

**CITY OF WHITE SALMON
ORDINANCE NO. 2023-12-1155**

AN ORDINANCE AMENDING TITLE 17 OF THE WHITE SALMON MUNICIPAL CODE BY REVISING CHAPTERS 17.23, 17.24, 17.28, 17.32, 17.36, 17.40, 17.48, 17.50, 17.64, 17.68, AND 17.72, TO UPDATE PROVISIONS OF THE ZONING CODE.

WHEREAS, the City of White Salmon (“City”) acknowledges the need to update its residential zoning regulations to better reflect the current needs of citizens, and the demand for more diverse and affordable housing; and

WHEREAS, the City recognizes that market trends and professional standards have shifted toward more compact, walkable, mixed forms of development; and

WHEREAS, the City recognizes the benefits of more compact, walkable, mixed forms of development in meeting climate goals, improving public health and well-being, conserving natural habitat, improving water quality, and promoting wildfire and disaster resiliency; and

WHEREAS, the City has conducted extensive public outreach and gathered extensive public comments in accordance with the City’s Public Participation Plan, sufficient to establish regulations in accordance with RCW 36.70A;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF WHITE SALMON DOES ORDAIN AS FOLLOWS:

That the following amendments be made to White Salmon Municipal Code Title 17:

SECTION 1. Amendment to Title 17, Chapters 17.08, 17.23, 17.24, 17.28, 17.32, 17.36, 17.40, 17.48, 17.50, 17.64, 17.68, and 17.72, The City hereby repeals WSMC Title 17 Chapters 17.08.290, 17.23, 17.24, 17.28, 17.32, 17.36, 17.40, 17.48, 17.50, 17.64, and 17.68, in their entirety, and adopts the following to be codified as WSMC Title 17 Chapters 17.08.290, 17.23, 17.24, 17.28, 17.32, 17.36, 17.40, 17.48, 17.50, 17.64, 17.68, 17.72.

Key: Underlined = added language
~~Strikethrough~~ = deleted language

17.08.145 - Commercial Street.

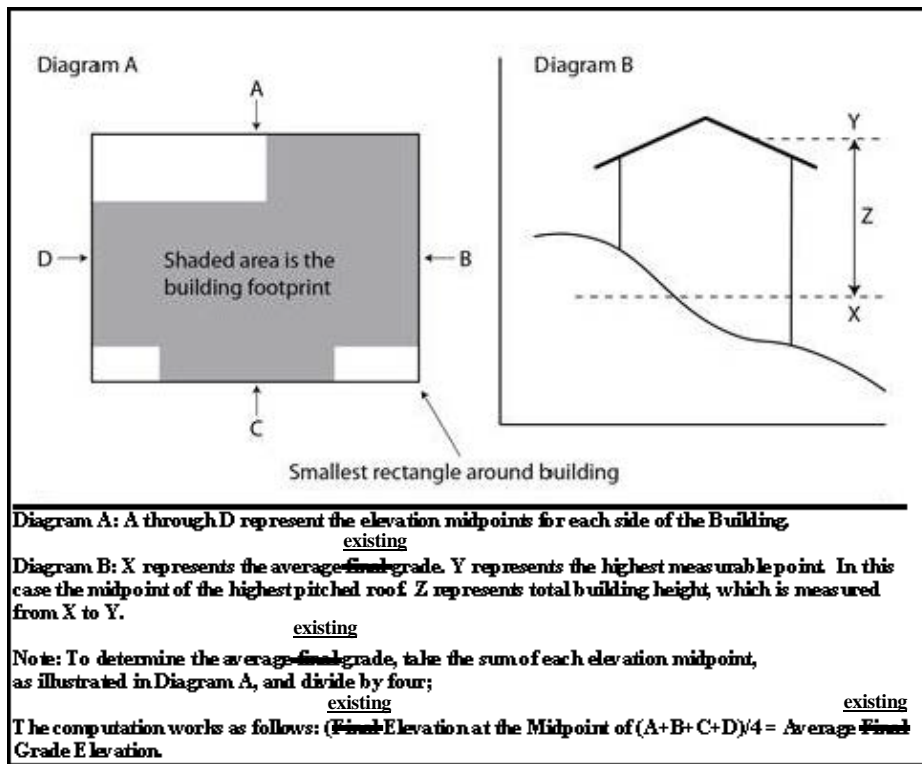
"Commercial street" means a street dominated by commercial uses. Specifically, commercial streets include Jewett Boulevard between Northwest Garfield Avenue and Northeast Pioneer Place or Southeast 5th Avenue; North Main Avenue from West Jewett Boulevard to NW Lincoln Street; NE Church Avenue from West Jewett Boulevard to NE Lincoln Street; NE Estes Avenue from East Jewett Boulevard to NE Tohomish Street; NE Wauna Avenue from East Jewett Street to NE Tohomish Street.

17.08.146 - Commercial use.

"Commercial use" means a retail sales or service business, restaurant, office, or civic use serving the public.

17.08.280 Height of building.

- A. "Height of building" means the vertical distance above a reference datum measured to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the average height of the highest gable ridge of a pitched or hipped roof. The reference datum shall be calculated as follows:
 1. Determine the smallest rectangle as illustrated in Diagram A that encompasses all four corners of the proposed building pad (includes covered decks and covered porches) at final grade.
 2. Determine the relative elevation at all four corners of the rectangle as illustrated in Diagram B below.
 3. Determine the reference datum elevation using the diagram instructions below. **“Existing grade” refers to the grade existing prior to any new grading by Applicant.**
 4. Flat roofs and roofs greater than 6-12 pitch angle will be measured from the highest point.
- B. The height of a stepped or terraced building is the maximum height of any segment of the building.



- C. **An exception applies to Jewett Boulevard between Northwest Garfield Avenue and Northeast Pioneer Place or Southeast 5th Avenue. The reference datum shall be calculated as the average sidewalk elevations along the Jewett Boulevard frontage.**

17.08.290 Home occupation.

"Home occupation" means an operation of a **personal** business within a dwelling or accessory buildings primarily by a member or members of a family residing therein. **“Live-work” means a home occupation that has significant visibility as a business, but contained within or adjoining the home on the same lot. A home occupation is not a client-patronage office or the principal place of call for the business operation.**

- A. Only persons residing on the premises may be engaged in the home occupation, **plus up to two outside employees.**
- B. There shall be no outside displays of merchandise.

C. The home occupation shall not affect the outside appearance as **primarily** 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 not to~~ infringe upon the rights of neighboring residents to enjoy a peaceful occupancy of their homes.

D. The area of the home occupation or live-work shall be no larger than the area of the residential portion of the building.

E. Business signs shall be permitted as per Sign Ordinance, Chapter 15.12 of this code.

17.08.525 – Joint use parking under binding agreement.

"Joint use parking under binding agreement" means a parking space that conforms to the requirements of the zone, and with the provisions of 17.72.070 E.

Chapter 17.23 RL SINGLE-FAMILY LARGE LOT RESIDENTIAL DISTRICT

17.23.010 Principal uses permitted outright.

Principal uses permitted outright in the RL district include:

- A. One single-family detached dwelling structure per lot, including manufactured homes, but excluding mobile homes;
- B. Hobby-type gardening and horticultural activities and related structures are permitted, provided they shall be solely for noncommercial purposes.

17.23.020 Accessory uses.

Accessory uses permitted in the RL district include:

- A. Uses customarily incidental to a principal use permitted outright, such as private garages, or parking areas for commercial vehicles, but not including any vehicles of over twelve thousand pounds gross weight;
- B. Home occupations; see Section 17.08.230;
- C. Non-flashing residential nameplates not exceeding two square feet, bearing only the name and address of the occupant; non-flashing bulletin boards or signs not exceeding sixteen square feet for quasi-public institutional buildings;
- D. **Up to two** accessory dwelling units; subject to Chapter 17.64. ~~of this title~~
- E. Outdoor parking of fully licensed and operable motor vehicles equal to the number of licensed drivers plus two per household.

[F.] Other accessory uses may be authorized by the board of adjustment in this district are those customarily incidental to permitted and conditional uses allowed.

17.23.025 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.
- 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.~~

17.23.030 Conditional use.

See Section 17.40.010.

17.23.035 Property development standards.

- A. Dwelling standards:
 - 1. A single-family residential dwelling shall have a minimum floor area of ~~six~~ **four** hundred square feet excluding porches, carports, garages, and basement or other rooms used exclusively for the storage or housing of mechanical or central heating equipment.
 - 2. All single-family dwellings shall be placed on permanent foundations.
 - ~~3. All dwellings shall be not less than twenty feet in width at the narrowest point of its first story.~~
 - 3. All manufactured homes must be new on the date of installation and comply with applicable siting standards in Section 17.68.130 - Manufactured home siting standards.
 - 4. Maximum building height shall not exceed twenty-eight feet. ~~in single-family residential zones.~~
 - 5. No business signs shall be erected or displayed on residential lots or adjacent street right-of-way buffer strips, except as provided in Sign Ordinance, Chapter 15.12 of this code.
 - 6. No contour or existing topography shall be substantially altered by fill, excavation, channeling or other device that would cause flooding, inundation, siltation, or erosion by storm water on adjoining lots, open spaces, or rights-of-way.
- B. Accessory use, accessory buildings and garages.
 - 1. 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.
 - 2. Sewer stub-out facilities shall not be provided in or adjacent to any garage or accessory building for use within that building ~~unless the building contains an approved ADU as defined above~~ **with the exception of an approved accessory dwelling unit.**
 - 3. 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 except that such structures may be located up to ~~five~~ **three** feet from the rear lot line if the rear lot line abuts a dedicated alleyway of at least fifteen feet in width.
- C. Fences.
 - 1. Fence heights shall not exceed six feet along rear or side lot lines.
 - 2. Fence heights shall not exceed five feet along front lot lines.
 - 3. On corner lots the fence height along the side yard adjacent to the street shall not exceed four feet for the first twenty-five feet from the lot corner to ensure adequate view clearance per Section 17.68.090.
 - 4. 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.

17.23.040 Density provisions.

Density provisions for the RL district are as follows:

- A. ~~A.~~ Maximum number of primary dwelling structures per lot: one;
- ~~B.~~ ~~Maximum height of building: two stories, but not to exceed twenty-eight feet;~~
- ~~C.~~ ~~B.~~ Minimum area of lot: ~~twenty eleven~~ eleven thousand square feet; ~~for each single-family structure~~
- ~~D.~~ ~~C.~~ Maximum depth of lot: ~~three times lot width~~ two hundred feet; alternate lot depth may be approved for lots with future street plan and shadow platting demonstrating potential access for future further division of proposed large lot division.
- ~~E.~~ ~~D.~~ Minimum width of lot: ~~one hundred twenty-five~~ fifty feet; alternate lot width may be approved for lots with future street plan and shadow platting demonstrating potential access for future further division of proposed large lot division.
- ~~F.~~ ~~E.~~ Minimum front yard depth: twenty feet;
- ~~G.~~ ~~E.~~ Minimum side yard width: five feet;
- ~~H.~~ ~~G.~~ Minimum side yard width along flanking street of corner lot: fifteen feet;
- ~~I.~~ ~~H.~~ Minimum rear yard required: fifteen feet.

