



Agenda
Planning Commission Workshop
Wednesday, October 9, 2019
City Hall Council Chambers | 625 Swift Boulevard

Commission Members: Chair Palmer, Vice-Chair Boring, and Commissioners Eadie, Keuhlen, Maier, Mealer, and Townsend

Liaisons: Council Liaison Alvarez and Alternate Council Liaison Lemley
Staff Liaison: Planning Manager Stevens

Regular Workshop - 6:00 p.m.

Call to Order / Attendance:

Agenda Items:

1. Proposed Amendments to Chapter 12.16, Flood Damage Prevention
 - Mike Stevens, Planning Manager
2. Proposed Amendment to RMC Section 24.26.030 - Industrial Use Districts Permitted Land Uses.
 - Mike Stevens, Planning Manager

Adjournment

The next Planning Commission Workshop is November 13, 2019

The next Planning Commission Meeting is October 23, 2019

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PLANNING COMMISSION AGENDA ITEM COVERSHEET

Meeting Date: 10/9/2019

Agenda Category: Agenda Items

Prepared By: Mike Stevens, Planning Manager

Subject:

Proposed Amendments to Chapter 12.16, Flood Damage Prevention

Request:

Recommended Motion:

Summary:

Proposed Chapter 12.16, Flood Damage Prevention

Discuss reasons behind the need to repeal Chapter 23.34, Floodplain Combining District, and create a new Chapter 12.16, Flood Damage Prevention.

Attachments:

1. Floodplain Combining District to Repeal
2. Flood Damage Prevention Ordinance (BG edits)_ECY092319_2

Chapter 23.34

FLOODPLAIN COMBINING DISTRICT

Sections:

- ~~23.34.010—Combining district regulations.~~
- ~~23.34.020—Floodplain combining district—F.~~
- ~~23.34.030—F district—Permitted uses.~~
- ~~23.34.040—F district—Prohibited uses.~~
- ~~23.34.050—F district—Adoption of study designating areas of special flood hazard.~~
- ~~23.34.060—F district—General standards.~~
- ~~23.34.070—F district—Specific standards applicable to residential and nonresidential structures.~~
- ~~23.34.080—Manufactured homes standards.~~
- ~~23.34.090—Recreational vehicle standards.~~
- ~~23.34.100—Floodplain district—Development permit.~~
- ~~23.34.110—F district—Administration.~~
- ~~23.34.120—Floodplain district—Adjustment of standards.~~

23.34.010—Combining district regulations.

Whenever any of the following combining districts are combined with any primary district, the regulations of the combining district or districts shall be in addition to those specified for the primary district and, in the case of conflict, the more restrictive provisions shall apply. [Ord. 28-05 § 1.02].

23.34.020—Floodplain combining district—F.

A. Purpose. The F district is a combining district classification designed to apply to all areas of special flood hazards. Its purpose is to protect human life and health; to minimize public and private losses due to flood conditions in specific areas; to minimize expenditure of public money and costly flood control projects; to minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public; to minimize damage to public facilities and utilities located in areas of special flood hazard; to minimize prolonged business interruptions; to help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future flood blighted areas; to ensure that potential buyers are notified that property is in an area of special flood hazard; and to ensure that those who occupy areas of special flood hazard assume responsibility for their actions.

B. Methods of Reducing Flood Losses. In order to accomplish its purposes, the regulations for this combining district include methods and provisions for restricting or prohibiting uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities; for requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction; for controlling the alteration of natural floodplains, stream channels, and natural protective barriers which help accommodate or channel flood waters; for controlling filling, grading, dredging and other development which may increase flood damage; and for preventing or regulating the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards in other areas.

C. Warning and Disclaimer of Liability. The degree of flood protection required by the regulations for this combining district is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by manmade or natural causes. The establishment of regulations for this combining district does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. The establishment of regulations for this combining district or any administrative decision made pursuant thereto shall not create liability on the part of the city of Richland, any officer or employee thereof, or the Federal Insurance and Hazard Division of the Federal Emergency Management Agency, for any flood damages that result from reliance on such regulations or any administrative decision made thereunder or pursuant thereto. [Ord. 28-05 § 1.02].

23.34.030 — F district — Permitted uses.

Except as specifically provided in RMC 23.34.040, the permitted uses in an F district are:

A. All uses permitted in the primary district with which the F district is combined; provided, that a lot when developed with a one-family dwelling shall front on a dedicated public street; and

B. Public utility structures when their location and construction do not obstruct drainage channels and meet applicable federal, state and city requirements. [Ord. 28-05 § 1.02].

23.34.040 — F district — Prohibited uses.

The following uses are specifically prohibited in an F district: manufactured homes unless constructed in compliance with Richland building code standards (Chapter 21.01 RMC), or unless constructed in compliance with the definition of designated manufactured home (RMC 23.06.265), sanitary landfill operations, and cemeteries. [Ord. 28-05 § 1.02].

23.34.050 — F district — Adoption of study designating areas of special flood hazard.

The official scientific and engineering report entitled "Flood Insurance Study, City of Richland, Washington, dated December 1979," and any revisions thereto, three copies of which are filed with the city clerk together with accompanying Flood Insurance Rate Map (FIRM), as amended, in which areas of special flood hazard are identified by the Federal Emergency Management Agency, is adopted by reference and made a part of this code. No structure or land within such areas of special flood hazard shall be altered, converted, extended, located or constructed without full compliance with the provisions in this code. [Ord. 28-05 § 1.02].

23.34.060 — F district — General standards.

In all areas of special flood hazards, the following general standards shall be complied with:

A. Location. All new construction and substantial improvements shall be located on the highest existing ground available.

B. Maximum Allowable Density. To assure that new construction and substantial improvements, combined with any existing development, will not cause a cumulative increase in the base flood of more than one foot, all such new construction and substantial improvements shall be limited as follows:

1. Floodplain (FP), Agricultural (AG), and Parks and Public Facility (PPF) Use Districts. For uses permitted in the FP, AG, and PPF primary district when combined with the F district, development shall not exceed 10 percent of the total area of the lot.

2. General Business (C-3) District. For uses permitted in the C-3 district when combined with the F district, development shall not exceed 50 percent of the total area of the lot.

C. Maximum Allowable Obstruction. Within the floodplain (FP), agriculture (AG), and parks and public facility (PPF) primary districts when combined with the F district, all new construction and substantial improvements, together with any existing development, and filling accessory to and surrounding such new construction, substantial improvements, and existing developments, shall not exceed a maximum combined width of 33 percent of a line within the lot lines of the subject lot when drawn along the shortest distance from the midpoint of the river channel through the midpoint of the lot when drawn perpendicular to known floodwater patterns within the lot lines of the subject lot, but not to exceed 200 linear feet per five-acre lot.

D. Secondary Drainage Channels. Identified natural drainage channels that are secondary to the river channel in discharging floodwaters downstream during flood periods, as shown on the series of sectional maps, numbered 1 through 13, and attached to the ordinance codified in this title as "Exhibit A" and by this reference made a part of this code, shall be set aside as open space or maintained for open land uses; provided, that in those instances where new construction or substantial improvements are precluded on a lot due to the location and/or size of such secondary drainage channels, alternative development designs such as post and pile foundations for residential and nonresidential construction shall be utilized.

E. Orientation. All new construction and substantial improvements shall be oriented parallel to known floodwater patterns. Determination of such orientation shall be based upon topographical and historical flood data on file with the administrative official, and upon identified and maintained secondary drainage channels. When such information and/or identification of secondary drainage channels is not available, such orientation shall be in an upstream-downstream direction at a right angle to a line drawn along the shortest distance from the midpoint of the river channel through the midpoint of the lot.

F. Construction Methods and Materials. All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage, and using methods and practices that minimize flood damage.

G. Anchoring. All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure. Written certification must be provided to the administrative official that this standard has been met in any proposed or existing anchoring system or design.

H. Water Supply System. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.

I. Sanitary Sewer Systems. All new and replacement sanitary sewer systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters. On-site waste disposal systems shall be located to avoid impairment to them or to minimize contamination from them during flooding.

J. Subdivision Proposals. All subdivision proposals shall be consistent with the need to minimize flood damage, having public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage. Where base flood elevation data has not been provided or is not available from another authoritative source, it shall be generated for subdivision proposals and other proposed developments which contain at least 50 lots or five acres (whichever is less). All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage.

K. Review of Building Permits. Where authoritative data is not available either through the Flood Insurance Study or from another authoritative source, applications for building permits shall be reviewed to assure that proposed construction will be reasonably safe from flooding. The test of reasonableness is a local judgment and includes use of historical data, high water marks, photographs of past flooding, etc., where available. Failure to elevate at least two feet above grade in these zones may result in higher insurance rates. [Ord. 28-05 § 1.02].

