

**CITY OF WEST RICHLAND
ORDINANCE NO. 04-22**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST RICHLAND, WASHINGTON, AMENDING TITLE 17 OF THE WEST RICHLAND MUNICIPAL CODE, TO SPECIFY THAT DRIVE-THROUGH WINDOW SERVICES ARE ALLOWED AS A CONDITIONAL USE IN THE COMMERCIAL LIMITED DISTRICT, AND DEVELOP PERFORMANCE STANDARDS FOR DRIVE-THROUGH WINDOW SERVICES IN THAT DISTRICT;

WHEREAS, Rick Simon, on behalf of Tim Bush, submitted a zoning text amendment application to allow drive-through window services in the Commercial Limited District; and

WHEREAS, on December 20, 2021, the City's Community Development Department issued a State Environmental Policy Act (SEPA) notice threshold determination of DNS (Determination of Non-significance) on the proposed changes; and

WHEREAS, on January 13, 2022 the Planning Commission discussed the proposed amendment, and suggested that drive-through window services be considered through the conditional use permit process; and

WHEREAS, the City Council subcommittee reviewed the proposed amendments on January 25, 2021 and recommended that a conditional use permit be required for the proposed use; and

WHEREAS, on February 10, 2022 the Planning Commission held a duly noticed public hearing to receive public testimony on the proposed changes; and

WHEREAS, on February 10, 2022, the Planning Commission voted unanimously to support the staff's recommended findings, conclusions, and recommendations on the proposed amendment and recommend approval of the zoning code amendment; and

WHEREAS, the City Council subcommittee reviewed the proposed amendments on January 25, 2021 and recommended "do pass" to the full Council; and

WHEREAS, the City Council reviewed the proposed amendments in a duly noticed public hearing on March 1, 2022; and

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

WHEREAS, on March 1, 2022, the City Council voted to approve the zoning code amendments; and

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

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

Section 1: That West Richland Municipal Code 17.13.020 Residential land use matrix, is hereby amended to read as follows:

17.13.030 Commercial land use matrix.

Use	Neighborhood Commercial (C-N)	Commercial Limited (C-L)	Commercial General (C-G)	Downtown-Mixed Use (D-MU)	Commercial Light Industrial (C-LI)	Light Industrial (LI)
Accessory buildings	S	S	S	S	S	S
Accessory dwelling units	-	-	-	-	-	-
Adult family home	-	-	-	P	-	-
Adult use businesses	-	-	C	-	C	-
Agri-chemical distributors	-	-	-	-	-	P
Airports and heliports	-	-	-	-	-	C
All uses of land, buildings, and structures or industrial processes that are noxious or injurious by reason of production or emission of dust, smoke, or refuse matter, odor, gas fumes, noise, vibration or substances	-	-	-	-	-	C
Amusement parks	-	-	C	-	C	C
Animal clinics/veterinary hospitals	-	-	P	C	P	-
Animal control facilities (indoor)	-	-	C	-	C	P
Animal control facilities (outdoor)	-	-	-	-	-	C

Use	Neighborhood Commercial (C-N)	Commercial Limited (C-L)	Commercial General (C-G)	Downtown-Mixed Use (D-MU)	Commercial Light Industrial (C-LI)	Light Industrial (LI)
Art studios	P	P	P	P	P	-
Automobile parking	S	S	S	S	S	S
Automobile, motorcycle, horse, and dog racing tracks	-	-	-	-	C	C
Automotive collision repair, including paint booths	-	-	-	-	P	P
Automotive collision repair, provided, that paint booths are not allowed	-	C	C	-	-	-
Automotive repair and maintenance, under hood and under car	-	P	P	C	P	P
Banks, including automatic teller machines	P	P	P	P	P	-
Bed and breakfast facilities	S	-	-	S	-	-
Blacksmith, welding, or other metal shops, excluding bunch presses over 20 tons rated capacity, drop hammers and the like	-	-	-	-	-	P
Carnival/fair (temporary)	-	C	C	C	C	C
Carwashes, automatic, full-service, and self-service	-	C	P	-	P	S
Cemetery	-	-	-	-	-	-
Churches and similar places of worship	-	P	P	P	-	-
Churches and similar places of worship where off-street parking is provided	P	-	-	-	-	-