NOTE: accessory structures are allowed within rear yards subject to five-foot setback from rear lot lines.
~~subject to development standards in this zone~~

17.23.050 Off-street parking space.

In the RL district, at least two permanently maintained off-street parking spaces or a private garage shall be on the same lot as the dwelling or be attached thereto or made a part of the main building. Each parking space shall be not less than ten feet wide and twenty feet long. The size of the garage shall not exceed the size of the dwelling.

17.23.060 Utility requirements.

In the RL district, all new structures shall be serviced by underground utilities.

Chapter 17.24 R1 SINGLE-FAMILY RESIDENTIAL DISTRICT

17.24.010 Principal uses permitted outright.

Principal uses permitted outright in the R1 district include:

- A. One single-family detached dwelling structure per lot, including manufactured homes, but excluding mobile homes;
- B. Hobby-type gardening and horticultural activities and related structures are permitted, provided they shall be solely for noncommercial purposes.

17.24.020 Accessory uses.

Accessory uses permitted in the R1 district include:

- A. Uses customarily incidental to a principal use permitted outright, such as private garages, or parking areas for commercial vehicles, but not including any vehicles of over twelve thousand pounds gross weight;
- B. Home occupations; see Section 17.08.230.
- C. Non-flashing residential nameplates not exceeding two square feet, bearing only the name and address of the occupant; non-flashing bulletin boards or signs not exceeding sixteen square feet for quasi-public institutional buildings;

- D. **Up to two** accessory dwelling units, subject to ~~conditional use review and~~ Chapter 17.64; operable motor vehicles equal to the number of licensed drivers plus two per household, provided that no boat or RV with an overall length of more than thirty feet shall be stored or parked in the R1 zone without special permission from the city to do so.
- E. Other accessory uses may be authorized by the board of adjustment in this district are those customarily incidental to permitted and conditional uses allowed.

17.24.025 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.
- 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, and reptiles kept unless approved by the city.~~

17.24.030 Conditional use.

See Section 17.40.010.

17.24.035 Property development standards.

- A. Dwelling standards:
 - 1. A **primary (not accessory)** single-family residential dwelling shall have a minimum floor area of **six four** hundred square feet excluding porches, carports, garages, and basement or other rooms used exclusively for the storage or housing of mechanical or central heating equipment.
 - 2. All single-family dwellings shall be placed on permanent foundations.
 - ~~3. All dwellings shall be not less than twenty feet in width at the narrowest point of its first story.~~
 - ~~43.~~ All manufactured homes must be new on the date of installation and comply with applicable siting standards in Section 17.68.130.
 - ~~54.~~ Maximum building height shall not exceed twenty-eight feet. ~~in single family residential zones.~~
 - ~~65.~~ No business signs shall be erected or displayed on residential lots or adjacent street right-of-way buffer strips, except as provided in Sign Ordinance, Chapter 15.12 of this code.
 - ~~76.~~ No contour or existing topography shall be substantially altered by fill, excavation, channeling or other device that would cause flooding, inundation, siltation, or erosion by storm water on adjoining lots, open spaces, or rights-of-way.
- B. Accessory use, accessory buildings, and garages.
 - 1. 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.

2. Sewer stub-out facilities shall not be provided in or adjacent to any garage or accessory building for use within that building ~~unless the building contains an approved ADU as defined above~~ with the exception of approved accessory dwelling units.
 3. 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 except that such structures may be located up to ~~five~~ three feet from the rear lot line if the rear lot line abuts a dedicated alleyway of at least fifteen feet in width.
- C. Fences.
1. Fence heights shall not exceed six feet along rear or side lot lines.
 2. Fence heights shall not exceed five feet along front lot lines.
 3. On corner lots the fence height along the side yard adjacent to the street shall not exceed four feet for the first twenty-five feet from the lot corner to ensure adequate view clearance per Section 17.68.090.
 4. 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.

17.24.040 Density provisions.

Density provisions for the R1 district are as follows:

- A. Maximum number of primary dwelling structures per lot: one;
- B. Maximum height of building: ~~two stories, but~~ not to exceed twenty-eight feet;
- C. Minimum area of lot: ~~five~~ three thousand square feet for each single-family structure;
- D. Minimum depth of lot: ~~eighty~~ fifty feet;
- E. Minimum width of lot: ~~fifty~~ thirty feet for each single-family structure.
- F. Maximum percentage of lot coverage: ~~fifty~~ seventy-five percent;
- F. Minimum front yard depth: ~~twenty feet~~ twelve feet, except that porches, stoops or other transitional structures may encroach up to 8 feet into this frontage zone;
- G. Minimum side yard width: five feet.
- H. Minimum side yard width along flanking street of corner lot: ~~fifteen~~ ten feet;
- I. Minimum rear yard required: ~~fifteen~~ ten feet.

NOTE: accessory structures are allowed within rear yards and subject to five-foot setback from rear lot lines, and also subject to development standards in this zone. If the rear lot line is on an alley, a three-foot setback is required.

17.24.050 Off-street parking space.

In the R1 district, at least two permanently maintained off-street parking spaces or a private garage shall be on the same lot as the dwelling, or be attached thereto or made a part of the main building. Each parking space shall be not less than ten feet wide and twenty feet long. The size of the garage shall not exceed the size of the dwelling. Assigned parking in remote lots, including lots under the same ownership as the dwelling(s), or joint use parking under binding agreement, may be substituted if they are within 200 feet of the subject property.

17.24.060 Utility requirements.

In the R1 district, all new structures shall be serviced by underground utilities.

Chapter 17.28 R2 ~~TWO-FAMILY~~ MULTIPLEX RESIDENTIAL DISTRICT

17.28.010 Principal uses permitted outright.

Principal uses permitted outright in the R2 district include:

Principal uses permitted outright in residential district R1, plus up to four rowhomes or multiplex units, provided that the end or side units are set back five feet from the adjacent property lines, and meet other development standards of this zone;

17.28.020 Accessory uses.

Accessory uses in the R2 district include:

- A. Uses customarily incidental to private uses permitted outright, such as private garages or parking areas for non-commercial vehicles only, but not including any business, trade or industry;
 - B. Home occupations; see Section 17.08.230;
 - C. Non-flashing residential nameplates not exceeding two square feet, bearing only the name and address of the occupant; non-flashing bulletin boards or signs not exceeding sixteen square feet for quasi-public institutional buildings;
 - D. Up to two accessory dwelling units; subject to ~~conditional use review and~~ Chapter 17.64;
 - E. Outdoor parking of fully licensed and operable motor vehicles equal to the number of licensed drivers plus two per household, provided that no boat or RV with an overall length of more than thirty feet shall be stored or parked in the R2 zone without special permission from the city to do so.
- [F.] Other accessory uses may be authorized by city council; those customarily incidental to permitted and conditional uses allowed.

~~17.28.025 Principal uses permitted subject to site plan review.~~

~~A. One two family attached dwelling structure (duplex) per lot;~~

~~B. Townhouse buildings containing not more than two townhouses.~~

~~Residential developments of duplex or townhouse units are subject to site plan review pursuant to Chapter 17.81, Site and Building Plan Review of this title, in addition to general development guidelines listed in [Chapter 17.81.]~~

17.28.030 Conditional uses.

See Section 17.40.010.

17.28.032 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.
- 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, and reptiles kept without city approval.~~

17.28.034 Property development standards.

- A. Dwelling standards:
 - 1. A **primary (not accessory)** single-family residential dwelling shall have a minimum floor area of ~~six~~ **four** hundred square feet excluding porches, carports, garages, and basement or other rooms used exclusively for the storage or housing of mechanical or central heating equipment.
 - 2. All **primary (not accessory)** single-family dwellings shall be placed on permanent foundations.
 - 1. ~~All dwellings shall be not less than twenty feet in width at the narrowest point of its first story.~~
 - 43. All manufactured homes must be new on the date of installation and comply with applicable siting standards in Section 17.68.130.
 - 54. Maximum building height shall not exceed twenty-eight feet. ~~in single-family residential zones,~~
 - 65. No business signs shall be erected or displayed on residential lots or adjacent street right-of-way buffer strips, except as provided in Sign Ordinance, Chapter 15.12 of this code.
 - 76. No contour or existing topography shall be substantially altered by fill, excavation, channeling or other device that would cause flooding, inundation, siltation, or erosion by storm water on adjoining lots, open spaces, or rights-of-way.
- B. Accessory use, accessory buildings and garages.
 - 1. 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.
 - 2. Sewer stub-out facilities shall not be provided in or adjacent to any garage or accessory building for use within that building unless the building contains an approved ADU, **where it is allowed.**
 - 3. 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 except that such structures may be located up to five feet from the rear lot line if the rear lot line abuts a dedicated alleyway of at least fifteen feet in width.
- C. Fences.
 - 1. Fence heights shall not exceed six feet along rear or side lot lines.
 - 2. Fence heights shall not exceed five feet along front lot lines.
 - 3. On corner lots the fence height along the side yard adjacent to the street shall not exceed four feet for the first twenty-five feet from the lot corner to ensure adequate view clearance per Section 17.68.090.
 - 4. 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.

17.28.040 Density provisions.

Density provisions for the R2 district are as follows:

- A. Maximum number of primary dwelling structures per lot: ~~one~~ **four**;
- B. Minimum area of lot: ~~five~~ **three** thousand square feet for each single-family structure **or up to four rowhomes, duplexes or multiplexes on the same lot; four thousand feet for duplexes on separate lots; and eight hundred square feet for rowhomes on separate lots;**

- C. Minimum depth of lot: ~~eighty fifty~~ feet;
- D. Minimum width of lot: ~~fifty thirty~~ feet for each single-family structure **or up to four rowhomes or multiplex units on the same lot; and twelve feet for duplexes or rowhomes on separate lots;**
- E. Maximum percentage of lot coverage: ~~fifty seventy-five~~ percent;
- F. Minimum front yard depth: ~~twenty feet~~ **twelve feet, except that porches, stoops or other transitional structures may encroach up to 8 feet into this frontage zone;**
- G. Minimum side yard width: Five feet, **or zero feet for approved rowhomes;**
- H. Minimum side yard width along flanking street of corner lot: ~~fifteen ten~~ feet;
- I. Minimum rear yard required: ~~fifteen ten~~ feet.

NOTE: accessory structures **are** allowed within rear yards **and** subject to five-foot setback from rear lot lines, **and also** subject to development standards in this zone. **If the rear lot line is on an alley, a three-foot setback is required.**

17.28.050 Off-street parking space.

In the R2 district, at least two permanently maintained off-street parking spaces or a private garage for two cars for each dwelling unit shall be on the same lot as the two-family dwelling, or be attached thereto or made a part of the main building. Each parking space shall not be less than ten feet wide and twenty feet long. The size of the garage is not to exceed the size of the dwelling. **Assigned parking in remote lots, including approved joint use parking under binding agreements, may be substituted if they are within 200 feet of the subject property.**

17.28.060 Utility requirements.

In the R2 district, all new structures shall be serviced by underground utilities.

