

CITY OF BUCKLEY, WASHINGTON

ORDINANCE NO. 34-19

AN ORDINANCE OF THE CITY OF BUCKLEY, PIERCE COUNTY, WASHINGTON, AMENDING SECTIONS 16.40.030(1), 19.12.150, 19.12.165, 19.12.170, 19.12.215, 19.12.265, 19.12.335, 19.12.345, 19.12.355, 19.12.520, 19.12.560, 19.12.566, 19.12.568, AND 19.28.020; ADDING SECTIONS 16.10.005 AND 19.12.196 FOR ELECTRIC VEHICLES AND 19.12.242 FOR GROOMING PARLORS; REPEALING SECTIONS 19.12.120, 19.12.250; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the zoning ordinance is a system of regulations that periodically needs to be updated; and

WHEREAS, the planning commission reviewed the use table found in Section 19.20.130 Buckley Municipal Code and found undefined terms, repetition, and regulation in the table; and

WHEREAS, the planning commission reviewed the use list and associated definitions with the goal to make the title readable, non-redundant, internally consistent, and easy to find information; and

WHEREAS, definitions for certain uses contained regulations already contained in code; and

WHEREAS, terms on the use list contained regulations already within the definition for that term; and

WHEREAS, certain terms on the use list were similar and should be joined as one use; and

WHEREAS, certain terms on the use list were archaic, no longer used, or regulated under different municipal codes, and should be deleted; and

WHEREAS, the “60-day notice” request for expedited review was received July 2, 2019, by the Washington State Department of Commerce for the proposed change in development regulations under Submittal ID Number 2019-S-376; and

WHEREAS, a determination of non-significance was issued July 10, 2019, in accordance with the State Environmental Policy Act; and

WHEREAS, the Washington State Department of Commerce granted expedited review for the proposed change in development regulations under Submittal Identification Number 2019-S-346 on July 16, 2019; and

WHEREAS, the planning commission conducted a public hearing on this proposal on September 9, 2019; and

WHEREAS, in regular session on September 9, 2019, the planning commission recommended the council approve the proposed ordinance and accept its Planning Commission Report as its findings;

NOW, THEREFORE,

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

Section 1. New. A new section is added to Chapter 16.10 BMC, concerning definitions of temporary homes, to read as follows:

16.10.005 Definitions.

“Temporary dwelling” means any structure that is placed upon a piece of property in a residential zone and that is intended to be occupied while the principal residence of the temporary dwelling occupant is being constructed upon said property.

Section 2. New. A new subsection is added to 16.40.030(1), General installation requirements, to read as follows:

16.40.030(1)(a) The manufactured home shall be placed upon masonry or concrete perimeter foundation walls unless placed in a manufactured home park.

Section 3. Repeal. Section 19.12.120, Cabaret, is hereby repealed.

Section 4. Amendment. Section 19.12.150, cottage housing development, is hereby amended to read as follows:

19.12.150 Cottage housing development.

“Cottage housing development” means a residential development consisting of clusters in accordance to the regulations in BMC 19.24. ~~of up to 12 detached dwelling units that may include both cottage housing units and carriage units that are grouped around a common open space area and meet the following criteria:~~

- (1) Dwelling units are limited to a maximum square footage; and
- (2) Dwelling units are grouped around a common open space; and
- (3) Developments meet a set of design criteria not applicable to typical single-family developments as stipulated in Chapter 19.24 BMC. (Ord. 22-08 § 1 (Exh. A), 2008).