Use	Neighborhood Commercial (C-N)	Commercial Limited (C-L)	Commercial General (C-G)	Downtown-Mixed Use (D-MU)	Commercial Light Industrial (C-LI)	Light Industrial (LI)
City parks and/or open space areas, including conservation sites, and activities associated with such uses	P	P	P	P	-	-
Clinics	-	P	P	-	-	-
Clubhouses	P	P	P	P	P	-
Colleges, universities, specialty schools operated for profit, and schools not otherwise defined, including portable school classrooms	C	C	C	-	P	-
Commercial coaches for temporary uses	-	-	S	-	P	-
Commercial coaches in association with an existing building or use	-	-	-	-	S	S
Commercial entertainment and event uses (such as stadiums, auditoriums, exhibition halls)	-	-	P	C	C	-
Commercial parking lot	-	-	C	C	C	-
Community centers	-	C	C	C	C	-
Community recreation facilities	-	-	C	-	-	-
Contractors, plant or storage yards	-	-	-	-	-	P
Convenience store or mini-market	P	P	-	P	P	-
Creameries, bottling, ice manufacturing and cold storage plants	-	-	P	-	-	P

Use	Neighborhood Commercial (C-N)	Commercial Limited (C-L)	Commercial General (C-G)	Downtown-Mixed Use (D-MU)	Commercial Light Industrial (C-LI)	Light Industrial (LI)
Daycare centers and mini-day care centers	P	P	P	C	C	-
Duplexes, with a minimum of 420 square feet finished living space	-	-	-	P	-	-
Duplexes; provided, that each dwelling unit has a minimum of 420 square feet finished living space	-	-	-	-	-	-
Electric vehicle charging stations	P	P	P	P	P	P
Events which may have a large neighborhood impact as determined by administrator	-	-	-	-	-	-
Family day care provider	-	-	-	P	-	-
Festivals	-	-	C	C	C	C
Fire stations	P	P	P	P	P	P
Food processing	-	-	-	-	P	P
Food vending vehicles	-	-	P	P	P	P
Foundries casting nonferrous metals or electric foundries not causing noxious fumes or odors	-	-	-	-	-	P
Garden nurseries and landscape garden centers with storage area for equipment and materials	-	C	C	-	C	P
Gas stations	-	C	P	P	P	P
Golf courses	-	-	-	-	-	-

Use	Neighborhood Commercial (C-N)	Commercial Limited (C-L)	Commercial General (C-G)	Downtown-Mixed Use (D-MU)	Commercial Light Industrial (C-LI)	Light Industrial (LI)
Growing fruits, vegetables, grains, flowers and field crops	-	-	-	-	-	-
Heavy machinery sales and service	-	-	C	-	P	P
High schools, colleges, universities, specialty schools operated for profit, and schools not otherwise defined, including portable school classrooms	-	-	-	-	C	-
Hobby agriculture	-	-	-	-	-	-
Hospitals	-	P	P	-	-	-
Hotels and motels	-	C	P	P	P	-
Junkyards, automobile wrecking yards, scrap paper or rag storage, sorting or baling	-	-	-	-	-	C
Large domestic animals'	-	-	-	-	-	-
Large-scale home occupations	-	-	-	C	-	-
Laundromats	-	P	P	-	P	P
Lumber or building material sales	-	C	P	-	P	-
Lumber or building material storage yards, secondary to an on-site retail use	-	-	C	-	-	-
Machine shops	-	-	C	-	-	P
Major utility facilities	C	C	C	C	C	C

Use	Neighborhood Commercial (C-N)	Commercial Limited (C-L)	Commercial General (C-G)	Downtown-Mixed Use (D-MU)	Commercial Light Industrial (C-LI)	Light Industrial (LI)
Manufactured home park offices and/or community facilities, including swimming pools	-	-	-	-	-	-
Manufactured home sales	-	-	P	-	C	-
Manufactured homes	-	-	-	P	-	-
Microbreweries	P	-	P	P	P	P
Mining and/or temporary rock crushing activities, related to on- or off-site construction or site preparation activities	-	-	-	-	-	C
Minor utility facilities	P	P	P	P	P	P
Movie theaters	-	C	P	-	P	-
Multifamily dwellings which contain not less than 420 square feet of finished living space per dwelling unit	-	-	-	P	-	-
Municipal office buildings	P	P	P	P	P	-
Museums	-	C	P	P	C	-
New and used car sales/repair	-	-	P	-	C	-
Off-site hazardous waste treatment, transfer, and storage facilities	-	-	-	-	-	C
One single-family detached dwelling with not less than 1,000 square feet of finished living space	-	-	-	-	-	-