23.34.070 — F district — Specific standards applicable to residential and nonresidential structures.

In all areas of special flood hazards, the following specific standards shall be complied with:

A. Residential Construction. In all new construction and substantial improvement of any residential structure:

1. The lowest floor, including any basement, shall be elevated to at least one foot above the base flood elevation;
2. The perimeter foundation shall extend a minimum of one foot above the base flood elevation;
3. The bottom of the first floor joists shall be above the minimum elevation for the top of the foundation;
4. All footings shall be of poured in place concrete, a minimum of 16 inches in width and eight inches in depth, rest on undisturbed earth, and have the bottom of such footings a minimum of 24 inches below finished grade;
5. Perimeter foundation walls shall be of poured in place concrete, a minimum of eight inches in thickness, either poured continuous with the footings, keyed with keying in footing one and one half inches deep and three inches wide, or doweled to footing with No. 5 rebar 12 inches long a maximum of two feet apart spaced no farther apart than two feet around the perimeter of the building;
6. Fully enclosed areas below the lowest floor that are subject to flooding are prohibited, or shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of

floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria:

- a. A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided;
- b. The bottom of all openings shall be no higher than one foot above grade;
- c. Openings may be equipped with screens, louvers, or other coverings or devices; provided, that they permit the automatic entry and exit of floodwaters;

7. All interior bearing walls and piles below the established minimum top of foundation shall be of masonry construction;

8. All electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities shall be designed and/or otherwise elevated or located so as to prevent water from entering or accumulating within the components during conditions of flooding;

9. A backwater valve shall be installed in the sewer line or lines in an accessible location immediately adjacent to the exterior foundation wall;

10. A registered professional engineer or architect shall certify that the standards of subsection (A) of this section are satisfied. Such certification shall be provided to the administrative official in accordance with RMC 23.34.100.

B. Nonresidential Construction. New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including any basement, elevated to at least one foot above the base flood elevation; or, together with attendant utility and sanitary facilities shall:

1. Be flood-proofed so that below one foot above the base flood level, structures with walls shall be watertight and substantially impermeable to the passage of water;
2. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and
3. Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting provisions of this subsection based on their development and/or review of the structural design, specifications and plans. Such certification shall be provided to the administrative official in accordance with RMC 23.34.100.
4. Nonresidential structures that are elevated, not flood-proofed, must meet the same standards for space below the lowest floor as described in subsection (A)(6) of this section.
5. All electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities shall be designed and/or otherwise elevated or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

C. Large Nonresidential Construction. In all new construction and substantial improvement of any commercial, industrial or other nonresidential structure more than 200 square feet in area, either detached or attached to residential construction:

1. All footings shall be of poured in place concrete, a minimum of 12 inches in width and six inches in depth, rest on undisturbed earth, and have the bottom of such footing a minimum of 24 inches below the finished grade;
2. Perimeter foundation walls shall be of poured in place concrete, a minimum of six inches in thickness and either poured continuous with the footings, keyed with keying in footing one and one half inches deep and

three inches wide, or doweled to footing with No. 5 rebar, 12 inches long spaced no farther apart than two feet around the perimeter of the building;

3. Exterior walls shall be of “balloon type” framing design when wood frames are utilized, with studs 16 inches on center resting directly on the sill plate and continuous exterior sheathing of plywood or diagonally placed boards nailed to the sill plate and studs;

4. A registered professional engineer or architect shall certify that the standards of subsection (C) of this section are satisfied. Such certification shall be provided to the administrative official in accordance with RMC 23.34.100. [Ord. 28-05 § 1.02].

23.34.080 — Manufactured homes standards.

A. For manufactured homes meeting either the Richland building code standards (Chapter 21.01 RMC) or the definition of designated manufactured home (RMC 23.06.265), the following installation standards shall be required for all manufactured homes to be placed or substantially improved on sites that are to be located either:

1. Outside of a manufactured home park;
2. In an expansion to an existing manufactured home park; or
3. In an existing manufactured home park on which a manufactured home has incurred “substantial damage” as the result of a flood.

B. Manufactured homes shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated one foot above the base flood elevation and be securely anchored to an adequately designed foundation system to resist floatation, collapse and lateral movement.

Manufactured homes meeting either the Richland building code standards (Chapter 21.01 RMC) or the definition of designated manufactured home (RMC 23.06.265), to be placed or substantially improved on sites in an existing manufactured home park that are not subject to the above manufactured home provisions shall be elevated so that either:

1. The lowest floor of the manufactured home is elevated one foot or more above the base flood elevation; or
2. The manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and be securely anchored to an adequately designed foundation system to resist floatation, collapse, and lateral movement. [Ord. 28-05 § 1.02].

23.34.090 — Recreational vehicle standards.

Recreational vehicles placed on sites in the F district are required to either:

- A. Be on site for fewer than 180 consecutive days;
- B. Be fully licensed and ready for highway use, on its wheels or jacking system, attached to the site only by quick disconnect type utilities and security devices and have no permanently attached additions; or
- C. Meet the requirements for elevation and anchoring of manufactured homes. [Ord. 28-05 § 1.02].

23.34.100 — Floodplain district — Development permit.

A development permit shall be obtained before construction or development begins within any area of special flood hazard. The permit shall be required for all structures and for all other development including fill and other activities as defined in RMC 23.06.270.

Application for a development permit shall be made on forms furnished by the administrative official, and shall include, but not be limited to, the following:

A. Plans drawn to scale showing the nature, location, dimensions, and elevations of the area involved, including but not limited to any low-lying areas and/or secondary drainage channels, existing and/or proposed structures, fill materials, storage areas and/or structures, and drainage facilities.

B. Elevation in relation to mean sea level of the lowest floor (including any basement) of all structures.

C. Elevation in relation to mean sea level to which any structure has been flood-proofed.

D. Certification by a registered professional engineer or architect that the standards of RMC 23.34.070 for any construction or substantial development have been met.

E. Description of the extent to which any watercourse, including any secondary drainage channels, will be altered or relocated as a result of proposed development.

F. Certification that all deeds, plat dedications and endorsements of land titles will contain, as covenants running with the land, the warning and disclaimer of liability set forth in RMC 23.34.020, and a notice of the requirements for compliance with the city's floodplain management and shoreline management programs. [Ord. 28-05 § 1.02].

23.34.110 — F district — Administration.

The administrative official shall administer and implement the regulations applicable to the F district by granting or denying development permit applications in accordance with the provisions of this code. The administrative official shall:

A. Review all development permit applications to determine that the permit requirements of the F district are satisfied and condition or otherwise modify such permits to assure that they are consistent with the requirements of the F district;

B. Review all development permit applications to determine that all necessary permits have been obtained from those federal, state or local governmental agencies from which prior approval is required;

C. Obtain and record the actual elevation to mean sea level of the lowest floor, including any basement, of all new or substantially improved structures, and whether or not the structure contains a basement;

D. For all new or substantially improved flood-proofed structures, verify and record the actual elevation (in relation to mean sea level) to which the structure was flood-proofed and maintain the flood-proofing certifications required by RMC 23.34.100;

E. Verify and record secondary drainage channels that are to be set aside and/or maintained as open space for the purpose of discharging floodwaters downstream during flood periods;

F. Maintain for public inspection all records pertaining to the provisions and requirements of the F district;

G. Notify adjacent communities and the Washington State Department of Ecology and the U.S. Army Corps of Engineers prior to any alteration or relocation of a watercourse and submit evidence of such notification to the Federal Emergency Management Agency;

H. Require that maintenance is provided within the altered or relocated portion of a watercourse so that flood carrying capacity is not diminished;

I. Make interpretations where needed, as to the exact locations of the boundaries of the areas of special flood hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions);

J. Obtain, review, and reasonably utilize any base flood elevation and floodway data available from a federal, state or other source, when base flood elevation data has not been otherwise provided;

K. Require and ensure that all approved development permits include the warning and disclaimer of liability stated in RMC 23.34.020(C);

~~L. Review all requests for subdivisions, short plats, zoning and subdivision text amendments and zone changes affecting the F district and primary use districts with which the F district is combined, and include therein a technical evaluation of the request by the Federal Emergency Management Agency for conformance to the National Flood Insurance Program, and further, include when applicable, technical evaluation by the Benton Franklin district health department for on-site waste disposal system suitability;~~

~~M. Require and ensure that all permits, deeds, plat dedications and endorsement of land titles affecting the parcel for which development is requested will contain the following language in addition to the warning and disclaimer of liability set forth in RMC 23.34.020(C):~~

~~NOTE: This property lies within an area of special flood hazard and is subject to the requirements of the City of Richland's Floodplain Management Program.~~

~~[Ord. 28-05 § 1.02].~~

23.34.120 — Floodplain district — Adjustment of standards.