Section 5. Amendment. Section 19.12.165, Dwelling, single family, is hereby amended to read as follows:

19.12.165 Dwelling, single-family.

“Single-family dwelling” means a building, ~~except a manufactured home,~~ designed or used by one family for residential purposes; ~~provided, however, that in order for a manufactured home to~~

~~be treated as a single family dwelling pursuant to this section, the manufactured home shall be placed upon masonry or concrete perimeter foundation walls.~~

Section 6. Amendment. Section 19.12.170, Dwelling, temporary, is hereby amended to read as follows:

19.12.170 Dwelling, temporary.

~~“Temporary dwelling” means any structure that is placed upon a piece of property as defined in BMC 16.10.005 . in a residential zone and that is intended to be occupied while the principal residence of the occupant is being constructed upon said property; provided, however, travel trailers and motor homes shall not be permitted as temporary dwellings. A temporary dwelling shall be permitted in all residential zones, but *must* meet the requirements of Chapter 16.10 BMC. (Ord. 22-08 § 1 (Exh. A), 2008; Ord. 22-05 § 1, 2005; Ord. 8-84 § 1, 1984. Formerly 19.12.165).~~

Section 7. New. A new definition is added to the zoning ordinance concerning electric vehicles, to read as follows:

19.12.196 Electric vehicles, stations, and infrastructure.

1. “Electric vehicle” means any vehicle that operates, either partially or exclusively, on electrical energy from the grid, or an off-board source, that is stored on board for motive purpose. “Electric vehicle” includes a battery electric vehicle, a plug-in hybrid electric vehicle, a neighborhood electric vehicle, and a medium-speed electric vehicle.
 - a. “Battery electric vehicle” or “BEV” means any vehicle that operates exclusively on electrical energy from an off-board source that is stored in the vehicle’s batteries, and produces zero tailpipe emissions or pollution when stationary or operating.
 - b. “Plug-in hybrid electric vehicle” or “PHEV” means an electric vehicle that
 - (i) contains an internal combustion engine and also allows power to be delivered to drive wheels by an electric motor;
 - (ii) charges its battery primarily by connecting to the grid or other off-board electrical source;
 - (iii) may additionally be able to sustain battery charge using an on-board internal-combustion-driven generator; and
 - (iv) has the ability to travel powered by electricity.
 - c. “Neighborhood electric vehicle” means a self-propelled, electrically powered four-wheeled motor vehicle whose speed attainable in one mile is more than 20 miles per hour and not more than 25 miles per hour and conforms to federal regulations under Title 49 C.F.R. Part 571.500.
 - d. “Medium-speed electric vehicle” means a self-propelled, electrically powered four-wheeled motor vehicle, equipped with a roll cage or crush-proof body design, whose speed attainable in one mile is more than 25 miles per hour but not more than 35 miles per hour and otherwise meets or exceeds the federal regulations set forth in 49 C.F.R. Part 571.500.
2. “Electric vehicle charging station” means a public or private parking space that is served by battery charging station equipment that has as its primary purpose the transfer of electric energy (by conductive or inductive means) to a battery or other energy storage device in an electric vehicle. An electric vehicle charging station equipped with Level 1 or Level 2 charging equipment is permitted outright as an accessory use to any principal use.

- a. “Electric vehicle charging station – restricted” means an electric vehicle charging station that is
 - (i) privately owned and restricted access (e.g., single-family home, executive parking, designated employee parking), or
 - (ii) publicly owned and restricted (e.g., fleet parking with no access to the general public).
 - b. “Electric vehicle charging station – public” means an electric vehicle charging station that is
 - (i) publicly owned and publicly available (e.g., park and ride parking, public library parking lot, on-street parking), or
 - (ii) privately owned and publicly available (e.g., shopping center parking, non-reserved parking in multifamily parking lots).
 - c. “Electric vehicle charging station – accessible” means an electric vehicle charging station that has been sized, designed and located consistent with Americans with Disabilities Act (ADA) requirements for persons with disabilities.
3. “Electric vehicle infrastructure” means structures, machinery, and equipment necessary and integral to support an electric vehicle, including battery charging stations, rapid charging stations, and battery exchange stations.
6. “Electrical distribution substation” means an assembly of equipment designed to receive energy from a high voltage distribution supply system, to convert it to a form suitable for local distribution and to distribute the energy to feeders through switching equipment designed to protect the service from the effects of faults.

Section 8. Amendment. Section 19.12.215, Family, is hereby amended to read as follows:

19.12.215 Family.

“Family” means an individual or a group of two or more individuals related by blood, marriage, or adoption, together with not more than two additional persons not related by blood, marriage or adoption, living together as a single housekeeping unit; or not more than five persons who are not related by blood or marriage or adoption, living together as a single housekeeping unit. People residing in group homes or adult family homes shall not be considered “family” under this definition.

