

Title 17

ZONING

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Chapter 17.02

GENERAL PROVISIONS

Sections:

17.02.010	Purpose.
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17.02.030	Text and official map.

17.02.010 Purpose. The general purposes of this title are to promote the public health, safety and general welfare; and to further the purpose, policies and objectives of the Goldendale comprehensive plan. (Ord. 1260 §2(part), 1999)

17.02.020 Title. The provisions of this title of the Goldendale Municipal Code (GMC) shall be known and may be

cited as "The Goldendale Zoning Code." (Ord. 1260 §2(part), 1999)

17.02.030 Text and official map. The ordinance codified in this title shall consist of the text of this title and official zoning map marked "Official Zoning Map of the City of Goldendale." If any conflict of the zoning map and text should arise the text of the ordinance codified in this title shall prevail. (Ord. 1260 §2(part), 1999)

#### Chapter 17.04

#### DEFINITIONS

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- 17.04.010 General definitions.
- 17.04.020 Abutting.
- 17.04.030 Access.
- 17.04.040 Accessory use, structure.
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- 17.04.570 Motel.
- 17.04.580 Nonconforming use.
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- 17.04.600 Permanent placement.
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- 17.04.620 Prohibited uses.
- 17.04.630 Recreational vehicle.
- 17.04.640 Service station.
- 17.04.650 Stable.
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- 17.04.770 Yard, side.
- 17.04.780 Zoning.
- 17.04.790 Zoning administrator.
- 17.04.800 Zoning lot.
- 17.04.810 Other definitions.

17.04.010 General definitions. For the purpose of this title certain terms are herewith defined. When not

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inconsistent with the context, words used in the present tense include the future, words in the singular number include the plural, and words in the plural number include the singular; the word "person" may be taken for persons, association, firm, co-partnership or corporation; the word "structure" includes building; the word "occupied" includes premises designed or intended to be occupied; the word "used" includes designed or intended to be used; and the word "shall" is always mandatory and not merely directive. (Ord. 1260 §2(part), 1999)

17.04.020 Abutting. "Abutting means bordering upon or in physical contact with. Lands are considered abutting even though the area of contact may be only a point. (Ord. 1260 §2(part), 1999)

17.04.030 Access. "Access" means a way or means of approach to provide vehicular or pedestrian physical entrance to a property. (Ord. 1260 §2(part), 1999)

17.04.040 Accessory use, structure. Accessory use or structure is one which is subordinate to the principal use of a building on the lot serving a purpose customarily incidental to the principal use of the building. (Ord. 1260 §2(part), 1999)

17.04.050 Adjacent. "Adjacent" means nearby and not necessarily abutting. (Ord. 1260 §2(part), 1999)

17.04.060 Alley. "Alley" means a public right-of-way not over thirty feet wide which affords, generally, a secondary means of access to the rear of abutting lots or buildings, not intended for general use. Access is usually limited to on-site vehicular parking and utility service. (Ord. 1260 §2(part), 1999)

17.04.070 Apartment house. "Apartment house" means a building or portion thereof used or intended to be used as a home with three or more families or householders living independently of each other. (Ord. 1260 §2(part), 1999)

17.04.080 Automobile wrecking yard. "Automobile wrecking yard" means an area in which is conducted the dismantling and/or wrecking of used motor vehicles, machinery or trailers or the storage or sale of partially dismantled, obsolete or wrecked vehicles or their parts or the storage of motor vehicles unable to be moved under the power of the vehicle. The presence on any lot or parcel of land of two or more motor vehicles, which, for a period exceeding sixty days, have not been capable of operating under their own power and from which parts have been or are to be removed

for reuse or resale, shall constitute prima-facie evidence of an automobile wrecking yard. (Ord. 1260 §2(part), 1999)

17.04.090 Basement. "Basement" means a portion of a building included between a floor with its level two feet or more below the level from which the height of the building is measured and the ceiling next above said floor. (Ord. 1260 §2(part), 1999)

17.04.100 Bed and breakfast. "Bed and breakfast" means lodging where five or fewer guest rooms are provided for a fee by pre-arrangement on a daily or short-term, temporary basis. No cooking facilities are provided in the individual rooms. (Ord. 1260 §2(part), 1999)

17.04.110 Billboard. "Billboard" means an outdoor advertising sign, being any structure or portion thereof, situated on private premises, upon which lettered or pictured material is displayed for advertising purposes, other than the name and occupation of the user, or the nature of the business conducted on such premises or the products primarily sold or manufactured thereon. (Ord. 1260 §2 (part) , 1999)

17.04.120 Building. "Building" means any structure, permanent, demountable, or movable, built or used for the support, shelter, or enclosure of any person, animals, goods, equipment, or chattels and property of any kind. "Detached building" means a building which is not attached to any other building or structure. (Ord. 1260 §2(part), 1999)

17.04.130 Building height. "Building height" means the vertical distance at the center of a building's principal front, measured from the level of the first floor above grade to the highest point of the roof beams in the case of flat roofs, to the deck line of mansard roofs, or to the center height between eaves and ridges for gable, hip or gambrel roofs. For buildings back from the street line, the height may be measured from the average elevation of the finished grade along the front of the building. (Ord. 1260 §2(part), 1999)

17.04.140 Building line. "Building line" means a line established by this title to govern the placement of building with respect to highways, streets, and alleys. The front property line shall be the front line as shown upon official plats of the property in all subdivisions platted. In all other cases the front line shall be according to the comprehensive plan or the determination of the zoning administrator. (Ord. 1260 §2(part), 1999)

17.04.150 Building official. "Building official" means the city building official or designee. (Ord. 1260 §2(part), 1999)

17.04.160 Carport. "Carport" means a private garage which is open to the weather on at least two sides. (Ord. 1260 §2(part), 1999)

17.04.170 Cemetery. "Cemetery" means land used or intended to be used for burial of the dead and dedicated for cemetery purposes, including crematories, mausoleums, and mortuaries when operated within the boundaries of a cemetery. (Ord. 1260 §2(part), 1999)

17.04.180 Church. "Church" means an establishment or group of people with the principal purpose of religious worship and for which the principal building or structure contains the sanctuary or principal place of worship. (Ord. 1260 §2(part), 1999)

17.04.190 Clinic. "Clinic" means a building or portion of a building containing offices and facilities for providing medical, dental or psychiatric services for outpatients only. (Ord. 1260 §2(part), 1999)

17.04.200 Commercial coach. "Commercial coach" means a structure transportable in one or more sections that is built on permanent chassis and designed to be used for commercial purposes with or without a permanent foundation when connected to the required outlets and may include plumbing, heating, air conditioning, and electrical systems contained therein. A commercial coach shall not be used for dwelling purposes. (Ord. 1260 §2(part), 1999)

17.04.210 Comprehensive plan. "Comprehensive plan" refers to the plans, maps, reports which have been adopted by the board in accordance with state law. (Ord. 1260 §2 (part) , 1999)

17.04.220 Conditional use. "Conditional use" means an activity specified by this title as a principal or an accessory use, permitted when authorized by the board of adjustment and subject to certain conditions. (Ord. 1260 §2(part), 1999)

17.04.230 Council. "Council" means the city council. (Ord. 1260 §2(part), 1999)

17.04.240 Density provisions. "Density provisions" mean siting requirements for each district which protect the health, safety and welfare of the area, through standards which include yards, height, bulk, lot area, lot

coverage and occupancy limitations. (Ord. 1260 §2(part), 1999)

17.04.250 District or zone. "District" or zone" means an area of the city within which standards governing the use of lands and structures are uniform. (Ord. 1260 §2(part), 1999)

17.04.260 Dwelling. "Dwelling" means a building or portion thereof designed exclusively for a residential occupancy including single-family, two-family, and multi-family dwellings, but not including hotels, motels, and boardinghouses. (Ord. 1260 §2(part), 1999)

17.04.270 Dwelling, detached. "Detached dwelling" means a dwelling unit surrounded on all sides by open spaces. (Ord. 1260 §2(part), 1999)

17.04.280 Dwelling, multifamily. "Multifamily dwelling" means a building containing more than two kitchens and designed to be occupied by more than two families living independently of each other. (Ord. 1260 §2(part), 1999)

17.04.290 Dwelling, single-family. "Single-family dwelling" means a detached building containing one kitchen designed for and occupied exclusively by one family. (Ord. 1260 §2(part), 1999)

17.04.300 Dwelling, two-family. "Two-family dwelling" or "duplex" means a building containing two kitchens and designed to be occupied by two families living independently of each other. (Ord. 1260 §2(part), 1999)

17.04.310 Dwelling unit. "Dwelling unit" means a building or portion thereof providing complete housekeeping and cooking facilities for one family. (Ord. 1260 §2(part), 1999)

17.04.320 Exception. "Exception" means a use permitted only after review of an application therefor by the board of adjustment, rather than administrative officials. (Ord. 1260 §2(part), 1999)

17.04.330 Family. "Family" means an individual, or two or more persons related by blood or marriage, or a group of not more than five persons, who are not related by blood or marriage, living together in a single dwelling unit. (Ord. 1260 §2(part), 1999)

17.04.340 Fence. "Fence" means a structure, other than a building, which is a barrier and used as a boundary

or means of separation, protection or confinement. (Ord. 1260 §2(part), 1999)

17.04.350 Flood-plain. "Floodplain" means that area that would be inundated by the largest flood that can be expected to occur, on an average, of once in one hundred years. (Ord. 1260 §2(part), 1999)

17.04.360 Foundation. "Foundation" means the footings, piers, caps, and shims that support a mobile home or manufactured home, recreational vehicle or commercial coach which is located for permanent placement. (Ord. 1260 §2(part), 1999)

17.04.370 Garage, commercial. "Commercial garage" means a building or portion thereof designed and used for the storage or servicing of motor vehicles as a business. (Ord. 1260 §2(part), 1999)

17.04.380 Garage, private. "Private garage" means a building or portion of a building in which motor vehicles are stored or kept as an accessory use. (Ord. 1260 §2(part), 1999)

17.04.390 Home occupation. "Home occupation" means any accessory use customarily carried on within a dwelling or structure accessory to a dwelling, by the inhabitants thereof which use is incidental to the residential use, and is used for gainful employment and maintains the residential character of the dwelling and neighborhood. (Ord. 1260 §2(part), 1999)

17.04.400 Hotel. "Hotel" means any building containing six or more guest rooms intended to be rented or hired out for sleeping purposes by guests. Access to individual units is predominately by means of common interior hallways. (Ord. 1260 §2(part), 1999)

17.04.410 Junkyard. "Junkyard" means a place where junk, waste or discarded or salvaged materials such as scrap metal, bones, rags, used cloth, used rubber, used rope, used bottles, old or used machinery, used tools, used appliances, used fixtures, used utensils, used lumber, used boxes or crates, used pipe or pipe fittings, used tires or other manufactured goods are bought, sold, exchanged, stored, baled, packed or handled. (Ord. 1260 §2(part), 1999)

17.04.420 Lot. "Lot" means a parcel of land under one ownership used or capable of being used under the regulations of this title, including both the building site and

all required yards and other open spaces. (Ord. 1260 §2(part), 1999)

17.04.430 Lot, corner. "Corner lot" means a lot situated at the intersection of two streets or roads. (Ord. 1260 §2(part), 1999)

17.04.440 Lot coverage. "Lot coverage" means that portion of a lot that is occupied by the principal building and its accessory buildings, expressed as a percentage of the total lot area. It includes all projections except eaves. (Ord. 1260 §2(part), 1999)

17.04.450 Lot depth. "Lot depth" means the horizontal distance between the front and rear lot lines. (Ord. 1260 §2(part), 1999)

17.04.460 Lot, interior. "Interior lot" means a lot other than a corner lot. (Ord. 1260 §2(part), 1999)

17.04.470 Lot width. "Lot width" means the distance between side lot lines measured at the front yard building line. (Ord. 1260 §2(part), 1999)

17.04.480 Lot line, front. "Front lot line" means a boundary of a lot which is along an existing or dedicated public street, or along a private road, or easement. (Ord. 1260 §2(part), 1999)

17.04.490 Lot line, rear. "Rear lot line" means a line which is most nearly opposite and most distant from the front lot line. (Ord. 1260 §2(part), 1999)

17.04.500 Lot line, side. "Side lot line" means a boundary of a lot which is not a front lot line, corner lot line, or a rear lot line. (Ord. 1260 §2(part), 1999)

17.04.510 Major thoroughfares. "Major thoroughfares" means principal and secondary arterials and state highways as shown on the comprehensive plan. (Ord. 1260 §2(part), 1999)

17.04.520 Manufacture. "Manufacture" means the converting of raw unfinished materials or products, or any or either of them into an article or articles or substance of a different character or for use for a different character or for use as a different purpose. (Ord. 1260 §2(part), 1999)

17.04.530 Manufactured home or mobile home. "Manufactured home or mobile home" means a structure, designed and constructed to be transportable in one or more sec-

tions, and is built on a permanent chassis, and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities that include plumbing, heating, and electrical systems contained therein. The structure must comply with the National Mobile Home Construction and Safety Standards act of 1974 as adopted by Chapter 43.22 RCW if applicable. Manufactured home does not include a modular home. A structure which met the definition of a "manufactured home" at the time of manufacture is still considered to meet this definition notwithstanding that it is no longer transportable. (Ord. 1260 §2(part), 1999)

