning Commission for further consideration of the parking and listed uses prior to adoption.

WHEREAS, the Planning Commission further considered Chapter 17.48 at its regularly scheduled meeting on December 12, 2012, accepting additional input and testimony and forwarded the recommended text in this Ordinance back to the Council as amended to clarify parking standards and listed uses.

WHEREAS, parking standards in particular are addressed in a manner that supports and recognizes a need for continued work toward a comprehensive parking plan.

WHEREAS, it is accepted that consumer behavior can be impacted by a positive or negative parking experience and activity in the City's downtown core has recently increased sufficiently to heighten the awareness of the need for adequate customer access to street front businesses, and that this requires reasonable parking provisions to continue to be applied to new development.

WHEREAS, the City Council takes note of additional recommendations from the Planning Commission that in addition to adoption of the proposed updates to Commercial Zoning provisions in Chapter 17.48, the City also should continue to develop a more comprehensive parking plan for the core downtown area along Jewett from Grandview to Main. In the event that such a plan is completed and accepted by the City Council, provisions may be adopted to allow for and establish a rate to cover increased demand for parking spaces, by implementing a parking impact fee. Such payments could be made to a dedicated fund and support acquisition, development, and maintenance of common parking areas that serve the core downtown area. Such a plan may also include measures to encourage or require business owners and employees to

use common parking areas or other parking locations, not considered prime customer parking, to meet their own full day or long term parking demand. If such a system is created and implemented by the City and a dedicated fund created; use of a payment in lieu option may be accepted as a means of providing off street parking facilities, off-site as already allowed by Chapter 17.72 of the WSMC.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF WHITE SALMON DO ORDAIN AS FOLLOWS: that the following amendments be made to White Salmon Municipal Code Title 17, Chapter 17.48 updating the Commercial Zone:

The City hereby repeals WSMC Title 17 Chapter 17.48 in its entirety and adopts the following to be codified as WSMC Title 17 Chapter 17.48:

Key: Added
~~Deleted~~

Chapter 17.48 – C ~~C2~~–GENERAL COMMERCIAL DISTRICTS

Sections:

[17.48.010 - Purpose-Use restrictions generally.](#)

[17.48.020 - Principal uses permitted outright.](#)

[17.48.030 - Conditional uses.](#)

[17.48.040 - Accessory uses.](#)

[17.48.060 - Density provisions.](#)

[17.48.070 - Specific use restrictions.](#)

[17.48.080 - Off-street parking space.](#)

17.48.010 - Purpose-Use restrictions generally.

In the ~~C2~~ C district, it is intended that structures, premises and facilities would provide a major shopping and business center serving an urban and/or agricultural area of sufficient population to support the facilities provided.

17.48.020 - Principal uses permitted outright.

Principal use listed as uses permitted outright in the ~~C2~~ C district [are intended to be retail and service oriented uses focused on sales of goods and services to end users. Permitted uses](#) include:

[A. **Retail** - Retail stores and shops providing goods and services, including hardware, dry goods, apparel, home appliances, jewelry, photographic studio, furniture and boat sales; gift shop.](#)

[B. **Service and Professional Space** - Cafe, tavern, theater \(including outdoor\), radio and television, bank, business or professional office;](#)

C. **Repair and Sales** - Automobile, truck and machinery dealer (new and used), garage, and automobile, truck and other passenger vehicle repair reconditioning, painting, upholstering, motor rebuilding, body and fender work; refrigerated locker rental, shoe repair, bakery, supermarket, tailoring;

D. **Preparation and Sales** - ~~compounding, processing, packaging or treatment of~~ **Formulating and preparing for sale such products as bakery goods, candy, cosmetics, dairy products, drugs, food and beverage products; Including brewer, distillery, or winery in conjunction with a pub eatery or tasting room.**

~~D. — Storage facilities — for rental trailers, trucks and other conveyances;~~

E. **Hospitality** - Hotel, motel and tourist facilities; Places of public assembly; Commercial recreation;

~~G. — Assembly and fabrication of metal products;~~

~~H. — Assembly of electrical appliances, electronic instruments and devices;~~

~~I. — Auto reconditioning, painting, upholstering, motor rebuilding;~~

F. **Artisan Manufacture and Sales** Boatbuilding; instruments, dishware, candles, glassware; metal work and welding; other items assembled from various raw materials such as wood, bone, cellophane, canvas, cloth and glass; Spinning or knitting of cotton, wool, flax or other fibrous materials; stone, marble and granite monument works;

G. **Other commercial uses** determined to be similar to the above uses may be permitted, subject to approval of the Planning Commission;

17.48.030 - Conditional uses.