Chapter 17.32 R3 MULTIFAMILY RESIDENTIAL DISTRICT

17.32.010 Principal uses permitted outright.

Principal uses permitted outright in the R3 district include:

- A. Principal uses permitted in the R1 and R2 districts and subject to all development standards applicable to such uses.
- B. Multiple-dwelling structures including triplex and fourplex family dwelling structures and multifamily apartments in which units are rented on a permanent basis, but not including motels or other facilities offered on a transient-tenancy basis;
- C. ~~Townhouse~~ **Rowhouse** buildings containing no more than ~~four eight~~ **townhouses rowhouses**.
- D. **Principal uses conforming to approved prototype site plans are not subject to site plan review.**
- E. **Other** multi-family residential developments or ~~townhouses rowhouses~~ are subject to site plan review pursuant to [Chapter 17.81] of this code in addition to General Development Guidelines listed in Section [17.50.070].

17.32.020 Accessory uses.

Accessory uses in the R3 district include uses listed in R1 and R2 and such uses customarily incidental to a principal use permitted outright, such as private garages or parking areas for noncommercial vehicles only, but not including any business, trade or industry except as a home occupation **or “live-work”** per definition in Section 17.08.2390, **or a retail business that primarily serves the surrounding residential area, not to exceed 2,000 square feet of gross leasable space.** All accessory uses are subject to applicable development standards.

~~17.32.025 Principal uses permitted subject to site plan review.~~

~~A. Multiple dwelling structures including triplex and fourplex family dwelling structures and multifamily apartments in which units are rented on a permanent basis, but not including motels or other facilities offered on a transient tenancy basis;~~

~~B. Townhouse Rowhouse buildings containing no more than four eight townhouses rowhouses.~~

~~Principal uses conforming to approved prototype site plans are not subject to site plan review.~~

~~Other multi-family residential developments or townhouses rowhouses are subject to site plan review pursuant to [Chapter 17.81] of this code in addition to General Development Guidelines listed in Section [17.50.070].~~

17.32.030 Conditional uses.

See Chapter 17.40.

17.32.032 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.
- 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, and reptiles kept without city approval.~~

17.32.034 Property development standards.

- A. Dwelling standards:
 - 1. A **primary (not accessory)** single-family residential dwelling shall have a minimum floor area of ~~six~~ **four** hundred square feet excluding porches, carports, garages, and basement or other rooms used exclusively for the storage or housing of mechanical or central heating equipment.
 - 2. All ~~single-family~~ dwellings shall be placed on permanent foundations.
 - ~~3. All dwellings shall be not less than twenty feet in width at the narrowest point of its first story.~~
 - ~~4.3.~~ All manufactured homes must be new on the date of installation and comply with applicable siting standards in Section 17.68.130.
 - ~~5. Maximum building height shall not exceed twenty-eight feet in single-family residential zones.~~
 - ~~6.4.~~ No business signs shall be erected or displayed on residential lots or adjacent street right-of-way buffer strips, except as provided in Sign Ordinance, Chapter 15.12 of this code.
 - ~~7.5.~~ No contour or existing topography shall be substantially altered by fill, excavation, channeling or other device that would cause flooding, inundation, siltation, or erosion by storm water on adjoining lots, open spaces, or rights-of-way.

- B. Accessory use, accessory buildings and garages.
 - 1. 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.
 - 2. Sewer stub-out facilities shall not be provided in or adjacent to any garage or accessory building for use within that building unless the building contains an approved ADU, **where it is allowed.**
 - 3. 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 except that such structures may be located up to five feet from the rear lot line if the rear lot line abuts a dedicated alleyway of at least fifteen feet in width.
- C. Fences.
 - 1. Fence heights shall not exceed six feet along rear or side lot lines.
 - 2. Fence heights shall not exceed five feet along front lot lines.
 - 3. On corner lots the fence height along the side yard adjacent to the street shall not exceed four feet for the first twenty-five feet from the lot corner to ensure adequate view clearance per Section 17.68.090.
 - 4. 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.

17.32.040 Density provisions.

Density provisions for the R3 district are as follows:

- A. Maximum height of buildings: ~~two stories, but~~ not to exceed twenty-eight feet, **except that approved multi-family apartments are not to exceed thirty-five feet;**
- B. Minimum area of lot for single-family dwellings: ~~five three thousand square feet; two-family dwellings attached: six four thousand square feet; and shall be governed by the standards in the R1 and R2 districts;~~ **four thousand feet for duplexes on separate lots; and eight hundred square feet for rowhomes on separate lots; or up to four rowhomes, duplexes or multiplexes on the same lot;**
- C. Minimum area of lot for multifamily dwellings and ~~townhouse rowhouse~~ buildings: ~~two thousand five hundred square feet per dwelling unit for the first two dwelling units; additional dwelling units, two one thousand square feet per unit;~~
- D. Minimum lot depth: ~~eighty fifty~~ feet;
- E. Minimum width of lot: ~~one hundred thirty~~ feet; ~~twenty twelve~~ feet per ~~townhouse rowhouse~~;
- F. Maximum percentage of lot coverage: ~~fifty seventy-five~~ percent;
- G. Minimum front yard depth: ~~fifteen feet twelve feet, except that porches, stoops or other transitional structures may encroach up to 8 feet into this frontage zone;~~
- H. Minimum side yard width: five feet, zero for ~~townhouse rowhouse~~ common wall;
- I. Minimum side yard width along flanking street of corner lot: ~~fifteen ten~~ feet;

NOTE: accessory structures **are** allowed within rear yards **and** subject to five-foot setback from rear lot lines, **and also** subject to development standards in this zone. **If the rear lot line is on an alley, a three-foot setback is required.**

17.32.050 Off-street parking space.

For dwelling units in an R3 district, there shall be ~~two~~ **at least one** off-street spaces or private garage or building on the same lot as the dwelling unit complex, or attached thereto, or made a part thereof, for each housekeeping unit in the dwelling, the size and type of such parking space to be the same as prescribed in the R1 and R2 districts. **For accessory dwelling units, there shall be one-half space per unit, with a minimum of one space.**

Assigned parking in remote lots, including approved joint use parking under binding agreement, may be substituted if they are within 200 feet of the subject property.

17.32.060 Utility requirements.

In the R3 districts, all new structures shall be serviced by underground utilities.

CHAPTER 17.36 MHRP MOBILE/MANUFACTURED HOME RESIDENTIAL PARK DISTRICT¹

17.36.010 Purpose/Transfer of MHRP Zone.

The purpose of the MHRP mobile/manufactured home residential park district is to provide a zoning district primarily for manufactured and mobile home parks and secondarily for other high-density, affordable housing and to enable zoning to conform to general planned densities. This chapter replaces "MHR mobile home residential district" and all properties previously zoned thereunder are included in this zone and shall hereafter be designated as "MHRP mobile/manufactured home residential park district".

17.36.020 Permitted uses.

The following uses are permitted, subject to conformance with applicable regulations stated below, and elsewhere in this title:

- A. Mobile/manufactured home parks. For purposes of this chapter, "mobile/manufactured home residential park district" is defined as any development of real property, within the city providing space for occupancy of two or more manufactured homes as defined in WSMC Chapter 17.08, mobile homes as defined in WSCM Chapter 17.08, and complying with the standards as designated on the data plate (HUD and L&I certification requirements) and with all the provisions of the Manufactured Housing Construction and Safety Standards in effect at the time of its construction and constitutes not less than seven hundred twenty square feet of interior habitable area, and further including tiny houses as described in RCW 35.21.686 and further defined in WSMC Chapter 17.08 and constructed in accordance with WAC 51-51-60104 and does not have an interior habitable area greater than ~~four~~ **three** hundred square feet.
- B. Dwellings and buildings when appurtenant to the mobile/manufactured home park only.
- C. Accessory uses and structures related to any permitted use, except home occupation.
- D. Offices, restrooms, laundry, storage and recreational facilities, clubhouse, and similar uses appurtenant to the mobile/manufactured home park residents only.
- E. **Home occupations as defined in 17.08.290.**
- F. **Dwelling units with at least fifty-five percent of units meeting affordable housing threshold.**

17.36.030 Conditional uses.

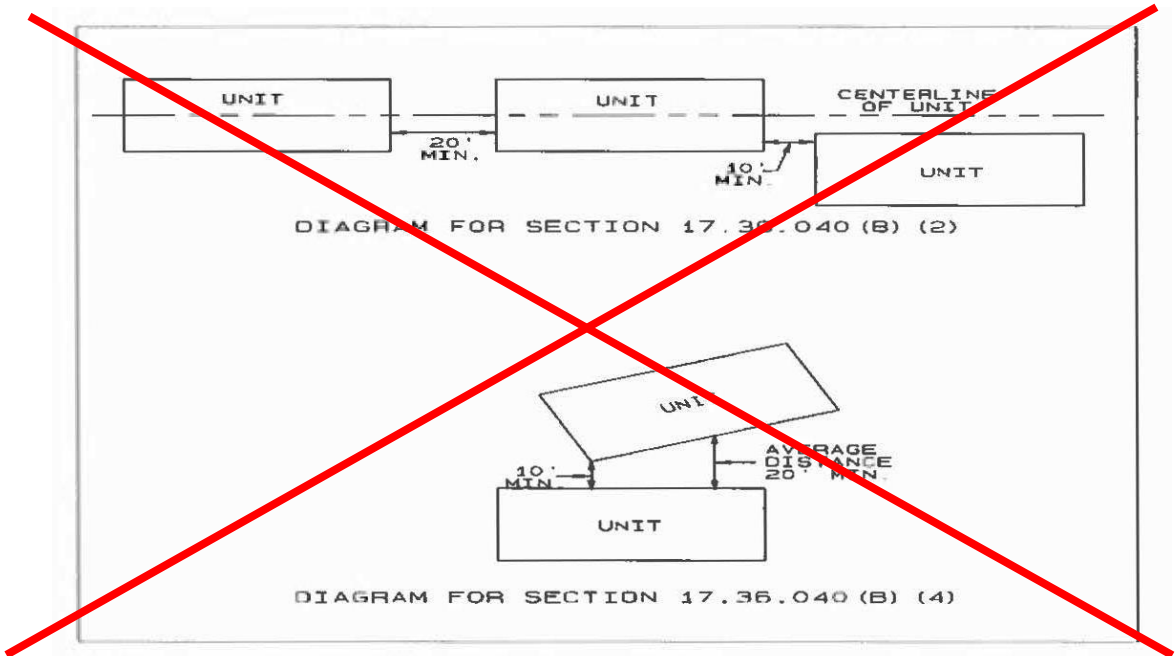
The following uses are permitted subject to approval of a conditional use permit:

- ~~A. Home occupations.~~
- ~~B~~ **A.** Public and quasi-public uses related to the district.
- ~~C~~ **B.** Nursery schools and family child day care centers.
- ~~D~~ **C.** Recreational vehicle park.
- ~~E. Dwelling units with at least fifty-five percent of units meeting affordable housing threshold~~

