

**CITY OF WEST RICHLAND
ORDINANCE NO. 23-20**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST RICHLAND,
WASHINGTON, AMENDING TITLE 17 OF THE WEST RICHLAND MUNICIPAL
CODE, TO ALLOW WAREHOUSING AS A CONDITIONAL USE IN THE
COMMERCIAL LIMITED USE DISTRICT**

WHEREAS, the City would like to facilitate economic development of properties; and

WHEREAS, warehousing in limited size provides a needed industry and service in the community; and

WHEREAS, on June 1, 2020, the City's Community Development Department issued a State Environmental Policy Act (SEPA) threshold determination of DNS (Determination of Non-significance) on the proposed changes; and

WHEREAS, on June 11, 2020 the Planning Commission held a duly noticed public hearing to receive public testimony on the proposed changes; and

WHEREAS, on June 11, 2020, the Planning Commission voted unanimously to support the staff's recommended findings, conclusions, and recommendations on the proposed amendment and recommend approval of the zoning code amendment; and

WHEREAS, the City Council reviewed the proposed amendments in a duly noticed public hearing on July 7, 2020; and

WHEREAS, all parties wishing to comment on the proposed amendments were given an opportunity to do such;

WHEREAS, on July 21, 2020, the City Council voted to adopt the zoning code amendments; and

WHEREAS, the City Council finds it prudent and in the public interest to adopt the proposed amendments by ordinance;

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF WEST RICHLAND,
WASHINGTON, does hereby ordain as follows:**

SECTION 1: That West Richland Municipal Code section 17.46.050 "Conditional Uses", is hereby amended to read as follows:

"17.46.050 Conditional uses.

The following uses are permitted in the C-L district, subject to review in accordance with Chapter 17.66 WRMC and other applicable provisions of this code, and the issuance of a conditional use permit:

- A. Outdoor display in excess of 25 percent of the primary building footprint;
- B. Restaurants, service stations, or convenience stores laid out, equipped or constructed as to allow, enable, or permit:
 - 1. Patrons to be served or accommodated in their vehicle; or
 - 2. The consumption of food, drink or refreshments by patrons while in their vehicles; or
 - 3. The consumption or sales of alcoholic beverages or other alcoholic refreshments;
- C. Garage, filling station or service stations, or any sales of gasoline; provided they meet all requirements of Chapter 17.54 WRMC;
- D. Car washes, automatic, full-service, and self-service;
- E. Hotels and motels;
- F. Garden nurseries and landscape garden centers with storage area for equipment and materials;
- G. Movie theaters;
- H. Undertaking establishments;
- I. Residential use secondary to a business enterprise provided:
 - 1. Dwelling units are constructed in compliance with the Uniform Fire Code and Uniform Building Code and all applicable laws and ordinances;
 - 2. Shall be within the same building as the principal use and not less than 750 square feet per unit;
 - 3. If the dwelling units are located on the ground floor, the dwelling units shall not exceed 40 percent of the gross floor area of the structure and shall have bathroom and kitchen facilities separate from the businesses;
 - 4. Dwelling located on the second floor or above, the dwelling units must meet the building and fire code requirements for combined use structures;
- J. Art studios;
- K. Public or private nursery schools;
- L. Public or private museums and libraries;
- M. Adult use business; provided they comply with all of the conditions set forth in WRMC 17.54.450;
- N. On-site hazardous waste treatment and storage facilities as a subordinate use to a permitted or other conditional use; provided, that such facilities comply with the Washington State criteria adopted in accordance with Chapter 70.105 RCW;
- O. Processing or handling of hazardous substances; provided, that such facilities comply with the Washington State criteria adopted in accordance with Chapter 70.105 RCW;
- P. Major utility facilities, subject to WRMC 17.54.452;

Q. Family day care home, when within a residential use secondary to a business enterprise (subsection I of this section);

R. Wireless communication facilities subject to Chapter 17.16 WRMC.

S. Warehousing up to 2,000 square foot building subject to the following:

1. Bay doors shall face way from the public street and must be visibly screened with 10-foot wide dense vegetated buffer or brick wall from any public right-of-way.
2. The building design must be commercial in nature and visually aesthetic."

Section 3. Corrections by City Clerk or Code Reviser. Upon approval of the City Attorney, the City Clerk and the Code Reviser are authorized to make the necessary corrections to this ordinance, including the correction of clerical errors; ordinance, section, or subsection numbering; or references to other local, state, or federal laws, codes, rules, or regulations.

Section 4. 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 5. Effective Date. This ordinance shall be in full force and effect five (5) days from and after its passage, approval and publication, as provided by law.

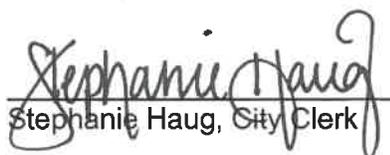
Section 6. Transmittal to State. Pursuant to RCW 36.70A.106, a complete and accurate copy of this ordinance shall be transmitted to the Department of Commerce within ten (10) days of adoption.

**PASSED BY THE CITY COUNCIL OF THE CITY OF WEST RICHLAND,
WASHINGTON, this 21st day of July, 2020.**



Brent Gerry, Mayor

ATTEST:



Stephanie Haug, City Clerk

APPROVED AS TO FORM:



Bronson Brown, City Attorney