17.04.540 Manufactured or mobile home park. "Manufactured home park" means a tract of land designed and maintained under a single ownership or unified control where two or more spaces or pads are provided solely for rent or lease for the placement of manufactured homes for residential purposes. (Ord. 1260 §2(part), 1999)

17.04.550 Manufactured home subdivision. "Manufactured home subdivision" means a subdivision or short subdivision approved in accordance with Goldendale subdivision standards in GMC Title 16, meeting or exceeding the requirements of the Goldendale Municipal Code, and where the lots are principally intended to accommodate manufactured homes as residences. The lots within the subdivision shall be held in private ownership. (Ord. 1260 §2(part), 1999)

17.04.560 Modular home. "Modular home" means a structure constructed in a factory, transported in units, does not contain a permanent frame and must be mounted on a permanent foundation in accordance with the Uniform Building Code bearing the appropriate insignia indicating such compliance. (Ord. 1260 §2(part), 1999)

17.04.570 Motel. "Motel" means lodging use, located in a structure in which access to individual units is predominately by means of common exterior corridors, and in which a majority of rooms are provided to guests on a daily or short-term basis, and in which off-street parking is provided on the lot. (Ord. 1260 §2(part), 1999)

17.04.580 Nonconforming use. "Nonconforming use" means a use or an activity involving a building or land occupied or in existence at the effective date of the ordinance codified in this title or at the time of any amendments thereto which does not conform to the standards of the zoning district in which located. (Ord. 1260 §2(part), 1999)

17.04.590 off-street parking space. "Off-street parking space" means a permanently surfaced area not situated within a public right-of-way for the parking of a motor vehicle. (Ord. 1260 §2(part), 1999)

17.04.600 Permanent placement. "Permanent placement" means occupancy by one or more persons for more than sixty days during any one consecutive twelve-month period or occupancy continuously for more than thirty days unless placement is for security or for purposes related to a construction site. (Ord. 1260 §2(part), 1999)

17.04.610 Principal use. "Principal use" means uses allowed as a matter of right within certain land use districts without public hearing, zoning permit, conditional exception, or variance; provided that such use is in accordance with requirements of a particular district and general conditions stated elsewhere in the title. (Ord. 1260 §2(part), 1999)

17.04.620 Prohibited uses. "Prohibited uses" means any use which is not specifically enumerated or interpreted as allowable in that district. (Ord. 1260 §2(part), 1999)

17.04.630 Recreational vehicle. "Recreational vehicle" means a vehicular type unit primarily designed for recreational camping, travel, or seasonal use which has its own mode of power or is mounted on or towed by another vehicle. The basic entities included within this definition are: travel trailer, fifth-wheel type trailer, folding camper trailer, park trailer, truck camper, motor home and multi-use vehicles. (Ord. 1260 §2(part), 1999)

17.04.640 Service station. "Service station" means a retail establishment for the sale on the premises of motor vehicle fuel and other petroleum products and automobile accessories, and for the washing, lubrication, minor repair of automotive vehicles and a convenience store. (Ord. 1260 §2(part), 1999)

17.04.650 Stable. "Stable" means an accessory building for the keeping of domestic animals, especially in a building having stalls or compartments. (Ord. 1260 §2(part), 1999)

17.04.660 Story. "Story" means that portion of a building included between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, then the space between such floor and the ceiling next above it. "First story" means any floor not over four and one-half feet above the established grade, or if set

back, above average ground level at front line of building. (Ord. 1260 §2(part), 1999)

17.04.670 Story-half. "Story-half" means a space under a sloping roof which has the line of intersection of roof decking and wall face not more than four feet above the top floor level. A half-story containing apartments or living quarters shall be counted as a full story. (Ord. 1260 §2(part), 1999)

17.04.680 Streets. "Street" means an improved and maintained right-of-way which provides vehicular circulation or principal means of access to abutting properties and which may also include provisions for public utilities, pedestrian walkways, and other similar facilities commonly found in street rights-of-way. (Ord. 1260 §2(part), 1999)

17.04.690 Townhouse. "Townhouse" means a building containing one dwelling unit that occupies space from the ground to the roof and attached to one or more other townhouse dwellings by common walls occupying an individual parcel of land. (Ord. 1260 §2(part), 1999)

17.04.700 Travel trailer. "Travel trailer" means a trailer or other unit designed as a temporary dwelling for travel or recreational uses and which moves upon public streets and highways and is forty feet or less in length and eight feet or less in width. (Ord. 1260 §2(part), 1999)

17.04.710 Use. "Use" means an activity or purpose for which land or a structure thereon is designed, arranged or intended, or for which it is occupied or maintained, let or leased. (Ord. 1260 §2(part), 1999)

17.04.720 Variance. "Variance" means a modification of the regulations of this title when authorized by the board of adjustment after finding that the literal application of the provisions of this resolution would cause undue and unnecessary hardship in view of certain facts and conditions applying to a specific parcel of property. (Ord. 1260 §2 (part) , 1999)

17.04.730 Vicinity. "Vicinity" means the area surrounding a use in which such use produces a discernible influence by aesthetic appearance, traffic, noise, glare, smoke or similar influences. (Ord. 1260 §2(part), 1999)

17.04.740 Yards. "Yards" mean land unoccupied or unobstructed, from the ground upward, except for such encroachments permitted by this title surrounding a building site. (Ord. 1260 §2(part), 1999)

17.04.750 Yard, front. "Front yard" means an open space, other than the court, on the same lot with the building, between the front line of the building (exclusive of steps) and the front property line. (Ord. 1260 §2(part), 1999)

17.04.760 Yard, rear. "Rear yard" means an open space on the same line with the building, between the rear line of the building (exclusive of steps, porches and accessory buildings) and the rear line of the lot. (Ord. 1260 §2(part), 1999)

17.04.770 Yard, side. "Side yard" means an open space on the same lot with the building between the side wall line of the building and the side line of the lot. (Ord. 1260 §2(part), 1999)

17.04.780 Zoning. "Zoning" means the regulation of the use of private lands or the manner of construction related thereto in the interest of achieving a comprehensive plan of development. (Ord. 1260 §2(part), 1999)

17.04.790 Zoning administrator. "Zoning administrator" means the mayor or designated representative who is vested with the duty of administering the zoning ordinance and comprehensive plan in accordance with the decisions of the planning commission, board of adjustment, and city council within the incorporated areas of Goldendale. (Ord. 1260 §2(part), 1999)

17.04.800 Zoning lot. "Zoning lot" means a tract of land occupied or to be occupied by a principal use and accessory facilities, together with open spaces as are required under the provisions of this title, having not less than the minimum area required by this title for a zoning purpose in the district in which such land is situated, and having its principal frontage on a public street of standard width. (Ord. 1260 §2(part), 1999)

17.04.810 Other definitions. Terms defined in GMC Title 16 shall have the meaning established under that title, unless otherwise defined above. (Ord. 1260 §2(part), 1999)

Chapter 17.06DISTRICTS ESTABLISHEDSections:

- 17.06.010 Use districts.
- 17.06.020 Annexed areas.
- 17.06.030 Zoning map.
- 17.06.040 Boundary interpretation.

17.06.010 Use districts. In order to classify and regulate differing uses of land, buildings and structures, the city is divided into the following land use districts:

<u>Abbreviation</u>	<u>District</u>
R-1	Single-family residential
R-2	Two-family residential
R-3	Multifamily residential
SR	Suburban residential
PD	Planned unit development
MHP	Manufactured home park
C-1	Commercial business
C-2	General commercial
M-1	Light manufacturing
M-2	Heavy manufacturing
FH	Flood hazard
P	Public

(Ord. 1260 §2(part), 1999)

17.06.020 Annexed areas. All newly annexed lands, not shown on the official zoning map, shall be zoned in conformity with the Goldendale comprehensive plan, and subject to the applicable zoning district restrictions and regulations. (Ord. 1260 §2(part), 1999)

17.06.030 Zoning map. The boundaries of the use districts are shown on the official zoning map and is adopted by reference and declared to be part of this title. The official zoning map shall be identified by the signature of the mayor, attested to by the city clerk-treasurer, and shall bear the seal of the city of Goldendale. (Ord. 1260 §2(part), 1999)

17.06.040 Boundary interpretation. Should uncertainty exist as to the location any of the zoning boundaries, the following rules shall apply: A. Where district boundaries are indicated as approximately following the centerline of streets, alleys, high-

ways, waterways or railroad tracks, the actual centerline shall be construed to be the boundary.

B. Where district boundaries are indicated as approximately following lot or tract lines, the actual lot or tract line shall be construed to be the boundary.

C. Where district boundaries divide a tract in an unsubdivided property, the location of the district boundary, shall be determined by the scale of measurement.

D. In case uncertainty exists which cannot be determined by application of the foregoing rules, the planning commission shall determine the location of such district boundaries. (Ord. 1260 §2(part), 1999)

### Chapter 17.08

#### RESIDENTIAL DISTRICTS

##### Sections:

- 17.08.010 Accessory uses.
- 17.08.020 Conditional uses.
- 17.08.030 Yards.

17.08.010 Accessory uses. Accessory uses permitted in residential districts shall include:

A. Non-flashing residential name plates not exceeding sixty-four square inches bearing only the name and address of the occupant are permitted in all residential zones;

B. One attached or freestanding private garage and/or carport per dwelling unit;

C. Other accessory buildings not to exceed one hundred twenty square feet of gross floor area;

D. Applicable only to Chapter 17.16 (Suburban Residential District) . Agricultural uses, excluding the raising of animals or fowl for commercial purposes or the sale of produce or products at retail on the premises;

1. The keeping of horses shall be an accessory use to the residential use permitted on the premises,

2. The owner of the property where horses are kept shall own or have control over a minimum of one acre,

3. The area where horse will be kept shall be enclosed by a fence,

4. No shelter, barn, or other structure associated with the keeping of horses shall be located within one hundred feet of any residence other than the residence of the owner;

E. The renting of rooms by the resident owner for lodging purposes only and for the accommodation of not more than two roomers in a dwelling unit;

F. Covered patios;

G. Swimming pools, and saunas; and

H. Other uses deemed by the board of adjustment as consistent with and similar to accessory uses of the applicable residential zoning district. (Ord. 1260 §2(part), 1999)

17.08.020 Conditional uses. The uses in this section may be authorized by the board of adjustment as conditional exceptions in residential districts as indicated. Conditional uses permitted in all residential districts may include:

- A. Public parks and playgrounds;
- B. Public, private, and parochial schools and supporting facilities;
- C. Churches and other religious organizations;
- D. Public, governmental, and municipal buildings serving as administrative offices;
- E. Fire and police stations;
- F. Libraries;
- G. Hospitals, convalescent facilities, and child care facilities;
- H. Neighborhood centers;
- I. Bed and breakfast;
- J. Private clubs, lodges, or recreational buildings, and public or private golf courses;
- K. Professional offices;
- L. Public utility and communication facilities;
- M. Cemeteries; and
- N. Other uses deemed by the board of adjustment as similar to and consistent with the intent and purpose of the applicable residential zoning district. (Ord. 1260 §2 (part) , 1999)

17.08.030 Yards. No building shall be erected or altered so that any portion thereof shall be nearer any property line than indicated by the minimum yard (front, side, or rear) requirement established for that individual residential zoning district. Accessory buildings customarily incidental to residences such as a garage or wood and tool storage shed may be constructed with a rear yard setback of five feet on lots without alleyways and a rear yard setback of two feet on lots with existing alleys adjacent to the rear property line. Building or structural projections extending into yards shall have the following limitations:

A. Front Yards. All steps, terraces, platforms, porches and similar projections having no roof covering and being not over sixty inches high, may be built within a front yard setback, but in no case shall such projection cause a front yard to be less than ten feet from the face of the projection to the front property line.

B. Side Yards. All eaves, cornices, chimneys and similar projections, may extend over the required side yard for a distance of not more than two feet.

C. Rear Yards. All 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 not more than twenty percent of the distance from the exterior wall of the structure to the rear property line. (Ord. 1260 §2(part), 1999)

Chapter 17.10

SINGLE-FAMILY RESIDENTIAL DISTRICT (R-1)

Sections:

- 17.10.010 Purpose.
- 17.10.020 Principal uses.
- 17.10.030 Development standards.
- 17.10.040 Parking.

17.10.010 Purpose. The purpose of this district is to implement the comprehensive plan by providing for low density zoning classifications suitable for single-family living areas. Uses are limited to residential uses and under certain conditions public service uses which directly service those residential uses. (Ord. 1260 §2(part), 1999)

17.10.020 Principal uses. Principal uses permitted outright in single-family residential districts shall include:

- A. Single-family dwellings, including modular housing meeting UBC requirements;
- B. Temporary construction offices within a subdivision on which buildings are being erected; and only for the duration of active construction;
- C. Home occupations. See Chapter 17.36. (Ord. 1260 §2(part), 1999)

17.10.030 Development standards. The following provisions shall apply in the single-family residential district, subject to other provisions of this title, except that where conflicts in regulation occur, the regulations specified in this section or on a development plan approved pursuant to this chapter shall apply:

- A. Minimum lot area: six thousand square feet;
- B. Minimum lot width: sixty feet;
- C. Minimum lot depth: eighty feet;

- D. Maximum building height: 2 1/2 stories but not to exceed thirty-five feet;
- E. Maximum lot coverage: thirty-five percent for all buildings;
- F. Minimum front yard depth: twenty feet;
- G. Minimum rear yard depth: twenty feet;
- H. Minimum side yard width: five feet;
- I. Minimum side yard width on corner lot: fifteen feet. (Ord. 1260 §2(part), 1999)

17.10.040 Parking. Parking standards shall be provided in accordance with the terms of Section 17.34.010 GMC. (Ord. 1260 §2(part), 1999)

## Chapter 17.12

### TWO-FAMILY RESIDENTIAL DISTRICT (R-2)

#### Sections:

- 17.12.010 Purpose.
- 17.12.020 Principal uses.
- 17.12.030 Development standards.
- 17.12.040 Parking.

