

CITY OF BUCKLEY, WASHINGTON

ORDINANCE NO. 14-17

AN ORDINANCE OF THE CITY OF BUCKLEY, WASHINGTON, AMENDING SECTIONS 19.20.070, 19.20.100, AND 19.20.130; AND ADD TWO SECTIONS TO CHAPTER 19.12 BUCKLEY MUNICIPAL CODE TO INCREASE PUBLIC ACTIVITY AND INTEREST ALONG THE EAST-WEST PORTION OF SR 410; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, outdoor storage yards and construction/contractor yards are permitted outright in certain zones and prohibited in other zones; and

WHEREAS, outdoor storage yards and construction/contractor yards are not defined within the code; and

WHEREAS, the City's Industrial & General Commercial designation contains about 160 acres with about 52 of those acres zoned General Commercial, about 56 of those acres zoned Light Industrial, and about 51 of those acres zoned Neighborhood Mixed Use; and

WHEREAS, highways are important for commercial and industrial businesses; and

WHEREAS, the view from the highways presents the City's only design impression from many who travel through the City; and

WHEREAS, storage facilities such as contractor's yards and outdoor storage are unsightly and don't present the desired design to residents and passers-through; and

WHEREAS, the placement of storage facilities along SR 410 reduces available SR 410 frontage for commercial activities that otherwise could significantly benefit from the visibility and public access of SR 410, thereby reducing the potential for more robust economic development; and

WHEREAS, in the goals and policies of the City’s Comprehensive Plan (1.1, 1.1.1, 3.2.2, 3.5, 3.5.1, 3.5.2, 3.5.3, 4.3 and 4.3.2, the City states a desire to be recognized for its small town character through concentrating “retail development near the historic downtown center of the City and near the SR 410 corridor”; and

WHEREAS, environmental review was completed and a determination of non-significance (DNS) was issued April 12, 2017; and

WHEREAS, the expedited request for the required 60-day notice was received by the Washington State Department of Commerce and processed under Material Identification Number 23579; and

WHEREAS, the Planning Commission conducted a public hearing on this proposal on May 22, 2017; and

WHEREAS, the Planning Commission recommends approval;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BUCKLEY, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Two definitions are added to Chapter 19.12 BMC and numbered at the discretion of the code publisher:

19.12.xxx Storage yard, outdoor storage.

"Storage yard, outdoor storage" means an outdoor area not used for retail display (such as a retail car or RV lot) where vehicles, equipment, merchandise, raw materials, cargo containers, railroad cars, semi-truck trailers or other items are accumulated and stored. Storage yards are often used in conjunction with a warehouse, storage buildings, sheds or other structures and may be public or private.

19.12.xxx Contractor yards;

"Contractor yards" means a service establishment primarily engaged in general contracting or subcontracting in the construction trades, and may include workshops and the indoor or outdoor storage of tools, equipment, materials and vehicles.

Section 2. Section 19.20.070 is amended as follows:

19.20.070 GC general commercial zone.

- (1) Intent and Purpose. The GC zone is intended to implement the policies of the Buckley comprehensive plan for areas designated for commercial development along primary motorized transportation routes. Only uses that encourage public access (e.g. retail, office, and opportunities for public uses) should be permitted along SR 410.
- (2) Performance Standards – Dimensional Requirements.
 - (a) Lot Area and Coverage.
 - (i) Lot Area. No minimum requirements.
 - (ii) Lot Coverage. The maximum lot coverage of the primary unit shall be 90 percent.
 - (b) Lot Dimensions. No minimum requirements.
 - (c) **Setback Requirements.** Unless the landscape code requires different setbacks, the following minimum setbacks shall be used:
 - i. Front: 10 feet.
 - ii. Side: 5 feet.
 - iii. Rear: 5 feet.
 - (d) Off-Street Parking. Off-street parking requirements shall be per Chapter BMC.
 - (e) Standards for street and utility construction shall be as specified under Chapter [17.08 BMC](#).
 - (f) Businesses directly accessing from SR 410 and within 150 feet of the right-of-way shall contain only uses in accordance with the use table in 19.20.130.