~~A. Appeals. Any decision or interpretation made by the administrative official in the granting or denying of a development permit may be appealed by the applicant, and shall be heard by the board of adjustment, in accordance with RMC 23.70.070. In acting upon an appeal, the board of adjustment shall consider all technical evaluations including technical evaluation of the request by the Federal Emergency Management Agency for conformance to the National Flood Insurance Program, all relevant factors, the standards applicable to the F district, and the following criteria:~~

- ~~1. The danger that materials may be swept onto other lands to the injury of others;~~
- ~~2. The danger to life and property due to flooding or erosion damage;~~
- ~~3. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;~~
- ~~4. The importance of the services provided by the proposed facility to the community;~~
- ~~5. The necessity to the facility of a waterfront location, where applicable;~~
- ~~6. The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;~~
- ~~7. The compatibility of the proposed use with existing and anticipated development;~~
- ~~8. The relationship of the proposed use to the comprehensive plan, the shoreline program and floodplain management program for the area;~~
- ~~9. The safety of access to the property in times of flood for ordinary and emergency vehicles;~~
- ~~10. The expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site; and~~
- ~~11. The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.~~

~~B. Variances. A request for a variance from the standards and requirements of the F district may be considered by the board of adjustment in accordance with RMC 23.70.110 through 23.70.150. Any applicant to whom a variance is granted for a structure to be built with the lowest floor elevation at or below the base flood elevation shall be given written notice that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.~~

~~In acting upon a variance request, the board shall consider the criteria set forth in subsection (A) of this section, and shall make such findings as may be appropriate as to the request's conformance to the following requirements:~~

~~1. Variance may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places without regard to the procedures and requirements set forth in the remainder of this section;~~

~~2. Variances shall not be issued if any increase in flood levels during the base flood discharge would result;~~

~~3. Variances shall be issued only upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief; and~~

~~4. Variances shall be issued only upon a determination that granting of a variance will not result in increased flood heights, additional threats to public safety, or extraordinary public expense, and will not create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances. [Ord. 28-05 § 1.02].~~

Chapter 22.16 Flood Damage Prevention

22.16.010	Authority, findings of fact, purpose and objectives
22.16.020	Definitions
22.16.030	General Provisions
22.16.040	Administration
22.16.050	Provisions for Flood Hazard Reduction
22.16.060	Variances

22.16.010 Authority, findings of fact, purpose and objectives

A. Statement of Authority

The Legislature of the State of Washington has delegated the responsibility to local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, the City Council of the City of Richland, does ordain as follows:

B. Findings of Fact

1. The flood hazard areas of Richland are subject to periodic inundation, which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.
2. These flood losses are caused by the cumulative effect of obstructions in areas of special flood hazards that increase flood heights and velocities, and when inadequately anchored, damage uses in other areas. Uses that are inadequately floodproofed, elevated, or otherwise protected from flood damage also contribute to the flood loss.

C. Statement of Purpose

It is the purpose of this ordinance to promote the public health, safety, and general welfare; reduce the annual cost of flood insurance; and minimize public and private losses due to flood conditions in specific areas by provisions designed to:

1. Protect human life and health;
2. Minimize expenditure of public money for costly flood control projects;
3. Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
4. Minimize prolonged business interruptions;
5. Minimize damage to public facilities and utilities, such as water and gas mains; electric, telephone, and sewer lines; and streets and bridges located in flood hazard areas;
6. Help maintain a stable tax base by providing for the sound use and development of flood hazard areas so as to minimize blight areas caused by flooding;

7. Notify potential buyers that the property is in a Special Flood Hazard Area;
8. Notify those who occupy flood hazard areas that they assume responsibility for their actions; and
9. Participate in and maintain eligibility for flood insurance and disaster relief.

D. Methods of Reducing Flood Losses

In order to accomplish its purposes, this ordinance includes methods and provisions for:

1. Restricting or prohibiting uses that are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
2. Requiring that uses vulnerable to floods, including facilities that serve such uses, be protected against flood damage at the time of initial construction;
3. Controlling the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;
4. Controlling filling, grading, dredging, and other development, which may increase flood damage; and
5. Preventing or regulating the construction of flood barriers that unnaturally divert floodwaters or may increase flood hazards in other areas.

22.16.020 Definitions

General

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance its most reasonable application.

Alteration of watercourse means any action that will change the location of the channel occupied by water within the banks of any portion of a riverine waterbody.

Appeal means a request for a review of the interpretation of any provision of this ordinance or a request for a variance.

Area of shallow flooding means a designated zone AO, AH, AR/AO or AR/AH (or VO) on a community's Flood Insurance Rate Map (FIRM) with a one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow. Also referred to as the sheet flow area.

Area of special flood hazard means the land in the floodplain within a community subject to a 1 percent or greater chance of flooding in any given year. It is shown on the Flood Insurance Rate Map (FIRM) as zone A, AO, AH, A1-30, AE, A99, AR (V, VO, V1-30, VE). "Special flood hazard area" is synonymous in meaning with the phrase "area of special flood hazard".

Base flood means any flood having a 1% chance of being equaled or exceeded in any given year (also referred to as the "100-year flood").

Base Flood Elevation (BFE) means the elevation to which floodwater is anticipated to rise during the base flood.

Basement means any area of the building having its floor sub-grade (below ground level) on all sides.

Building: See "Structure."

Breakaway wall means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.

Community means a county or city government, as well as a tribal, federal, or state agency with permitting or project approval authority within Special Flood Hazard Areas.

Critical Facility means a facility for which even a slight chance of flooding might be too great. Critical facilities include (but are not limited to) schools, nursing homes, hospitals, police, fire and emergency response installations, and installations which produce, use, or store hazardous materials or hazardous waste.

Development means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials located within the area of special flood hazard.

Elevation Certificate means an administrative tool of the National Flood Insurance Program (NFIP) that can be used to provide elevation information, to determine the proper insurance premium rate, and to support a request for a Letter of Map Amendment (LOMA) or Letter of Map Revision based on fill (LOMR-F).

Elevated Building means for insurance purposes, a non-basement building that has its lowest elevated floor raised above ground level by foundation walls, shear walls, post, piers, pilings, or columns.

Existing Manufactured Home Park or Subdivision means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the adopted floodplain management regulations adopted by the community.

Expansion to an Existing Manufactured Home Park or Subdivision means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

Farmhouse means a single-family dwelling located on a farm site where resulting agricultural products are not produced for the primary consumption or use by the occupants and the farm owner.

Flood or Flooding means:

- A. A general and temporary condition of partial or complete inundation of normally dry land areas from:
 - 1. The overflow of inland or tidal waters.
 - 2. The unusual and rapid accumulation or runoff of surface waters from any source.
 - 3. Mudslides (i.e., mudflows) which are proximately caused by flooding as defined in paragraph (a)(2) of this definition and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.
- B. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in paragraph (1)(i) of this definition.

Flood elevation study means an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards. Also known as a Flood Insurance Study (FIS).

Flood Insurance Rate Map (FIRM) means the official map of a community, on which the Federal Insurance Administrator has delineated both the special hazard areas and the risk premium zones applicable to the community. A FIRM that has been made available digitally is called a Digital Flood Insurance Rate Map (DFIRM).

Floodplain or flood-prone area means any land area susceptible to being inundated by water from any source. See "Flood or flooding."

Floodplain administrator means the community official designated by title to administer and enforce the floodplain management regulations.

Floodplain management regulations means zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as floodplain ordinance, grading ordinance and erosion control ordinance) and other application of

police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

Flood proofing means any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate risk of flood damage to real estate or improved real property, water and sanitary facilities, structures, and their contents. Flood proofed structures are those that have the structural integrity and design to be impervious to floodwater below the Base Flood Elevation.

Floodway means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height (not more than one foot). Also referred to as "Regulatory Floodway."

Functionally dependent use means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, and does not include long-term storage or related manufacturing facilities.

Highest adjacent grade means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

Historic structure means any structure that is:

- A. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- B. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- C. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of Interior; or
- D. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - 1. By an approved state program as determined by the Secretary of the Interior, or
 - 2. Directly by the Secretary of the Interior in states without approved programs.

Lowest Floor means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building

access, or storage in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this ordinance (i.e. provided there are adequate flood ventilation openings).

Manufactured Home means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle."

Manufactured Home Park or Subdivision means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

Mean Sea Level for purposes of the National Flood Insurance Program means the vertical datum to which Base Flood Elevations shown on a community's Flood Insurance Rate Map are referenced.

New construction for the purposes of determining insurance rates means structures for which the "start of construction" commenced on or after the effective date of an initial Flood Insurance Rate Map or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, "new construction" means structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

One-hundred-year flood or 100-year flood: See "Base flood."

New Manufactured Home Park or Subdivision means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of adopted floodplain management regulations adopted by the community.