17.12.010 Purpose. The purpose of this district is to implement the comprehensive plan by providing for medium density zoning classifications suitable for two-family living areas. Uses are limited to residential uses and under certain conditions public service uses which directly service those residential uses. (Ord. 1260 §2(part), 1999)

1 7.12.020 Principal uses. Principal uses permitted outright in two-family residential districts shall include:

- A. Single-family dwellings, including modular and manufactured housing meeting placement requirements outlined in Section 15.44.050;
- B. Two-family attached dwellings, including duplex housing meeting UBC requirements;
- C. Temporary construction offices within a subdivision on which buildings are being erected; and only for the duration of active construction; and
- D. Home occupations. See Chapter 17.36. (Ord. 1260 §2(part), 1999)

17.12.030 Development standards. The following provisions shall apply in the two-family residential district, subject to other provisions of this title, except that where conflicts in regulation occur, the regulations speci-

fied in this section or on a development plan approved pursuant to this chapter shall apply:

- A. Minimum lot area single-family: six thousand feet;
- B. Minimum lot area two-family: seven thousand feet;
- C. Minimum lot width: sixty feet;
- D. Minimum lot depth: eighty feet;
- E. Maximum building height: 2 1/2 stories but not to exceed thirty-five feet;
- F. Maximum lot coverage: thirty-five percent for all buildings;
- G. Minimum front yard depth: twenty feet;
- H. Minimum rear yard depth: twenty feet;
- I. Minimum side yard width: five feet;
- J. Minimum side yard width on corner lot: fifteen feet. (Ord. 1260 §2(part), 1999)

17.12.040 Parking. Parking standards shall be provided in accordance with the terms of Section 17.34.010 GMC. (Ord. 1260 §2(part), 1999)

#### Chapter 17.14

#### MULTIFAMILY RESIDENTIAL DISTRICT (R-3)

##### Sections:

- 17.14.010 Purpose.
- 17.14.020 Principal uses.
- 17.14.030 Development standards.
- 17.14.040 Parking.

17.14.010 Purpose. The purpose of this district is to implement the comprehensive plan by providing for high density zoning classifications suitable for multifamily living areas. Uses are limited to residential uses and under certain conditions public service uses which directly service those residential uses. (Ord. 1260 §2(part), 1999)

17.14.020 Principal uses. Principal uses permitted outright in multifamily residential districts shall include:

- A. Single-family dwellings, including modular and manufactured housing meeting UBC requirements;
- B. Two-family attached dwellings, including duplex housing meeting UBC requirements;
- C. Multiple unit dwellings, including triplexes, fourplexes, and multifamily apartments meeting UBC requirements;

D. Temporary construction offices within a subdivision on which buildings are being erected; and only for the duration of active construction; and

E. Home occupations: See Chapter 17.36. (Ord. 1260 §2(part), 1999)

17.14.030 Development standards. The following provisions shall apply in the multifamily residential district, subject to other provisions of this title, except that where conflicts in regulation occur, the regulations specified in this section or on a development plan approved pursuant to this chapter shall apply:

A. Single-family residential meeting requirements of Section 17.10.30;

B. Two-family residential meeting requirements of Section 17.12.30;

C. Minimum lot area multifamily: two thousand five hundred square feet for first four units; one thousand five hundred square feet each additional unit over four;

D. Minimum lot width: sixty feet;

E. Minimum lot depth: eighty feet;

F. Maximum building height: three stories but not to exceed forty feet;

G. Maximum lot coverage: thirty-five percent for all buildings;

H. Minimum front yard depth: fifteen feet;

I. Minimum rear yard depth: fifteen feet;

J. Minimum side yard width: five feet;

K. Minimum side yard width on corner lot: ten feet.

(Ord. 1260 §2(part), 1999)

17.14.040 Parking. Parking standards shall be provided in accordance with the terms of Section 17.34.010 GMC. (Ord. 1260 §2(part), 1999)

## Chapter 17.16

### SUBURBAN RESIDENTIAL DISTRICT (SR)

#### Sections:

17.16.010	Purpose.
17.16.020	Principal uses.
17.16.030	Development standards.
17.16.040	Flag lots.
17.16.050	Parking.

17.16.010 Purpose. The purpose of this district is to implement the comprehensive plan by providing for low density zoning classifications suitable for single-family

living areas and small scale hobby farms. Uses are limited to residential and scale agricultural uses and under certain conditions public service uses which directly service those residential uses. (Ord. 1260 §2(part), 1999)

17.16.020 Principal uses. Principal uses permitted outright shall include:

- A. Single-family dwellings, including modular and manufactured housing meeting UBC requirements;
- B. Temporary construction offices within a subdivision on which buildings are being erected; and only for the duration of active construction;
- C. Home occupations. See Chapter 17.36. (Ord. 1260 §2 (part) , 1999)

17.16.030 Development standards. The following provisions shall apply in the suburban residential district, subject to other provisions of this title, except that where conflicts in regulation occur, the regulations specified in this section or on a development plan approved pursuant to this chapter shall apply:

- A. Minimum lot area with municipal water or sewer: twenty thousand square feet;
- B. Minimum lot area with municipal water and sewer: ten thousand square feet;
- C. Minimum lot width: one hundred square feet;
- D. Minimum lot depth: one hundred feet;
- E. Maximum building height: two stories but not to exceed thirty feet;
- F. Maximum lot coverage: thirty-five percent for all buildings;
- G. Minimum front yard depth: twenty-five feet;
- H. Minimum rear yard depth: twenty feet;
- I. Minimum side yard width: five feet;
- J. Minimum side yard width on corner lot: fifteen feet. (Ord. 1260 §2(part), 1999)

17.16.040 Flag lots. A lot in which a narrow portion fronts a public/private street and where access to the public/private street is across that narrow portion for the exclusive use of that lot only.

- A. Division of lands into one flag lot shall be administratively reviewed and shall meet all short subdivisions requirements;
- B. Flag lots shall have a minimum street frontage of thirty feet on a dedicated right-of-way;
- C. The flag portion of the lot shall not be considered in determining compliance with the development standards of this chapter; and
- D. Private driveways shall be maintained and clear of obstruction to allow for emergency vehicle access. (Ord. 1260 §2(part), 1999)

17.16.050 Parking, Parking standards shall be provided in accordance with the terms of Section 17.34.010 GMC. (Ord. 1260 §2(part), 1999)

Chapter 17.18

GENERAL COMMERCIAL DISTRICT (C-2)

Sections:

- 17.18.010 Purpose.
- 17.18.020 Principal uses.
- 17.18.030 Accessory uses.
- 17.18.040 Conditional uses.
- 17.18.050 Development standards.
- 17.18.060 Parking.

17.18.010 Purpose. The purpose of this district is to implement the comprehensive plan by providing for medium density zoning classifications suitable for retailing and other commercial services that serve the greater Goldendale community. (Ord. 1260 §2(part), 1999)

17.18.020 Principal uses. Principal uses permitted outright in general commercial districts shall include:

- A. Residential uses provided that all residential dwellings permitted comply with the multifamily residential district (R-3) meet the development standards of Section 17.14.30;
- B. Office buildings, banks, and professional services;
- C. Medical and dental offices;
- D. Art galleries and museums;
- E. Post offices, newspaper offices, and printing offices;
- F. Retail food, merchandise, and apparel stores;
- G. Specialty, grocery, convenience, and drug stores;
- H. Photographic shops, barbershops and beauty shops;
- I. Self-service laundries, and commercial dry cleaning;
- J. Restaurants, taverns, bars, and nightclubs;
- K. Radio, television, and electrical repair shops;
- L. Automobile repair shops performed inside an enclosed structure;
- M. Automotive, motorized vehicle, and machinery sales and rentals;
- N. Tire sales and services;
- O. Public and commercial recreational uses and facilities;
- P. Private clubs, lodges, union and social halls;

- Q. Public and private parking lots;
- R. Veterinary clinics when located not closer than one hundred fifty feet to any residential district and four hundred feet or more of any hospital, nursing home, or institution for the care of the infirm; providing that all animals are housed indoors;
- S. Minor utility facilities;
- T. Carwash;
- U. Frozen food and cold storage lockers;
- V. Bed and breakfasts, motels and hotels;
- W. Gasoline service stations and convenience store with gasoline sales;
- X. Hardware and building material stores; and
- Y. Funeral homes. (Ord. 1260 §2(part), 1999)

17.18.030 Accessory uses. Accessory uses permitted in general commercial districts shall include:

- A. All business, service, repair, processing, or storage shall be conducted wholly within an enclosed building, except for off-street parking and for automobile service stations;
- B. Business signs in compliance with Section 17.34.040;
- C. Processes and equipment and goods processed or sold shall be limited to those which are not objectionable by reason of odor, dust, smoke, cinders, gas, noise, vibration, refuse matter, or water-carried waste;
- D. Accessory uses in general commercial districts may be permitted which are customarily incidental and subordinate to the principal use. (Ord. 1260 §2(part), 1999)

17.18.040 Conditional uses. Conditional uses permitted in general commercial districts shall include:

- A. Microbreweries and brew-pubs;
- B. Bakeries;
- C. Churches;
- D. Retirement homes, boardinghouses, nursing homes and similar uses;
- E. Childcare facilities;
- F. Cellular communications facilities;
- G. Light manufacturing, fabrication, and repair;
- H. Major utility facilities;
- I. Public facilities; and
- J. Other uses deemed by the board of adjustment as similar to and consistent with the intent and purpose of the general commercial zoning district. (Ord. 1260 §2(part), 1999)

17.18.050 Development standards. The following provisions shall apply in the general commercial district, subject to other provisions of this title, except that where conflicts in regulation occur, the regulations speci-

fied in this section or, on a development plan approved pursuant to this chapter shall apply:

- A. Minimum lot area: not applicable;
- B. Minimum lot width: twenty feet;
- C. Minimum lot depth: twenty feet;
- D. Maximum building height: three stories but not to exceed forty feet;
- E. Maximum lot coverage: not applicable;
- F. Minimum front yard depth: not applicable;
- G. Minimum rear yard depth: zero feet (twenty feet when abutting a residential district);
- H. Minimum side yard width: zero feet (five feet when abutting a residential district);
- I. Minimum side yard width on corner lot: not applicable. (Ord. 1260 §2(part), 1999)

17.18.060 Parking. Parking standards shall be provided in accordance with the terms of Section 17.34.010 GMC. (Ord. 1260 §2(part), 1999)

### Chapter 17.20

#### MIXED COMMERCIAL DISTRICT (C-3)

##### Sections:

- 17.20.010 Purpose.
- 17.20.020 Principal uses.
- 17.20.030 Accessory uses.
- 17.20.040 Conditional uses.
- 17.20.050 Development standards.
- 17.20.060 Parking.
- 17.20.070 Prohibited uses.

17.20.010 Purpose. The purpose of this district is to implement the comprehensive plan by providing for mixed-use commercial zoning classifications suitable for limited retail service but with additional activities including the display, fabrication, assembly, and service of goods and machinery which serve the greater Goldendale community. Permitted uses in this zoning classification are heavier in type than those uses permitted in the more restrictive general commercial classification. (Ord. 1260 §2(part), 1999)

17.20.020 Principal uses. Principal uses permitted outright in mixed commercial districts shall include:

- A. Office buildings, banks, and professional services;
- B. Retail food, merchandise, and apparel stores;

- C. Specialty, grocery, convenience, and drug stores;
- D. Photographic shops, barbershops and beauty shops;
- E. Self service laundries, and commercial dry cleaning;
- F. Restaurants, taverns, bars, and night clubs;
- G. Microbreweries and brew-pubs;
- H. Bakeries;
- I. Radio, television, and electrical repair shops;
- J. Public and private parking lots;
- K. Public and commercial recreational uses and facilities;
- L. Fuel service stations and convenience store with fuel sales;
- M. Cellular communications facilities;
- N. Manufactured home sales lot;
- O. Mini storage warehouses;
- P. Frozen food and cold storage lockers;
- Q. Car wash;
- R. Automotive, motorized vehicle, farm, and machinery sales and rentals;
- S. Automotive, motorized vehicle, farm, and machinery repair and storage;
- T. Hardware and building materials stores;
- U. Light manufacturing, fabrication, and repair;
- V. Minor and major utility facilities;
- W. Public facilities;
- X. Tire sales, service and repair; and
- Y. Other uses may be permitted by the board of adjustment, if the use is determined to be consistent with the intent of the zone and is of the same general character of the uses permitted in this section. (Ord. 1260 §2 (part), 1999)