Section 9. New. A new section is added to Chapter 19.12, as follows:

19.12.242 Grooming parlor.

“Grooming parlor” or “pet grooming parlor” shall be as defined in BMC 9.10.020.

Section 10. Repeal. Section 19.12.250, Hotel, is repealed.

Section 11. Amendment. Section 19.12.265, Kennel, is hereby amended to read as follows:

19.12.265 Kennel.

“Kennel” ~~shall be as defined in BMC 9.10.020 means any place where more than three dogs or cats, or more than five in combination of dogs and cats, and their young up to four months old, are kept for the purpose of sale, rental, boarding, breeding, hire as guard dogs on other property,~~

~~or for any commercial purpose or economic venture. A kennel shall not be interpreted to include a pet shop or grooming shop.~~

Section 12. Amendment. Section 19.12.335, Manufactured home (also mobile home), is hereby amended to read as follows:

19.12.335 Manufactured home (also see mobile home).

~~“Manufactured home” or “mobile home” shall be as defined in BMC 16.40.020, means a structure designed and constructed to be transportable in one or more sections, built on a permanent chassis, designed to be used as a dwelling with or without a permanent foundation and which is built in accordance with the Department of Housing and Urban Development Manufactured Home Construction and Safety Standards Act.~~

Section 13. Amendment. Section 19.12.345, Mobile home, is hereby amended to read as follows:

19.12.345 Mobile home.

~~“Mobile home” shall be as defined in BMC 16.40.020, means a factory built dwelling built prior to June 15, 1976, that complied with the applicable state codes in effect when constructed or when introduced into this state.~~

Section 14. Amendment. Section 19.12.355, Motel, is hereby amended to read as follows

19.12.355 Motel/Hotel.

1. “Motel” means a building or a group of buildings containing individual sleeping units where a majority of such units open individually and directly to the outside and where a majority of said units are designed for or occupied by transients.
2. “Hotel” means a building containing individual sleeping units that have at least one entrance to the outdoors and common hallways to each room.
3. “Apartment hotel” is a hotel that offers long-term rooming accommodations, for example by the week or month.

Section 15. Amendment. Section 12.12.520 School, is hereby amended to read as follows:

19.12.520 School.

~~“School” means an public or private institution of learning that offers offering instruction in the several branches of learning and study required by the education code of the state to be taught in the public, private and parochial schools.~~

- (1) “Elementary school” means a school for early education that provides basic education from generally pre-school through grade 5 the first four to eight years of basic education and is recognized by the Washington State Superintendent of Public Instruction.
- (2) “Middle school” means a school that provides education for generally grades 6 through 8 and is recognized by the Washington State Superintendent of Public Instruction.
- (3) “High School” means a school for students who have completed their primary and middle school education and is recognized by the Washington State Superintendent of Public Instruction, and is usually attended by children in generally grades 9 to 12.

(4) “Post-secondary education” means education for students who graduated from high school and seek a certificate or a degree.

(2) “Secondary school” or “senior high school” means school for students who have completed their primary education and is recognized by the Washington State Superintendent of Public Instruction, and is usually attended by children in grades nine to 12. (Ord. 19-17 § 9, 2017; Ord. 22-08 § 1 (Exh. A), 2008; Ord. 22-05 § 1, 2005; Ord. 1020 § 2, 1981. Formerly 19.12.690).

Section 16. Amendment. Section 19.12.560, Swap meet or flea market, is hereby amended to read as follows:

19.12.560 Swap meet ~~and~~ flea market.

“Swap meet” ~~and~~ “flea market” means and includes, but is not limited to, a business enterprise whereby arrangements are made to sell, lease, rent, offer or donate to one or more persons a place or area where such persons may offer or display secondhand personal property for sale or trade. shall be as described in BMC 6.04.020 in the definition for “temporary business”.