Section 3. Section 19.20.100 is amended as follows:

19.20.100 LI light industrial zone.

- (1) Purpose statement. The LI zone is intended to be compatible with the GC zone, have easy access from arterials, have business uses that by their nature have a higher level of noise and/or possible use of hazardous materials, and include industrial uses, the most intense commercial uses, and light manufacturing, such as metal working. This zone is not conducive to residential development.
- (2) Performance Standards.
 - (a) Basic minimum lot size shall be 6,000 square feet.
 - (b) Minimum lot width shall be 60 feet and depth shall be 100 feet.
 - (c) Maximum lot coverage shall be 80 percent.
 - (d) Minimum yard requirements shall be as follows:
 - (i) Front: 25 feet;
 - (ii) Sides: 10 feet;
 - (iii) Rear: 20 feet.
 - (3) Off-street parking requirements shall be per Chapter [19.28 BMC](#).
 - (4) Standards for street and utility construction shall be as specified under Chapter [17.08 BMC](#).
 - (5) Properties directly accessing from SR 410 and within 150 feet of the right-of-way shall contain only uses in accordance with the use table in 19.20.130.

Section 4. Section 19.20.130 is amended as follows:

19.20.130 Permitted uses for all zones.

Permitted, Conditional, Accessory and Prohibited Uses in Zoning Districts

Table legend: P = Permitted outright; C = Subject to a conditional use permit; A = Subject to accessory use requirements; X = Prohibited; N/A = Not applicable

DISTRICT:	Frontage zone ³	LI	GC	CC	HC	P	NMU	HDR	R-6,000	R-8,000	R-20,000	S ²
FOOD SERVICE USES												
Bakeries, retail	P	C	P	P	P	P ¹	C	C	X	X	X	X
Confectioneries	P	C	P	P	P	P ¹	C	C	X	X	X	X
Drinking establishments (bars, cocktail lounges, nightclubs and taverns)	P	X	P	P	C	X	X	X	X	X	X	X
Microbreweries	P	C	P	C	C	P	X	X	X	X	X	X
Other food service establishments including coffeehouses, delicatessens, ice cream parlors, juice bars, etc.	P	C	P	P	P	P ¹	C	C	X	X	X	C
Restaurants with drive-in or drive-through service	P	C	P	P	X	X	C	X	X	X	X	X
MANUFACTURING USES												
Auto recycling and rebuilding	P	P	X	X	X	X	X	X	X	X	X	X
Custom art and craft work	P	P	A	A	A	X	A	X	X	X	X	X
Electrical and electronic goods manufacture and assembly	X	P	C	X	X	X	X	X	X	X	X	X
Fuel storage facilities	X	C	X	X	X	X	X	X	X	X	X	X
Food processing and packing	X	P	X	X	X	X	X	X	X	X	X	X
Hazardous waste on-site treatment and storage facilities	X	C	X	X	X	P	X	X	X	X	X	X
Manufacturing, assembling and packaging of articles, products, or merchandise conducted entirely within a building	X	P	C	A	A	P ¹	A	X	X	X	X	X
Printing, publishing, and allied industries including such processes as lithography, etching, engraving, binding, blueprinting, photocopying, and film processing	X	P	P	A	A	X	A	X	X	X	X	X
Warehousing and distribution facilities, to include wholesale trade not open to general public	X	P	X	X	X	X	X	X	X	X	X	X
Welding and fabrication	X	P	C	X	X	P	X	X	X	X	X	X
Wholesaling	X	P	X	X	X	X	X	X	X	X	X	X
OFFICE USES												
Banks	P	X	P	P	P	X	C	X	X	X	X	X