17.20.030 Accessory uses. Accessory uses permitted in mixed commercial districts shall include:

- A. Accessory uses in mixed commercial districts which are customarily incidental and subordinate to the principal use. All such accessory uses must conform to all requirements for the principal use;
- B. Business signs in compliance with Section 17.34.040;
- C. Processes and equipment and goods processed or sold shall be limited to those which are not objectionable by reason of odor, dust, smoke, cinders, gas, noise, vibration, refuse matter, or water-carried waste;
- D. Outdoor storage must be maintained in an orderly manner at all times;
- E. No on-site hazardous substance processing and handling, or hazardous waste treatment and storage facilities shall be permitted, unless clearly incidental and secondary to a permitted use, subject to the requirements of the Uniform Fire Code. (Ord. 1260 §2(part), 1999)

17.20.040 Conditional uses. Conditional uses permitted in mixed commercial districts shall include:

A. Residential uses provide that all residential dwellings permitted in the multifamily residential district (R-3) meet the development standard of Section 17.14.30;

B. Private clubs, lodges, union and social halls;

C. Bed and breakfasts, motels and hotels;

D. Veterinary clinics when located not closer than one hundred fifty feet to any residential district and four hundred feet or more of any hospital, nursing home, or institution for the care of the infirm; providing that all animals are housed indoors; and

E. Other uses deemed by the board of adjustment as similar to and consistent with the intent and purpose of the general commercial zoning district. (Ord. 1260 §2 (part) , 1999)

17.20.050 Development standards. The following provisions shall apply in the general commercial district, subject to other provisions of this title, except that where conflicts in regulation occur, the regulations specified in this section or on a development plan approved pursuant to this chapter shall apply:

A. Minimum lot area: not applicable;

B. Minimum lot width: twenty feet;

C. Minimum lot depth: twenty feet;

D. Maximum building height: three stories but not to exceed fifty feet;

E. Maximum lot coverage: not applicable;

F. Minimum front yard depth: not applicable;

G. Minimum rear yard depth: zero feet (twenty when abutting a residential district);

H. Minimum side yard width: zero feet (five when abutting a residential district);

I. Minimum side yard width on corner lot: not applicable. (Ord. 1260 §2(part), 1999)

17.20.060 Parking. Parking standards shall be provided in accordance with the terms of Section 17.34.010 GMC. (Ord. 1260 §2(part), 1999)

17.20.070 Prohibited uses. Uses prohibited in the mixed commercial district shall include:

A. Junkyards; and

B. Automobile wrecking yards. (Ord. 1260 §2(part), 1999)

Chapter 17.22

PLANNED UNIT DEVELOPMENT (PUD) DISTRICT

Sections:

- 17.22.010 Purpose and intent.
- 17.22.020 Procedure and applications.
- 17.22.030 Pre-submission consultant.
- 17.22.040 Review by planning commission.
- 17.22.050 Initiation of planned unit developments.
- 17.22.060 Dimensional and density standards.
- 17.22.070 Development standards.
- 17.22.080 Townhouse development standards.
- 17.22.090 Preliminary site plan approval.
- 17.22.100 Site plan and schedule approval.
- 17.22.110 Final approval.
- 17.22.120 Findings required.
- 17.22.130 Planning commission and city council.
- 17.22.140 Other requirements.
- 17.22.150 Development plan changes.

17.22.010 Purpose and intent. The purpose of this district is to encourage and provide for flexibility and diversification in development, redevelopment, rehabilitation, and to provide guidelines for developments consisting of a variety of land uses which are not covered by other sections of this title and other ordinances. The planned unit development district is intended to permit flexibility in design and placement of buildings, land uses and open spaces, including modifications in to lot frontage, set-backs and design of circulation facilities to best use site potential and encourage a more creative approach in the development of land. (Ord. 1260 §2(part), 1999)

17.22.020 Procedure and applications. The applicant shall submit to the planning department a development site plan, change of zoning application, and other information as required by the subdivision review committee. (Ord. 1260 §2(part), 1999)

17.22.030 Pre-submission consultant. Prior to the filing of a preliminary plat the subdivider shall submit to the administrator plans and other information sufficient to describe essential features of the property and the proposed or contemplated uses and development. The subdivider shall schedule a discussion meeting with the subdivision review committee to review the preliminary sketch map and establish any special requirements or considerations affecting the proposed subdivision. The subdivision review committee shall make general recommendations regarding the

preliminary sketch map and shall recommend consultation by the subdivider with such other public or private agencies as it shall designate. (Ord. 1260 §2(part), 1999)

17.22.040 Review by planning commission. Prior to submitting a preliminary plat and detailed design data the subdivider may request a general review of the proposed subdivision by the planning commission in an effort to determine if there are any obvious changes the planning commission feels are needed. Such request for a general review shall be made at least fifteen days before the planning commission meeting at which the subdivision will be reviewed and not until after the subdivision review committee has reviewed and made its recommendations regarding the preliminary plat.(Ord. 1260 §2(part), 1999)

17.22.050 Initiation of planned unit developments.

Planned unit developments may be initiated by:

- A. The owner of all property involved, if under one ownership;
- B. An application filed jointly by a majority of property owners if there be more than one owner; or
- C. A governmental agency. (Ord. 1260 §2(part), 1999)

17.22.060 Dimensional and density standards. A tract of land to be developed as a planned unit development shall be of a configuration that is conducive to a planned unit development.

A. The minimum lot area, width and frontage requirements otherwise applying to individual building sites in the zone in which a planned unit development is proposed do not apply within a planned unit development. Minimum set-backs from the planned unit development exterior property lines as required by the zone will be maintained.

B. Buildings, off-street parking and loading facilities, open space, landscaping and screening shall provide protection to properties outside the boundary lines of the development comparable to that otherwise required of development in the zone.

C. The maximum building height shall, in no event, exceed those building heights prescribed in the zone in which the planned unit development is proposed.

D. The planned unit development may result in a density thirty-three percent in excess of the density permitted within the zone, except multifamily residential (R-3) in which the planned unit development is to be constructed. (Ord. 1260 §2(part), 1999)

17.22.070 Development standards. The following provisions shall apply in the planned unit development district, subject to other provisions of this title, except that where conflicts in regulation occur, the regulations

specified in this section or on a development plan approved pursuant to this chapter shall apply:

A. No planned unit development shall be less than two acres of contiguous land.

B. No ordinance establishing a planned unit development shall be adopted until there is on file with the city, a written consent of a majority of property owners agreeing:

1. That current and future landowners shall be bound by the conditions and regulations proposed and which will be effective within the district, and

2. To record such written agreement with the county auditor.

C. Standards for area coverage, density, yard requirements, and parking and screening for planned unit developments shall be governed by the standards of the underlying zoning district.

D. Standards for public improvements shall be governed by all applicable federal, state, and county laws.

E. Planned unit developments shall possess amenities generally associated with the district in which it is located such that it will not produce an adverse influence upon adjacent properties.

F. Planned unit development shall be functionally connected to the street and arterial system and the arterials within the vicinity of the development and shall be adequate to carry the additional traffic generated by the development. All roads leading to or within a PUD, whether dedicated public roads or privately maintained roads, shall be constructed in strict compliance with city of Goldendale road construction standards.

G. In residential planned unit developments, there shall be a minimum of twenty percent of the total area of the planned unit development dedicated or reserved and developed as usable common "open space, land for access, recreation or landscaping.

H. Open space shall be owned in common by land owners within the development. Adequate guarantee must be provided to insure permanent retention and maintenance of streets, access roads and open space land area.

I. All developments under this chapter are subject to the requirements of GMC Title 16, Subdivisions. (Ord. 1260 §2(part), 1999)

17.22.080 Townhouse development standards. Local ordinances, resolutions, or laws relating to zoning shall be construed to treat like structures, lots, or parcels in like manner regardless of ownership.

A. This district shall be applied only to locations in close proximity to arterials with linkages to employment, shopping, or community support centers consistent with development standards and the comprehensive plan.

B. Only one dwelling unit may occupy an individual lot. Each attached dwelling may occupy no more than one lot.

C. Each townhouse dwelling unit shall have a minimum width of twenty-four feet.

D. Each townhouse building shall contain not less than two nor more than six townhouses.

E. The district side yard setback for the common wall on a townhouse is reduced to zero.

F. When the only driveway is from the street, each pair of units must have a common access point if applicable.

G. Differentiation between individual units or structures through the use of architectural features is encouraged.

H. No more than two abutting townhouses within the townhouse development shall have a common front building facade. Maximum wall length without modulation shall be thirty-two feet; minimum modulation of the front building facade shall be at least four feet; and minimum modulation width shall be eight feet.

I. No more than two abutting townhouses within the townhouse development shall have a common building roofline. Maximum roof length without variation shall be thirty-two feet; minimum vertical or horizontal offset shall be at least four feet; and minimum modulation width shall be eight feet.

J. Roofline variation shall be achieved using one or more of the following methods: (1) vertical offset in the ridge line; (2) horizontal offset in the ridge line; (3) variations of roof pitch; (4) gables; (5) false facades; or (6) any other technique approved by the planning commission and city council that achieves the intent of this section.

K. Buildings utilizing reduced setbacks shall not have doors that open directly onto private yard areas of abutting property. Windows in such buildings shall not be oriented toward such private yard areas unless they consist of opaque materials such as glass block, textured glass, etc. and shall not be capable of being opened, except for clerestory-story windows or skylights.

L. The owners association shall address responsibility for maintenance of all common areas and facilities in a manner that will ensure the health, safety, and welfare in the collective interest of other owners within the same multiple living structure. (Ord. 1260 §2(part), 1999)

17.22.090 -Preliminary site plan approval. The applicant shall submit a preliminary site plan to the planning commission with submission of a change in zoning application. A list of the names, mailing addresses, and individual property legal descriptions of all property owners within the proposed planned unit development and the sur-

rounding property owners within three hundred feet of the proposed planned unit development shall be on file with the city before staff study of a preliminary development plan shall be commenced. Any preliminary development plan shall include the following information presented in a general, schematic fashion.

A. A site plan showing: land uses including landscaping, parks, playgrounds, and other open spaces, lots, partition lines or other land divisions, building locations, common areas and facilities, circulation patterns, landscaping plans, setbacks, distance to property lines, and land use relationships;

B. Preliminary building plans, including floor plans and exterior elevations;

C. Engineering plans, including site grading, elevation and perspective drawings, street improvements, parking, drainage, and public utility extensions, as necessary;

D. A copy of all protective codes, covenants, restrictions and/or articles assuring continuous maintenance of open space, common areas and/or shared facilities, transportation corridors, utility easements;

E. A development schedule indicating approximate beginning date for the project, stages and timeline for project development, anticipated rate of development and approximate completion date for each stage and final project completion date;

F. Delineation of the units to be constructed in progression, if applicable;

G. A market analysis of proposed commercial uses, if the property is not zoned for commercial purposes at the time of the submittal of the preliminary development plan;

H. An environmental assessment statement; provided that the city will not be precluded from requiring a detailed statement prepared pursuant to RCW 43.21c.020(2)(c) and WAC 197.10;

I. Relation to future land use in the surrounding area;

J. A written statement which is part of the preliminary development plan and shall contain: a statement of proposed financing; statement of present ownership; and approximate expected schedule of development; and

K. Preliminary approval of the site plan shall be binding on both the city and the applicant. (Ord. 1260 §2(part), 1999)

17.22.100 Site plan and schedule approval. Together with the application for rezoning classification, the applicant shall submit the following documents and supporting evidence.

A. A reproducible map with ten prints of a site plan which shall be in conformance with the approved preliminary site plan and which shall include a survey of the property

showing existing features of the property which are to be incorporated into the proposed development, including specimen trees, structures, streets, topography, easements, utility lines, and proposed land use including location and proposed density of dwelling units; and nonresidential building intensity. The following signature blocks and statements are to be placed upon the face of the map or succeeding page thereof:

1. A signature block for the city council to certify approval of the site plan.

2. A signature block for the applicant(s) binding the applicant(s) to the conditions and regulations proposed and which will be controlling within the planned unit development.

3. A statement that the land shall not be further divided nor shall uses be allowed other than those designated on the map without rezoning and re-platting the property in accordance with state and county laws.

B. A schedule for the development of units to be constructed in progression and description of the design principles for buildings and streetscapes; tabulation of total number of dwelling units proposed by type of dwelling for each unit of the planned unit development; estimated residential population by type of dwelling for each unit of the planned unit development; proposed retail sales area and economic justification; anticipated timing for each unit; and standards for height, open space, building intensity, population density, and public improvements proposed for each unit of development.