Section 17. Amendment. Section 19.12.566, Unit, carriage, is hereby amended to read as follows:

19.12.566 Unit, carriage.

“Carriage unit” means a single-family dwelling located above a garage structure constructed in accordance with BMC 19.24. unit not to exceed 950 square feet in gross floor area normally located above a garage structure within a cottage housing development. (Ord. 22-08 § 1 (Exh. A), 2008).

Section 18. Amendment. Section 19.12.568, Unit, cottage, is hereby amended to read as follows:

19.12.568 Unit, cottage.

“Cottage unit” means a detached single-family dwelling within a cottage housing development constructed in accordance with BMC 19.24. unit containing 1,200 square feet or less of gross floor area within a cottage housing development. (Ord. 22-08 § 1 (Exh. A), 2008).

Section 19. Repeal and replace. Section 19.20.130 is hereby repealed and replaced with the following:

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 in BMC 19.22; 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
Agricultural uses and animals (also see Title 9, BMC).												
Agricultural production	X	P	X	X	X	P	C	X	X	P	P	X
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	P	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
Keeping of livestock, poultry, rabbits, or bees	X	P	X	X	X	P	C	X	C	P	P	X
Kennels	P	P	P	P	C	P	C	X	X	X	X	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	X	X	P	X
Commercial, retail uses.												
Adult entertainment businesses	X	C	X	X	X	X	X	X	X	X	X	X
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
Art galleries	P	X	P	P	P	P ¹	P	X	X	X	X	X
Bakeries, retail	P	X	P	P	P	P ¹	P	X	X	X	X	X
Bars, pubs, and nightclubs	P	X	P	P	P	X	X	X	X	X	X	X
Beauty salons and barber shops	X	X	P	P	P	X	P	X	X	X	X	X
Bicycle sales and repair shops	P	X	P	P	P	X	P	X	X	X	X	X
Book stores	P	X	P	P	P	X	P	X	X	X	X	X
Bowling alleys	P	P	P	X	X	X	X	X	X	X	X	X
Building materials, garden and farm supply stores	P	P	P	P	P	X	P	X	X	X	X	X
Confectioneries	P	C	P	P	P	P ¹	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
Fabric 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
Flower stores	P	X	P	P	P	X	P	X	X	X	X	X
Food stores and grocery stores	P	X	P	P	P	X	P	X	X	X	X	X
Food services including coffeehouses, delicatessens, ice cream parlors, juice bars, etc.	P	P	P	P	P	P ¹	P	X	X	X	X	C
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
Grooming parlors and pet supply 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
Hobby, toy and game 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
Lumber sales	P	P	P	X	X	X	X	X	X	X	X	X
Manufactured and modular housing sales	X	P	P	X	X	X	X	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
Microbreweries	P	C	P	P	P	P	X	X	X	X	X	X
Motor vehicle supply stores	P	X	P	P	P	X	P	X	X	X	X	X
Multi-use retail center	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
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
Periodic sales: Rummage sales	X	P	P	P	P	P ¹	P	P	P	P	P	X
Periodic sales: Swap meets	P	P	P	P	X	P ¹	X	X	X	X	X	X
Plant nurseries, landscaping materials, greenhouses (commercial)	P	X	P	P	P	P	P	X	X	X	X	X
Printing, commercial	X	X	P	P	P	X	X	X	X	X	X	X
Recreation, commercial	P	C	P	P	X	P	X	C	X	X	X	C
Restaurants	P	X	P	P	P	X	P	X	X	X	X	X
Restaurants with drive-in or drive-through service (fast food)	P	X	P	P	X	X	C	X	X	X	X	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
RV/tent campground	X	X	X	X	X	C	X	A	X	A	A	X
Sales, retail	P	X	P	P	P	P ¹	P	X	X	X	X	P
Small appliance repair shops	P	X	P	P	P	X	P	X	X	X	X	X
Specialty stores	P	X	P	P	P	X	P	X	X	X	X	P
Sporting goods 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
Theaters, auditoriums	P	X	P	P	P	X	P	X	X	X	X	X
Commercial service uses.												
Arcade, amusement	P	X	P	P	X	P ¹	C	X	X	X	X	X
Banks and financial institutions	P	X	P	P	P	X	P	X	X	X	X	X
Business services	P	X	P	P	P	P ¹	P	X	X	X	X	X
Catering establishments	X	X	P	P	A	X	P	X	X	X	X	X
Cemeteries	X	X	P	P	X	P	X	X	X	X	X	X
Conference centers	P	X	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
Funeral parlors and mortuaries	P	X	P	P	X	X	X	X	X	X	X	X
Laundromats and Laundry services	P	X	P	P	P	X	P	X	X	X	X	X
Offices, general	P	X	P	P	P	P ¹	P	X	X	X	X	X