17.36.040 Minimum development standards.

The following are the minimum development standards for the MHRP mobile/manufactured home residential park district:

- A. There shall be a minimum ~~ten-foot~~ **five-foot** setback from all interior property lines. Public street frontage setback shall be not less than ~~twenty-five~~ **twelve** feet from the property line, except that porches, stoops or other transitional structures may encroach up to 8 feet into this frontage zone.
- B. Spacing of mobile/manufactured homes.
 - 1. There shall be a space of not less than ~~twenty~~ **ten** feet between mobile/manufactured homes located side-by-side and parallel.
 - 2. The spacing between mobile/manufactured homes located end-to-end shall be not less than ~~twenty~~ **ten** feet; provided, however, where the center line, as extended, of one unit does not extend through the adjacent unit, the spacing between the two units shall not be less than ~~ten~~ **five** feet (~~See Diagram 17.36.040(B)(2)~~).
 - 3. There shall be not less than ~~ten~~ **five** feet between any mobile/manufactured home and any cabana, carport or other similar accessory structure related to another mobile/manufactured home nor between any mobile/manufactured home and any permanent structure.
 - 4. The average distance between adjacent angular mobile/manufactured homes shall be not less than ~~twenty~~ **ten** feet with the closest point being no less than ~~ten~~ **five** feet (~~See Diagram 17.36.040(B)(4)~~).
 - 5. ~~Each site shall be equipped with a storage shed not less than sixty square feet of storage space.~~
 - 6.5.** Each space shall be identified by a number, which shall be displayed with sufficient size and location to be readily visible from the adjacent roadway.



- C. Each mobile/manufactured home shall be serviced by at least one ~~thirty~~ **twenty** foot wide roadway to provide for two moving lanes of traffic and a four foot delineated pedestrian walkway. Where on-roadway parking is desired, the roadway width shall be increased ~~accordingly~~ by seven feet for each side of parking stall.

- D. All roadways and parking areas shall be paved with asphalt or Portland Cement Concrete in accordance with the most current version of the city's street standards, **or other alternate approved by the Director of Public Works.**
- E. All street frontage setback areas shall be landscaped and maintained.
- F. Landscaping and Fencing. A detailed landscape plan shall be required and include:
 - 1. The location and materials of all fencing.
 - 2. All plantings including the size, location, species name and method of irrigation.
 - 3. Existing trees or significant plant groupings that are intended to remain.
 - 4. Sight-obscuring buffer between the mobile/manufactured home park and adjacent residential district or commercial district.
 - 5. Perimeter ground cover landscaping consisting of not less than five-foot width and established line of site requirements for driveways and intersections.
 - 6. Individual space landscaping, common areas and open space. Sight-obscuring buffer shall consist of opaque material fencing or a solid landscape screen which shall consist of an evergreen or nearly evergreen mixture of shrubs, bushes or trees that produce a dense, sight-obscuring screen at least six-feet in height within three years of planting. Berms may be included as a sight-obscuring barrier to a maximum berm height of five feet planted on both sides with evergreen or nearly evergreen shrubs or bushes so that the total height of landscaping and berm will be at least six feet within three years of planting, and the top of the berm plantings form a dense, sight-obscuring screen within the same three-year period. Fencing materials, landscaping species and standards shall be consistent with White Salmon Municipal Code (WSMC).
- G. Site plan approval is required prior to the initial construction of any mobile/manufactured home park and prior to any substantial changes thereto, or to any existing mobile/manufactured home park.

17.36.050 Off-street parking.

There shall be two off-public-street parking spaces for each mobile/manufactured home space, **except that if on-street parking is provided adjacent to each home, only one off-public-street parking space is required. Assigned parking in remote lots, including lots under the same ownership as the dwelling(s), or joint use parking under binding agreement, may be substituted if they are within 200 feet of the subject property.**

17.36.060 Roadway.

Every roadway within the mobile/manufactured home park shall be named and the names clearly posted. Every mobile/manufactured home shall have a number which will be clearly visible from the roadway at all times.

17.36.070 Expansion or alterations of existing mobile/manufactured home residential parks.

Any mobile/manufactured home park existing or approved at the time of adoption of the ordinance codified herein may be enlarged or altered; provided all codes and ordinances of the city are complied with for that portion to be enlarged; and the enlargement is forty-nine percent or less of the area of the existing park. Where there is a proposed enlargement or alteration of an existing park to the extent of affecting higher than forty-nine percent of the area of the existing park, when such enlargement or alteration is carried out or planned, such enlargement or alteration shall require full integration of the existing park to conform to the provisions of this chapter. As sanctioned by the provisions of this section, a mobile/manufactured park can only be enlarged or altered one time without full integration of the existing park.

17.36.080 Eviction notices for change of use or closure of a mobile/manufactured home park.

- A. Before a mobile/manufactured home park owner may issue eviction notices pursuant to a closure or change of use under Chapter 59.21 RCW, the mobile/manufactured home park owner must first submit to the City a

relocation report and plan that meets the requirements of WSMC 17.36.090. If applying for a change of use, the mobile/manufactured home park owner shall submit the relocation report and plan together with all other necessary applications. Once the city determines that the relocation report and plan meets the requirements of WSMC 17.36.090, the city shall stamp their approval on the relocation report and plan and return a copy of the approved plan to the manufactured/mobile home park owner. If the city determines that the relocation report and plan does not meet the requirements of WSMC 17.36.090, the city may require the mobile/manufactured home park owner to amend or supplement the relocation report and plan as necessary to comply with this chapter before approving it.

- B. No sooner than upon approval of the relocation report and plan, the owner of the mobile/manufactured home park may issue the twelve month eviction notice to the mobile/manufactured home park tenants. The eviction notice shall comply with RCW 59.20.080 and 59.21.030, as amended. No mobile/manufactured home owner who rents a mobile/manufactured home lot may be evicted until the twelve month notice period expires, except pursuant to the State Mobile Home Landlord-Tenant Act, Chapter 59.20 RCW.

17.36.090 Relocation report and plan.

- A. The relocation report and plan shall describe how the mobile/manufactured home park owner intends to comply with Chapters 59.20 and 59.21 RCW, relating to mobile/manufactured home relocation assistance, and with WSMC 17.36.080 through 17.36.130. The relocation report and plan must provide that the mobile/manufactured home park owner will assist each mobile/manufactured home park tenant household to relocate, in addition to making any state or federal required relocation payments. Such assistance must include providing tenants an inventory of relocation resources, referring tenants to alternative public and private subsidized housing resources, helping tenants obtain and complete the necessary application forms for state-required relocation assistance, and helping tenants to move the mobile/manufactured homes from the mobile/manufactured home park. Further, the relocation report and plan shall contain the following information:
1. The name, address, and family composition for each mobile/manufactured home park tenant household, and the expiration date of the lease for each household;
 2. The condition, size, ownership status, HUD and State Department of Labor and Industries certification status, and probable mobility of each mobile/manufactured home occupying a mobile/manufactured home lot;
 3. Copies of all lease or rental agreement forms the mobile/manufactured home park owner currently has in place with mobile/manufactured home park tenants;
 4. To the extent mobile/manufactured home park tenants voluntarily make such information available, a confidential listing of current monthly housing costs, including rent or mortgage payments and utilities, for each mobile/manufactured home park tenant household;
 5. To the extent mobile/manufactured home park tenants voluntarily make such information available, a confidential listing of gross annual income for each mobile/manufactured home park tenant household;
 6. An inventory of relocation resources, including available mobile/manufactured home spaces in Klickitat, Skamania, Yakima and Benton Counties;
 7. Actions the mobile/manufactured home park owner will take to refer mobile/manufactured home park tenants to alternative public and private subsidized housing resources;
 8. Actions the mobile/manufactured home park owner will take to assist mobile/manufactured home park tenants to move the mobile/manufactured homes from the mobile/manufactured home park;
 9. Other actions the owner will take to minimize the hardship mobile/manufactured home park tenant households suffer as a result of the closure or conversion of the mobile/manufactured home park; and
 10. A statement of the anticipated timing for park closure.
- B. The city or designee may require the mobile/manufactured home park owner to designate a relocation coordinator to administer the provisions of the relocation report and plan and work with the mobile/manufactured home park tenants, the city and state offices to ensure compliance with the relocation

report and plan and with state laws governing mobile/manufactured home park relocation assistance, eviction notification, and landlord/tenant responsibilities.

- C. The owner shall make available to any mobile/manufactured home park tenant residing in the mobile/manufactured home park copies of the proposed relocation report and plan, with confidential information deleted. Within fourteen days of the city planning department approval of the relocation report and plan, a copy of the approved relocation report and plan shall be mailed by the owner to each mobile/manufactured home park tenant. Tenants may request and the owner must provide the report to be delivered **in** a native language, or in another media as necessary to accommodate any visual impairment needs.
- D. The mobile/manufactured home park owner shall update with the city planning department office the information required under this section to include any change of circumstances occurring after submission of the relocation report and plan that affects the relocation report and plan's implementation.

17.36.100 Certificate of completion of the relocation report and plan.

No mobile/manufactured home park owner may close a mobile/manufactured home park or obtain final approval of a comprehensive plan or zoning re-designation until the mobile/manufactured home park owner obtains a certificate of completion from the city planning department. The city planning department shall issue a certificate of completion only if satisfied that the owner has complied with the provisions of an approved relocation report and plan, the eviction notice requirements of RCW 59.20.080 and 59.21.030, the relocation assistance requirements of RCW 59.21.021, and any additional requirements imposed in connection with required city applications.

17.36.110 Notice of provisions.

It is unlawful for any party to sell, lease, or rent any mobile/manufactured home or mobile/manufactured home park rental space without providing a copy of any relocation report and plan to the prospective purchaser, lessee, or renter, and advising the same, in writing, of the provisions of WSMC 17.36.080 through 17.36.130 and the status of any relocation report and plan.

17.36.120 Administration.

The city planning department shall administer and enforce WSMC 17.36.080 through 17.36.130. Whenever an owner or an owner's agent fails to comply with the provisions of WSMC 17.36.080 through 17.36.130, the following may occur:

- A. The city may deny, revoke, or condition a certificate of completion, a permit, or another approval;
- B. Any other appropriate city official may condition any permit or other approval upon the owner's successful completion of remedial actions deemed necessary by the city carry out the purposes of WSMC 17.36.080 through 17.36.130.

17.36.130 Appeal.

Any appeal from a determination of the city planning department under WSMC 17.36.080(A), WSMC 17.36.100, and WSMC 17.36.120(A) shall be an open record hearing filed within fourteen days of the determination and be processed in accordance with the procedures established for Type V applications (waiving planning commission recommendation - city council decision final) under WSMC Title 19.