C. Engineering feasibility information deemed necessary.

D. Such other detailed information deemed necessary by staff or the planning commission. Applications shall not be accepted and considered filed until all of said documents and supporting evidence have been submitted to the administrator. (Ord. 1260 §2(part), 1999)

17.22.110 Final approval. The final development plan shall be submitted to the planning commission within three years from the date of approval of the preliminary development plan. The planning commission may extend for up to two years the period for filing of the final development plan. Planned unit development plans shall be concerned with information necessary for evaluation, but not necessarily limited to, the following:

A. A binding site plan prepared in accordance with the requirements of GMC Title 16, Subdivisions, showing individual lots;

B. Compliance with Section 17.22.090 (Preliminary site plan approval) of this chapter;

C. Completion of roads, utilities, landscaping, etc. or performance bonding sufficient to ensure completion project development; and

D. Other information necessary for project evaluation, as required by the planning staff or planning commission, including proposed use and occupancy, type of construction, building height and coverage, and proposed distances between structures and property lines. Minor changes to an approved planned unit development pertaining to siting may be approved with the intent expressed in the general development plan. Approval of a planned unit development will not be considered until all of the said documents have been submitted to the director of planning and an approved mylar of the planned unit development has been filed with the city clerk-treasurer. (Ord. 1260 §2(part), 1999)

17.22.120 Findings required. The planning commission, after public hearing, may recommend the establishment of a planned unit development, and the city council, may by ordinance establish a planned unit development provided it finds that the facts submitted with the application and presented at the hearing establish that:

A. The proposed planned unit development, or given unit thereof, can be substantially completed within four years of the establishment of the planned unit development;

B. That each individual unit of development, as well as the total development, can exist as an independent unit capable of creating an environment of sustained desirability and stability or that adequate assurance will be provided that such objective will be attained; that the uses proposed will not be detrimental to present and potential surrounding uses, but will have a beneficial effect which could not be achieved under other zoning districts;

C. That the streets and thoroughfares proposed are suitable and adequate to carry anticipated traffic, and increased densities will not generate traffic in such amounts as to overload the street network outside the planned unit development;

D. That any proposed commercial development can be justified economically at the locations to provide for adequate commercial facilities of the types proposed;

E. That any exception from standard ordinance requirements is warranted by the design and amenities incorporated in the site plan, in accordance with adopted policy of the planning commission and the city council;

F. That the area surrounding said development can be planned and zoned in coordination and substantial compatibility with the proposed development;

G. That the planned unit development is in conformance with the comprehensive plan of Goldendale;

H. That utility services are adequate for the population densities proposed; and

I. That said development will not cause substantial or unjustifiable detrimental effects on the environment.

The planning commission and council shall approve site plans for this zone district only after review and comment by the administrator, city engineer, public health officer and other agencies of concern. The property shall be developed in accordance with the approved site plan and other applicable city ordinances. Further development beyond that allowed by the underlying zone shall not be allowed unless the underlying zoning changes to permit increased density. (Ord. 1260 §2(part), 1999)

17.22.130 Planning commission and city council. A. If, from the facts presented, the planning commission or the city council is unable to make the necessary findings, the application shall be denied.

B. In taking action, the planning commission may deny the site development plan and development schedule as submitted, or may recommend approval of said plan and schedule subject to specified amendments or conditions.

C. Major changes in a site development plan shall be considered the same as a change in the zoning map and shall be made in accordance with the provisions of this ordinance.

D. If no development has occurred to effectuate a planned unit development within three years after the district is created, the planned unit development shall revert back to the underlying zoning district.

E. At the time of adopting any ordinance establishing a planned unit development, the city council shall make appropriate arrangements with the applicant, which will insure the accomplishment at the scheduled times, of the public improvements and grants of easement shown on the approved general development plan. (Ord. 1260 §2(part), 1999)

17.22.140 Other requirements. Underground utilities, including telephone and electric systems, are required within the limits of all planned unit developments. Appurtenances to these systems which may be effectively screened may be exempted from this requirement if the planning commission finds that such exemption will not violate the intent or character of the proposed planned unit development. (Ord. 1260 §2(part), 1999)

17.22.150 Development plan changes. A. Major changes in the development plan after it has been granted preliminary or final approval shall be considered as a new petition and shall be made in accordance with the proce-

dures outlined in Sections 17.22.040, 17.22.050, and 17.22.060.

B. Minor changes in the development plan may be approved by the administrator, provided that such changes:

1. Do not increase densities;
2. Do not change boundaries;
3. Do not change any use; and
4. Do not change the general location or amount of land devoted to specific uses.

C. Minor change may include: minor shifting of the location of buildings, roads, utility easements, open spaces, or other similar feature of the plan. (Ord. 1260 §2 (part), 1999)

## Chapter 17.24

### MANUFACTURED HOME PARK (MHP)

#### Sections:

- 17.24.010 Purpose and intent.
- 17.24.020 Principal uses.
- 17.24.030 Development standards.
- 17.24.040 Manufactured home park site plan.
- 17.24.050 Parking.

17.24.010 Purpose and intent. The purpose of this district is to implement the comprehensive plan by providing for high density zoning classifications suitable the placement of manufactured homes. The manufactured home park zone is designed to provide for manufactured home developments at densities consistent and compatible with other surrounding residential densities. (Ord. 1260 §2(part), 1999)

17.24.020 Principal uses. Principal uses permitted outright in manufactured home park residential districts shall include:

- A. Manufactured homes;
- B. Temporary construction offices within a subdivision on which buildings are being erected; and only for the duration of active construction; and
- C. Home occupations: See Chapter 17.36. (Ord. 1260 §2(part), 1999)

17.24.030 Development standards. In addition to meetings the development standards provided in Section 15.44.040, the following provisions shall apply in the manufactured home park district, subject to other provisions of this title, except that where conflicts in regu-

lation occur, the regulations specified in this section or on a development plan approved pursuant to this chapter shall apply:

- A. Minimum total land area: five acres;
- B. Maximum density with water and sewer: eight units per acres;
- C. Minimum lot area: four thousand square feet;
- D. Minimum lot width: forty-five feet;
- E. Minimum lot depth: sixty feet. (Ord. 1260 §2(part), 1999)

17.24.040 Manufactured home park site plan. The applicant shall submit a preliminary site plan to the planning commission with submission of a change in zoning application. A list of the names, mailing addresses, and individual property legal descriptions of all property owners within the proposed manufactured home park and the surrounding property owners within three hundred feet of the proposed planned unit development shall be on file with the city before staff study of a preliminary development plan shall be commenced. Any preliminary development plan shall include the following information presented in a general, schematic fashion.

- A. Name and address of the owner and/or operator;
- B. Address, location and legal description of the manufactured home park;
- C. Extent of the area and dimensions of the site;
- D. Size, location and number of manufactured home lots;
- E. Entrances, exits, driveways and walkways showing proposed widths;
- F. Number, size and location of automobile parking accommodations;
- G. Number, location and floor plans, including elevations, of all service buildings, proposed structures, and other accessory buildings;
- H. Location, and size of recreation area, if any, including a development plan showing type of landscaping, surface treatment, drainage, apparatus and/or special equipment;
- I. Lighting plan of outside areas and service outlets;
- J. Tenant storage plan; and
- K. Any other information deemed necessary by the planning commission. (Ord. 1260 §2(part), 1999)

17.24.050 Parking. Parking standards shall be provided in accordance with the terms of Section 17.34.010 GMC. (Ord. 1260 §2(part), 1999)

Chapter 17.26LIGHT MANUFACTURING DISTRICT (M-1)Sections:

17.26.010	Purpose.
17.26.020	Principal uses.
17.26.030	Accessory uses.
17.26.040	Conditional uses.
17.26.050	Prohibited uses.
17.26.060	Outdoor storage.
17.26.070	Development standards.
17.26.080	Parking.

17.26.010 Purpose. The purpose of this district is to implement the comprehensive plan by providing for planned development of large land areas, in appropriate locations, exclusively for industrial and subordinate uses which provide support services to the district. The light manufacturing district is a light industrial zoning classification suitable for the manufacture, distribution and assembly of finished products that have a relatively light impact on adjacent uses and are primarily conducted in an enclosed structure. Master planning of the entire industrial site is encouraged to ensure compatibility between industrial operations, as well as the existing and future character of adjacent areas. (Ord. 1260 §2(part), 1999)

17.26.020 Principal uses. Principal uses permitted outright in light manufacturing districts shall include:

A. Fabrication and assembly of electrical equipment and appliances including radio and television sets, communications equipment, electronic components and accessories, and electric lighting equipment and lamps;

B. Fabrication of photographic and optical goods, watches and clocks, and engineering, scientific, surgical, medical, dental and ophthalmic products;

C. Manufacture and fabrication of jewelry, silverware, plated ware, musical instruments, toys, athletic goods, office and artistic supplies, and novelties;

D. Fabrication of office, computing and accounting equipment, and office and public building furniture, fixtures, partitions, shelves and lockers,

E. Fabrication of paper products including paper containers and boxes;

F. Printing and publishing of newspapers, periodicals and books, bookbinding and manufacture of business forms and greeting cards;

G. Processing and packaging of drug, pharmaceuticals, perfumes, cosmetics and oils;

H. Manufacture, fabrication or treatment of articles prepared from recycled or reused materials, such as bone, cellophane, canvas, cloth and glass;

I. Manufacture, processing, and fabrication of lumber and millwork, manufactured homes, travel trailers, and other structures, structural wood members, wood containers, miscellaneous wood products; i.e., cants and lumbers, dressed siding, ceiling and flooring lumber, lath, cut stock, and other roofing and construction materials;

J. Fabrication of stone, clay and glass products including glassware, pottery and related products, stone cuttings and monuments, and fiberglass products;

K. Manufacture of transportation equipment including personal aircraft, boats, bicycles, motorcycles, and related parts;

L. Fabrication of metal products including metal cans, hardware, hand tools, cutlery, heating apparatus, plumbing fixtures, structural metals, screws and bolts, and stamping equipment;

M. Manufacture of machinery including engines, turbines, farm machinery and equipment, electrical, construction, oil, and mining machinery, transmission and distribution equipment, industrial process ovens, machine tools and dies, paper, textiles and rolling mill machinery, specialized industrial equipment other industrial apparatus;

N. Wholesale trade of durable goods including automotive parts and supplies, tire and tubes, furniture and home furnishings, lumber and other construction materials, sporting goods, toys and hobby goods, metal service centers and offices, electrical goods, hardware, plumbing and heating equipment, machinery, equipment and supplies, paper and paper products, groceries and related products, beer, wine and distilled beverages, and miscellaneous durable goods;

O. Stone, marble and granite monument works;

P. Auto/truck reconditioning, painting, upholstering, motor rebuilding;

Q. Body and fender work; farm equipment repair; boat building and repair; and

R. Any other use judged by the planning commission or the council to be similar in nature to the above listed uses and which are consistent with the purpose and intent of the district, have similar effects on surrounding land uses, are of the same type and character and can meet the performance standards for this district. (Ord. 1260 §2(part), 1999)

17.26.030 Accessory uses. Accessory uses permitted in light manufacturing districts shall include:

A. Business signs in compliance with Section 17.34.040.

B. Accessory uses in light manufacturing districts may be permitted which are customarily incidental and sub-

ordinate to the principal use. All such accessory uses must conform to all requirements for the principal use. (Ord. 1260 §2(part), 1999)

17.26.040 Conditional uses. Conditional uses permitted in light manufacturing districts shall include:

- A. Eating establishments, convenience grocery stores, cafes and gas stations operating primarily for the convenience of employees, clients and customers of the district;
- B. Business firm headquarters and professional offices;
- C. Public, governmental, and municipal buildings serving as administrative offices;
- D. Fire and police stations;
- E. Public utility and communication facilities including telephone exchanges, broadcasting stations and transmitting towers;
- F. Retail sale of lumber and other building materials;
- G. Brewery, distillery or winery;
- H. Warehouse and distribution centers and operations;
- I. Grain elevators, cereal mills, and bottling plants;
- J. Manufacture and processing of food including meat, dairy, fruit, vegetable, seafood, bakery and beverage products;
- K. Fabrication of apparel including clothing, hats, caps, fur products; and miscellaneous textile products;
- L. Fabrication of leather products including belts, boots, shoes, gloves and mittens, luggage, handbags and other personal leather goods;
- M. Machine shop, welding shop, saw mill and sawmill activities provided that all odor and noise producing processes are conducted in an enclosed structure equipped with filtering or noise reduction equipment to mitigate odor and/or noise impacts;
- N. Tire re-treading or recapping;
- O. Research and development facilities; and
- P. Other uses deemed by the board of adjustment as similar to and consistent with the intent and purpose of the light manufacturing zoning district. (Ord. 1260 §2(part), 1999)

17.26.050 Prohibited uses. No building, structure, or premises, or portions thereof shall be used for human habitation, except as quarters for a caretaker, guard, or other person whose permanent residency on the premises is required for operational, safety or protective purposes. (Ord. 1260 §2(part), 1999)

17.26.060 Outdoor storage. Outdoor storage in a light manufacturing district must be maintained in an or-

derly manner at all times. For outdoor storage in this district, uses such as junk yards, auto wrecking and scrap metal storage are permitted under the following conditions:

A. All storage yards must be screened to a minimum height of six feet, and materials must consist of sight-obscuring fence or evergreen plantings which completely enclose the use;

B. No materials may be piled higher than the top of the fence or screening material;

C. Such storage shall be no closer than two hundred feet from any public thoroughfare or commercial district and not closer than three hundred feet from any residential district;

D. Storage of animal or vegetable wastes shall be prohibited which would attract insects or rodents or otherwise create a public health hazard. (Ord. 1260 §2(part), 1999)

17.26.070 Development standards. The following provisions shall apply in the light manufacturing district, subject to other provisions of this title, except that where conflicts in regulation occur, the regulations specified in this section or on a development plan approved pursuant to this chapter shall apply:

A. Minimum lot area: five thousand square feet;

B. Minimum lot width: forty feet;

C. Minimum lot depth: forty feet;

D. Maximum building height: fifty feet;

E. Maximum lot coverage: not applicable;

F. Minimum front yard depth: five feet (twenty-five feet when abutting a residential district);

G. Minimum rear yard depth: five feet (twenty-five feet when abutting a residential district);

H. Minimum side yard width: five feet (twenty-five feet when abutting a residential district). (Ord. 1260 §2(part), 1999)

17.26.080 Parking. Parking standards shall be provided in accordance with the terms of Section 17.34.010 GMC. (Ord. 1260 §2(part), 1999)

## Chapter 17.28

### HEAVY MANUFACTURING DISTRICT (M-2)

#### Sections:

17.28.010 Purpose.

17.28.020 Principal uses.

17.28.030 Accessory uses.

## Sections: (Continued)

- 17.28.040 Conditional uses.
- 17.28.050 Prohibited uses.
- 17.28.060 Outdoor storage.
- 17.28.070 Development standards.
- 17.28.080 Parking.