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Office park	P	P	P	X	X	X	X	X	X	X	X	X
Offices, government	P	X	P	P	P	P	P	X	X	C	C	X
Parking, private for fee	X	C	P	P	X	X	P	P	X	X	X	X
Parking, public	X	C	P	P	P	P	A	A	A	A	A	A
Parking, public garage	P	C	P	P	C	P	C	C	X	X	X	X
Printing, publishing, and allied industries including such processes as lithography, etching, engraving, binding, blueprinting, photocopying, and film processing	X	P	X	X	X	X	X	X	X	X	X	X
Public transportation stations and park and ride lots (not including bus stops, which are allowed along all rights-of-way)	P	P	P	P	X	P	X	X	X	X	C	X
Radio and television studios (including recording studios)	X	P	P	P	P	X	X	X	X	X	X	X
RV park, commercial	X	P	X	X	X	C	X	X	X	X	X	X
Servicing of personal apparel and equipment	P	X	P	P	P	X	P	X	X	X	X	X
Sports, health, spa, or karate clubs	P	X	P	P	P	P ¹	P	X	X	X	X	X
Community enhancement uses												
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
Carnivals/circuses	P	X	P	P	C	P ¹	C	X	X	X	X	X
Civic and community events	P	P	P	P	P	P	P	P	P	P	P	C
Club	P	X	P	P	P	P ¹	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
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
Electrical distribution substations	P	P	P	P	X	P	X	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
Multi-use community center	P	X	X	P	X	P	P	X	X	X	X	X
Parks and recreation, public	X	C	P	P	P	P	P	P	P	P	P	P
Place of worship	X	X	P	P	X	P ¹	P	P	P	P	P	X
Stadiums, arenas and assembly halls	P	P	P	P	P	P ¹	P	X	X	X	X	X
Educational uses												
Job training and vocational rehabilitation	P	P	P	P	P	P ¹	P	X	X	X	X	X
School, public or private elementary	X	X	X	X	X	P	P	X	P	P	P	X
School, public or private middle	X	X	X	X	X	P	P	X	P	P	P	X

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School, public or private high	X	X	X	X	X	P	P	X	P	P	P	X
School, except for post-secondary education	X	X	X	X	X	P	P	X	P	P	P	X
School, public or private post-secondary education	X	P	P	X	X	P	P	X	P	P	P	X
Health care uses.												
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
Offices/clinics, health care providers	P	X	P	P	P	X	P	X	X	X	X	X
Pharmaceutical and medical supply stores	P	X	P	P	P	X	P	X	X	X	X	X
Veterinary clinic/hospitals	P	X	P	P	X	X	P	X	X	X	X	X
Light industrial, manufacturing uses.												
Auto – Auto recycling and rebuilding	P	P	X	X	X	X	X	X	X	X	X	X
Auto – Automobile rental agencies	P	X	P	P	X	X	X	X	X	X	X	X
Auto – Automobile repair establishments	P	P	P	P	X	X	X	X	X	X	X	X
Auto – Automobile towing services	X	P	A	A	X	X	X	X	X	X	X	X
Auto – Car washes or quick-service lubrication facilities	P	P	P	P	X	X	X	X	X	X	X	X
Auto – Motor vehicle sales and service establishments for new or used vehicles	P	P	P	X	X	X	X	X	X	X	X	X
Auto – Truck, trailer and recreational vehicle rental	P	P	P	X	X	X	X	X	X	X	X	X
Contractor/construction offices	X	P	P	P	P	X	P	P	P	P	P	X
Construction/contractors yards	X	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	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
Fuel storage facilities	X	C	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	X	X	X	P ¹	X	X	X	X	X	X
Mini-storages and mini-warehouses (warehousing, storage)	X	P	X	X	X	X	X	X	X	X	X	X
Recycling facilities, minor	X	P	X	X	X	P	X	X	X	X	X	X
Sales, wholesale (wholesaling)	X	P	X	X	X	X	X	X	X	X	X	X
Service station, motor vehicle (gas station)	P	P	P	P	X	X	X	X	X	X	X	X
Storage yard, outdoor storage	X	P	C	X	X	P	X	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