Use	Neighborhood Commercial (C-N)	Commercial Limited (C-L)	Commercial General (C-G)	Downtown-Mixed Use (D-MU)	Commercial Light Industrial (C-LI)	Light Industrial (LI)
One single-family detached dwelling with not less than 420 square feet of finished living space	-	-	-	-	-	-
On-site hazardous waste treatment and storage	-	-	C	-	C	C
Outdoor concerts	-	-	C	C	-	P
Parish or clergy houses and religious education buildings	-	P	P	P	-	-
Park and ride facilities	-	-	C	-	C	-
Parking lot -- private	S	S	S	-	S	-
Performing arts theaters	-	C	P	C	P	-
Personal services	P	P	P	P	P	P
Permitted special events	-	-	-	-	-	-
Post offices	P	-	P	P	P	P
Private nursery schools	C	C	P	C	C	C
Private small wind energy systems	-	-	-	S	-	-
Professional offices	P	P	P	P	P	P
Public and private elementary, middle, and high schools, including portable school classrooms	C	C	C	C	C	C

Use	Neighborhood Commercial (C-N)	Commercial Limited (C-L)	Commercial General (C-G)	Downtown-Mixed Use (D-MU)	Commercial Light Industrial (C-LI)	Light Industrial (LI)
Public library	-	C	P	-	P	-
Public parks and playgrounds	P	P	P	P	P	P
Recreation buildings or areas operated by membership clubs for the benefit of members and not for gain	C	-	C	C	P	-
Recreation camps	-	-	-	-	-	-
Recreational vehicle parks	-	-	C	-	C	-
Recreational vehicle sales/repair	-	-	P	-	C	-
Recycling or donation drop-off containers (unattended)	-	-	P	S	S	S
Recycling processing facilities	-	-	-	-	-	P
Residential care facility	-	-	-	-	-	-
Residential use secondary to a business enterprise provided dwelling unit has a minimum of 420 square feet of finished living space, and the dwelling is constructed in compliance with the International Fire Code and International Building Code	S	S	S	S	S	-
Restaurants (with drive-through)	-	-C	P	P	P	-
Restaurants (without drive-through allowed)	P	P	-P	-P	-P	-

Use	Neighborhood Commercial (C-N)	Commercial Limited (C-L)	Commercial General (C-G)	Downtown-Mixed Use (D-MU)	Commercial Light Industrial (C-LI)	Light Industrial (LI)
Retail businesses operating in a building space that exceeds 15,000 square feet in area, upon the finding that the proposed retail business primarily serves and is appropriately located within the surrounding residential neighborhood	C	-	-	-	-	-
Retail, sales, and service businesses	P	P	P	P	P	S
Retail, sales and service businesses, where the gross square footage of any building exceeds 50,000 square feet.	-	-	C	-	-	-
Retirement centers/convalescent homes, assisted living centers	-	-	P	-	-	-
Service stations	-	-	P	P	P	-
Single-family residences with not less than 420 square feet of finished living space	-	-	-	P	-	-
Small domestic animals	-	-	-	S	-	-
Small-scale food and beverage manufacturing	-	-	C	-	-	-
Small-scale home occupations	-	-	-	S	-	-
Storage and similar facilities for use of manufactured home park residents only	-	-	-	-	-	-
Storage units/mini-storage/recreational vehicle and boat storage	-	-	-	-	-	-
Swimming pools	-	-	-	S	-	-