17.36.140 Use exceptions.

- A. A mobile/manufactured home park owner may request a use exception or modification from the application of the MHRP zoning to their property as set forth below.
- B. The property owner shall submit a site plan application showing building footprint, streets, walkways, parking, drainage facilities, sanitary sewer lines, water lines, trails, lighting and landscaping. In addition, the property owner shall submit a written explanation of the reasons for use exception or modification and provide a report

describing the proposed use with documentation demonstrating that application of the MHRP zoning meets the criteria below.

C. The City Council may approve the property owner's request for a use exception or modification if the property owner demonstrates:

1. They do not have reasonable use of their property under the MHRP zoning; or
2. The uses authorized by the MHRP zoning are not economically viable at the property's location.

If the request is granted by the city council and the city determines that a zone change is required, the applicant shall be financially responsible for all associated costs related to the zone change.

D. In addition to the application, a relocation report and plan shall be submitted the city planning department pursuant to WSMC 17.36.090; and the eviction notices procedures provided for in WSMC 17.36.080 through 17.36.130 shall apply.

E. Except as otherwise provided herein, the application shall be reviewed as a WSMC 19.10 Type V review (waiving planning commission recommendation - final decision made by city council), and the council's decision may be appealed to Klickitat County superior court.

17.36.150 Closure and government sponsorship.

A. If an eminent domain action by a federal, state, or local agency causes closure of a mobile/manufactured home park and the procedures set forth in the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act, 42 U.S.C. 4601 et seq., and the regulations of 49 CFR Part 24 or the Relocation Assistance - Real Property Acquisition Policy Act of Chapter 8.26 RCW and the regulations of Chapter 468-100 WAC are followed, the requirements of those acts and regulations will supersede the requirements of WSMC 17.36.080 through 17.36.170.

B. If a condemnation action of the city causes closure of a mobile/manufactured home park, the city will be responsible for fulfilling the requirements of the standards contained herein. If the city chooses to follow portions of the state act and regulations and the city determines that there is a conflict or redundancy between the portions of the state act and regulations being followed by the city, and the standards contained herein, the state act shall take precedence in such areas of conflict or redundancy. If the state act is followed in all respects, such act will supersede the requirements of this section and the standards contained herein.

17.36.160 Additional Requirements.

A. No manufactured or mobile home shall be moved into the city limits of White Salmon without prior authorization of the city, placement permit issued by the city building inspector and HUD and Washington State Labor and Industry inspection tag. The owner will need to provide picture and other document evidence that the manufactured or mobile home is in good or better condition and suitable for living.

B. No manufactured or mobile home may be altered or added to without a Washington State Labor and Industry permit and city building permit if applicable.

C. No manufactured or mobile home, or any addition or accessory building thereto, may be placed upon a lot in any MHRP District without first obtaining a building permit and sewer and water connection permits, and authorization, from the building inspector. Any required fees shall be in accordance with the current city fee schedule.

D. Any attached addition or attached accessory building shall be compatible with the design, color and exterior covering, including roofing, to the manufactured or modular home.

E. Any addition or accessory structures or building shall be in compliance with all applicable WSMC and building codes.

F. All water, sewer and storm-water shall comply with the most current state laws and city standards and regulations. Connections shall be made to the city utility system, if available and applicable. The sewer connection shall be provided with suitable fittings so that a watertight connection shall be so constructed that it

can be closed and locked, when not linked to a dwelling, and shall be capped so as to prevent any escape of odors.

- G. All equipment, including but not limited to tires, wheels and axles, which are needed to transport the structure to the site shall be removed from the structure, and said structure shall be attached to a permanent foundation or anchored to the ground in accordance with manufacturer's requirements and/or as approved by the building inspector.

17.36.170 Building permit required.

Issuance of a building permit is required prior to commencement of construction of any permanent improvements within any new mobile/manufactured home park and prior to any enlargement, alteration or addition to any permanent improvements within any existing mobile/manufactured home residential park. The fees for said building permit shall be based on the cost of construction for said permanent improvements, and shall include such things as roadways, walkways, parking areas, permanent structures and other similar types of construction activities.

17.36.180 Required tiedowns.

All mobile/manufactured homes shall be tied down/anchored in accordance with manufacturer's recommendations. If a manufacturer recommendation cannot be provided, the mobile/manufactured homeowner shall provide the building inspector with an engineered stamped plan as to how the mobile/manufactured home is to be tied down.

Chapter 17.40 CONDITIONAL USES IN RESIDENTIAL DISTRICTS

17.40.010 Uses authorized when.

The uses set out in this chapter may be authorized by the planning commission as conditional uses in residential districts, as indicated. Such uses, although not permitted outright, shall not be deemed nonconforming if existing on September 19, 1973.

17.40.020 Residential conditional uses designated.

Conditional uses for all residential districts include:

- A. Parks and playgrounds;
- B. Churches and other religious or charitable organizations;
- C. Public and governmental buildings and uses;
- D. Fire and police stations;
- E. Libraries;
- F. Adult boarding homes, nursing homes;
- G. Bed and breakfasts, as defined;
- H. The accessory use of a primary residence has a hosted homeshare or vacation home rental per the requirements of WSMC Ch. 5.02 and WSMC Ch. 17.57;
- I. Schools, day care and assisted living facilities;
- J. ~~Home businesses that cannot comply with the standards applied to a home occupation allowed in residential zones may request a conditional use permit seeking conditional permit to operate a home business at a larger or more extensive scale than allowed as a home occupation. A home business will need to address all conditional use permit criteria in a manner that demonstrates how operation of a home based business at the alternate scale will maintain compatibility with surrounding permitted uses and retain the residential nature of the site from which it is operated.~~

- K. ~~Accessory dwellings as allowed for in base zones and subject to all applicable standards in Chapter 17.64.~~
- L. J. Residential PUD in RL - Low density residential zone subject to all applicable PUD standards in Chapter 17.75.
- M. K. Cottage infill development in R-2 or R-3 residential zones subject to all applicable cottage infill standards in Chapter 17.73.
- N. L. Other conditional uses as authorized by the city council that are customarily incidental to permitted and conditional uses allowed in residential district.

Chapter 17.48 C GENERAL COMMERCIAL DISTRICTS²

17.48.010 Purpose—Use restrictions generally.

In the C district, it is intended that structures, premises and facilities would provide a **mix of uses including** major shopping, ~~and~~ business **center facilities and civic uses** 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 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 - 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;
- E. Hospitality - Hotel, motel and tourist facilities; places of public assembly; commercial recreation does not include short-term rental, see WSMC 17.48.030.D;
- 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.
- H. **Residential - Condominium, apartment, and other dwelling types including balconies, outside 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 four hundred square feet and a maximum of one thousand five hundred square feet.**

- 2. Residential uses shall not be more than eighty 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 City, applying clear and objective design standards as furnished to applicants at the outset of their application.
 - 4. If located on or along a commercial street front, the ground floor fronting that street shall be 100% commercial use, with a minimum depth of twenty feet. An exception applies to residential stairway entrances and/or lobbies at a maximum width of twenty feet.
- I. Up to three accessory dwelling units, if not facing a commercial street; subject to conditional use review and Chapter 17.64;
 - J. Live-work residential units, where the ground floor fronting a commercial street shall be 100% commercial use, with a minimum depth of twenty feet. An exception applies to residential stairway entrances and/or lobbies at a maximum width of twenty feet.

~~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.~~

17.48.030 Conditional uses.

Uses which may be authorized subject to conditional use permit review by the planning commission or where otherwise delegated to the planning administrator within subject sections in a 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. Residential Condominium, apartment, and other dwelling types including balconies, outside 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 square feet and a maximum of one thousand five hundred square feet.~~
 - ~~2. Residential uses shall not be more than sixty 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.A.~~ 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.~~**B.** Small animal hospitals, veterinary facilities or offices.

~~D.~~**C.** Short-term rentals pursuant to the standards of WSMC Ch. 5.02 and WSMC Ch. 17.57.

~~E.~~**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; **clear and objective** 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 C district are as follows:

- A. Uses and structures customarily incidental to principal uses permitted outright;
- 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 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 **open-air markets, pop-up shops, food trucks**, 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.

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. 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 included in the proposed site drainage plan required for site and building plan review in Chapter 17.81.
- 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, if approved by the planning commission. 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 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 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. 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 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 [Chapter] 17.72. No on-street parking is permitted. Minimum parking stall width should be eight feet, six inches and length nineteen 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 **for commercial uses** shall be provided as specified in Chapter 17.72. ~~Most notably~~ Section 17.72.060 exempts ~~ing~~ some existing structures from being required to meet off street parking standards and limits ~~ing~~ 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 **or City Administrator** to provide appropriate flexibility in the application of parking requirements in the core downtown area. (Jewett commercial street front.)

For residential uses in the C district, one space is required per unit, and one-half space per ADU, with a minimum of one space provided. Assigned parking in remote lots, including lots under the same ownership as the dwelling(s), or joint use parking under binding agreement, may be substituted if they are within 200 feet of the subject property.

Chapter 17.50 RD RIVERFRONTAGE DISTRICT

17.50.010 Purpose—Use restrictions generally.

In the RD district, structures and premises shall only be used in accordance with the provisions of this chapter. It is the intent of this district to allow planned development for recreational, commercial, light industrial and ~~limited~~ **mixed** residential uses, ~~particularly those uses that are water-dependant or where the proximity to the Columbia River is necessary for the development.~~ Property owners are encouraged to work together to formulate an overall development plan for this district. As part of the site plan review process, consistency with the overall development plan in this district, **and clear and objective design standards, as adopted, if any,** shall be ~~considered~~ **the basis for approval.**

17.50.020 Principal uses permitted subject to site plan review.

Subject to site plan review in accordance with [Chapter 17.81], the following uses are permitted:

- A. Limited commercial uses which provide for sale of products, materials or services relating primarily to the recreational, tourist and related activities of the White Salmon vicinity, including:
 - 1. Retail stores and shops providing goods and services such as dry goods, photographic supplies and equipment, sports and recreation supplies and equipment, gifts, art work and convenience items;
 - 2. Restaurants, hotels, motels and tourist facilities;
 - 3. Banks, business and professional offices;
 - 4. Manufacture, assembly or treatment of articles or merchandise from previously prepared materials which takes place wholly within an enclosed structure and from which there is no discernible odor, noise, dust, smoke, cinders, gas, vibration, refuse matter or other noxious effects beyond the property lines.
- B. Limited manufacturing for the manufacture of goods or products which takes place wholly within an enclosed structure and from which there is no discernible odor, noise, dust, smoke, cinders, gas, vibration, refuse matter or other noxious effects beyond the property lines, including:

Assembly, fabrication, manufacture, compounding, processing, packaging or treatment of products primarily related to the recreational, tourist and related activities of the White Salmon vicinity.
- C. **Mixed-use residential buildings, where the ground floor includes 100% commercial uses conforming to the district standards, with the exception of residential stairway entrances and/or lobbies at a maximum width of twenty feet, required maintenance or fire riser rooms, and residential garage entrances at a maximum width of thirty feet.**

17.50.030 Conditional uses permitted subject to site plan review.

Subject to site plan review in accordance with [Chapter 17.81], conditional uses which may be authorized by the [planning commission] pursuant to Section 17.80.060 are:

- A. Parks and playgrounds;
- B. Public and government facilities;
- C. Churches and other religious or charitable organizations;
- D. Fire and police stations;
- E. Hospitals and medical care facilities for human beings;
- F. Recreational and vehicle parks and campgrounds;
- G. Any other use determined to be of the same general character as, and no more detrimental than, the principal and conditional uses allowed in the district subject to the required conditions.