Uses which may be authorized subject to conditional use permit review by the Planning Commission in a ~~C2~~ C district are intended to provide for compatible manufacturing, light industrial, residential, and storage uses especially in conjunction with retail use. Uses possible to permit conditionally include:

~~A. — Any use determined to be of the same general character as the principal uses permitted outright in this chapter, subject to the required conditions;~~

~~A. Residential occupancy secondary to the principal commercial use of the property;~~ **Residential - Condominium, Apartment, and other dwelling types including balconies, out-side courts or patios and constructed or renovated to be included 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 six hundred (600) square feet and a maximum of 1,500 square feet.

2. Residential uses shall not be more than sixty (60) 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.

4. If located on or along a commercial street front the building design shall be required to support and contribute to street front commerce; or

Stand alone dwellings incidental to and used in conjunction with the primary permitted use when found to be compatible with and clearly incidental to the primary use and surrounding uses. e.g. care taker cottage or housing for family or others principally engaged in the primary business. This provision is intended for application in conjunction with a business that is not located in an area characterized by typical commercial street frontage

The Planning Commission specifically reserves the right to disapprove construction of dwellings in conjunction with commercial development on the basis of health, safety and welfare of potential occupants or if location of dwelling units displaces or is likely over time to displace the street front commercial presence of a retail structure.

B. Light manufacturing, repair, and storage - including equipment repair, and machine shop uses such as:

1. Assembly fabrication and distribution of metal products, electrical appliances, electronic instruments and devices;
2. Research and Development Including testing sites for instruments and devices developed for proprietary use or sale;
3. Repair, reconditioning, or rebuilding of fleet vehicles, farm equipment, heavy commercial equipment;
4. Wholesale Distribution of Fuel or foodstuffs including: Heating Oil or Natural Gas, Brewery, Distillery, Winery, Cereal Mill;
5. Equipment Storage of Contractors' or loggers' equipment and truck storage yard, plant, repair, rental; Storage of materials and parking of vehicles integral to the principal uses permitted outright; storage and parking; contained within an enclosed building or screened in a manner to avoid conflicts with surrounding permitted uses.
6. Other Storage conducted within an enclosed building or otherwise screened and shielded in a manner to achieve compatibility with surrounding uses.

C. Small animal hospitals, veterinary facilities or offices;

D. Any other uses judged by the Planning Commission to be no more detrimental to adjacent properties than, and of the same type and character as, the above-listed uses.

In addition to conditions applied in response to conditional use permit criteria; design standards listed in the Commercial Zone will be applied and included as conditions of approval when necessary to achieve compatibility with existing and permitted uses in the area.

17.48.040 - Accessory uses.

Accessory uses permitted outright in a ~~C2~~ C district are as follows:

- A. Uses and structures customarily incidental to principal uses permitted outright;
- ~~B. Manufacturing, compounding, assembly or processing or treatment of products clearly incidental and essential to a retail business shall be permitted;~~
- ~~C. Advertising signs and outdoor advertising structures not exceeding one hundred square feet in area and not exceeding twenty eight feet in height;~~
- B. Signs as permitted by the Sign Ordinance, [Chapter 15.12 of this code](#);
- C. Commercial parking lots for private passenger vehicles only.

17.48.060 - Density provisions.

Density provisions for the ~~C2~~ C district are as follows:

- A. Maximum building height: three stories, but not to exceed thirty-five feet;
- B. Minimum lot: none;
- C. Minimum front yard depth: none required;
- D. Minimum side yard, interior lot: none required;
- E. Minimum side yard, corner lot: none required;
- F. Minimum side yard, zone transition lot: same as requirement of adjoining more-restrictive district;
- G. Minimum rear yard: none; except when abutting an R district, twenty feet.

17.48.070 - Prohibited uses.

- A. Industrial and manufacturing uses or services unless limited in nature and permitted in accordance with uses listed above.
- B. Warehouses and storage facilities unless limited in nature and permitted in accordance with uses listed above.
- C. Junk and salvage yards, automobile or truck wrecking yards.
- D. Open storage areas.
- E. Any business, service, repair, processing or storage not conducted wholly within an enclosed building, except for off-street parking, off-street loading, automobile service stations and limited outside seating for restaurants and cafes.

F. Processes and equipment and goods processed or sold determined to be objectionable by reason of odor, dust, smoke, cinders, gas, noise, vibration, refuse matter, water-carried waste, or not in compliance with the fire code.

Specific use restrictions.

