

Chapter 19.20 - Heavy Commercial District

19.20.010 - Purpose and Intent.

The Heavy Commercial District provides areas and minimum standards for businesses providing sales or services related to transportation, construction, warehousing or agriculture 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 this title.

19.20.020 - Permitted Uses.

- A. Transportation providers, such as motor vehicle freight-lines and similar uses.
- B. Automotive and agricultural equipment dealerships, auto and agricultural repair shops.
- C. Storage facilities for personal property, commercial goods or commodities such as warehouses, or mini-warehouses and similar uses. (Revised 3/24/03, Ordinance # 060953)
- D. Sales of services to the agricultural sector, such as agriculture supply cooperatives, custom fertilizer application services, and similar uses. (Revised 3/24/03, Ordinance # 060953)
- E. Concrete and asphalt plants.
- F. Seed packaging, storage and sales.
- G. Other similar uses that provide retail sales and which, because of noise, dust, traffic or the nature of materials stored should be located outside of an urbanized area.
- H. Accessory uses and structures incidental to the above-mentioned uses, such as loading platforms, yard offices, truck scales, holding ponds, garages, tool sheds, and similar uses and structures.
- I. 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.
- J. Home-based businesses (when a residence has been allowed by conditional use in a particular HC zone) utilizing only those accessory buildings and structures permitted under this chapter, and which from the premises' property line cannot be seen or heard or felt or smelled and will not have customer visits. (For more information on home-based businesses permitting, see Chapter 19.56.) (Revised April 21, 2008; Resolution No. 068024)
- K. Levels 1, 2 and 3 Electric Vehicle Charging Stations. (Revised 10/17/11, Ordinance # 072330)
- L. Unclassified Uses.
 - 1. It is recognized that all possible uses and variations of uses that might arise cannot reasonably be listed or categorized. In the event a use is proposed which is not listed in this chapter as permitted, the County Planner may determine whether the use should or should not be treated as one of the listed uses. Such determination shall be based on it being similar in intensity and character to the list of permitted uses and consistent with the intent of

the district, and with the concurrence of the Public Works Director.

Section 19.20.030 - 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 19.20.040 - Yard Requirements.

- A. The minimum front yard setback for all principal and accessory uses shall be 35 feet from the public right-of-way. On corner lots, this setback shall apply to both streets. (Revised 3/24/03, Ordinance # 060953)
- B. The minimum side and rear yard setbacks for all principal and accessory uses shall be 10 feet. For antenna support structures the side and rear setbacks shall be 20 feet, and for their accessory structures, shall be 5 feet. (Revised 5/14/01, Ordinance # 058050) (Revised 3/24/03, Ordinance # 060953)

Section 19.20.050 - Height of Buildings.

The maximum height of buildings and structures in this district shall be 50 feet, excepting grain elevators. Antenna support structures shall not exceed 350 feet. (Revised 5/14/01, Ordinance # 058050)

Section 19.20.060 - Approach Requirements. (Revised 3/24/03, Ordinance # 060953)

- A. Access shall be designed to Whitman County standards.
- B. Access for all new Heavy Commercial uses, buildings or structures shall be directly from the right-of-way of a Class I-IV road to the lot on which the principle use exists, without intervening properties of separate ownership, provided that adjacent uses shall use one common access point to the right-of-way.
- C. A complete Level of Service (LOS) traffic and heavy vehicle weight analysis shall be submitted to and approved by the County Engineer for each proposed development prior to issuance of any permit and/or approval. If a development will cause the LOS on a County road to fall below adopted standards, the development shall be denied unless and until improvements can be made to support the development. Anticipated damage shall be mitigated according to Whitman County Development Standards in effect on the date of the damage. If no Development Standards are in effect, the anticipated impact to the LOS shall be mitigated at the direction of the County Engineer.
- D. No person shall create any access without first obtaining an approach permit and meeting the approach general provisions.
- E. Compliance with Chapter 19.52 - Transportation shall be completed prior to issuance of permits. (This section was revised 10/15/01, Ordinance # 058775)

Section 19.20.070 - Screening & Maintenance Requirements.