17.28.010 Purpose. The purpose of this district is to implement the comprehensive plan by providing sufficient, fully serviced urban areas commensurate with demand for heavy industrial activities which by their nature are more intensive uses than those of the light manufacturing district. This is the least restrictive zoning district and is intended to be located in areas where heavy industrial land uses can develop while causing the least impact on other land uses. (Ord. 1260 §2(part), 1999)

17.28.020 Principal uses. Principal uses permitted outright in heavy manufacturing districts shall include:

- A. All principal and conditional uses permitted in the light manufacturing district (M-1) Sections 17.26.020 and 17.26.040;
- B. Manufacture, processing, or fabrication of metal products and machinery;
- C. Enameling, galvanizing, electroplating or metal coating processes;
- D. Contractors, loggers and heavy equipment and machinery storage yards, plants, repair and rental shops or salvage yards;
- E. Rail, truck and freight terminals, and parcel delivery services;
- F. Retail automobile wrecking yards where determined by the zoning administrator to be adequately screened from adjacent properties and streets; and
- G. Other uses similar in nature to the uses listed above which are consistent with the purpose and the intent of the district, have similar effects on surrounding land uses, and can meet the performance standards for this district. (Ord. 1260 §2(part), 1999)

17.28.030 Accessory uses. Accessory uses permitted in heavy manufacturing districts shall include:

- A. Business signs in compliance with Section 17.34.040.
- B. Accessory uses in heavy manufacturing districts may be permitted which are customarily incidental and subordinate to the principal use. All such accessory uses must conform to all requirements for the principal use. (Ord. 1260 §2(part), 1999)

17.28.040 Conditional uses. Conditional uses permitted in heavy manufacturing districts shall include:

- A. Manufacture and refinement of aggregate, concrete and asphalt;
- B. Manufacture and refinement of fertilizer;
- C. Manufacture of glues and resins using vegetable or synthetic materials provided that all odor-producing processes are conducted in an enclosed structure equipped with filtering equipment to mitigate odor impacts;
- D. Smelters, re-melting mills, and foundries;
- E. Fuels and solid materials storage yard; and
- F. Other uses deemed by the board of adjustment as similar to and consistent with the intent and purpose of the heavy manufacturing zoning district. (Ord. 1260 §2(part), 1999)

17.28.050 Prohibited uses. No building, structure, or premises, or portions thereof shall be used for human habitation, except as quarters for a caretaker, guard, or other person whose permanent residency on the premises is required for operational, safety or protective purposes. (Ord. 1260 §2(part), 1999)

17.28.060 Outdoor storage. Outdoor storage in a light manufacturing district must be maintained in an orderly manner at all times. For outdoor storage in this district, uses such as junkyards, auto wrecking and scrap metal storage are permitted under the following conditions:

- A. All storage yards must be screened to a minimum height of seven feet, and materials must consist of sight-obscuring fence or evergreen plantings which completely enclose the said use;
- B. No wrecked autos or scrap material may be piled higher than the top of the fence or screening material;
- C. Such storage shall be no closer than two hundred feet from any public thoroughfare or commercial district and not closer than three hundred feet from any residential district;
- D. Storage of animal or vegetable wastes shall be prohibited which would attract insects or rodents or otherwise create a public health hazard. (Ord. 1260 §2(part), 1999)

17.28.070 Development standards. The following provisions shall apply in the heavy manufacturing district, subject to other provisions of this title, except that where conflicts in regulation occur, the regulations specified in this section or on a development plan approved pursuant to this chapter shall apply:

- A. Minimum lot area: five thousand square feet;
- B. Minimum lot width: forty feet;
- C. Minimum lot depth: forty feet;

- D. Maximum building height: fifty feet;
- E. Maximum lot coverage: not applicable;
- F. Minimum front yard depth: five feet (fifteen feet when abutting a residential district);
- G. Minimum rear yard depth: five feet (fifteen feet when abutting a residential district);
- H. Minimum side yard width: five feet (fifteen feet when abutting a residential district). (Ord. 1260 §2(part), 1999)

17.28.080 Parking. Parking standards shall be provided in accordance with the terms of Section 17.34.010 GMC. (Ord. 1260 §2(part), 1999)

Chapter 17.30

PUBLIC DISTRICT (P)

Sections:

- 17.30.010 Purpose.
- 17.30.020 Principal uses.
- 17.30.030 Accessory uses.
- 17.30.040 Conditional uses.
- 17.30.050 Development standards.
- 17.30.060 Parking.

17.30.010 Purpose. The purpose of this district is to implement the comprehensive plan by providing for areas within the city that are available for public uses and to have site plans prepared for those uses. (Ord'. 1260 §2(part), 1999)

17.30.020 Principal uses. Principal uses permitted outright in public districts shall include:

- A. Institutions such as schools, colleges, hospitals, sanitariums, convalescent centers and charitable uses;
- B. Churches with a lot area greater than three-quarter acre, memorial buildings, community clubhouses and museums;
- C. Governmental buildings, including police and fire stations;
- D. Public parks over one-half acre in size; and
- E. Cemeteries. (Ord. 1260 §2(part), 1999)

17.30.030 Accessory uses. Accessory uses permitted in public districts shall include:

- A. Public and educational signs not to exceed eighty square feet and placed so as not to face adjacent residential districts;

B. Accessory uses, in public districts may be permitted which are customarily incidental and subordinate to the principal use. All such accessory uses must conform to all requirements for the principal use. (Ord. 1260 §2(part), 1999)

17.30.040 Conditional uses. Conditional uses permitted in public districts shall include:

A. Building heights in excess of four stories or fifty feet. Uninhabitable portions of structures such as church spires, high naves, domes and clock towers may be permitted to exceed the height limit provided such appurtenances are not intended for advertising purposes.

B. Parking lots located separately from a permitted principal use; and

C. Public utility and communication facilities. (Ord. 1260 §2(part), 1999)

17.30.050 Development standards. The following provisions shall apply in the public district, subject to other provisions of this title, except that where conflicts in regulation occur, the regulations specified in this section or on a development plan approved pursuant to this chapter shall apply:

A. Minimum lot area: not applicable;  
B. Minimum lot width: not applicable;  
C. Minimum lot depth: not applicable;  
D. Maximum building height: four stories but not to exceed fifty feet;

E. Maximum lot coverage: thirty-five percent for all buildings;

F. Minimum front yard depth: twenty feet;

G. Minimum rear yard depth: twenty feet;

H. Minimum side yard width: fifteen feet;

I. Minimum side yard width on corner lot: twenty feet. (Ord. 1260 §2(part), 1999)

17.30.060 Parking. Parking standards shall be provided in accordance with the terms of Section 17.34.010 GMC. (Ord. 1260 §2(part), 1999)

## Chapter 17.32

### FLOOD HAZARD DISTRICT (FH)

#### Sections:

17.32.010 Purpose.

17.32.020 Determination and applicability.

17.32.030 Uses and activities.

Sections: (Continued)

17.32.040 Development standards.

17.32.050 Limits of implication.

17.32.010 Purpose. The purpose of this district is to implement the comprehensive plan by promoting the public health, safety and general welfare and to minimize flood losses by:

A. Restricting uses which are dangerous to health, safety or property in times of flood or cause increased flood heights or velocities;

B. Requiring that uses vulnerable to floods, including public facilities which serve such uses, be provided with protection at the time of initial construction;

C. Advising individuals of lands which are unsuited for intended purposes because of flood hazard. (Ord. 1260 §2 (part) , 1999)

17.32.020 Determination and applicability. Flood hazard areas shall be classified as all areas within the floodplain subject to a one percent or greater chance of flooding in a given year. The flood hazard district shall apply only to those areas of the city which are identified as within the one-hundred-year floodplain by the Federal Emergency Management Agency for the city of Goldendale, or other competent agency concerned with such studies such as the U.S. Army Corps of Engineers or the Natural Resource Conservation Service. When this chapter is in conflict with any other chapter of the Goldendale Municipal Code or any other state or federal provision, the more stringent provisions shall govern. (Ord. 1260 §2(part), 1999)

17.32.030 Uses and activities. Uses and activities permitted are those allowed by the underlying zoning district. Provisions for accessory and conditional uses of the underlying zoning district shall also apply. (Ord. 1260 §2(part), 1999)

17.32.040 Development standards. The following provisions shall apply in the flood hazard district, subject to other provisions of this title, except that where conflicts in regulation occur, the regulations specified in this section or on a development plan approved pursuant to this chapter shall apply. The city shall require that:

A. All necessary federal, state, and local permits have been received;

B. All proposals are consistent with the need to minimize flood damage in the flood-prone areas;

C. All public utilities and facilities are located and constructed in a manner which will minimize or eliminate infiltration of floodwaters into those systems;

- D. Adequate drainage is provided to reduce exposure to flooding;
- E. All new or replacement water systems are designed to minimize or eliminate infiltration of floodwaters into those systems; and
- F. All new or replacement sanitary sewage systems are designed to minimize or eliminate infiltration of floodwaters into those systems. If on-site waste disposal systems are used, they shall be located to avoid impairment or contamination during flooding. (Ord. 1260 §2(part), 1999)

17.32.050 Limits of implication. This chapter does not imply that land outside of flood hazard areas or use permitted within such areas will be free from exposure or damage by natural disasters. This chapter shall not create liability on the part of the city or any officer or employee thereof for any damages that result from reliance on this chapter or administrative decision lawfully made hereunder. (Ord. 1260 §2(part), 1999)

### Chapter 17.34

#### PARKING AND SIGNS

##### Sections:

- 17.34.010 Parking.
- 17.34.020 Joint use authorization.
- 17.34.030 Joint use conditions.
- 17.34.040 Signs.

17.34.010 Parking. unless otherwise provided by requirements set forth in a specific zoning district, parking spaces shall be required in accordance with the following:

- A. All streets, parking lots and loading facilities shall provide adequate surface water drainage;
- B. Any parking lot which contains parking spaces located more than five hundred feet from the principal use shall require approval by the planning commission;
- C. Residential parking space shall not be less than ten feet wide and twenty feet long;
- D. Single-family: at least one, permanently maintained, off-street parking space or private garage shall be on the same lot as the dwelling, or be attached thereto or made a part of the main building;
- E. Single-family in suburban residential: at least two, permanently maintained, off-street parking space or

private garage shall be, on the same lot as the dwelling, or be attached thereto or made a part of the main building;

F. Two-family residential: at least two, permanently maintained, off-street parking space or private garage shall be on the same lot as the dwelling, or be attached thereto or made a part of the main building;

G. Multifamily residential: at least one for each dwelling unit, permanently maintained, off-street parking space or private garage per unit;

H. Manufactured home park: at least one, permanently maintained, off-street parking space or private garage per unit plus one designated visitor parking space equal to one space per five units within three hundred feet of the serviced units. Visitor parking spaces may be waived if streets are constructed to the thirty-six-foot pavement width;

I. Minimum commercial and industrial parking space size shall be nine feet by eighteen feet unless it is demonstrated that smaller sizes are appropriate;

J. Industrial buildings: at least one parking space per one thousand square feet of gross floor area;

K. Warehouse buildings: at least one parking space per two thousand square feet of gross floor area;

L. Personal and professional services, offices, banks, medical offices, clinics, and self-service laundries: at least one parking space per four hundred square feet of gross floor area;

M. Fast food restaurants: at least one parking space per one hundred square feet of gross floor area;

N. Retail stores except as provided in subsection 0 of this section: at least one parking space per three hundred square feet of gross floor area;

0. Retail store handling bulky merchandise: at least one parking space per six hundred square feet of gross floor area;

P. Repair shops, newspaper offices, electrical, radio, and televisions shops: at least one parking space per six hundred square feet of gross floor area;

Q. Restaurants, taverns, bars, and nightclubs: at least one parking space for each four persons based on occupant load;

R. Churches and funeral homes: at least one parking space for each six persons based on occupant load;

S. Hospitals: at least one parking space for every four beds;

T. Primary and elementary schools: at least one parking space for every employee;

U. High schools: at least one parking space for every employee and one for every five students;

V. Places of public assembly, private clubs, lodges, union and social halls: at least one parking space for

each six persons based on occupant load plus one for every two employees;

W. Hotels, motels, and bed and breakfasts: at least one parking space per guest room or suite;

X. Bowling alleys: five spaces per alley; and

Y. Other uses shall be determined by the planning commission. (Ord. 1260 §2(part), 1999)

17.34.020 Joint use authorization. The board of adjustment may authorize the joint use of parking facilities for the following uses or activities under conditions specified:

A. Up to fifty percent of the parking facilities required by this chapter for a theater, bowling alley, dance hall, restaurant, or other similar uses, may be supplied by the off-street parking facilities provided by other "day-time" 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 section for a church or for an auditorium incidental to a public or parochial school may be supplied by the off-street parking facilities serving primarily "daytime" uses. (Ord. 1260 §2(part), 1999)

17.34.030 Joint use 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 located within three hundred feet of such parking facilities.