Reasonably Safe from Flooding means development that is designed and built to be safe from flooding based on consideration of current flood elevation studies, historical data, high water marks and other reliable data known to the community. In unnumbered A zones where flood elevation information is not available and cannot be obtained by practicable means, reasonably safe from flooding means that the lowest floor is at least two feet above the Highest Adjacent Grade.

Recreational Vehicle means a vehicle,

A. Built on a single chassis;

B. 400 square feet or less when measured at the largest horizontal projection;

- C. Designed to be self-propelled or permanently towable by a light duty truck; and
- D. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Start of construction means and includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days from the date of the permit. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Structure for floodplain management purposes means a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.

Substantial Damage means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Substantial improvement means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage," regardless of the actual repair work performed. The term does not, however, include either:

- A. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications that have been identified by the local code enforcement official and that are the minimum necessary to assure safe living conditions; or
- B. Any alteration of a "historic structure," provided that the alteration will not preclude the structure's continued designation as a "historic structure."

Variance means a grant of relief by a community from the terms of a floodplain management regulation.

Violation means the failure of a structure or other development to be constructed or implemented in conformance with the community's applicable floodplain development regulations.

Water surface elevation means the height, in relation to the vertical datum utilized in the applicable flood insurance study of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

Water Dependent means a structure for commerce or industry that cannot exist in any other location and is dependent on the water by reason of the intrinsic nature of its operations.

22.16.030 General Provisions

A. Lands to Which this Ordinance Applies

This ordinance shall apply to all special flood hazard areas within the boundaries of the City of Richland, Washington.

B. Basis for Establishing the Areas of Special Flood Hazard

The special flood hazard areas identified by the Federal Insurance Administrator in scientific and engineering reports entitled "The Flood Insurance Study (FIS) for the City of Richland, Washington" dated December 1979, and the "Flood Insurance Study for Benton County, Washington" dated June 1994, and any revisions thereto, with accompanying Flood Insurance Rate Maps (FIRMs) and Floodway maps, and any revisions thereto, are hereby adopted by reference and declared to be a part of this ordinance. The FIS and the FIRM are on file at the City of Richland Development Services Department.

The best available information for flood hazard area identification as outlined in RMC 22.16.040.C.2 shall be the basis for regulation until a new FIRM is issued that incorporates data utilized under RMC 22.16.040.C.2.

C. Compliance

All development within special flood hazard areas is subject to the terms of this ordinance and other applicable regulations.

D. Penalties for Noncompliance

No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this ordinance and other applicable regulations. Violations of the provisions of this ordinance by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions), shall be punishable as set forth within RMC 1.30, General Penalties. Nothing herein contained shall prevent the City of Richland from taking such other lawful action as is necessary to prevent or remedy any violation.

E. Abrogation and Greater Restrictions

This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

F. Interpretation

In the interpretation and application of this ordinance, all provisions shall be:

1. Considered as minimum requirements;
2. Liberally construed in favor of the governing body; and
3. Deemed neither to limit nor repeal any other powers granted under state statutes.

G. Warning and Disclaimer of Liability

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of the City of Richland, any officer or employee thereof, or the Federal Insurance Administration, for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made hereunder.

H. Severability

This ordinance and the various parts thereof are hereby declared to be severable. Should any Section of this ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any portion thereof other than the Section so declared to be unconstitutional or invalid.

22.16.040 Administration

A. Establishment of Development Permit

1. Development Permit Required

A development permit shall be obtained before construction or development begins within any area of special flood hazard established in RMC 22.16.030.B. The permit shall be for all structures including manufactured homes, as set forth in the "Definitions," and for all development including fill and other activities, also as set forth in the "Definitions."

2. Application for Development Permit

Application for a development permit shall be made on forms furnished by the Floodplain Administrator and may include, but not be limited to, plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities, and the location of the foregoing. Specifically, the following information is required:

- a. Elevation in relation to NAVD-88, of the lowest floor (including basement) of all structures, both prior to (pre-construction), and once construction is complete (post construction), but prior to the City of Richland issuing a formal Certificate of Occupancy.
- b. Elevation in relation to mean sea level to which any structure has been floodproofed;
- c. Where a structure is to be floodproofed, certification by a registered professional engineer or architect that the floodproofing methods for any nonresidential structure meet floodproofing criteria in RMC 22.16.050.B.3;
- d. Description of the extent to which a watercourse will be altered or relocated as a result of proposed development. Additional information prepared by a registered professional engineer regarding the volumes of fill, amount of floodplain displacement, anchorage of structures or other technical issues not readily apparent at the time of application may be required as the review process proceeds;
- e. Where development is proposed in a floodway, an engineering analysis indicating no rise of the Base Flood Elevation, and
- f. Any other such information that may be reasonably required by the Floodplain Administrator in order to review the application.

B. Designation of Floodplain Administrator

The Development Services Director is hereby appointed to administer, implement, and enforce this ordinance by granting or denying development permits in accordance with its provisions. The Floodplain Administrator may delegate authority to implement these provisions.

C. Duties & Responsibilities of the Floodplain Administrator

Duties of the Floodplain Administrator shall include, but not be limited to:

1. Permit Review

Review all development permits to determine that:

- a. The permit requirements of this ordinance have been satisfied;
- b. All other required state and federal permits have been obtained;
- c. The site is reasonably safe from flooding;
- d. In areas where a floodway has not been designated, require that no new construction, substantial improvements or other development (including fill) shall be permitted within zoned A1-30 and AE unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.

- e. The proposed development is not located in the floodway. If located in the floodway, assure the encroachment provisions of RMC 22.16.050.D.1 are met.

2. Use of Other Base Flood Data (In A and V Zones)

When base flood elevation data has not been provided (in A or V zones) in accordance with RMC 22.16.030.B, BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD, the Floodplain Administrator shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a federal, state, or other source, in order to administer RMC 22.16.050.B, SPECIFIC STANDARDS, and RMC 22.16.050.D FLOODWAYS.

3. Information to be Obtained and Maintained

- a. Where base flood elevation data is provided through the FIS, FIRM, or required as in RMC 22.16.040.C.2, obtain and record the actual (as-built) elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures, and whether or not the structure contains a basement. (44 CFR 60.3(b)(5)(i))
- b. Documentation of the bottom of the lowest horizontal structural member in V or VE zones.
- c. For all new or substantially improved floodproofed nonresidential structures where base flood elevation data is provided through the FIS, FIRM, or as required in RMC 22.16.040.C.2:
 - i. Obtain and record the elevation (in relation to mean sea level) to which the structure was floodproofed. (44 CFR 60.3(b)(5)(ii))
 - ii. Maintain the floodproofing certifications required in RMC 22.16.040.A.2.C. (44 CFR 60.3(b)(5)(iii))
- d. Certification required by RMC 22.16.050.D. (floodway encroachments).
- e. Records of all variance actions, including justification for their issuance.
- f. Improvement and damage calculations.
- g. Maintain for public inspection all records pertaining to the provisions of this ordinance. (44 CFR 60.3(b)(5)(iii))

4. Notification to Other Entities

Whenever a watercourse is to be altered or relocated:

- a. Notify adjacent communities and the Department of Ecology prior to such alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administrator through appropriate notification means; and
- b. Assure that the flood carrying capacity of the altered or relocated portion of said watercourse is maintained.

5. Interpretation of FIRM Boundaries

Make interpretations where needed, as to exact location of the boundaries of the areas of special flood hazards (e.g. where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation. Such appeals shall be granted consistent with the standards of Section 60.6 of the Rules and Regulations of the NFIP (44 CFR 59-76).

6. Review of Building Permits

Where elevation data is not available either through the FIS, FIRM, or from another authoritative source (RMC 22.16.040.C.2), applications for building permits shall be reviewed to assure that proposed construction will be *reasonably safe from flooding*. The test of reasonableness is a local judgment and includes use of historical data, high water marks, photographs of past flooding, etc., where available.

(Failure to elevate at least two feet above the highest adjacent grade in these zones may result in higher insurance rates.)

7. Changes to Special Flood Hazard Areas

- a. If a project will alter the BFE or boundaries of the SFHA, then the project proponent shall provide the community with engineering documentation and analysis regarding the proposed change. If the change to the BFE or boundaries of the SFHA would normally require a Letter of Map Change, then the project proponent shall initiate, and receive approval of, a Conditional Letter of Map Revision (CLOMR) prior to approval of the development permit. The project shall be constructed in a manner consistent with the approved CLOMR.
- b. If a CLOMR application is made, then the project proponent shall also supply the full CLOMR documentation package to the Floodplain Administrator to be attached to the floodplain development permit, including all required property owner notifications.