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DISTRICT:	Frontage zone ³	LI	GC	CC	HC	P	NMU	HDR	R-6,000	R-8,000	R-20,000	S ²
Business services	P	X	P	P	P	P ¹	P	X	X	X	X	X
Financial institutions	P	X	P	P	P	X	P	X	X	X	X	X
Job training and vocational rehabilitation	P	P	P	P	P	P ¹	P	X	X	X	X	X
Offices, business and professional	P	X	P	P	P	P ¹	P	X	X	X	X	X
Veterinary hospitals	P	X	P	P	X	X	P	X	X	X	X	X
RECREATIONAL AND CULTURAL USES												
Amusement devices, up to five	P	C	P	P	X	X	X	X	X	X	X	X
Amusement parks or centers	P	C	P	C	X	P ¹	X	X	X	X	X	X
Arcade, amusement	P	X	P	P	C	P ¹	C	X	X	X	X	X
Art galleries	P	X	P	P	P	C ¹	C	X	X	X	X	X
Bowling alleys	P	P	P	X	X	X	X	X	X	X	X	X
Health clubs, dance studios, martial arts studios	P	X	P	P	C	P ¹	C	X	X	X	X	X
Libraries	P	X	P	P	P	P ¹	P	X	X	X	X	X
Museums	X	X	P	P	P	P	P	X	X	X	X	X
Parks and recreation, public	X	C	P	P	P	P	P	P	P	P	P	P
Recreation, commercial	P	C	P	P	C	C	C	C	C	C	C	C
RV park, commercial	X	P	X	X	X	C	X	C	X	X	X	X
RV/tent campground	X	X	X	X	X	C	X	A	X	A	A	X
Stadiums, arenas and assembly halls	P	C	P	P	C	P ¹	C	X	X	X	X	X
Theaters, not including drive-ins	P	X	P	P	C	X	C	X	X	X	X	X
RESIDENTIAL USES												
Accessory dwelling unit	X	X	X	X	A	X	A	A	A	A	A	X
Assisted living facility	X	X	C	C	X	X	P	P	P	X	X	X
Adult family homes (six or fewer occupants)	X	X	X	X	X	X	P	P	P	C	C	X
Boarding, lodging and rooming houses (six and fewer roomers)	X	X	X	X	X	C	P	P	C	C	C	X
Caretaker dwelling	X	C	C	C	C	X	C	C	C	C	C	X
Cottage housing development	X	X	X	X	X	X	X	P	P	P	X	X
Carriage dwelling units	X	X	X	X	X	X	X	P	P	P	X	X
Duplexes	X	X	X	X	X	X	X	P	P	P	X	X
Dwelling units above commercial uses	X	X	X	P	P	X	P	X	X	X	X	X