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. (Ord. 1260 §2(part), 1999)

17.34.040 Signs. A. Total business signage per building not to exceed three hundred square feet and placed so as not to face adjacent residential districts.

B. No sign shall be located in or project into a right-of-way of any public street unless such locations or projection are specifically authorized by the planning commission.

C. No sign shall be constructed which interferes with the sight distance of motorists or pedestrians.

D. No sign located over a private driveway shall be erected at a height of less than fifteen feet above the driveway surface.

E. No sign located over a public sidewalk shall be erected at a height of less than eight and one-half feet above the sidewalk surface.

F. Signs located next to curb edges shall not interfere with the opening of car doors, loading zones or pedestrian traffic.

G. Directional signs indicating entrances, exits, service areas and parking areas are excluded from the provisions of this chapter, and may be erected on public rights-of-way.

H. Nonbusiness signs may be erected as a public service to the community by public service clubs or other nonprofit organizations. Such signs may be located in any zone upon approval by the zoning administrator.

I. Educational signs may be erected in any zone subject to approval by the zoning administrator.

J. Off-premises signs permitted in the C-2, C-3, M-1 and M-2 zoning districts located on Highway 97 shall have written approval from the Washington State Department of Transportation. (Ord. 1260 §2(part), 1999)

### Chapter 17.36

#### HOME OCCUPATIONS

##### Sections:

- 17.36.010 Purpose.
- 17.36.020 Permit required.
- 17.36.030 Administration.
- 17.36.040 Home occupation standards.
- 17.36.050 Principal uses.
- 17.36.060 Prohibited uses.
- 17.36.070 Exemptions.

17.36.010 Purpose. This chapter recognizes the needs of people who are engaged in small-scale business ventures which could not be sustained if it were necessary to lease commercial quarters or which cannot be expanded to full scale enterprises. Full-scale commercial or professional operations, which would be ordinarily be conducted in a commercial or industrial district will continue to be conducted in those districts and not at home. (Ord. 1260 §2(part), 1999)

17.36.020 Permit required. It is unlawful for a person or individual, or corporation or other entity to engage in a home occupation as defined in GMC Section 17.04.390 within the city limits without first having obtained a permit in compliance with the provisions of this chapter. The permit shall not be transferred, nor shall it be valid at any address other than the one appearing on the permit. (Ord. 1260 §2(part), 1999)

17.36.030 Administration. This chapter shall be administered as follows:

A. Any person or party wishing to establish a home occupation shall make application through the zoning administrator or designee. The zoning administrator or designee may approve or deny home occupation permits which do not involve outside employees. All other applications for home occupation permits shall be made to and approved or denied by the board of adjustment;

B. Applications for all home occupation permits shall be subject to payment of a permit fee; and

C. In the event the zoning administrator or designee denies a permit application, the applicant shall have ten calendar days to appeal the decision in writing to the board of adjustment. The written appeal shall be filed with the city clerk together with payment of the appeal fee. (Ord. 1260 §2(part), 1999)

17.36.040 Home occupation standards. All home occupations shall meet the following conditions:

A. Dwelling units used for the home occupations shall be incidental and subordinate to the primary residential use with not more than twenty-five percent of the gross floor area of the entire structure being used for conducting the home occupation;

B. There shall be no exterior modification of the structure which would suggest use other than residential;

C. There shall be no exterior or window displays, signs, storage of materials, or sample commodities displayed outside of the premises;

D. The home occupation shall be fully enclosed within the primary residential structure;

E. No home occupation shall be permitted which is objectionable due to noise, dust, smoke, odor, glare, traffic attraction or other disturbing influences greater than that of other residential properties in the vicinity;

F. No materials or commodities shall be delivered to or from the home occupation which are of such bulk or quantity as to require delivery by a commercial vehicle or trailer having more than a single rear axle;

G. No parking shall be allowed beyond that normal to a residential area and no excessive vehicular or pedestrian traffic shall be present as a result of the home occupation;

H. No persons other than immediate residents of the structure and one outside employee may be employed in the home occupation;

I. In all residential districts no services shall be rendered on the premises which require the presence of persons in connection with the home occupation in excess of an average of four persons per day; and

J. The hours of operation for uses involving nonresident employees and the delivery of materials shall be limited to between seven a.m. and seven p.m., Monday through Saturday. (Ord. 1260 §2(part), 1999)

17.36.050 Principal uses. Principal uses permitted may include, but are not limited to the following:

- A. Dressmaking, seamstresses and tailors;
- B. Artists, sculptors, authors and composers;
- C. Resident owned and operated beauty and barber shops;
- D. Home crafts, such as model making, rug weaving, lapidary work and cabinet making;
- E. Office facility of a salesman, sales representative or manufacturer's representative;
- F. Repair shop for household items;
- G. Telephone answering or soliciting;
- H. Computer programming and small scale repair;
- I. Home cooking and preserving; and
- J. Other uses deemed by the board of adjustment as similar to and consistent with the intent and purpose of the applicable residential zoning district. (Ord. 1260 §2(part), 1999)

17.36.060 Prohibited uses. The following uses are deemed to be prohibited:

- A. Clinics or hospitals;
- B. Mortuaries or funeral homes;
- C. Commercial print shops;
- D. Rental of trailers;
- E. Restaurants and cafes;
- F. Stables or kennels;
- G. Vehicle repair or auto detailing shops;
- H. Outdoor storage of building or construction materials not intended for immediate use in or on the premises; and
- I. Other uses which do not comply with the intent of this chapter or the standards set forth in or the definition of a home occupation. (Ord. 1260 §2(part), 1999)

17.36.070 Exemptions. Exemptions to this chapter include the following:

- A. Child care services for up to twelve children at any one time in addition to those children living in the home;
- B. Newspaper delivery; and
- C. Garage and yard sales as long as the sale involves only the sale of household goods and does not continue for more than three consecutive days in any calendar month and is not in violation of any other provisions of this code. (Ord. 1260 §2(part), 1999)

Chapter 17.38NONCONFORMING USES, LOTS, AND STRUCTURESSections:

- 17.38.010 Purpose.
- 17.38.020 Abatement or termination.
- 17.38.030 Enlargement.
- 17.38.040 Repairs, maintenance and safety.
- 17.38.050 Unlawful uses not authorized-Special exceptions.
- 17.38.060 Prior approval.

17.38.010 Purpose. It is the purpose of the council to provide regulatory mechanics for nonconforming uses as found and determined to be reasonable and equitable in many jurisdictions. This policy is pursued in order that nonconforming uses in existence at the time of adoption of the ordinance codified herein or amendments thereto, shall be brought to conformity or amortized and removed within such periods of time as are compatible with justice to the owners of properties affected and with the interests of the safety, health and general welfare of the city. (Ord. 1260 §2 (part), 1999)

17.38.020 Abatement or termination. A. A nonconforming use if changed to a conforming use may not thereafter be changed back to a nonconforming use.

B. A nonconforming use, when discontinued or abandoned for a period of twelve consecutive calendar months, shall not be resumed.

C. The land from which any nonconforming structure has been removed shall be subsequently used in conformity with the appropriate district regulations.

D. A nonconforming structure if destroyed, damaged or has incurred a loss equal to or greater than seventy-five percent of its assessed or appraised value shall thereafter conform to the provisions of this title.

E. A nonconforming structure which has been damaged or incurred a loss less than seventy-five percent shall have no more than twelve months in which to resume activity or rebuild or the nonconformance shall be considered to be terminated and shall not be resumed. (Ord. 1260 §2(part), 1999)

17.38.030 Enlargement. A. The enlargement of a nonconforming use to any portion of an existing building, which portion was designed and built for such nonconforming use prior to the passage of the ordinance codified in this

title may be permitted, provided no structural alterations are made;

B. A building designed and built for, or devoted to, a nonconforming use at the time of the passage of the ordinance codified herein may not be enlarged or structurally altered unless the use of such building is changed to a conforming use, or when such enlargement is permitted by variance in case of evident hardship; and

C. Moving of a nonconforming use to contiguous lots is prohibited. (Ord. 1260 §2(part), 1999)

17.38.040 Repairs, maintenance and safety. Repairs and maintenance work may be undertaken on a nonconforming structure to the extent that such repair and maintenance does not exceed ten percent of the assessed value of the structure within a period of twelve consecutive months. Nothing shall prevent the city from requiring repairs on any nonconforming structure to protect the public health and safety. Maintenance work and repair on a nonconforming structure shall conform to all revisions, modifications and amendments to the city building codes. (Ord. 1260§2(part), 1999)

17.38.050 Unlawful uses not authorized-Special exceptions.

Nothing in this title shall be interpreted as authorization for, or approval of, the continuance of, nor the allowing of a special permit, exception or variance for the use of a structure or premises in violation of the zoning regulations in effect at the time of the effective date of the ordinance codified in this title. Any use existing at the time of adoption of the ordinance codified herein which is within the scope of uses permitted by conditional exception or accessory exception in the use district in which the property is situated shall be deemed a conforming use without necessity of any action by the board of adjustment. (Ord. 1260 §2(part), 1999)

17.38.060 Prior approval. Nothing in this title shall be deemed to require any change in the plans, construction, or designated use of any building on which actual construction was lawfully begun prior to the adoption of the ordinance codified in this title and upon which building actual construction has been diligently carried on. (Ord. 1260 §2 (part), 1999)

Chapter 17.40ADMINISTRATIONSections:

- 17.40.010 Intent.
- 17.40.020 Exceptions.
- 17.40.030 Interpretations.
- 17.40.040 Official zoning map.
- 17.40.050 Comprehensive plan.
- 17.40.060 Public hearing-Notice.
- 17.40.070 Fees for application for rezone, variance, conditional use, and appeals.
- 17.40.080 Conflict.
- 17.40.090 Six-month validity.
- 17.40.100 Recording.
- 17.40.110 Violation-Penalty.

17.40.010 Intent. In interpreting and applying the provisions of this title, they shall be held to be the minimum requirements for promoting the public health, safety, and welfare; therefore, where this title imposes greater restrictions than is imposed or required by other laws, ordinances, rules or regulations, the provisions of this title shall control. (Ord. 1260 §2(part), 1999)

17.40.020 Exceptions. Recognizing that there are certain uses of property that may, or may not, be detrimental to the public health, safety and general welfare, depending upon the facts of each particular case, the planning commission shall have limited power to issue special permits for such new or unusual uses which are of similar character and not specifically mentioned elsewhere in this title as a permitted use. (Ord. 1260 §2(part), 1999)

17.40.030 Interpretations. The planning commission may permit by interpretation in a zoning district any use not described in this title, not a prohibited use, or not expressly allowed in a less restrictive district, and deem it to be in general keeping with authorized uses in such district. A record shall be kept of such interpretations to facilitate equitable future administration and to permit periodic amendments to this title. (Ord. 1260 .§2(part), 1999)

17.40.040 Official zoning map. It shall be the duty of the planning commission to interpret the provisions of this title in such a way as to carry out the intent and purpose of the official zoning plan as shown by the zoning

map accompanying and made a part of this title. (Ord. 1260 §2(part), 1999)

17.40.050 Comprehensive plan. It shall be the duty of the planning commission, board of adjustment and city council to interpret and/or administer the provisions of this title in such a manner as to carry out the intent and purpose of the comprehensive plan prepared by the planning commission in compliance with RCW 35.63 and adopted by the city council. (Ord. 1260 §2(part), 1999)

17.40.060 Public hearing-Notice. Before a request for a rezone, conditional use, variance or amendment is acted upon by the board of adjustment or planning commission it shall be considered at a public hearing. Notice of the public hearing shall include:

A. No less than three notices posted in conspicuous places on or adjacent to the tract, lot or other land or building area affected. Such notices shall state the time and place of such hearing and the nature of the question to be heard and shall be posted not less than fourteen-days prior to such hearing.

B. It shall be the responsibility of the applicant to provide mailing labels with the name and addresses of owners as shown on the records of the county assessor.

C. Written notices shall be mailed to adjacent land owners of record within three hundred feet of the subject property or others likely to be affected not less than fourteen days prior to such hearing.

D. Staff may also require additional announcements of the public hearing by posting copies of the notice in a conspicuous place at or near the location of the proposal, or by radio and/or press advertisement as deemed necessary.

E. A fee in the sum of two hundred dollars shall be collected by the city clerk-treasurer for the purpose of defraying administrative and hearing expenses. (Ord. 1260 §2(part), 1999)

17.40.070 Fees for application for rezone, variance, conditional use, and appeals. There shall be paid to and collected by the city clerk-treasurer a fee in the sum of three hundred dollars for a rezone, two hundred dollars for a variance or conditional use and an additional fee of one hundred dollars for each appeal and decisions thereof, which fees shall be for the purpose of defraying administrative and hearing expenses. (Ord. 1260 §2(part), 1999)

17.40.080 Conflict. In the event of conflict of provisions in this title, the most restrictive requirements shall prevail. (Ord. 1260 §2(part), 1999)

17.40.090 Six-month validity. Whenever any permit or exception is issued pursuant to provisions of this title, such permit or exception shall remain effective for six months. If related construction is not undertaken within six months, the authorized use shall become invalid and the principal uses permitted outright in the district shall prevail; provided that two extension periods of six months may be granted upon proof of need and timely application therefor is made to the zoning administrator. (Ord. 1260 §2(part), 1999)

17.40.100 Recording. To insure the perpetuation of any and all conditions and limitations agreed upon as conditions of a special permit or exception authorized, the owner and/or owners of the property affected shall execute a declaration of restrictions and covenants to be duly recorded covering said property. The requirements may not be relaxed without a rehearing. The covenant is waived and terminated at such time as the use is abandoned as to any duties not yet due to be performed under the covenant at the time of abandonment of use. Also any permits or rights granted on the basis of a variance or conditions exception are terminated when the use is abandoned. (Ord. 1260 §2 (part) , 1999)

17.40.110 Violation-Penalty. Noncompliance with any section of this title may result in enforcement actions. All enforcement shall be conducted pursuant to this chapter and GMC Sections 8.45.030 through 8.45.080.