22.16.050 Provisions for Flood Hazard Reduction

A. General Standards

In all areas of special flood hazards, the following standards are required:

1. Anchoring

- a. All new construction and substantial improvements, including those related to manufactured homes, shall be anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads including the effects of buoyancy.
- b. All manufactured homes shall be anchored to prevent flotation, collapse, or lateral movement, and shall be installed using methods and practices that minimize flood damage. Anchoring methods may include, but are not limited to, use of over-the-top or frame ties to ground anchors.

2. Construction Materials and Methods

- a. All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
- b. All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.
- c. Electrical, heating, ventilation, plumbing, and air-conditioning equipment and other service facilities shall be designed and/or otherwise elevated or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

3. Storage of Materials and Equipment

- a. The storage or processing of materials that could be injurious to human, animal, or plant life if released due to damage from flooding is prohibited in special flood hazard areas.
- b. Storage of other material or equipment may be allowed if not subject to damage by floods and if firmly anchored to prevent flotation, or if readily removable from the area within the time available after flood warning.

4. Utilities

- a. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the systems;
- b. Water wells shall be located on high ground that is not in the floodway;
- c. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters;
- d. Onsite waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

5. Subdivision Proposals and Development greater than 50 Lots or 5 Acres

All subdivisions, as well as new development greater than 50 lots or 5 acres, whichever is the lesser, shall:

- a. Be consistent with the need to minimize flood damage;
- b. Have public utilities and facilities, such as sewer, gas, electrical, and water systems located and constructed to minimize or eliminate flood damage;
- c. Have adequate drainage provided to reduce exposure to flood damage.
- d. Where base flood elevation data has not been provided or is not available from another authoritative source, it shall be generated for subdivision proposals and other proposed developments that contain at least 50 lots or 5 acres (whichever is less).

B. Specific Standards

In all areas of special flood hazards where base flood elevation data has been provided as set forth in RMC 22.16.030.B, BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD, or RMC 22.16.040.C.2, USE OF OTHER BASE FLOOD DATA. The following provisions are required:

1. Residential Construction

- a. In AE and A1-30 zones or other A zoned areas where the BFE has been determined, new construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated one foot or more above the BFE. Mechanical equipment and utilities shall be waterproofed or elevated at least one foot above the BFE.
- b. New construction and substantial improvement of any residential structure in an Unnumbered A zone for which a BFE is not available and cannot be reasonably obtained shall be reasonably safe from flooding, but in all cases the lowest floor shall be at least two feet above the Highest Adjacent Grade.
- c. Fully enclosed areas below the lowest floor that are subject to flooding are prohibited, or shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria:
 - i. Have a minimum of two openings with a total net area of not less than one square inch for every square foot of enclosed area subject to flooding.
 - ii. The bottom of all openings shall be no higher than one foot above grade.
 - iii. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwater.
 - iv. A garage attached to a residential structure, constructed with the garage flood slab below the BFE, must be designed to allow for the automatic entry and exit of flood waters.

2. Additional requirements for below-grade crawlspaces:

- a. The interior grade of a crawlspace below the base flood elevation (BFE) must not be more than two-feet below the lowest adjacent exterior grade (LAG), shown as D in Figure 1;
- b. The height of the below-grade crawlspace, measured from the interior grade of the crawlspace to the top of the crawlspace foundation wall must not exceed four-feet (shown as L in Figure 1) at any point. The height limitation is the maximum allowable unsupported wall height

according to the engineering analyses and building code requirements for flood hazard areas. This limitation will also prevent these crawlspaces from being converted into habitable spaces:

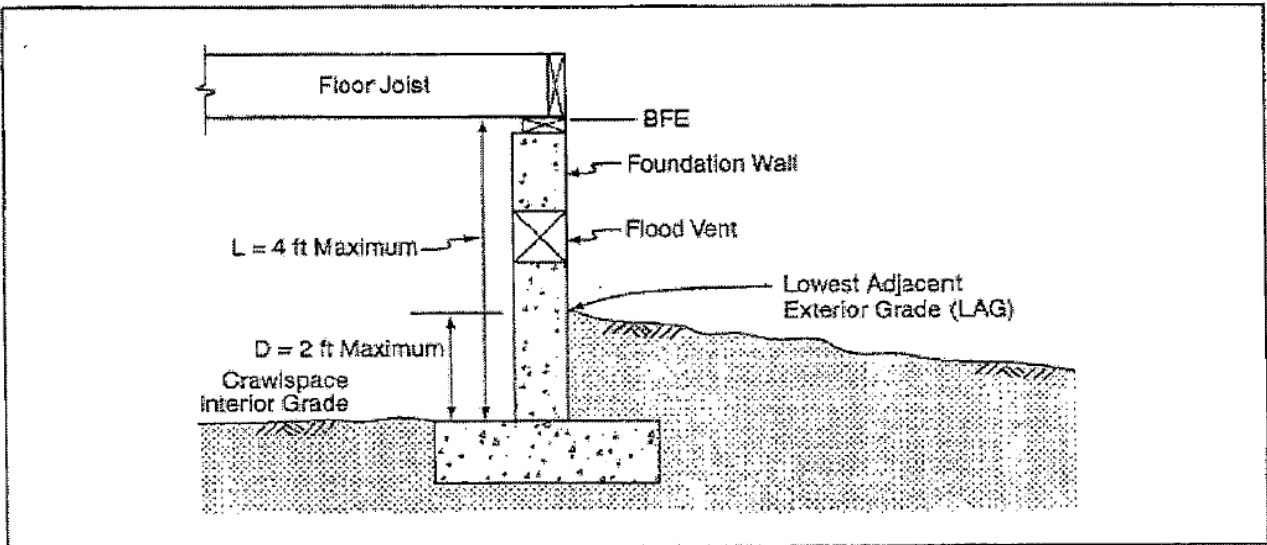


Figure 1

- c. There must be an adequate drainage system that removes floodwaters from the interior area of the crawlspace. The enclosed area should be drained within a reasonable time after a flood event. The type of drainage system will vary due to variations in the site gradient and other drainage characteristics, such as soil types. Possible options include natural drainage through porous, well-drained soils and drainage systems such as perforated pipes, drainage tiles, or gravel or crushed stone drainage by gravity or mechanical means;
- d. The velocity of floodwaters at the site should not exceed five-feet per second for any crawlspace. For velocities in excess of five-feet per second, other foundations should be used;
- e. Any building utility systems within the crawlspace must be elevated above BFE or designed so that floodwaters cannot enter or accumulate within the system components during flood conditions. Ductwork, in particular, must either be placed above the BFE or sealed from floodwaters; and
- f. Below grade crawlspace construction in accordance with the requirements listed above will not be considered basements.

3. Nonresidential Construction

New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall meet the requirements of subsection a or b, below.

- a. New construction and substantial improvement of any commercial,

industrial or other nonresidential structure shall meet all of the following requirements:

- i. In AE and A1-30 zones or other A zoned areas where the BFE has been determined or can be reasonably obtained:

New construction and substantial improvement of any commercial, industrial, or other nonresidential structure shall have the lowest floor, including basement, elevated one foot or more above the BFE, or elevated as required by ASCE 24, whichever is greater. Mechanical equipment and utilities shall be waterproofed or elevated least one foot above the BFE, or as required by ASCE 24, whichever is greater.

- ii. If located in an Unnumbered A zone for which a BFE is not available and cannot be reasonably obtained, the structure shall be reasonably safe from flooding, but in all cases the lowest floor shall be at least two feet above the Highest Adjacent Grade.
- iii. Fully enclosed areas below the lowest floor that are subject to flooding are prohibited, or shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria:
 - 1. Have a minimum of two openings with a total net area of not less than one square inch for every square foot of enclosed area subject to flooding.
 - 2. The bottom of all openings shall be no higher than one foot above grade.
 - 3. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwater.
 - 4. A garage attached to a residential structure, constructed with the garage floor slab below the BFE, must be designed to allow for the automatic entry and exit of flood waters.

Alternatively, a registered engineer or architect may design and certify engineered openings.

- b. If the requirements of RMC 22.16.050.B.3.a. are not met, then new construction and substantial improvement of any commercial, industrial or other nonresidential structure shall meet all of the following requirements:

- i. Be dry floodproofed so that below one foot or more above the base flood level the structure is watertight with walls substantially impermeable to the passage of water or dry floodproofed to the elevation required by ASCE 24, whichever is greater;
- ii. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy;
- iii. Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting provisions of this subsection based on their development and/or review of the structural design, specifications and plans. Such certifications shall be provided to the official as set forth in RMC 22.16.040.C.3.B.

4. Manufactured Homes

All manufactured homes to be placed or substantially improved on sites shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated one foot or more above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement.

