

Chapter 19.22 – HIGHWAY/WATERWAY COMMERCIAL DISTRICT

*(Adopted 4/8/2002; Ordinance #059507)*

Section 19.22.010 - Declaration of Intent.

The Highway Commercial District provides areas and minimum standards for businesses providing sales or services to the traveling public in locations where noise, dust, and traffic impacts of these uses will have minimal impacts on surrounding uses, in accordance with the guidelines in the Comprehensive Plan and Section 19.20.015 of this Ordinance. The decision to grant this zone shall consider the potential adverse impacts to the local small municipality. Adverse economic impact can be a basis for Planning Commission or Board of County Commissioners denial of the proposed zone change.

Section 19.22.015 – Possible Locations of this District.

The zone must either abut the intersection, or be within 1,000 feet of the intersection, as measured from the intersecting centerlines and up the centerline of the road that provides access.

1. This zone may be created along the intersection of two state highways, if the state allows access from one of the state highways.
2. This zone may be created along the intersection of a state highway and paved county road, if the county allows access from the county road.
3. This zone may be created along waterways within Port of Whitman County facilities.

Section 19.22.020 - Permitted Uses.

1. Convenience store with fueling facilities.
2. Truck stop fueling facilities.
3. Vehicle repair with fueling facilities.
4. Other businesses providing sales or services to the traveling public, such as restaurants, gift shops, and similar uses.
5. Motels & hotels
6. Temporary or seasonal produce stands, provided that adequate off-street parking is available, traffic visibility or traffic flows are not adversely affected.
7. Accessory uses and structures incidental to the above-mentioned uses, such as loading platforms, holding ponds, garages, tool sheds, and similar uses and structures.
8. Small-Antenna facilities and Antenna Support Structures up to 40 feet in height in conformance with the requirements of Section 19.58 - Communication and Utility Facilities.

Section 19.22.030 - Lot Size Requirements.

The minimum lot size for principal uses permitted in this district shall be the minimum necessary to comply with the provisions of this title and the minimum necessary to safely

accommodate water supply and on site sewage disposal systems as approved by the Whitman County Department of Environmental Health.

Section 19.22.040 - Yard Requirements.

1. The minimum front yard setback for all principal and accessory uses shall be thirty-five [35] feet from the public right-of-way.
2. The minimum side yard setback for all principal and accessory uses shall be ten [10'] feet. Antenna support structures the side and rear setbacks shall be twenty (20) feet and for their accessory structures shall be five (5) feet.
3. The minimum rear-yard setback for all principal and accessory uses shall be ten [10'] feet.

Section 19.22.050 - Height of Buildings.

The maximum height of buildings and structures in this district shall be fifty [50'] feet. Antenna support structures shall not exceed 350 feet. The 50 foot limit could be exceeded by a variance, if there is valid reason for the Board of Adjustment to grant that variance.

Section 19.22.060 - Access Requirements.

1. Access for all new uses, buildings or structures shall be shared from common access points along the right-of-way.
2. Compliance shall be certified by issuance of a County Road Approach Permit by the County Public Works Office or Washington State Department of Transportation [or the appropriate state agency that permits that use].

Section 19.22.070 - Landscaping and Screening Requirements.

1. A landscaping plan and landscape maintenance plan approved and signed by a landscape design professional shall be submitted to the Board of County Commissioners for approval prior to issuance of a building permit.
2. All areas of yard uses for the purposes of storing garbage, debris or other unsightly materials shall be obscured from sight by fences, landscaped berms or any other effective sight-obscuring device.
3. In the case of conditioned uses, these screening requirements shall be subject to the decision of the Board of Adjustment, which may adjust the requirements according to the needs of the specific locale.

Section 19.22.080 - Conditional Use.

Because of considerations of traffic, noise, lighting, hazards, health and environmental issues the following uses shall not be permitted in the Highway/Waterway Commercial District unless a conditional use permit authorizing such use has been granted by the Board of Adjustment.

1. One single-family dwelling unit or mobile home to be occupied only by an employee or owner of a permitted use.

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2. Antenna Support Structure facilities greater than 40 feet in height in conformance with the requirements of Section 19.58 - Communication and Utility Facilities. Antenna Support Structures greater than 130 feet are allowed in this District by Conditional Use as long as the site is located more than 1/2 mile from any incorporated city or town or Rural Community District, and in conformance with the requirements of Section 19.58 - Communication and Utility Facilities.