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DISTRICT:	Frontage zone ³	LI	GC	CC	HC	P	NMU	HDR	R-6,000	R-8,000	R-20,000	S ²
Group homes	X	X	X	X	X	X	P	P	P	P	P	X
Mobile home parks	X	X	X	X	X	X	X	P	X	X	X	X
Multifamily dwellings (three or more units attached and made accessible through a common entrance)	X	X	X	X	C	X	P	P	P	X	X	X
Nursing home or rehabilitation center	P	X	P	P	P	X	P	X	X	X	X	X
Owner/operator residences	X	P	X	P	P	X	P	X	X	X	X	X
Residential cluster	X	X	X	X	X	X	X	X	P	P	X	X
Senior citizen low-income housing	X	X	C	C	X	C	P	P	P	X	X	X
Single-family detached dwellings	X	X	X	X	X	X	P	P	P	P	P	X
Townhomes (four and fewer attached units with ground floor entrances)	X	X	X	X	X	X	P	P	P	P	X	X
COMMERCIAL RETAIL USES												
Antique and secondhand sales	P	X	P	P	P	X	P	X	X	X	X	X
Apparel and accessory stores	P	X	P	P	P	X	P	X	X	X	X	X
Automobile sales and service establishments, new or used	P	P	P	X	X	X	X	X	X	X	X	X
Book stores	P	X	P	P	P	X	P	X	X	X	X	X
Bicycle stores	P	X	P	P	P	X	P	X	X	X	X	X
Building materials, garden and farm supply stores	P	P	P	P	P	X	P	X	X	X	X	X
Convenience stores	P	P	P	P	P	X	P	X	X	X	X	X
Drug stores	P	X	P	P	P	X	P	X	X	X	X	X
Farmer's markets	P	X	P	P	P	P	P	X	X	X	X	X
Flea markets, periodic, or seasonal sales	P	X	P	P	X	P	P	X	X	X	X	X
Food stores and grocery stores	P	X	P	P	P	X	P	X	X	X	X	X
Furniture, home furnishings, and appliance stores	P	X	P	P	P	X	P	X	X	X	X	X
General merchandise stores	P	X	P	P	P	X	P	X	X	X	X	X
Jewelry stores	P	X	P	P	P	X	P	X	X	X	X	X
Fabric stores	P	X	P	P	P	X	P	X	X	X	X	X
Flower stores	P	X	P	P	P	X	P	X	X	X	X	X
Hardware stores	P	X	P	P	P	X	P	X	X	X	X	X

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DISTRICT:	Frontage zone³	LI	GC	CC	HC	P	NMU	HDR	R-6,000	R-8,000	R-20,000	S²
Hobby, toy and game stores	P	X	P	P	P	X	P	X	X	X	X	X
Lumber sales	P	P	P	X	X	X	X	X	X	X	X	X
Mobile, manufactured and modular housing sales	X	P	P	X	X	X	X	X	X	X	X	X
Motor vehicle sales	P	X	P	X	X	X	X	X	X	X	X	X
Motor vehicle supply stores	P	X	P	P	P	X	P	X	X	X	X	X
Office supplies and equipment	P	X	P	P	P	X	P	X	X	X	X	X
Pet and pet supply stores	P	X	P	P	P	X	P	X	X	X	X	X
Pharmacies and medical supply stores	P	X	P	P	P	X	P	X	X	X	X	X
Plant nurseries, landscaping materials, greenhouses (commercial)	P	C	P	P	P	P	P	X	X	X	X	X
Regional retail establishments	P	X	P	P	C	X	X	X	X	X	X	X
Retail sales	P	X	P	P	P	P ¹	P	X	X	X	X	P
Sporting goods stores	P	X	P	P	P	X	P	X	X	X	X	P
Specialty stores	P	X	P	P	P	X	P	X	X	X	X	P
Stationery and gift stores	P	X	P	P	P	X	P	X	X	X	X	X
SERVICE USES, HEALTH												
Hospitals	P	X	P	P	X	X	X	X	X	X	X	X
Massage clinics or center	P	X	P	P	P	P ¹	P	X	X	X	X	X
Nursing, rest or convalescent homes	P	X	P	P	X	X	P	X	X	X	X	X
Offices, medical, dental	P	X	P	P	P	X	P	X	X	X	X	X
SERVICE USES, LODGING												
Apartment hotels	X	X	P	P	P	X	P	X	X	X	X	X
Bed and breakfast inns	X	X	P	P	P	X	P	P	P	P	P	X
Hotels/motels	P	X	P	P	X	X	X	X	X	X	X	X
Lodging houses	X	X	X	X	X	P ¹	X	P	P	C	C	X
Tourist homes	X	X	X	X	X	X	X	P	P	P	P	X
PERSONAL SERVICE USES												
Adult family home	X	X	X	P	X	P ¹	P	P	P	P	P	X
Beauty salons and barber shops	X	X	P	P	P	X	C	X	X	X	X	X
Day care, adult	X	C	C	P	X	P ¹	P	C	C	X	X	X
Day care, child center and preschools	X	X	X	P	X	P ¹	P	C	C	C	C	X