17.50.040 Accessory uses allowed.

The following accessory uses are allowed in the RD district:

- A. Uses and structures customarily incidental to the principal uses permitted outright;
- B. Residential occupancy that is secondary to a principal use permitted outright or to an approved conditional use;
- C. Signs as permitted by the sign ordinance, Sign Ordinance, Chapter 15.12 of this code.

17.50.050 Density provisions.

Density provisions for the RD district are as follows:

- A. Maximum Building Height. ~~Four stories~~, Not to exceed forty-five feet; increase setbacks five feet for each two feet over thirty-five-foot height; height over thirty-five feet will require the review and approval of fire department and building department based on public safety;
- B. Minimum Lot Area. The minimum area shall be determined based on the amount of area required to meet the provisions of this chapter and provide for proper sanitation and drainage;

C. Minimum Frontage.	On SR 14:	Two hundred fifty feet (<u>rear alley access required</u>)
	On secondary road:	Seventy-five feet
D. Minimum Front Yard.	To SR 14:	Twenty-five <u>twelve</u> feet
	To secondary road:	Twenty-five <u>twelve</u> feet
E. Minimum Side Yard.	To SR 14:	Twenty-five <u>five</u> feet
	To secondary road:	Twenty-five <u>five</u> feet
	Otherwise:	Ten <u>three</u> feet
F. Minimum Rear Yard.	To SR 14:	Twenty-five <u>ten</u> feet
	To secondary road:	Twenty-five <u>ten</u> feet
	Otherwise:	Twenty-five <u>five</u> feet
G. Landscape Buffer.	To SR 14:	Twelve <u>four</u> feet
	To secondary road:	Ten <u>four</u> feet

- H. ~~Ratio of lot width to length not to exceed one to four~~ minimum lot depth fifty feet, minimum lot width thirty feet;
- I. SR 14 Access Separation. Four hundred feet where possible, two hundred foot minimum with a roadway access permit from the city engineer.

17.50.060 Specific use restrictions.

Basic uses permitted in the RD district shall be subject to these limitations:

- A. All business and manufacturing activities shall be limited to those which are not objectionable by reason of odor, noise, dust, smoke, cinders, gas, vibration, refuse water, water-carried waste or other noxious effects beyond the property line;
- B. Secondary or shared access drives and roads will be encouraged. Easement for secondary or shared access may be required where necessary to assure compliance with the SR 14 access separation criteria set forth in [Section] 17.50.050I.

17.50.070 General development guidelines.

Design criteria for siting developments within the RD district shall:

- A. Compliment and incorporate the natural features and terrain of the site area to the maximum extent possible;
- B. Provide fencing or screening of mechanical equipment and dumpsters or other refuse containers;
- C. Provide buffering of loading and unloading areas;
- D. Provide for adequate distances between on-site structures or the staggering of structures to maximize the use of natural light and view;
- E. Reduce the impact of tall or bulky structures;
- F. Avoid within the same development, sharp contrasts in building styles, colors or materials;

- G. Control public access points to the site's developments, utilizing a central lobby design, entrance courtyard, internal walkway or mall, or similar designs which protect the various land uses from disturbance from direct public access;
- H. When more than one primary use is to be included in the site area, require structures and uses be arranged and clustered to maximize opportunities for shared circulation, parking, loading, pedestrian walkways, plazas, recreation areas and day and night security;
- I. Vehicle circulation and parking shall be designed to:
 - 1. Clearly identify major access drives and avoid larger parking areas, and double loaded parking along such major access drives;
 - 2. Provide for shared parking between compatible uses;
 - 3. Driveways and parking areas shall be designed to allow for the encouragement of joint access and internal traffic flow between sites;
 - 4. Provide adequate landscape islands to visually buffer and define parking spaces as shown on city drawing 17.50.070-A, Minimum Parking Standards, on file in the office of the city clerk/treasurer.
- J. Landscaping and pedestrian amenities should be designed by a professional and shall include scaled drawings showing:
 - 1. High image materials to highlight public access points into buildings;
 - 2. Include benches, lighting and occasional waste receptacles in entrance courtyards and along pedestrian walkways or malls;
 - 3. Landscape buffers shall be required to buffer view and noise between adjacent uses and adjacent roadways. This area shall consist of landscape materials including trees, shrubs, berms, walls or fences. Consistent use of large trees and mixed vegetation screening will be encouraged. Where feasible, interconnecting pedestrian pathways will be required;
 - 4. Provide adequate appropriately scaled plant species to complement the scale of buildings within the development such as small scale ornamentals and small scale trees adjoining recreational residential developments and large scale trees in larger commercial or limited manufacturing developments, as well as adjacent to SR 14;
 - 5. All required landscape as shown on the site plan for the project shall be perpetually maintained in a healthy condition, free of refuse and debris. All plantings shall be maintained so as not to obscure the vision of traffic.
- K. Site plans shall be reviewed for consistency with the overall development plan for the property, if applicable.
- L. Site plans shall be reviewed in light of the limited access available to the Columbia River for public recreation and enjoyment, as well as any environmental impact of the development.

17.50.080 Off-street parking.

Off-street parking shall be provided in accordance with Chapter 17.72.

17.50.090 Utility requirements.

In the RD district, all new structures shall be serviced by underground utilities.

17.50.100 Signs.

Signs shall comply with the city sign ordinance as codified in Chapter 15.12 of this code.

Chapter 17.64 ACCESSORY DWELLING UNITS

17.64.010 Purpose.

- A. Provide homeowners with a means of obtaining through tenants in either the ADU or principal unit, rental income, companionship, security, and services.
- B. Add affordability options to the existing housing base.
- C. Allow for development of housing units in residential zoning districts that are appropriate for people at a variety of life stages.
- D. Protect neighborhood stability, property values, and the residential appearance of the community by ensuring ADUs are installed under conditions of this ordinance.

17.64.020 Location.

The accessory dwelling unit (ADU) overlay shall apply to all residential zoning districts. **An ADU may be allowed where an existing structure is non-conforming.**

17.64.030 Design standards.

- A. Configuration. An ADU may be located either within, attached to, or detached from the primary structure.
- B. Density. **Only one ADU Up to three ADUs** may be created in conjunction with each single-family residence, **as follows: Up to two ADUs in RL, R1 and R2, and up to three in R3. In the C district, up to three ADUs may be created if not facing a commercial street.**
- C. Minimum lot size. An ADU shall not be established on any parcel smaller than ~~four thousand five hundred~~ **two thousand** square feet. Note: site size and configuration must accommodate all parking and other development standards in addition to meeting the minimum lot size requirement.
- D. Maximum unit size. The gross floor area, calculated from finished wall to finished wall, of ~~an~~ existing structures, ~~an~~ additions, or new detached structures, converted to, or constructed for the purpose of creating ~~an~~ ADUs shall not exceed **fifty one hundred** percent of the gross floor area of the primary single family structure, not including garage and/or detached accessory buildings. A maximum of two bedrooms may be provided in an ADU. If the accessory unit is completely located on a single floor, the planning administrator may allow increased size in order to efficiently use all floor area, so long as all other standards set forth in this section are met.
- E. Minimum unit size. The gross floor area of an ADU shall not be less than ~~three two~~ **three two** hundred square feet even if this exceeds the maximum requirement in [subsection] (D) above, or as otherwise established by the requirements of the city Adopted Building Code.
- F. Setbacks and lot coverage. Additions to existing structures, or the construction of new detached structures, associated with the establishment of an ADU shall not exceed the allowable lot coverage or encroach into required setbacks as prescribed in the underlying zone. The applicable setbacks shall be the same as those prescribed for the primary structure, not those prescribed for detached accessory structures unless a variance is requested and approved. The ADU shall be oriented in a way that considers and maintains the privacy of residents in adjacent or adjoining dwellings to a practical extent.
- G. Scale and visual subordination. The development of the parcel will maintain the character and appearance of a single family residential use. New detached structures, or additions to existing structures, created for the purpose of establishing ADU, shall not comprise more than ~~forty sixty~~ **forty sixty** percent of the total front elevation of visible structure, including the combined ADU and primary unit. This standard does not apply for internal conversions of existing structures.
- H. Parking. Additional on-site parking of one space is required in conjunction with the establishment of an ADU **in RL, R-1 and R-2 zones. One-half space is required per ADU in R-3 and C zones, but a minimum of one space is required. having a single bedroom. Two on site parking spaces are required in conjunction**

~~with the establishment of an ADU having two bedrooms.~~ The off-street parking requirements set forth in Chapter 17.72 shall be maintained for the primary residence. Spaces provided to serve the ADU shall be dedicated to that purpose and must be kept open and available for use by residents and guests of the ADU. Assigned parking in remote lots, including approved joint use parking under binding agreements, may be substituted for the required off-street parking if they are within 200 feet of the subject property.

- I. Access. The driveway serving the ADU shall be the same driveway serving the principal dwelling unless special approval is granted by planning commission based on findings that a separate driveway to the ADU can be accommodated while maintaining consistency with the intent of this section and all other review criteria.
- J. ~~Design and appearance. An ADU, either attached or detached, shall be consistent in design and appearance with the primary structure. Specifically, the roof pitch, siding materials, color and window treatment of the ADU shall be the same as the primary structure.~~
- K. ~~J.~~ Construction standards. The design and construction of the ADU shall conform to all applicable standards in the building, plumbing, electrical, mechanical, fire, health and any other applicable codes.
- L. ~~K.~~ Accessibility. To encourage the development of housing units for people with disabilities, the building official may allow reasonable deviation from the stated requirements to install features that facilitate accessibility. Such facilities shall be in conformance with the International Building Code.

~~17.64.040 Review process for ADUs.~~

- A. ~~Approval to construct and operate an ADU shall be requested with submittal of a site plan and conditional use permit application.~~
- B. ~~Building permits are required for ADUs. The applicant will be required to demonstrate compliance with the above standards prior to receiving land use approval on a building permit.~~
- C. ~~A letter of application must be received from the owner(s) stating that the owner(s) shall occupy one of the dwelling units on the premises, except for bona fide temporary absences, not to exceed six months of any calendar year and that at no time will they receive rent for the owner occupied unit.~~
- D. ~~A notarized acknowledgement signed by the owners, acknowledging the requirements for creating and maintaining an ADU in conjunction with the primary dwelling on the owner's parcel, shall be recorded with the county so that it is a matter of public record and will come to the attention of any future owners.~~
- E. ~~An ADU may be cancelled by the owner filing a notarized certificate with the city for recording with the county making the termination of the ADU a matter of public record. Cancellation of an ADU may also result from enforcement action if land use approval for the ADU is withdrawn.~~

Chapter 17.68 DESIGN AND USE STANDARDS

17.68.010 Purpose and applicability.

Provisions of this chapter are of general application to all districts unless otherwise noted. It is the intent of this title to provide standards sufficient to afford continuing protection to property and yet be adaptable enough to avoid unnecessary hardship or interfere with growth and natural change. Accordingly, supplementary provisions are also necessary to govern specific deviations from general rules. Those special deviations are to be contrasted with the grant of variance, which requires discretionary action by the board of adjustment where standards cannot be completely defined.