A. Failure to comply with the provisions of this chapter, prior to the erection of any building constituting a variance from the zoning ordinances, or failure to comply with zoning ordinances as presently established without complying with the provisions of this chapter in the application of a proper variance, shall constitute a misdemeanor. Each day such violation continues shall be considered a separate offense.

B. The owner or tenant of any building, structure, premises or part thereof, and any architect, builder, contractor, agent or other person who commits, participates in, assists in or maintains such violation, may be found guilty of a separate offense.

C. Nothing herein contained shall prevent the city from taking such other lawful action as is necessary to prevent or remedy any violations. (Ord. 1260 §2(part), 1999)

Chapter 17.42

VARIANCES

Sections:

- 17.42.010 Authority.
- 17.42.020 Application.
- 17.42.030 Approval or denial.
- 17.42.040 Conditions of approval.
- 17.42.050 Review and appeal of decisions.
- 17.42.060 Appeal from decision-Time limits.
- 17.42.070 Findings of fact.

17.42.010 Authority. A variance may be granted by the board of adjustment after a public hearing and review by the board of adjustment. (Ord. 1260 §2(part), 1999)

17.42.020 Application. A written application for a variance from zoning ordinances and other land use ordinances or plans shall be submitted to the board of adjustment on forms prescribed by the board of adjustment and shall include such information as requested thereon. No application shall be accepted unless it complies with such requirements. Public hearing requirements shall be processed in accordance with the terms of Section 17.40.060 GMC. (Ord. 1260 §2(part), 1999)

17.42.030 Approval, or denial. Subject to conditions and procedures provided by ordinance, the board of adjustment shall be empowered to hear and decide:

A. Applications for variances from the terms of the zoning ordinances, from the official zoning map, and from other land use ordinances prescribed by city ordinance, and no application for a variance shall be granted unless the board of adjustment finds:

1. That the variance shall not constitute a granting of special privilege inconsistent with limitations upon uses of other properties in the vicinity and zone in which the subject property is located; and

2. That such variance is necessary, because of special circumstances relating to size, shape, topography, location or surroundings of the subject property, to provide it with use rights and privileges permitted to other properties in the vicinity and in the zone in which the subject property is located; and

3. That the granting of such variance will not be detrimental to the public welfare or injurious to property or improvements in the vicinity and zone in which the subject property is situated.

B. In deciding any of the matters referred to it, the board of adjustment shall issue a written report giving the reasons for its decision. The board of adjustment shall further make a finding that the reasons set forth in the application justify the granting of the variance and that the variance is the minimum variance that will make possible the reasonable use of the land, building or structure. (Ord. 1260 §2(part), 1999)

17.42.040 Conditions of approval. In approving any variance, the board may impose reasonable conditions to ensure that the variance shall not be detrimental to the public welfare or injurious to property or improvements in the area. (Ord. 1260 §2(part), 1999)

17.42.050 Review and appeal of decisions. The board may review any interpretation of the zoning ordinance made by the building official and any decision or determination relating thereto, in applying specific provisions of the zoning ordinance to any parcel of land and/or structure. The board may after public hearing confirm or reverse the interpretation made by the building official and any decision or determination relating thereto; and the board's decision shall be based upon the record and the findings in each case, and to that end it shall have all of the powers of the building official. (Ord. 1260 §2(part), 1999)

17.42.060 Appeal from decision-Time limits. Action by the board of adjustment on an application for a variance or an appeal from the decision of the building official shall be final. Any board decision shall be reviewable for unlawful, arbitrary, capricious or corrupt action or nonaction by writ of review before the Klickitat County Superior Court; provided, that the application for writ of review shall be made to the court within ten days from any decision reviewed. The costs of transcription of all records ordered certified by the court for such review shall be borne by the appellant at the rate prescribed by the administrator of this title. Such costs shall not exceed the amount necessary to reimburse the city for its expenses actually incurred. (Ord. 1260 §2(part), 1999)

17.42.070 Findings of fact. In issuing an order, requirement, decision or determination, the board of adjustment shall make written findings of fact stating reasons upon which the action is based. (Ord. 1260 §2(part), 1999)

Chapter 17.44

CONDITIONAL USES

Sections:

- 17.44.010 General provisions.
- 17.44.020 Approval or denial.
- 17.44.030 Appeal from board decisions.

17.44.010 General provisions. A. Conditional uses shall be permitted only upon the approval of the board of adjustment, after due notice and a public hearing held in accordance with GMC Section 17.46.050.

B. Permits for conditional uses shall be signed by the board of adjustment and shall stipulate conditions which may include time limits, provisions for a front, side or rear yards requirements differing from the zoning ordinance, landscaping, off-street parking and any other conditions or safeguards that would uphold the spirit and intent of the zoning ordinance and mitigate adverse effect upon neighboring properties.

C. The board of adjustment may require that the applicant for a conditional use provide the city with a performance bond to assure development of a conditional use with the restrictions and conditions specified by the board of adjustment on the conditional use permit.

D. A conditional use permit shall expire at the end of one year from the time it is granted if the permitted use is not substantially established by that time. Any conditional use permit, if granted, shall pertain only to the specific use and specific property of the applicant.

E. Any applicant desiring an amendment to an existing conditional use permit must comply with the procedures for approval as set forth in this title.

F. Any conditional property use shall meet the minimum dimensional standards of the zone in which it is to be located as well as the minimum conditions listed in this chapter and in the GMC Title 17. (Ord. 1260 §2(part), 1999)

17.44.020 Approval or denial. The board of adjustment may approve a conditional use permit application only upon finding that:

- A. The proposal is compatible with the comprehensive plan;
- B. The proposal is compatible with the purpose and intent of the said zoning district;
- C. The proposal is compatible with the surrounding neighborhood;
- D. Traffic patterns are not severely impacted;

E. Public facilities are available to serve the proposed development;

F. The proposal has no detrimental effects on neighboring properties due to excessive noise, lighting or other interference with the said neighboring properties;

G. The proposal has been designed to minimize adverse effects on neighboring properties;

H. Landscaping materials are provided in sufficient quantities and locations to screen objectionable views, break up large parking areas, and present an aesthetically attractive appearance. (Ord. 1260 §2(part), 1999)

17.44.030 Appeal from board decisions. All appeals of any decision by the board of adjustment shall be made in accordance with GMC Section 17.46.060. (Ord. 1260 §2 (part), 1999)

### Chapter 17.46

#### BOARD OF ADJUSTMENT

##### Sections:

17.46.010 Board of adjustment-Created.

17.46.020 Membership.

17.46.030 Meetings and rules of order.

17.46.040 Powers and duties.

17.46.050 Hearings.

17.46.060 Appeal-Scope of authority.

17.46.070 Final action.

17.46.080 Findings of fact.

17.46.090 Appeals to city council.

17.46.010 Board of adjustment-Created. To carry out the intent and policy of the board a board of adjustment is created. (Ord. 1260 §2(part), 1999)

17.46.020 Membership. The board of adjustment shall consist of five voting members, all of whom shall serve without compensation. The members of the board of adjustment shall be appointed by the mayor. One shall be appointed for one year; one for two years; one for three years; and two for four years. One member of the board of adjustment shall be an appointee member of the planning commission. After public hearing, any appointee member may be removed by the mayor, with approval of the council, for inefficiency, neglect of duty, or malfeasance in office. (Ord. 1260 §2(part), 1999)

17.46.030 Meetings and rules of order. The board of adjustment shall meet at the city hall council chambers on the third Wednesday of the month at seven p.m. if deemed necessary to transact any business pending that month. Other meetings of the board of adjustment shall be held at the call of the chairman and at such times as the board may determine. All hearings of the board shall be open to the public. The presence of three members shall constitute a quorum. In all other matters the board shall proceed according to its own rules of order for the conduct of business and shall file its rules of order with the city clerk-treasurer. The presence of three voting members shall constitute a quorum. (Ord. 1260 §2(part), 1999)

17.46.040 Powers and duties. A. The jurisdiction duties and powers of the board of adjustment are as follows:

1. To make special exceptions in harmony with the general purposes and intent of the zoning ordinance and according to the specific provisions of the zoning ordinance, upon request of the owner of the property in question;

2. To hear and decide appeals from property owners on actions or decisions by an administrative official in the administration or enforcement of the zoning ordinance;

3. To review any action or interpretation of an administrative official relative to the zoning ordinance either at the request of the official or upon its own initiative.

B. The board shall not rehear any case on the same grounds within a period of one year from the date of its decision.

C. In addition to the powers designated in subsection A of this section, the board of adjustment shall have jurisdiction over all matters designated by ordinance of the city council. (Ord. 1260 §2(part), 1999)

17.46.050 Hearings. A. All official actions of the board shall be subject to notices and public hearing as established by its rules. Any interested person may appear and be heard subject to procedure adopted by the board. Attendance at hearings by city officials may be compelled by the board.

B. Notice of the public hearing when the board hears an application for a conditional use permit shall be given in accordance with the requirements of GMC Section 17.40.060.

C. A report by city staff may be required for the purpose of obtaining information as to the effect of a proposed variance upon the use, enjoyment, safety and value of land and buildings nearby. Such report may contain other information on existing or preexisting conditions

relating to topography, geology, traffic, utilities, existing and proposed land use, and factors pertaining to the comprehensive plan.

D. The board shall make and record findings of fact relevant to its decisions and shall accept letters and petitions for the record, and shall examine facts relating to the conditions set forth in GMC Section 17.44.010 when applicable. (Ord. 1260 §2(part), 1999)

17.46.060 Appeal-Scope of authority. In exercising the powers granted herein, the board of adjustment may reverse or affirm, wholly or in part, or may modify the order, requirement, decision or determination appealed from, and may make such order, requirement, decision or determination as should be made and, to that end, shall have all the powers of the official from whom the appeal is taken, insofar as the decision on the particular issue is concerned. (Ord. 1260 §2(part), 1999)

17.46.070 Final action. The action by the board of adjustment on an application for a conditional use, permit or variance, or on an appeal from the decision of the zoning administrator or an administrative officer shall be final and conclusive unless within ten days from the date of said action the original applicant or an adverse party makes application to a court of competent jurisdiction for a writ of certiorari, a writ of prohibition or a writ of mandamus or, in the alternative and as an additional but not required remedy, the original applicant or an adverse party take an appeal to the city council. (Ord. 1260 §2(part), 1999)

17.46.080 Findings of fact. The board of adjustment shall, in making an order, requirement, decision or determination, include in a written record of the case the findings of fact upon which the action is based. (Ord. 1260 §2(part), 1999)

17.46.090 Appeals to city council. Any interested citizen or administrative officer of the city may appeal to the council from rulings of the planning commission or board of adjustment when such appeal shall be filed within ten days from such rulings. Thereupon the planning commission or the board of adjustment shall forthwith transmit to the council all papers or true copies thereof constituting the record upon which the rulings were made. The council, at its hearing may receive such further evidence as seemed relevant. After a hearing the council may overrule or alter the decision of the planning commission or board of adjustment by a majority vote of the full council. (Ord. 1260 §2(part), 1999)

Chapter 17.48

AMENDMENTS

Sections:

- 17.48.010 Criteria for amendments.
- 17.48.020 Map changes.
- 17.48.030 Text changes.
- 17.48.040 Application procedure.

17.48.010 Criteria for amendments. The planning commission and city council shall be guided by the following criteria in granting requests for amendments to the official zoning map of this title:

A. Any change in zoning shall conform with comprehensive plan, provisions of this title, and shall be in the public's best interest;

B. Any change in zoning shall be supported by a site plan showing the proposed development and its relationship to surrounding uses;

C. When a change in zoning is not in agreement with the comprehensive plan, the applicant shall provide evidence to the city council's satisfaction that there is an additional need for the requested land use district. (Ord. 1260 §2(part), 1999)

17.48.020 Map changes. The council may upon submittal of a complete application and upon recommendation from the planning commission, or on its own motion, and after public hearing and referral to and report from the planning commission, change by ordinance the district boundary lines or zone classification as shown on the zoning map, provided such change is duly considered in relationship to a comprehensive plan as required by the laws of the state. (Ord. 1260 §2(part), 1999)

17.48.030 Text changes. The council, may upon recommendation of the planning commission, or upon its own motion, after public hearing and referral to and report from the planning commission, amend, delete, supplement, or change by ordinance the regulations herein established, provided such revision conforms to the laws of the state. (Ord. 1260 §2(part), 1999)

17.48.040 Application procedure. An application for a change of zone classification or district boundary lines submitted by the property owner, or his authorized representative, shall be filed with the zoning administrator at least ten days before a regularly scheduled meeting of the planning commission. The petition shall be accompanied by

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a check made payable to the city in the sum of one hundred dollars which shall be nonrefundable and used to cover costs incurred in connection with posting of the premises, mailing of notices and conducting the hearing as provided in this title. (Ord. 1260 §2(part), 1999)

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