

ORDINANCE 2023-1083
AN ORDINANCE OF THE CITY OF WAITSBURG, WASHINGTON, AMENDING
SECTIONS OF CHAPTER 1L OF TITLE 10 OF THE WAITSBURG MUNICIPAL
CODE RELATING TO THE C1 COMMERCIAL ZONE

Section I. Amendment. The following provisions of Chapter 1 of Title 7 of the Waitsburg Municipal Code shall be amended as follows (with **bolded language** being added and ~~stricken language~~ being deleted):

Chapter 10.1L. - Central Commercial (C-1) Zone

Sections:

10.1L.010	Description
10.1L.020	Permitted Primary Uses
10.1L.030	Permitted Accessory Uses
10.1L.040	Conditional Uses
10.1L.050	Site (Lot) Area and Frontage
10.1L.060	Yards and Site Coverage
10.1L.070	Height Limits
10.1L.080	Off-Street Parking and Loading
10.1L.090	Flood Plain Construction
10.1L.100	Performance Standards

Description

Permitted Primary Uses Permitted Accessory Uses Conditional Uses
Site (Lot) Area and Frontage Yards and Site Coverage Height Limits
Off-Street Parking and Loading Flood Plain Construction Commercial Street Lighting

10.1L.010. Description. The Central Commercial (C-1) Zone is intended to encourage and accommodate the development and preservation of a viable central business **district oriented towards generating high pedestrian activity**. This zone requires that any commercial activity ~~must~~ comply with ~~any and~~ all state and local codes. ~~The Zone includes~~ Main Street and ~~the~~ first block of 2nd and Preston Ave.

10.1L.020. Permitted Primary Uses. No building, structure, or land shall be used, and no building, structure, or in the Central Commercial (C-1) Zone shall be erected, structurally altered, enlarged, or use established, except for the following permitted uses:

A. Commercial Uses:

1. Bakeries;
2. Banks and other financial services;
3. Business and professional offices, including governmental, ~~offices and~~ medical, and dental ~~offices~~;
4. Clothing and clothing accessory retail sales;
5. Restaurants, ~~delicatessens, and~~ meat markets, and similar uses;
6. Drug stores and pharmacies;
7. Dry cleaning and laundry establishments;
8. Florist and plant shops;
9. Food stores and markets;
10. Furniture and ~~other~~ home accessory sales ~~such as carpets, drapes, and paint~~;
11. General merchandise and other retail sales;
12. Hardware stores;

- 13. Hotels;
- ~~14. Lock and key services;~~
- ~~16~~ 14. Personal services, including barber and beauty shops;
- ~~17.~~15. Pet shops, including grooming services;
- ~~18.~~16. Photographic services, including portrait studios;
- ~~19.~~ 17. Printing and publishing services;
- ~~20.~~ 18. Electronic services;
- ~~21.~~ 19. Shoe repair and clothing alterations shops;
- ~~22.~~ 20. Breweries, distilleries, and tasting rooms or similar operations
- 23. 21. Art galleries, **including workspaces for framing and content creation**
- ~~24.~~ 22. Other uses that the Planning Commission, determines to be similar in nature, function, and operation to permitted primary uses in the C-1 Zone not defined in this section will be processed in accordance with the conditional process below.

B. Noncommercial Uses

- 1. Multi-family or single-family residential uses above a ground floor commercial occupancy; ground level occupancy **is** allowed in the rear of the property, subject to a conditional use permit **that imposes reasonable limitations as to size, location, design, or other relevant factors meant to prevent the proposed occupancy from negatively impacting the commercial use and space.**
- 2. Churches, synagogues, temples, and houses of worship;
- 3. Fraternal or philanthropic lodges and institutions; and
- ~~4. Public and utility uses.~~

Section 10.1L.030. Permitted Accessory Uses. The following accessory uses shall be permitted in the Central Commercial (C-1) Zone:

- A. An on-site residence for security persons, caretakers, custodians, or officials of a church or other house of worship employed or otherwise retained by the primary use.
- B. Parking in conformance with the provisions set forth in WMC Chapter 10.1U,
- C. Signs in conformance with the provisions set forth in WMC Chapter 10.1V.
- D. Fence construction must follow the requirements outlined in 10.1K.065, except where a specific alternate standard is set forth in this chapter.

Section 10.1L.040. Conditional Uses. The following uses may be permitted in the Central Commercial (C-1) Zone, subject to the approval of a Conditional Use Permit in compliance with the conditions and requirements set forth in WMC Chapter 10.1I:

- A. Convalescent homes, ~~sanitariums~~, or retirement homes;
- B. Day care, nursery school, or preschool facilities and services;
- C. Elementary and secondary schools, public or private;
- E. Funeral homes, mortuaries, and crematories.
- F. Pawn shops;
- G. Service stations;
- H. Theaters, dance halls, skating rinks, bowling alleys, arcades, and other commercial amusement places; and
- I. Veterinary offices, including hospitalization and boarding services.
- j. Other uses ~~which~~ the Planning Commission, determines to be similar in nature, function, and operation not captured in primary or alternative uses.