5. Recreational Vehicles

Recreational vehicles placed on sites are required to either:

- a. Be on the site for fewer than 180 consecutive days, or
- b. Be fully licensed and ready for highway use, on wheels or jacking system, attached to the site only by quick disconnect type utilities and security devices, and have no permanently attached additions; or
- c. Meet the requirements of RMC 22.16.050.B.3

6. Appurtenant Structures (Detached Garages and Small Storage Structures)

For A Zones (A, AE, A1-30, AH, AO):

- a. Appurtenant structures used solely for parking of vehicles or limited storage may be constructed such that the floor is below the BFE, provided the structure is designed and constructed in accordance with the following requirements:
 - i. Use of the appurtenant structure must be limited to parking of vehicles or limited storage;
 - ii. The portions of the appurtenant structure located below the BFE must be built using flood resistant materials;
 - iii. The appurtenant structure must be adequately anchored to prevent flotation, collapse, and lateral movement;
 - iv. Any machinery or equipment servicing the appurtenant structure must be elevated or floodproofed to or above the BFE;

- v. The appurtenant structure must comply with floodway encroachment provisions in RMC 22.16.050.D;
- vi. The appurtenant structure must be designed to allow for the automatic entry and exit of flood waters in accordance with RMC 22.16.050.B-1(5).
- vii. The structure shall have low damage potential, and
- viii. If the structure is converted to another use, it must be brought into full compliance with the standards governing such use.
- ix. The structure shall not be used for human habitation.

- b. Detached garages, storage structures, and other appurtenant structures not meeting the above standards must be constructed in accordance with all applicable standards in RMC 22.16.050.B-1.
- c. Upon completion of the structure, certification that the requirements of this section have been satisfied shall be provided to the Floodplain Administrator for verification.

C. AE and A1-30 Zones with Base Flood Elevations but no Floodways

In areas with BFEs (but a regulatory floodway has not been designated), no new construction, substantial improvements, or other development (including fill) shall be permitted within zones A1-30 and AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.

D. Floodways

Located within areas of special flood hazard established in RMC 22.16.030.B are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of floodwaters that can carry debris, and increase erosion potential, the following provisions apply:

1. No Rise Standard

Prohibit encroachments, including fill, new construction, substantial improvements, and other development, unless certification by a registered professional engineer is provided demonstrating through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels during the occurrence of the base flood discharge.

2. Residential Construction in Floodways

Construction or reconstruction of residential structures is prohibited within designated floodways, except for (i) repairs, reconstruction, or improvements to a structure that do not increase the ground floor area; and (ii) repairs, reconstruction, or improvements to a structure, the cost of which does not exceed 50 percent of the market value of the structure either, (A) before the repair or reconstruction is started, or (B) if the structure has been damaged, and is being restored, before the

damage occurred. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications that have been identified by the local code enforcement official and that are the minimum necessary to assure safe living conditions, or to structures identified as historic places, may be excluded in the 50 percent.

a. Replacement of Farmhouses in Floodway

Repairs, reconstruction, replacement, or improvements to existing farmhouse structures located in designated floodways and that are located on lands designated as agricultural lands of long-term commercial significance under RCW 36.70A.170 may be permitted subject to the following:

- i. The new farmhouse is a replacement for an existing farmhouse on the same farm site;
- ii. There is no potential building site for a replacement farmhouse on the same farm outside the designated floodway;
- iii. Repairs, reconstruction, or improvements to a farmhouse shall not increase the total square footage of encroachment of the existing farmhouse;
- iv. A replacement farmhouse shall not exceed the total square footage of encroachment of the farmhouse it is replacing;
- v. A farmhouse being replaced shall be removed, in its entirety, including foundation, from the floodway within ninety days after occupancy of a new farmhouse;
- vi. For substantial improvements and replacement farmhouses, the elevation of the lowest floor of the improvement and farmhouse respectively, including basement, is a minimum of one foot higher than the BFE;
- vii. New and replacement water supply systems are designed to eliminate or minimize infiltration of flood waters into the system;
- viii. New and replacement sanitary sewerage systems are designed and located to eliminate or minimize infiltration of flood water into the system and discharge from the system into the flood waters; and
- ix. All other utilities and connections to public utilities are designed, constructed, and located to eliminate or minimize flood damage.

b. Substantially Damaged Residences in Floodway

- i. For all substantially damaged residential structures, other than farmhouses, located in a designated floodway, the Floodplain Administrator may make a written request that the Department of Ecology assess the risk of harm to life and property posed by the specific conditions of the floodway. Based on analysis of depth, velocity, flood-related erosion, channel migration, debris load potential, and flood warning capability, the Department of

Ecology may exercise best professional judgment in recommending to the local permitting authority repair, replacement, or relocation of a substantially damaged structure consistent with WAC 173-158-076. The property owner shall be responsible for submitting to the local government and the Department of Ecology any information necessary to complete the assessment. Without a favorable recommendation from the department for the repair or replacement of a substantially damaged residential structure located in the regulatory floodway, no repair or replacement is allowed per WAC 173-158-070(1).

ii. Before the repair, replacement, or reconstruction is started, all requirements of the NFIP, the state requirements adopted pursuant to 86.16 RCW, and all applicable local regulations must be satisfied. In addition, the following conditions must be met:

1. There is no potential safe building location for the replacement residential structure on the same property outside the regulatory floodway.
2. A replacement residential structure is a residential structure built as a substitute for a legally existing residential structure of equivalent use and size.
3. Repairs, reconstruction, or replacement of a residential structure shall not increase the total square footage of floodway encroachment.
4. The elevation of the lowest floor of the substantially damaged or replacement residential structure is a minimum of one foot higher than the BFE.
5. New and replacement water supply systems are designed to eliminate or minimize infiltration of flood water into the system.
6. New and replacement sanitary sewerage systems are designed and located to eliminate or minimize infiltration of flood water into the system and discharge from the system into the flood waters.
7. All other utilities and connections to public utilities are designed, constructed, and located to eliminate or minimize flood damage.

c. All Other Building Standards Apply in Floodway

If RMC 22.16.050.D-1 is satisfied or construction is allowed pursuant to RMC 22.16.050.D-2, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of RMC 22.16.050, Provisions for Flood Hazard Reduction.

E. General Requirements for Other Development

All development, including manmade changes to improved or unimproved real estate for which specific provisions are not specified in this ordinance, shall:

1. Be located and constructed to minimize flood damage;
2. Meet the encroachment limitations of this ordinance if located in a regulatory floodway;
3. Be anchored to prevent flotation, collapse, or lateral movement resulting from hydrostatic loads, including the effects of buoyancy, during conditions of the design flood;
4. Be constructed of flood damage-resistant materials; and
5. Have mechanical, plumbing, and electrical systems above the design flood elevation or meet the requirements of ASCE 24, except that minimum electric service required to address life safety and electric code requirements is permitted below the design flood elevation provided it conforms to the provisions of the electrical part of building code for wet locations.

F. Critical Facility

Construction of new critical facilities shall be, to the extent possible, located outside the limits of the SFHA (100-year floodplain). Construction of new critical facilities shall be permissible within the SFHA if no feasible alternative site is available. Critical facilities constructed within the SFHA shall have the lowest floor elevated three feet above BFE or to the height of the 500-year flood, whichever is higher. Access to and from the critical facility should also be protected to the height utilized above. Floodproofing and sealing measures must be taken to ensure that toxic substances will not be displaced by or released into floodwaters. Access routes elevated to or above the level of the BFE shall be provided to all critical facilities to the extent possible.

22.16.060 Variances

The variance criteria set forth in this section of the ordinance are based on the general principle of zoning law that variances pertain to a piece of property and are not personal in nature. A variance may be granted for a parcel of property with physical characteristics so unusual that complying with the requirements of this ordinance would create an exceptional hardship to the applicant or the surrounding property owners. The characteristics must be unique to the property and not be shared by adjacent parcels. The unique characteristic must pertain to the land itself, not to the structure, its inhabitants, or the property owners.

It is the duty of the City of Richland to help protect its citizens from flooding. This need is so compelling and the implications of the cost of insuring a structure built below the Base Flood Elevation are so serious that variances from the flood elevation or from other requirements in the flood ordinance are quite rare. The long-term goal of preventing and reducing flood loss and damage can only be met if variances are strictly limited. Therefore, the variance guidelines provided in this ordinance are more detailed and contain multiple provisions that must be met before a variance can be properly granted.

The criteria are designed to screen out those situations in which alternatives other than a variance are more appropriate.

A. Requirements for Variance

1. Variances shall only be issued:
 - a. Upon a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances;
 - b. For the repair, rehabilitation, or restoration of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure;
 - c. Upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief;
 - d. Upon a showing of good and sufficient cause;
 - e. Upon a determination that failure to grant the variance would result in exceptional hardship to the applicant;
 - f. Upon a showing that the use cannot perform its intended purpose unless it is located or carried out in close proximity to the water. This includes only facilities defined in RMC 22.16.020 of this ordinance in the definition of "Functionally Dependent Use."
2. Variances shall not be issued within any floodway if any increase in flood levels during the base flood discharge would result.
3. Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the BFE, provided the procedures of RMC 22.16.040 and 22.16.050 of this ordinance have been fully considered. As the lot size increases beyond one-half acre, the technical justification required for issuing the variance increases.