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 in BMC 19.22; X = Prohibited; N/A = Not applicable

DISTRICT:	Frontage zone³	LI	GC	CC	HC	P	NMU	HDR	R-6,000	R-8,000	R-20,000	S²
Welding and fabrication	X	P	X	X	X	P	X	X	X	X	X	X
Marijuana uses.												
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
Medical marijuana cooperatives	X	X	X	X	X	X	P	P	P	P	P	X
Miscellaneous uses.												
Accessory buildings and structures	X	P	P	P	X	P	P	P	P	P	P	X
Personal ham radio antennas	X	C	C	C	C	X	C	C	C	C	C	X
Personal wireless service facilities	X	P	P	P	P	P	P	X	X	X	X	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
Residential uses and places where people stay.												
Accessory dwelling unit	X	X	X	X	A	X	A	A	A	A	A	X
Adult family home	X	X	X	P	X	P ¹	P	P	P	P	P	X
Apartment hotels (see “motel/hotel” definition)	X	X	P	P	P	X	P	X	X	X	X	X
Assisted living facility	X	X	P	P	X	X	P	P	P	X	X	X
Bed and breakfast inns	X	X	P	P	P	X	P	P	P	P	P	X
Boarding, lodging, and rooming houses	X	X	X	X	X	X	P	P	P	P	P	X
Cottage housing development	X	X	X	X	X	X	X	P	P	P	X	X
Dwelling, Caretaker’s	X	C	C	C	C	X	X	X	X	X	X	X
Dwelling, carriage unit	X	X	X	X	X	X	X	P	P	P	X	X
Dwelling, Duplex or two-family	X	X	X	X	X	X	X	P	P	P	X	X
Dwelling, Multiple-family	X	X	X	P ⁴	P ⁵	X	P	P	P	X	X	X
Dwelling, Single-family	X	X	X	X	X	X	P	P	P	P	P	X
Dwelling, Townhomes	X	X	X	X	X	X	P	P	P	P	X	X
Group homes	X	X	X	X	X	X	P	P	P	P	P	X
Home occupations	X	A	A	A	A	X	A	A	A	A	A	X
Manufactured home park or MPH	X	X	X	X	X	X	X	P	X	X	X	X
Motels/hotels	P	X	P	P	X	X	X	X	X	X	X	X
Nursing home or rehabilitation center	P	X	P	P	X	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	X	P	X	C	P	P	P	X	X	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 No. 0619044016 (~~Rose's IGAMr. Bill's Plaza~~) 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 this section.

⁴ ~~Multifamily is allowed in this zone above commercial uses, beside commercial uses, or on the same parcel as commercial uses; density is to be based on the HDR zone for multifamily units.~~

⁵ ~~Multifamily is allowed in this zone above commercial uses; for more than one unit, density is to be based on the HDR zone for multifamily units.~~

Section 20. Amendment. A new subsection (8) is added to BMC 19.28.020 to read as follows:

19.28.020 Basic regulations for off-street parking.

... (8) All parking lots allowed or required under this code shall also allow electric vehicle stations and/or infrastructure.

Section 21. 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 22. 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 23. 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 10th day of December 2019.


Pat Johnson, Mayor

ATTEST:


Treva Percival, MMC, City Clerk

APPROVED AS TO FORM:



Phil Olbrechts, City Attorney

Published: December 18, 2019

Effective: December 23, 2019