17.68.020 Lots—Reduction limitations.

No property may be so reduced in area that it would be in violation of minimum lot size, yard provisions, lot coverage, off-street parking, or any other requirements of the district or use.

17.68.030 Lots—Use when below minimum size.

Buildings or structures may be erected, moved or structurally altered on property which is less than the minimum lot area or dimensions for the district in which it is located, provided such property existed by title in its present form and size before August 19, 1992, the date of adoption of the ordinance codified in this title. In such cases, documentary proof of the fact and date of acquisition shall be submitted by the person claiming benefits from this cause. This section shall not waive other minimum requirements of this title.

17.68.040 Front yards—Use restrictions.

Where any front yard is required, no building shall be thereafter erected or altered so that any portion thereof shall be nearer the front property line than the distance indicated by the depth of the required front yard.

17.68.050 Front yards—Projection of steps, fences and other structures.

Steps, terraces, platforms, porches, ~~fences~~ and similar projections ~~having no roof covering and being not over forty-two inches high~~ may be built within a front yard, but in no case shall such projections cause a front yard to be less than ~~ten~~ four feet from the face of the projection to the property line. ~~No accessory buildings are permitted in the front yard.~~ Fences up to forty-two inches high are allowed on the front property line.

17.68.060 Side yards—Use restrictions.

Where any specified side yard is required, no building shall be hereafter erected or altered so that any portion thereof shall be nearer to the side lot line than the distance indicated by the width of the required side yard.

17.68.070 Side yards—Projection limitations.

Eaves, cornices, chimneys and similar projections may extend over the required side yard for a distance of not more than two feet.

17.68.080 Rear yards—Projection limitations.

Eaves, cornices, steps, platforms, rear porches and similar projections, whether enclosed or not, but not ~~exceeding in width one-half that of the building, nor~~ more than one story in height, may extend into the rear yard setback up to three feet from the rear lot line, not more than twenty percent of the distance from the exterior wall of the structure to the rear property line. Accessory buildings may occupy the rear yard and shall be located a minimum of five feet from rear lot lines unless otherwise required to meet the setbacks applicable to the principal structure. ADUs may be located a minimum of three feet from the rear lot line when the rear lot line adjoins an alley.

17.68.090 Corner lots and corner visibility.

No sight-obscuring structures or plantings exceeding thirty inches in height shall be located within a twenty-five-foot radius of the lot corner nearest the intersection of two public, county or state roads, or from the intersection of a private driveway or road easement and a public, county or state road. Trees located within twenty feet of any such intersection shall be maintained to allow ten feet of vision clearance below the lowest hanging branches.

17.68.100 Irregularly shaped lots.

On irregular-shaped lots, the average distance from the building line to the lot line shall be not less than the minimum yard provision; provided, however, that no part of the structure shall be located so that less than one-half the minimum yard provisions occurs at any point along such averaged alignment.

17.68.105 Underground utilities exception.

Underground utilities are provided as required in all zoning districts, including electricity, communications and street lighting; however, there are situations where topography, soil or other conditions make underground installation impracticable. Upon written evidence provided by the supplier of such utilities, the city council may waive the requirement for underground utilities in such instances.

(Ord. No. 2012-11-905, 11-26-2012)

17.68.120 Professional offices and clinics.

Professional offices and clinics, when permitted subject to conditional use review in districts more restrictive than the C1 district, shall meet the following requirements:

- A. Lot Area. Minimum lot area shall be ten thousand square feet.
- B. Off-Street Parking. Off-street parking shall be required in accordance with Chapter 17.72.
- C. Architecture and Landscaping. Buildings, structures and landscaping shall harmonize with the buildings in the vicinity.

17.68.130 Manufactured home siting standards.

Only those manufactured homes used as residences on individual lots which meet the following criteria are permitted:

- A. The manufactured home must be a "new manufactured home" as defined by Section 17.08.320 of this chapter;
- ~~B. The manufactured home shall have three of the following elements: garage or carport; covered porch or entry; gables; bay windows; window shutters; dormers; eaves with a minimum projections of six inches.~~
- ~~C. The home shall have a roof pitch of at least 3:12;~~
- ~~D.~~ B. The manufactured home shall be pit-installed or backfilled so that no more than twelve inches of enclosing material is exposed above average grade on or along the street side. The enclosing material shall meet all current UBC requirements for such use. The twelve-inch limitation shall not apply if the home is installed on a basement or other foundation constructed in accordance with current UBC requirements;
- ~~E.~~ C. The manufactured home shall be attached to a permanent foundation, as specified by the manufacturer. Foundations, tie-downs or other supports shall be provided to withstand the specified horizontal, uplift and overturning wind forces on a manufactured home, based upon accepted engineering design standards, as approved by Washington State and the local building official;
- ~~F.~~ D. The manufactured home shall be certified by the manufacturer to have an exterior thermal envelope meeting performance standards that will reduce heat loss to levels equivalent to the heat loss performance standards required of single-family dwellings constructed under the current Washington State Energy Code;
- ~~G.~~ E. Require title elimination (WAC Chapter 308-56A and WAC 65.20.040) within one year of home installation if the property is owned by the manufactured home owner;
- ~~H.~~ F. The unit must be installed on the site in accordance with the state installation code (WAC 296-150B);
- ~~I.~~ G. Include a finished porch or deck for each entrance door.

17.68.140 New structures to be serviced by underground utilities—New utilities to be underground.

- A. All new structures built within the city after the effective date of the ordinance codified in this section shall be served by underground utilities.
- B. All new utilities installed within the city after the effective date of the ordinance codified in this section shall be underground.

17.68.150 ~~Town~~ Rowhouse siting standards.

- A. Each ~~townhouse~~ rowhouse in ~~the townhouse a~~ project shall have a minimum width of ~~twenty twelve~~ feet.
- B. Access:
 - 1. A common access drive at least sixteen feet wide with a minimum of twelve feet of paved area with one-foot minimum shoulders on either side;
 - 2. No parking in common access drives. Parking in designated parking areas only;
 - 3. A common access for parking is allowed and may take the form of an easement as long as a maintenance agreement is approved by the city engineer and recorded with the plat;
 - 4. Where access is provided directly from a street, each ~~townhouse~~ building shall be required to share only one curb cut unless the city determines that driveway spacing requirements can better be met by separating the access points.
- C. Projects providing more than three ~~townhouse~~ units shall provide off street parking at the ratio of 2.5 spaces per unit to help accommodate guests and additional vehicles;
- D. A preliminary plat shall be submitted and approved prior to issuing the building permit;
- E. A post construction survey shall be submitted prior to approval of the final plat. Said survey shall be certified by a surveyor licensed in the state of Washington and shall show all setbacks including common wall location. Each division shall conform to Title 16 of this code;
- F. If a ~~townhouse~~ rowhouse is destroyed in any manner, it shall be replaced in compliance with the ~~townhouse~~ rowhouse criteria or the tax lots/parcels shall be legally combined to create a ~~minimum five thousand square foot parcel or to the size of the parcel prior to the townhouse project.~~ conforming lot.
- G. Project Design:
 - 1. ~~Buildings shall conform to approved design standards for rowhome design, if any. Buildings should be articulated to provide identity for individual units and buildings shall meet stepped height limits. Maximum height twenty five feet within ten feet of side property. Maximum height is twenty eight feet beyond the first ten feet off the property line.~~
 - 2. ~~Townhouse developments must incorporate design features to reduce the appearance of building mass and bulk.~~
 - 3. ~~Building facades shall use offsets and step backs, the facade shall be broken up by design elements that may include but are not necessarily limited to gables, building projections and articulation.~~
 - 4. ~~Projecting eaves and roof gables shall extend beyond the main facade to increase building articulation (two feet minimum recommended).~~
 - 5. ~~Architectural features such as bay windows, chimneys and porches are encouraged to provide human scale and to break up building mass and bulk.~~
 - 6. ~~Dwelling entries such as stoops and porches shall be the predominant facade feature and should have a floor dimension that encourages outdoor seating and use. Raised porches are encouraged.~~
 - 7. ~~Building materials shall be of a high quality and compatible with surrounding residential structures. Colors and materials shall be coordinated in an aesthetic manner that responds well to the form of the entire building or project and to perpetuate a residential feel.~~

H. Front Door Landscaping:

1. A minimum of ten feet of landscaping shall be provided in the yard area between the front elevation of each unit and the common access drive or public street, as measured from the edge of pavement or sidewalk. If the units are accessed by private drive and "turn their backs" on the public street the same landscaping requirement must be met in the yard area between the rear elevation of each unit and the public street.
2. Paths or walkways to individual front doors and utility easements may occur in this area, but only if the dominant amount of the area remains available to support significant landscaping.
3. At least one tree per unit front must be provided. Entry stoops, porches or architectural elements are encouraged and may encroach into this yard area up to two feet.

I. Garage Designs:

- ~~1. All garage structures must be consistent and compatible with the architecture and materials of the townhouses.~~
- ~~2.~~ 1. Garages may be detached, attached or located underneath the units and shall be situated to provide for open landscaped areas and reduced paving.
- ~~3.~~ 2. Garage doors shall have some design details, including split panels, trim details and windows. Paired, single-car garage doors are encouraged over large double doors for two car garages.

J. Adequate Storage and Mechanical Equipment:

1. Each unit shall have at least eighty square feet of enclosed storage area (typically, in the garage area and in addition to area dedicated to parking requirements) so that residents will have some place to store bulky personal effects (such as recreational equipment) allowing, garage space to remain available for parking.
2. Conditions of approval and possible application of CC&Rs for ~~townhouse~~ rowhouse projects shall continue to prohibit conversion of garage parking into storage space.
3. Exterior mechanical equipment such as heat pumps, shall be located to minimize visual impact and where visible from front doors of units or the public street shall be screened from view.

17.68.170 Fire safety standards.

- A. Development shall be set back at least fifty feet from the top of major slopes greater than thirty percent or thirty feet from the top of grade if the following is done:
 - a. Limit extensions of decks and eaves toward the slope unless fire resistant or noncombustible materials are used.
 - b. Decking areas screened or enclosed.
 - c. Enclose soffits.
- B. Yard areas shall be maintained free of refuse and dead or dying vegetation contributing to fire fuel loads as much as possible. Clear clean areas shall be maintained, free of fire fuel loads, under decks and large extended eaves.
- C. Following steps are necessary and strongly recommended to further minimize fire fuel loading.
 - a. Plant fire resistant domestic plantings - (SEE Pacific NW Extension Service publication "Fire Resistant Plants for Home Landscapes " - firefree.org and DNR recreation education homeowners page for information free video or brochure about the importance of fire-safe landscaping.)
 - b. Trees are encouraged to provide shade and ground cooling.
 - c. Trees should be grouped with spaces to provide breaks in canopy area.
 - d. Trees should be kept in healthy condition, limbed up, and free from dead and dry woody debris.