B. Variance Criteria

1. In considering variance applications, the City of Richland shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this ordinance, and
 - a. The danger that materials may be swept onto other lands to the injury of others;
 - b. The danger to life and property due to flooding or erosion damage;
 - c. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
 - d. The importance of the services provided by the proposed facility to the community;
 - e. The necessity to the facility of a waterfront location, where applicable;

- f. The availability of alternative locations for the proposed use, which are not subject to flooding or erosion damage;
- g. The compatibility of the proposed use with existing and anticipated development;
- h. The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
- i. The safety of access to the property in time of flood for ordinary and emergency vehicles;
- j. The expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters expected at the site; and,
- k. The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities, such as sewer, gas, electrical, water system, and streets and bridges.

C. Additional Requirements for the Issuance of a Variance

1. Any applicant to whom a variance is granted shall be given written notice over the signature of a community official that:
 - a. The issuance of a variance to construct a structure below the BFE will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage, and
 - b. Such construction below the BFE increases risks to life and property.
2. The Floodplain Administrator shall maintain a record of all variance actions, including justification for their issuance.
3. The Floodplain Administrator shall condition the variance as needed to ensure that the requirements and criteria of this chapter are met.
4. Variances as interpreted in the NFIP are based on the general zoning law principle that they pertain to a physical piece of property; they are not personal in nature and do not pertain to the structure, its inhabitants, economic or financial circumstances. They primarily address small lots in densely populated residential neighborhoods. As such, variances from flood elevations should be quite rare.



PLANNING COMMISSION AGENDA ITEM COVERSHEET

Meeting Date: 10/9/2019

Agenda Category: Agenda Items

Prepared By: Mike Stevens, Planning Manager

Subject:

Proposed Amendment to RMC Section 24.26.030 - Industrial Use Districts Permitted Land Uses.

Request:

Recommended Motion:

Summary:

Text amendment to RMC Section 24.26.030 - Industrial Use Districts Permitted Land Uses. The proposed text would include the allowing uses as permitted in the M-2 (Heavy Manufacturing) zoning district: Major Automotive Repair, Farm Equipment and Supplies Sales, Heavy Equipment Sales and Repair, Car Washes - Automatic or Self-Service, and Mini-Warehouses.

Attachments:

1. 23.26.030 Edits

Chapter 23.26

INDUSTRIAL ZONING DISTRICTS

Sections:

- 23.26.010 Purpose of industrial use districts.
- 23.26.020 Industrial performance standards and special requirements.
- 23.26.025 Enforcement of performance standards.
- 23.26.030 Industrial use districts permitted land uses.
- 23.26.040 Site requirements for industrial use districts.
- 23.26.050 Parking standards for industrial use districts.
- 23.26.060 Landscaping standards for industrial districts.

23.26.010 Purpose of industrial use districts.

A. The medium industrial use district (I-M) is a zone providing for limited manufacturing, assembly, warehousing and distribution operations and retail and wholesale sales of products manufactured on the premises or products allied thereto; and administrative and research and development facilities for science-related activities and commercial uses that are supportive and compatible with other uses allowed in the district. Regulations are intended to prevent frictions between uses within the district, and also to protect nearby residential districts. This zoning classification is intended to be applied to some portions of the city that are designated industrial under the city of Richland comprehensive plan.

B. The heavy manufacturing district (M-2) is intended primarily for heavy manufacturing and closely related uses. To avoid burdensome regulations on heavy manufacturing, regulations for this district are intended to provide protection principally against effects harmful to other districts. This zoning classification is intended to be applied to some portions of the city that are designated industrial under the city of Richland comprehensive plan. [Ord. 28-05 § 1.02].

23.26.020 Industrial performance standards and special requirements.

A. I-M – Medium Industrial and M-2 – Heavy Manufacturing. The maximum permissible limits of the detrimental effects specified in this chapter shall be as defined in this section:

1. Smoke. The emission of smoke or particulate matter of a density greater than No. 2 on the Ringlemann Chart as published by the U.S. Bureau of Mines is prohibited, except that Ringlemann No. 3 will be permitted for three minutes during any eight-hour period for the purpose of building fires or soot blowing.
2. Dust and Other Particulate Matter. The total net rate of emission from all sources within the boundaries of a lot in the I-M or M-2 district shall not exceed one pound per acre of lot area during any one hour. The emission from all sources within any lot area of particulate matter containing more than 10 percent by weight of particles having a diameter larger than 44 microns is prohibited. Dust and other types of air pollution carried by a wind from such sources as storage yards, piled materials, yards, roads, etc., shall be included in particulate matter measurements and limitations, and shall be kept to a minimum by appropriate screening, design, landscaping, paving, oiling, sprinkling, or other acceptable means. Measurements shall be taken at the source of the emission.
3. Method of Measuring Emission of Particulate Matter from All Sources. Determination of the total net rate of emission of all particulate matter within the boundaries of any lot shall be made as follows:
 - a. Determine maximum emission in pounds per hour from each source of emission and divide this figure by acres of lot area, obtaining the gross hourly rate of emission in pounds per acre.
 - b. For each gross hourly rate of emission, deduct the height of emission correction factor from the following table, interpolating as necessary for heights not given:

ALLOWANCE FOR HEIGHT OF EMISSION

Height of Emission Above Grade (feet)	Correction Pounds per Hour per Acre
50	0.01
100	0.06
150	0.10
200	0.16
300	0.30
400	0.50

The result is the net hourly rate of emission in pounds per acre from each source of emission.

Adding together individual net rates of emission gives the total net rate of emission from all sources of emission within the boundaries of the lot.

4. Noise. In the I-M and M-2 districts, the sound pressure level resulting from any activity shall not exceed the maximum decibel level set forth in Chapter 173-60 WAC, Maximum Environmental Noise Levels for Class C Industrial Zones.

5. Vibration. Every use shall be so operated that the ground vibration inherently and recurrently generated from equipment other than vehicles is not perceptible without instruments at any point on or beyond any lot line of the property on which the use is located.

6. Odor. All measurements of odor for purposes of this standard shall be made according to the “dilution method” as prescribed in ASTM D1391-57. The following odor restrictions apply to this medium industrial use district:

- a. At the district boundary, the odor from any source within the district must not exceed one odor unit per cubic foot, as measured by the procedures in ASTM D1391-57.
- b. Within the district, the odor from any source within a given property or lot must not exceed 10 odor units per cubic foot at the boundary of the property, again measured by the procedures in ASTM D1391-57, except that uses existing prior to the effective date of the ordinance codified in this chapter shall be required to comply with only this subsection (A)(6)(b).

For the purposes of estimating the dilution of odors by the atmosphere between their point of origin and either the property boundary or the district boundary, the method of Pasquill (“The Estimation of the Dispersion of Windborne Material,” Meteorol. Mag., 90, 1063, 33-49, 1961) as modified by Gifford (“Uses of Routine Meteorological Observations for Estimating Atmospheric Dispersion,” Nuclear Safety, 2, 47-51, 1961) shall be used.

The atmospheric conditions to be assumed for this calculation are:

- i. Stability Category F, moderately stable air;
- ii. Surface wind speed of one meter/second (about two mph).

A procedure and necessary graphs for making this estimate are given in D. Bruce Turner’s “Workbook of Atmospheric Dispersion Estimates,” Dept. HEW, Environmental Health Series, Public Health Service Publication No. 999-AP-26, Revised 1969.

7. Toxic and Noxious Gases. No emission which would be demonstrably injurious to human health, animals or plant life common to the region, on the ground at or beyond any lot line on which the use is located will be permitted. Where such emission could be produced as a result of accident or equipment malfunction, adequate safeguards standard for safe operation in the industry involved shall be taken. This shall not be construed to prohibit spraying of pesticides on public or private property.

8. Heat, Glare and Humidity (Steam). In the I-M or M-2 districts any activity producing humidity in the form of steam or moist air, or producing heat or glare shall be carried on in such a manner that the heat, glare or humidity is not perceptible at any lot line on which the use is located. Building materials with high light reflective qualities shall not be used in the construction of buildings in such a manner that reflected sunlight will throw intense glare on areas surrounding the I-M or M-2 district. Artificial lighting shall be hooded or shaded so that direct light of high intensity lamps will not result in glare when viewed from areas surrounding the I-M or M-2 district.

9. Industrial Wastes. The disposal of industrial wastes shall be subject to the regulations of the state Health Department and shall comply with the requirements of the Washington Pollution Control Commission.