- A. The purpose of this section is to establish landscape, screening and property maintenance standards to enhance the aesthetic appearance of property throughout the County.
- B. Screening shall provide a filtered view and may be provided by existing vegetation, landscaped areas, including the use of berms, fencing, trees and shrubs or a combination thereof. The use of drought tolerant vegetation is encouraged.
- C. Perimeter screening shall be provided as follows:
 - 1. At the front, side and rear of all commercial and industrial sites to provide an all season visual separation between adjacent land uses. Perimeter landscaping shall shield the views of industrial and commercial land uses, including outdoor storage, service, parking and loading areas, from roads and adjacent uses. If, however, the rear of the site is adjacent to an agricultural use, no rear yard perimeter screening is required.
 - 2. Avoid obstructing views of crosswalks, intersections and streetlights.
 - 3. In the case of conditional 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.
 - 4. All yards shall be maintained such that there will be no accumulation of silt, mud or standing water causing unsightly or hazardous conditions either within the yard or on adjacent properties
 - 5. All yards and buildings shall be maintained in a neat, tidy manner, including trimming and upkeep of all landscaped areas, and the removal of debris and unsightly objects.
 - 6. All undeveloped land areas shall be maintained in permanent vegetative cover, farmed, or be landscaped with an approved combination of materials to control runoff. (This section was revised 3/24/03, Ordinance # 060953)

Section 19.20.080 - Conditional Uses and Administrative Permits.

- A. Because of considerations of traffic, noise, lighting, hazards, health and environmental issues, the following uses shall not be permitted in the Heavy Commercial District unless a Conditional Use Permit authorizing such use has been granted by the Board of Adjustment; provided, however, that in situations described herein where an Administrative Use Permit may be granted in lieu of a Conditional Use Permit, the use of the land shall not be permitted until such time as an Administrative Use Permit has been granted by the County Planning Office:
 - 1. One single-family dwelling unit or mobile home to be occupied only by an employee or owner of a permitted use.
 - 2. Surface mining and/or rock crushing that is not associated with preparing a suitable site for construction. All surface mining and/or rock crushing activities shall meet the requirements of Chapter 19.59 - Surface Mining and Rock

Crushing and Chapter 19.60 - Blasting or Explosive Demolition. (Revised 3/24/03, Ordinance # 060953)

3. Recycling Facility, provided, however, that hazardous material, infectious material and/or radioactive material which federal or state regulations would allow to be recycled but which the County may deem to be unsafe or detrimental to public welfare, shall not be allowed without a Conditional Use Permit issued by the Board of Adjustment and a Special Permit issued by the Whitman County Health Department. Said permits shall establish specific conditions for the processing/handling of the hazardous material, infectious material and/or radioactive material, where the State of Washington or the Federal Government has not otherwise preempted all control and regulation of said materials.
4. Inert materials (earth, concrete and asphalt) of more than 2,000 cubic yards of material, excepting fill materials designed within reclamation plans of permitted quarries and/or mines. [For earth fills less than 2,000 cubic yards, see Section 19.05.020(4)]
5. Home-based businesses that exceed the threshold of a permitted use may be allowed as a conditional use. (For more information on home-based businesses permitting, see Chapter 19.56.) (Revised April 21, 2008; Resolution No. 068024)

6. Indoor marijuana production and processing.

- B. An Administrative Use Permit shall be required for:
 1. Rock crushing and quarrying for the specific purpose of preparing a suitable site for construction of a specific building or buildings including access and parking lots, based upon a preliminary site and grading plan subject to the minimum standards of Section 19.05.015, Chapter 19.59 - Surface Mining and Rock Crushing and Chapter 19.60 - Blasting or Explosive Demolition.
 2. Home-based businesses that exceed the threshold of a permitted use may be allowed as an administrative use. (For more information on home-based businesses permitting, see Chapter 19.56.) (Revised April 21, 2008; Resolution No. 068024)
 3. Support structure facilities, (towers and accessories) for antennae and other similar uses greater than forty (40) feet in height subject to the requirements of Section 19.58 - Communication and Utility Facilities. (Revised 3/24/03, Ordinance # 060953) (Revised 2/7/11, Ordinance #071612).