~~Basic uses permitted in a C2 district shall be subject to these limitations:-~~

~~A.— All business, service, repair, processing or storage shall be conducted wholly within an enclosed building, except for off-street parking, off-street loading, automobile service stations and limited outside seating for restaurants and cafes.~~

~~B.— Processes and equipment and goods processed or sold shall be limited to those which are not objectionable by reason of odor, dust, smoke, cinders, gas, noise, vibration, refuse matter, water-carried waste, or not in compliance with the fire code.~~

17.48.075 Development and design standards.

A. Property development standards--All new development shall conform to Chapter 17.81, Site and Building Plan Review, and to any and all architectural and design standards which may be adopted by the city.

B. Roof standards/surfacing:

1. All visible roof surfaces shall be constructed to a minimum pitch of 4.5/12 (four and one-half inches of rise to twelve inches of horizontal run).

2. Finished roof material shall meet Class "C" roof standards. Dark and non-reflective roofing material shall be used for all visible roof surfaces.

C. Roof standards/mechanical equipment and venting:

1. All mechanical equipment located on roof surfaces such as, but not limited to, air conditioners, heat pumps, fans, ventilator shafts, duct work, or related devices or support work, shall be screened from view when possible and visible equipment shall be of a matte and/or non-reflective finish, unless reviewed and determined by the Planning Commission to be compatible with or a positive addition to the design and character of the commercial area. This restriction shall not apply to radio/television antennas or dishes (see Chapter 17.78).

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

D. Drainage—All storm water concentrated by the structure and related impervious surfaces must be handled on site. Concentration of roof drainage shall not be shed by drip or overflow at points that cross pedestrian walkways or paths. A plan of the roof and surface drainage shall insure that pedestrian walkways and paths remain free from concentrated water shedding. Such plans shall be an integral part of the site and building plans.

E. Exterior walls/siding--Acceptable siding shall be of lap, plank, shingle, board and batten style. Siding with brushed, sanded or rough sawn texture may be permitted. Siding shall be finished in natural or earth-tone colors. Other colors or styles may be permitted if approved by the Planning

Commission. All other composition materials shall be carefully reviewed for visual compatibility by the Planning Commission.

- F. Exterior walls/masonry--Masonry walls or walls with masonry veneer may be native or cultured stone or standard-sized brick of natural or earth-tone colors. Ceramic tile, manufactured concrete block or slabs may be permitted, but shall be subject to detailed review by the Planning Commission to insure use of earth-tone colors, matte finish, and compatible relationship to native materials.
- G. Exterior walls/metal--Metal walls, panels, partitions, facing or surfacing of any type is subject to detailed review by the Planning Commission and must be found to be compatibly designed and intentionally applied rather than relied on solely as a less expensive option. Metal used on the exterior as finished siding must be demonstrated to have a high value visual quality or it will not be accepted. Window panel fillers, exterior metal doors, door casings and windows shall be allowed.
- H. Windows and doors--All window and door frames shall be dark or earth-tone in color. Doors may be painted graphic colors as a part of the ten (10) percent graphic color and signing limitation.
- I. Garbage and refuse areas--Building plans shall include provisions for the storage of garbage containers. Garbage containers shall be fully enclosed and covered. Disposal and 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, RCW 70.105.210.
- J. Orientation of entry and display space – Entry and window display area shall be oriented toward the City Street. Parking may and will often be provided behind and / or under the rear or side portion of a new commercial structure. In this case additional Entry may be oriented toward the parking area but such additional entry area will be in addition to rather than in place of window display and entry area addressing the street and sidewalk.
- K. Utilities--All electrical, telephone, and other utilities shall be brought underground into the site and to the buildings.
- L. 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.
- M. Parking--All vehicles must be parked on the site unless otherwise provided for in accordance with Section 17.72. 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.
- N. 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.
- O. 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.

17.48.080 - Off-street parking space.

In the C district, minimum off-street parking shall be provided as specified in Chapter 17.72. Most notably sections 17.72.060 exempting some existing structures from being required to meet off street parking standards and limiting the instances in which expanded building areas are required to meet a parking standard. Allowances for parking to be located walking distance from a new structure and joint use of spaces per section 17.72.070 may also be authorized when determined by the Planning Commission to provide appropriate flexibility in the application of parking requirements in the core downtown area. (Jewett commercial street front)

SECTION 2- SEVERABILITY. If any section, sentence, or phrase of this Chapter is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence or phrase of this Chapter.

SECTION 3 - EFFECTIVE DATE. This ordinance shall become effective following passage and publication as provided by law.

PASSED in regular session this 19th day of December, 2012.

David Poucher, Mayor

Leana Johnson, Clerk/Treasurer

APPROVED AS TO FORM:

Kenneth B. Woodrich, City Attorney