Use	Neighborhood Commercial (C-N)	Commercial Limited (C-L)	Commercial General (C-G)	Downtown-Mixed Use (D-MU)	Commercial Light Industrial (C-LI)	Light Industrial (LI)
Taverns and cocktail lounges	-	-	P	P	P	-
Temporary/seasonal outdoor public markets	-	-	P	C	C	-
Townhouses/rowhouses	-	-	-	P	-	-
Transmission lines	C	C	C	C	C	C
Undertaking establishments	-	C	P	-	P	-
Vehicle and vessel body shops	-	-	-	-	P	-
Warehousing and distributing	-	-	-	-	P	P
Warehousing up to 2,000 square foot building	-	C	-	-	-	-
Waste transfer stations	-	-	-	-	-	C
Wholesale business	-	-	P	-	P	P
Wine tasting rooms	-	-	-	P	-	-
Wine tasting/sales	-	-	P	P	P	P
Wineries	-	-	P	P	P	P
Wireless communication facilities	C	C	C	-	C	C
Wireless communication facilities (co-location with another facility)	P	P	P	P	P	P

Section 2: WRMC 17.46.030 Performance Standards: The following section hereby amends the West Richland Municipal Code, Commercial Limited Use District (C-L):

17.46.030 Performance standards.

All uses permitted in the C-L district must comply with this title and other applicable provisions of this code; in addition, permitted uses in the C-L district must comply with the following performance standards:

A. All business, service, repair, processing, or merchandise display shall be conducted wholly within an enclosed building, except for off-street automobile parking, sales of gasoline, and self-serve car washes.

B. Outdoor storage areas incidental to a permitted use shall be enclosed with not less than an eight-foot-high fence and shall be visually screened from adjoining properties.

C. Outdoor display and storage areas may not infringe on required parking areas.

D. Storage yards in connection with and incidental to a permitted use shall be surrounded by a six-foot-high sight-obscuring fence or hedge for screening the yard from abutting property and the street. The fence, wall, or hedge shall conform to setback requirements for buildings on street frontage. Fences, walls or hedges surrounding or obscuring storage yards must be maintained and free from litter, posters, signs, and trash. Additional requirements which apply to fencing are found in Chapter [17.56](#) WRMC, Fencing, Screening and Landscaping, and Chapter [12.50](#) WRMC, Vegetation Obstructions.

E. No single retail business, except for a food store, shall operate within a building space that exceeds 15,000 square feet in area, unless approved by the planning commission through the issuance of a special use permit upon the finding that the proposed retail business primarily serves and is appropriately located within the surrounding residential neighborhood.

[F. Restaurants with drive-through service windows shall be considered through the conditional use permit process.](#)

[1. The conditional use permit criteria of Chapter 17.66 WRMC apply, and drive-through window services shall also meet the following requirements:](#)

[a. Shall not interfere with pedestrian movements in the area;](#)

[b. Shall be compatible with other buildings and uses in the immediate vicinity in terms of the proposed design and location of the proposed drive-through; and](#)

[c. Shall provide safe and adequate vehicle access from a public street to serve the proposed drive-through window service.](#)

[2. Communication systems for drive-through window services:](#)

[a. Shall comply with Chapter 9.38 Noise Regulation; and](#)

[b. Shall not exceed daytime ambient noise levels during the hours between 6:00 am to 10:00 pm;](#)

[3. Fencing. Fencing shall be required when abutting a residential property:](#)

[a. Minimum six-foot tall masonry fence shall be required in conjunction with landscaping meeting the requirements of 17.56.070.D.](#)

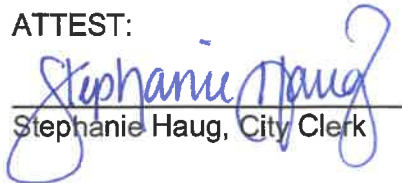
Section 3. Corrections by City Clerk or Code Reviser. Upon approval of the City Attorney, the City Clerk and the Code Reviser are authorized to make the necessary corrections to this ordinance, including the correction of clerical errors; ordinance, section, or subsection numbering; or references to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


Section 4. Severability / Validity. The provisions of this ordinance are declared separate and severable. If any section, paragraph, subsection, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this ordinance.

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

PASSED BY THE CITY COUNCIL OF THE CITY OF WEST RICHLAND, WASHINGTON, this 1st day of March, 2022.


Brent Gerry, Mayor

ATTEST:

Stephanie Haug, City Clerk

APPROVED AS TO FORM:

Bronson Brown, City Attorney