- e. Understory vegetation should be minimized under tree canopies. Understory plantings extending under tree canopies should use lower vegetation less likely to provide ladder fuel to carry a ground fire into the tree canopy.
- D. Fire resistant building materials shall be used when possible to do so:
- a. Fire resistant roofing installed to the manufacturers specification and rated by Underwriter's Laboratory as Class A, B, or its equivalent (includes but not limited to: slate, ceramic tile, composition shingles, and metal).
 - b. All structural projections such as balconies, decks and roof gables built with fire resistant materials equivalent to that specified in the International Building Code.
 - c. All chimneys and stove pipes be capped with spark arresters meeting NFPA standards, e.g., constructed of 12 USA gauge wire mesh with openings one-half inches in size.
 - d. Screens of noncombustible corrosion resistant mesh screening material with openings one-fourth inches or less in size employed on roof and foundation vents to keep sparks and embers out.
 - e. Screen under decks less than three feet in height with noncombustible corrosion resistant mesh screening material with openings one-fourth inches or less in size to keep fuel loads from accumulating in low areas difficult to clear and maintain.
 - f. Maintain clear area along any overhead utility lines.
- E. A clear emergency access route to all the dwelling and any occupied accessory structures is required. Access to other developed portions of the site should be maintained:
- a. Twelve to sixteen feet driving surface with fourteen to sixteen feet horizontal clearance (free of branches, fences, and other structures...) and fourteen feet of vertical clearance are required to ensure free passage of emergency response vehicles.
 - b. If your driveway is longer than one hundred fifty feet a turnaround meeting fire code is required to preclude the need to back emergency response vehicles out in an emergency situation. This requirement will only be modified with review and agreement of the fire chief or the chief's designee.

17.68.180 Maximum lot coverage.

- ~~A. **Lot Coverage: The percentage determined by dividing (a) the area of a lot covered by the total (in square feet) of: (1) the footprint of the main building; and (2) the footprints of accessory buildings (counting only buildings with footprints larger than one hundred fifty square feet, or with two stories or more); and (3) parking pads, driveways, and other impervious surfaces such as sport courts etc.; by (b) the gross area of the [that] lot.**~~
- ~~B. **Maximum Allowable Coverage: Maximum lot coverage applies to any new development or expansion of existing development in the city. New development and expansions to existing development must comply with maximum lot coverage standards in Table 17.01 except as provided below:**~~
- ~~1. **When a detached garage is provided in the rear yard, of a residential dwelling the maximum lot coverage may be increased as shown in the table below.**~~
 - ~~2. **When a porch is attached to the front elevation of the residential dwelling and has an area of at least sixty square feet on the front of the building (exclusive of any wrap-around or side porch), the maximum coverage may be increased as shown in the table below.**~~
 - ~~3. **When a storm water management plan, prepared by a qualified professional, is provided documenting that all storm water resulting from new development or expansion of existing development can be sufficiently accommodated on site, the lot coverage can be exceeded within the limits of setback requirements if the plan is reviewed and accepted by the city.**~~

**TABLE 17.01
Maximum Allowable Lot Coverage by Zone**

ZONE:	Residential Zones	Commercial, Mixed Use Zones
<u>Max Lot Coverage</u>	<u>50%</u>	<u>60%</u>
<u>Max Lot Coverage w/ front porch</u>	<u>55%</u>	<u>-na-</u>
<u>Max Lot Coverage w/ rear garage</u>	<u>55%</u>	<u>-na-</u>
<u>Max Lot Coverage w/front porch AND rear garage</u>	<u>58%</u>	<u>-na-</u>

- ~~4. Existing main and accessory structures that are not in conformance with these coverage requirements prior to adoption of this regulation, are permitted to be rebuilt within the building footprint as it existed at the date of adoption (, 2012), if the structures are damaged or partially destroyed by fire, wind, earthquake or other force majeure and if construction commences within two years from the date of the calamity.~~
- ~~5. Multi family dwellings, subject to site plan review, are exempt from the lot coverage requirements and are required to demonstrate adequate capacity to accommodate storm water, on site circulation, etc. through the required site plan review process.~~

17.68.190 Signs and lighting also regulated.

Sign standards and requirements are addressed in Chapter 15.12 of Title 15 of the White Salmon Municipal Code. Lighting standards and requirements are addressed in Chapter 8.40 of Title 8 of the White Salmon Municipal Code. Any of the applicable standards from either of these chapters may be incorporated into any land use decision made under this title.

(Ord. No. 2012-11-905, 11-26-2012)

Chapter 17.72 OFF-STREET PARKING AND LOADING

17.72.010 Standards generally.

It is the intent of this chapter to allow for parking and loading standards.

17.72.020 Purpose of provisions.

The provision of off-street parking and loading space in accordance with the needs and requirements of particular property use is a necessary public policy in the interest of traffic safety, minimizing congestion, and to provide harmonious development.

17.72.030 New uses—Minimum requirements.

New uses in all districts shall meet the minimum standards of this title.

17.72.040 Parking spaces—Size and access.

- A. Each off-street parking space shall have a net area of not less than one hundred sixty square feet, exclusive of access drives or aisles, and shall be of usable space and condition. If determined on a gross-area basis, three hundred square feet shall be allowed per vehicle.
- B. If the required parking space for a one-family or two-family dwelling is not provided in a covered garage, then such space shall not be less than two hundred square feet, and shall be so located and/or constructed that it may later be covered by a garage in accordance with the provisions of this title and the city building code.

17.72.050 Parking spaces—Location.

Off-street facilities shall be located as hereinafter specified. Where a distance is specified, such distance shall be the maximum walking distance, measured from the nearest point of the parking facility to the nearest point of the building that such facility is required to serve.

- A. For one-family and two-family dwellings: on the home lot with the building they are required to serve;
- B. For multiple dwellings: one hundred fifty feet;
- C. For hospitals, sanitariums, homes for the aged, asylums, orphanages, club rooms, fraternity and sorority houses, as approved by city council.
- D. **For residential units in all zones except R-L, assigned parking in remote lots may be substituted for the required off-street parking if they are located within 200 feet of the subject property, and a binding agreement is furnished to the City for review and approval under 17.72.070.**

17.72.060 Parking spaces—Expanded or enlarged uses.

Whenever any building is enlarged in height or in ground coverage, off-street parking shall be provided for expansion or enlargement, in accordance with the requirements of the schedule set out in Section 17.72.090; provided, however, that no parking space need be provided in the case of enlargement or expansion where the number of parking spaces required for such expansion or enlargement since the effective date of the ordinance codified in this title is less than ten percent of the parking space specified in the schedule for the building. Nothing in this provision shall be construed to require off-street parking spaces for the portion of such building existing as of September 12, 1973.

17.72.070 Joint use—Authorized when.

The ~~board of adjustment~~ City may authorize the joint use of parking facilities for the following uses or activities under the conditions specified:

- A. Up to fifty percent of the parking facilities required by this chapter for a theater, bowling alley, dancehall, restaurant, or other similar uses, may be supplied by the off-street parking provided by other "daytime" types of uses;
- B. Up to fifty percent of the off-street parking facilities required by this chapter for any "daytime" buildings or uses may be supplied by the parking facilities provided by uses herein referred to as "nighttime" uses;
- C. Up to one hundred percent of the parking facilities required by this chapter for a church or auditorium incidental to a public or parochial school may be supplied by the off-street parking facilities serving primarily "daytime" uses.
- D. **Up to one hundred percent of the parking facilities required for residential uses in all zones except R-L, when the joint use facility serves primarily "daytime" uses.**
- ~~D.~~ **E.** If the required amount of off-street parking has been proposed to be provided off-site, the applicant shall provide written contracts with affected landowners showing that required off-street parking is and will continue to be provided in a manner consistent with the provisions of this chapter. The contracts shall be reviewed by the city for compliance with this chapter, and if approved, the contracts shall be recorded with the county records and elections division as a deed restriction on the title to all applicable properties. These deed restrictions may not be revoked or modified without authorization by the city.

17.72.080 Joint use—Location and other conditions.

- A. The building or use for which application is being made to utilize the off-street parking facilities provided by another building or use shall be demonstrated to the city to be within suitable walking distance for the nature of the use being served.
- B. The applicant shall show that there is no substantial conflict in the principal operating hours of the two buildings or uses for which joint use of off-street parking facilities is proposed.

17.72.090 Number of spaces for designated uses.

The following table sets out minimum standards for parking spaces:


Use	Spaces Required
Residential structures	2 for each dwelling unit unless otherwise specified; <u>1 for each ADU unless otherwise specified</u>
Auto courts, motels	1 for each sleeping unit
Hospitals and institutions	1 for each 4 beds
Theaters	1 for each 4 seats except 1 for each 8 seats in excess of 800 seats
Churches, auditoriums and similar open assembly	1 for each 50 square feet of floor area for assembly not containing fixed seats
Stadiums, sports arenas, and similar open assembly	1 for each 6 seats and/or 1 for each 100 square feet of assembly space without fixed seats
Dancehalls	1 for each 50 square feet of gross floor area
Bowling alleys	6 for each alley
Medical and dental clinics	1 for each 150 square feet of gross floor area
Banks, business and professional offices with on-site customer service	1 for each 400 square feet of gross floor area
Offices not providing customer services on premises	1 for each 4 employees or 1 for each 800 square feet of gross floor area
Warehouse, storage and wholesale business	1 for each 2 employees
Food and beverage places with sale and consumption on premises	1 for each 200 square feet of gross floor area
Furniture, appliance, hardware, clothing, shoe, personal service stores	1 for each 600 square feet of gross floor area
Other retail stores	1 for each 300 square feet of floor area, or at a ratio of 1 inside to 1 outside
Manufacturing uses, research, testing, assembly, all industries	1 for each 2 employees on the maximum working shift and not less than 1 for each 800 square feet of gross floor area
Uses not specified	Determined by planning commission

SECTION 2. Severability / Validity. The provisions of this ordinance are declared separate and severable. If any section, paragraph, subsection, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this ordinance.


SECTION 3. Effective Date. This ordinance shall take effect and be in force five (5) days after its approval, passage and publication as required by law.

SECTION 4: Transmittal to the State. Pursuant to RCW 36.70A.106, a complete and accurate copy of this ordinance shall be transmitted to the Department of Commerce within ten (10) days of adoption.


PASSED this 20th day of December by the City Council of the City of White Salmon, Washington.

DocuSigned by:

361DCEFE8E04421...
Marla Keethler, Mayor

ATTEST:

DocuSigned by:

F5160DB6A85C4B3...
Stephanie Porter, Clerk Treasurer

APPROVED AS TO FORM:

DocuSigned by:

8D43A75E83504E9...
Shawn MacPherson, City Attorney