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Day care, child day care center	X	P	P	P	P	P ¹	P	C	C	X	X	X
Day care, family home	X	X	P	P	P	X	P	P	P	P	P	X
Funeral parlors and mortuaries	P	X	P	P	X	X	X	X	X	X	X	X
Laundromats	P	X	P	P	P	X	P	X	X	X	X	X
Laundry services	P	X	P	P	P	X	P	X	X	X	X	X
SERVICE USES, MISCELLANEOUS												
Automobile rental agencies	P	X	P	P	X	X	X	X	X	X	X	X
Automobile towing services	X	P	A	A	X	X	X	X	X	X	X	X
Automobile repair establishments, minor repair	P	P	P	P	X	X	X	X	X	X	X	X
Bicycle repair shops	P	X	P	P	P	X	P	C	C	C	C	X
Car washes	P	P	P	P	X	X	X	X	X	X	X	X
Catering establishments	X	X	P	P	A	X	P	C	C	C	C	X
Colleges and universities (public or private) without students in residence	P	C	P	P	X	P ¹	X	X	X	X	X	X
Equipment rental services, commercial	X	P	P	X	X	X	X	X	X	X	X	X
Mini-storages and mini-warehouses	X	P	C	X	X	X	X	X	X	X	X	X
Kennels	P	P	P	P	C	P	C	X	X	X	C	X
Outdoor storage yards	X	P	AC	X	X	P	X	X	X	X	X	X
Pet grooming	P	X	P	P	P	X	P	X	X	X	X	X
Printing, commercial	X	X	P	P	P	X	X	X	X	X	X	X
Radio and television studios (including recording studios)	X	P	P	P	P	X	X	X	X	X	X	X
Schools, commercial	X	C	P	P	X	C	X	X	X	X	X	X
Schools, public	X	X	X	X	X	P	X	C	C	C	C	X
Service stations, automotive	P	P	P	P	X	X	X	X	X	X	X	X
Servicing of personal apparel and equipment	P	X	P	P	P	X	P	X	X	X	X	X
Small appliance repair shops	P	X	P	P	P	X	P	X	X	X	X	X
Truck, trailer and recreational vehicle rental	P	P	P	X	X	X	X	X	X	X	X	X
PUBLIC FACILITY USES												
Electrical distribution substations	P	P	P	P	X	P	X	X	X	X	X	X
Municipal improvements	P	P	P	C	C	P	C	X	X	C	C	X
Offices, government	P	X	P	P	P	P	C	X	X	C	C	X

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DISTRICT:	Frontage zone ³	LI	GC	CC	HC	P	NMU	HDR	R-6,000	R-8,000	R-20,000	S ²
Public transportation stations and park and ride lots (not including bus stops, which are allowed along all rights-of-way)	P	P	P	P	C	P	C	C	X	X	C	X
Recycling facilities, minor	X	P	X	X	X	P	X	X	X	X	X	X
Stormwater treatment facilities	X	C	C	C	C	P	C	C	C	C	C	X
Telephone exchange	X	C	C	C	X	P	C	C	C	C	C	X
MARIJUANA USES												
Medical marijuana cooperatives	X	X	X	X	X	X	P	P	P	P	P	X
Marijuana producing	X	P	P	X	X	X	X	X	X	X	C	X
Marijuana processing	X	P	P	X	X	X	X	X	X	X	C	X
Marijuana retailer	P	P	P	P	P	X	C	X	X	X	X	X
AGRICULTURAL USES												
Agricultural support goods and services	X	P	P	P	X	P	P	X	X	X	X	X
Agriculture, not including marijuana	X	P	X	X	X	P	C	X	X	P	P	X
Commercial produce stand (selling of agricultural products)	P	P	P	P	P	P	P	X	X	X	C	X
Agricultural production, not including marijuana	X	P	X	X	X	P	C	X	X	P	P	X
Keeping of livestock, poultry, rabbits, or bees	X	P	C	C	X	P	C	X	C	P	P	X
Selling of agricultural products raised or grown on-premises	X	P	P	P	P	P	P	P	P	P	P	X
Stables and riding academies	X	P	X	X	X	P	X	X	C	C	P	X
TEMPORARY USES												
Contractor/construction offices	X	P	P	P	P	X	P	P	P	P	P	X
Christmas tree sales	P	P	P	P	P	P ¹	P	X	X	X	X	X
Carnivals/circuses	P	X	P	P	C	P ¹	C	X	X	X	X	X
Outdoor art and craft sales	P	X	P	P	P	P	P	P	P	P	P	X
Parking lot/sidewalk sales	P	X	P	P	P	P	P	P	P	P	P	X
Rummage sales	X	P	P	P	P	P ¹	P	P	P	P	P	X
Retail or service activities conducted out of temporary structures and/or trailers	P	C	C	C	C	P	C	X	X	X	X	P
Swap meets	P	P	P	P	X	P ¹	X	X	X	X	X	X
OTHER USES												