10.1L.050. Site (Lot) Area and Frontage. The following site size and street frontage standards shall apply to all uses in the Central Commercial (C-1) Zone:

- A. The required minimum ~~lot~~ area for new platted lots shall be 3,000 square feet.
- B. Each new platted lot or parcel shall have a minimum width at the building line of 30 feet.

10.1L.060. Yards and Site Coverage. The following yard (setback) and site coverage standards shall be observed by all uses in the Central Commercial (C-1) Zone:

A. Street Frontage Yard. There shall be a 10-foot minimum setback from any street, fronting or flanking, except at intersecting streets where the “clear view triangle” provisions contained in Section 10.1K.060 of WMC Chapter 10.1K shall apply for purposes of sidewalk construction and connectivity with the current City sidewalk system.

1. Fences with a maximum height of 72 inches may only be located on the front property line when the property is adjacent to a vacant area where the intended purposes are for outdoor seating.

B. Rear Yard. There shall be a 10-foot rear yard setback from the rear property line, except where the rear property line abuts property in the Residential (R-1) Zone with no intervening street or alley, in which case commercial buildings and structures shall observe a minimum rear yard setback of 15 feet.

1. Fences with a maximum height of 72 inches may be located on the rear and side property line.

C. Exceptions. The provisions contained in Section 10.1K.060.D of WMC Chapter 10.1K shall apply.

10.1L.070. Height Limits. No building or structure in the Central Commercial (C-1) Zone shall exceed a height of two stories. Additional height may be permitted subject to the Conditional Use Permit provisions of WMC Chapter 10.1I.

10.1L.080. Off-Street Parking and Loading. Parking and loading for uses in the Central Commercial (C-1) Zone shall conform to the standards set forth in WMC Chapter 10.1U.

A. Where the parking requirements for a use are not specifically defined in this Zoning Ordinance, the parking requirements for such use shall be determined by the Planning Commission. Such determination shall be based upon the requirements for the most comparable use specified in this Zoning Ordinance, or other requirements based upon the best available information concerning the proposed use. Lot specific to accommodate ingress and egress for safety concerns.

10.1L.090. Flood Plain Construction. All commercial construction within a designated flood zone as indicated on the City’s Flood Map shall be constructed in accordance with Article 10.7A Flood Hazard Areas related to nonresidential construction (10.7A.210) and Shoreline planning requirements.

10.1L.100. Performance Standards. All uses in the General Commercial (C-1) Zone shall be developed and used in a manner that complies with the following performance standards:

A. All uses shall fully comply with all applicable federal, State, and County standards governing **licensing**, noise, vibrations, odors, air quality, smoke, hazardous materials, sanitary waste, and solid waste.

B. All uses shall be operated in such a manner that there is no discharge whatsoever into a public or private sewerage disposal system or into the ground of any materials that may contaminate any domestic water supply source or surface waters, or that may otherwise cause the emission of dangerous or offensive elements.

C. All flammable materials shall be stored in accordance with the latest edition of the International Fire Code in a manner satisfactory to the Fire Chief.

D. All lighting shall be arranged so as to not to produce glare on public roadways and/or upon ~~any~~ neighboring residential properties.

E. All roadways, parking spaces, and storage areas shall be treated and maintained to effectively

eliminate dust as a result of wind or usage. Open spaces shall be landscaped or otherwise maintained to effectively eliminate dust and to enhance the aesthetic appearance of the use of the property.

F. All uses shall collect and suitably dispose of stormwater runoff. Any building permit application shall be accompanied by a drainage plan, and the approved stormwater runoff collection and disposal system shall be installed and functional ~~prior to~~ **before** approval of completed construction on the property.

G. All open storage shall be enclosed by a fence ~~which~~ **that** obscures the view of the open storage area from adjoining properties and streets. Inoperable or not currently licensed vehicles, remnants ~~thereof~~, or parts, shall be stored within a completely enclosed building. Operable new or used automobiles, recreational vehicles, other vehicles, or machinery, normally displayed for sales purposes on an open lot, may be so displayed.

H. Windows. Street-facing windows shall not be tinted, covered, or blocked in any way which fully restricts vision from the public street or sidewalk into the building. Street-facing windows and window display areas are to be maintained open and clear in support of commercial use of the C1 zone primary use.

1. Exceptions.

a. When authorized by the permitting agency, windows may be temporarily covered during renovations, as part of a CUP renovation or other approved transitions.

b. In the event window seating for patrons is installed along the street-facing window, a reasonable portion of the bottom of the window which exposes the patrons may be blocked off, but cannot extend higher than the height of the average patron when seated in the table area.

c. Blinds may be installed to restrict sunlight from entering the building in ways that support C1 zone primary use, provided any blinds on street-facing windows are kept open during the majority of the business day.

Section II. This Ordinance shall take effect immediately upon passage by the Council and publication as required by law.

Passed by the Waitsburg City Council this 18th day of October 2023.

Approved:

Attest:

Martin Dunn, Mayor

Randy Hinchliffe, City Clerk

Approved as to form:

Jared Hawkins, City Attorney