10. Fire and Explosive Hazards. The storage, manufacture, use, or processing of flammable liquids or materials which produce flammable or explosive vapors or gases shall be permitted in accordance with the regulations of the fire prevention code and the building code of the city of Richland. [Ord. 28-05 § 1.02; Ord. 04-09; Ord. 32-11 § 7].

23.26.025 Enforcement of performance standards.

It is the intent of this section that:

A. If in the opinion of the administrative official a violation of the performance standards in RMC 23.26.020 has occurred, the administrative official shall send a written notice of the violation to the owners of the property and the manager of the operation involved by certified mail. The manager or responsible person shall have 30 days to correct the violation, unless in the opinion of the administrative official there is imminent peril to the life and property of persons adjacent to the alleged violation, in which case the violation shall be corrected immediately.

B. Where determinations of violation can be made by the administrative official using equipment normally available to the city or obtainable without extraordinary expense, such determination shall be so made before notice of violation is issued.

C. Where technical complexity or extraordinary expense make it unreasonable for the city to maintain the personnel or equipment necessary to make the determination of violation, then the city shall call in properly qualified experts to make the determination. If expert findings indicate a violation of the performance standards, the costs of the determination shall be assessed against the properties or persons responsible for the violation in addition to the other penalties prescribed by this title. If no violation is found, cost of the determination shall be paid entirely by the city. [Ord. 28-05 § 1.02].

23.26.030 Industrial use districts permitted land uses.

In the following chart, land use classifications are listed on the vertical axis. Zoning districts are listed on the horizontal axis.

A. If the symbol “P” appears in the box at the intersection of the column and row, the use is permitted, subject to the general requirements and performance standards required in that zoning district.

B. If the symbol “S” appears in the box at the intersection of the column and row, the use is permitted subject to the special use permit provisions contained in Chapter 23.46 RMC.

C. If the symbol “A” appears in the box at the intersection of the column and the row, the use is permitted as an accessory use, subject to the general requirements and performance standards required in the zoning district.

D. If a number appears in the box at the intersection of the column and the row, the use is subject to the general conditions and special provisions indicated in the corresponding note.

E. If no symbol appears in the box at the intersection of the column and the row, the use is prohibited in that zoning district.

Land Use	I-M	M-2
Automotive, Marine and Heavy Equipment Uses		
Automotive Repair – Major	P	P
Automotive Repair – Minor	P	
Automotive Repair – Specialty Shop	P	
Automobile Service Station	P	
Automobile Wrecking		S ¹
Boat Building	P	P
Bottling Plants	P	P
Car Wash – Automatic or Self-Service	P ²	P
Equipment Rentals	P	
Farm Equipment and Supplies Sales	P	P
Gas/Fuel Station	P	
Heavy Equipment Sales and Repair	P	P
Marine Repair	P	P
Towing, Vehicle Impound Lots	P ³	
Truck Rentals	P	
Truck Stop – Diesel Fuel Sales	P	P
Truck Terminal	P	P
Vehicle Sales	P	
Warehousing, Wholesale Use	P	P
Business and Personal Services		
Animal Shelter	S ⁴	
Contractors' Offices and Shops	P	
General Service Businesses	P	P
Health/Fitness Facility	P	A
Health/Fitness Center	P	
Laundry/Dry Cleaning, Commercial	P	
Laundry/Dry Cleaning, Retail	P	
Mini-Warehouse	P ⁵	P⁵
Mailing Service	P	
Personal Loan Business	P	

Land Use	I-M	M-2
Personal Services Businesses	P	
Photo Processing, Copying and Printing Services	P	
Telemarketing Services	P	
Food Service		
Cafeterias	A	A
Delicatessen	A	A
Drinking Establishments	P	P
Restaurants/Sit Down	P	
Restaurants/Drive-Through	P ⁶	A ⁶
Restaurants/Lounge	P	
Restaurants/Take Out	P	
Restaurants with Entertainment/Dancing Facilities	P	
Wineries	P	
Industrial/Manufacturing Uses		
Airport, Industrial	P	
Excavating, Processing, Removal of Topsoil, Sand, Gravel, Rock or Similar Natural Deposits	S ⁷	S ⁷
Junkyard		S
Laundry and Cleaning Plants	P	P
General Manufacturing Uses	P	P
Heavy Manufacturing Uses		P
Light Manufacturing Uses	P	P
Research, Development and Testing Facilities	P	P
Warehousing, Storage and Distribution	P	P
Wholesale Facilities and Operations	P	P
Office Uses		
Financial Institutions	P	
Medical, Dental and Other Clinics	P	
Office – Consulting Services	P	
Office – Corporate	P	
Office – General	P	
Office – Research and Development	P	P
Public/Quasi-Public Uses		
General Park Operations and Maintenance Activities	P	P

Land Use	I-M	M-2
Passive Open Space Use	P	P
Power Transmission and Irrigation Wasteway Easements and Utility Uses	p ⁸	p ⁸
Public Agency Buildings	p ⁸	p ⁸
Public Agency Facilities	p ⁸	p ⁸
Public Parks	P	
Special Events Including Concerts, Tournaments and Competitions, Fairs, Festivals and Similar Public Gatherings	P	P
Trail Head Facilities	P	P
Trails for Equestrian, Pedestrian, or Nonmotorized Vehicle Use	P	P
Recreational Uses		
Commercial Recreation, Outdoor	S ⁹	
Residential Uses		
Accessory Dwelling Unit	A	
Day Care Center	S ¹⁰	
Dwelling Units for a Resident Watchman or Custodian	A	A
Hotels or Motels		P
Temporary Residence	p ¹¹	p ¹¹
Retail Uses		
Adult Use Establishments	p ¹²	
Airport, Commercial	P	
Parking Lot or Structure	P	P
Miscellaneous Uses		
Bus Station	P	
Bus Terminal	P	
Bus Transfer Station	P	P
Community Festivals and Street Fairs	P	P
Farming of Land	P	P
Macro-Antennas	P	P
Monopole	p ¹³	p ¹³
On-Site Hazardous Waste Treatment and Storage	P	P
Outdoor Storage	p ¹⁴	p ¹⁴
Storage in an Enclosed Building	P	P

1. RMC 23.42.290
2. RMC 23.42.270
3. RMC 23.42.320

4. RMC 23.42.040
5. RMC 23.42.170
6. RMC 23.42.047
7. RMC 23.42.070
8. RMC 23.42.200
9. RMC 23.42.175
10. RMC 23.42.080
11. RMC 23.42.110
12. RMC 23.42.030
13. Chapter 23.62 RMC
14. RMC 23.42.180

[Ord. 28-05 § 1.02; Ord. 04-09; Ord. 13-11 § 1.01; Ord. 32-11 § 8; Ord. 07-19 § 7].

23.26.040 Site requirements for industrial use districts.

In the following chart, development standards are listed on the vertical axis. Zoning districts are listed on the horizontal axis. The number appearing in the box at the intersection of the column and row represents the dimensional standard that applies to that zoning district.

Standard	I-M	M-2
Minimum Lot Area	None	None
Minimum Front Yard Setback	0 feet ¹	0 feet ¹
Minimum Side Yard Setback	None	None
Minimum Rear Yard Setback	None	None
Maximum Building Height – Main Building	55 feet ²	None

1. No setback required if street right-of-way is at least 80 feet in width. Otherwise, a minimum setback of 40 feet from street centerline is required.
2. Except as otherwise provided in this section, the maximum building height in the I-M district shall be 55 feet:
 - a. Any building or structure located within 300 feet of any residential use district shall be limited to 24 feet in height.
 - b. Any building further than 300 feet but less than 600 feet from districts described in note (2)(a) of this section shall not exceed 55 feet in height.
 - c. Except as provided in notes (2)(a) and (b) of this section, buildings may exceed the maximum height in accordance with the provisions of RMC 23.38.090.

[Ord. 28-05 § 1.02; Ord. 04-09; amended during 2011 recodification; Ord. 32-11 § 9].

23.26.050 Parking standards for industrial use districts.

Off-street parking space shall be provided in all industrial zones in compliance with the requirements of Chapter 23.54 RMC. [Ord. 28-05 § 1.02].

23.26.060 Landscaping standards for industrial districts.

A. In the I-M and M-2 zoning districts, perimeter landscaping shall be required of all new industrial facilities and developments proposed in accordance with RMC 23.54.160.

B. In the I-M or M-2 zoning districts, any use adjacent to a residential or PPF – parks and public facilities use district shall provide sight screening as follows:

1. In the case of buildings, structures, or parking lots, a six-foot-high sight-obscuring fence or evergreen planting shall be provided along the entire length of the use.
2. Required sight-screening fences shall be of masonry, wood, or slatted chain link construction and shall be maintained in a good condition. Required sight-screening plantings shall be installed so that such plantings can reasonably be expected to provide the desired screening within three years of planting, and shall be constantly maintained in a healthy, growing condition. [Ord. 28-05 § 1.02].