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DISTRICT:	Frontage zone ³	LI	GC	CC	HC	P	NMU	HDR	R-6,000	R-8,000	R-20,000	S ²
Adult entertainment businesses	X	C	X	X	X	X	X	X	X	X	X	X
Accessory buildings and structures	X	P	P	P	X	P	P	P	P	P	P	X
Accessory parks and recreation facilities for use by on-site employees or residents	X	P	P	P	P	X	P	P	P	P	P	X
Cemeteries	X	X	P	P	X	P	X	X	X	X	X	X
Civic and community events	P	P	P	P	P	P	P	P	P	P	P	C
Conference centers	P	X	P	P	C	P ¹	X	X	X	X	X	X
Construction/contractors yards	X	P	C	X	X	X	X	X	X	X	X	X
Fraternal organizations	P	X	P	P	P	P ¹	C	X	X	X	X	X
Garage, public parking	P	C	P	P	C	P	C	C	X	X	X	X
Home occupations	X	P	P	P	P	X	P	P	P	P	P	X
Personal wireless service facilities	X	P	P	P	P	P	P	X	X	X	X	X
Personal ham radio antennas	X	C	C	C	C	X	C	C	C	C	C	X
Places of worship	X	X	If P	P	X	P ¹	P	P	P	P	P	X
Radio and television towers	X	C	C	C	C	X	C	C	C	C	C	X
Satellite dishes, noncommercial, and antennas	X	C	C	C	C	X	C	C	C	C	C	X

¹ Uses are allowed within existing public buildings.

² Uses are to be as described in the city’s shoreline master program

³ This frontage overlay zone is defined as west of the SR 410 and SR 165 intersection and 150 feet north and south of SR 410 from Mundy Loss Road to the SR 410 and SR 165 intersection on the south and the eastern property line of Tax # 0619044016 (Rose’s IGA) on the north; Once an authorized use is established along SR 410 right of way, any other use authorized by the underlying zone is permitted behind the authorized use. Properties directly accessing from SR 410 and within 150 feet of the right-of-way shall contain only uses such as retail and offices in accordance with the use table in 19.20.130.

Section 5. Copy to the Department of Commerce. Pursuant to RCW 36.70A.106, the City Administrator is hereby authorized and directed to provide a copy of this ordinance to the State Department of Commerce within 10 days of adoption.

Section 6. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 7. Effective date. This ordinance or a summary thereof consisting of the title shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after publication.

APPROVED by the Buckley City Council this 13th day of June, 2017.


MAYOR, PAT JOHNSON

ATTEST/AUTHENTICATED:


CITY CLERK, JOANNE STARR

APPROVED AS TO FORM

OFFICE OF THE CITY ATTORNEY:


PHIL OLBRECHTS

PUBLISHED: JUNE 21, 2017

EFFECTIVE: JUNE 26, 2017