

# COMMERCIAL CODE UPDATE

## ORDINANCE NO. 3202

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AN ORDINANCE OF THE CITY OF LONGVIEW, WASHINGTON, RELATING TO ZONING AND LAND USE, REPEALING CHAPTERS 19.42, 19.45, 19.48, 19.51, 19.52, 19.53, AND 19.54 AND AMENDING CHAPTER 19.09 TO ADD SEVEN DEFINITIONS AND MODIFY THREE DEFINITIONS AND AMENDING SECTIONS 10.40.090, 11.02.070, 11.44.142, 12.30.090, 12.30120, 16.13.040, 16.40.015, 16.75.050, 18.10.080, Chapter list of Title 19, 19.15.010, 19.17.010, 19.35.040, 19.58.020, AND 19.70.020 OF TITLES 10, 11, 12, 16, 18 and 19 OF THE LONGVIEW MUNICIPAL CODE, AND ADOPTING NEW CHAPTERS 19.44 AND 19.46 TO THE LONGVIEW MUNICIPAL CODE.

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**WHEREAS**, the City of Longview is a code city and is authorized to adopt zoning controls pursuant to Chapter 35A.63 of the Revised Code of Washington (“RCW”); and

**WHEREAS**, the City of Longview adopted a revised Longview Comprehensive Plan in 2007; and

**WHEREAS**, the City of Longview has not engaged in a comprehensive review and revision of commercial zoning standards for several years; and

**WHEREAS**, it was determined that a revised Title 19 of the Longview Municipal Code was necessary to ensure consistency between the City of Longview’s zoning standards, the Longview Comprehensive Plan and applicable state laws; and

**WHEREAS**, a SEPA Determination of Non-Significance was issued by the City of Longview on January 12, 2012, [SEPA Application Number E 2012-1]; and

**WHEREAS**, a final Threshold Determination was issued on February 21, 2012 following a comment period; and

**WHEREAS**, the Planning Commission reviewed proposed amendments to Title 19, held a public hearings and heard public testimony on February 1, 2012 and forwarded a favorable recommendation for amendment to the City Council at its March 7, 2012 meeting; and

**WHEREAS**, the Longview City Council finds that the proposed modifications to Title 19 substantially advance the Longview Comprehensive Plan; and

**WHEREAS**, the Longview City Council finds that Title 19 of the Longview Municipal Code shall be amended as provided herein.

**NOW THEREFORE** the City Council of the City of Longview do ordain as follows:

SECTION 1. The following Section of Title 10, Chapter 40 of the Longview Municipal Code is hereby amended to read as follows; provided manifest and numbering errors shall be corrected prior to publication:

**10.40.090 Commercial social card games prohibited – Exceptions.**

All commercial social card games otherwise licensed by the state of Washington under the provisions of Chapter 9.46 RCW are hereby prohibited in the city of Longview except as provided in Chapter 19.44 LMC; provided, however, that this section shall not apply to social card games conducted or played by members on the premises of a licensed, bona fide charitable or nonprofit organization as authorized by RCW 9.46.0311; provided further, that this section shall not apply to social card games conducted or played in the dwelling or other place of residence of one of the players.

~~This section shall not apply to premises of or licensees who, or which, on the effective date of the ordinance codified in this section, are licensed by the state of Washington to conduct social card games and have an ongoing and established place of business in the city of Longview or to persons who engage in social card games at such locations.~~

SECTION 2. The following Section of Title 11, Chapter 2 of the Longview Municipal Code is hereby amended to read as follows; provided manifest and numbering errors shall be corrected prior to publication:

**11.02.070 Bicycles – Riding on sidewalks.**

(1) No person shall ride a bicycle upon a sidewalk in the commercial districts ~~(C-2)~~, CBD, O/C, and GC except those sidewalks of that district along Ocean Beach Highway, 15th Avenue, Washington Way, and Commerce Avenue between 15th Avenue and Washington Way, and downtown commerce district (D-C), except a police officer or other emergency personnel during the course of their official duties.

(2) A person may ride a bicycle on any other sidewalk or any roadway unless restricted or prohibited by traffic control devices.

(3) Whenever any person is riding a bicycle upon a sidewalk, such person shall yield the right-of-way to any pedestrian.

SECTION 3. The following Section of Title 11, Chapter 44 of the Longview Municipal Code is hereby amended to read as follows; provided manifest and numbering errors shall be corrected prior to publication:

**11.44.142 Alleys – Parking prohibited except for loading and unloading.**

In areas of the city designated in the zoning code as ~~C-1, C-2, C-3, C-4~~ NC, GC, O/C, CBD and D-C, no person may stop, park or leave standing any vehicle, whether attended or unattended, in any alley open for use in the city except for the following purposes:

- (1) The expeditious loading and unloading of goods, and then in no case shall the stop for loading or unloading exceed 30 minutes;
- (2) The pick-up or discharge of passengers, and then in no case shall the stop for passenger pick-up or discharge exceed five minutes;
- (3) The performance of construction or repair service to adjacent property, and then in no case shall the stop for the rendering of such service to adjacent property exceed one hour except upon necessity and with the written permission of the Longview police department.

Provided, however, that any person requiring more than the time specified herein may obtain, from the Longview police department, a permit for additional time for the purpose of loading or unloading goods or performing construction or repair service to adjacent property.

Any vehicle that is stopped, parked or left standing in any alley as provided herein shall not block passage in the alley for more than 30 minutes, and shall be promptly removed to accommodate emergency vehicles responding to an emergency call.

SECTION 4. The following Sections of Title 12, Chapter 30 of the Longview Municipal Code are hereby amended to read as follows; provided manifest and numbering errors shall be corrected prior to publication:

**12.30.090 Use of sidewalk areas for the display and sale of goods and merchandise, and for outdoor cafe purposes – Sidewalk business licenses.**

(1) The sidewalk area lying immediately between a commercial building and the curb, within the ~~downtown-commerce district~~, D-C, CBD, RC, NC, GC and O/C zoning districts of the city, which building contains a currently licensed operating retail business engaged in the sales of goods and merchandise, services, or the business of a restaurant, may, upon the grant of a sidewalk business license hereunder, be used for the purpose of display and sales of goods and merchandise, or services, of a like kind and quality that is displayed and offered for sale within the abutting commercial building or the sale and consumption of food and beverages similar to that which is sold and consumed on the abutting premises.

(2) Such licenses may be granted only to the holder of a current business license to conduct business in the abutting commercial building and as an extension of said business beyond the front wall of such commercial building and onto the sidewalk area.

(3) In the event that there are more than one holder of current business licenses to conduct business within the abutting commercial building, separate sidewalk business licenses may be granted for the occupancy of the sidewalk for an area that is no more than 20 feet of the building frontage upon the sidewalk for each such business; in the event that more businesses seek such sidewalk business licenses than the sidewalk can accommodate, the owner/manager of the building containing such businesses shall designate in writing which of such businesses may be granted sidewalk businesses licenses, and such designation shall be final and binding on the city in granting such sidewalk business licenses.

4. No sidewalk business license shall be issued for a sidewalk where the adjacent street speed limit is more than 30 miles per hour.

**12.30.120 Sidewalk business license – Terms and conditions and insurance – Suspension/revocation of license.**

(1) All licensees of sidewalk business licenses shall, prior to being granted such license, enter into an agreement with the city of Longview in which they agree to indemnify and hold the city free and harmless from all liability arising by reason of their use and/or occupancy of the sidewalk for such purposes, and at all times during the duration of such license, shall maintain public liability and property damage insurance in an aggregate amount of not less than \$1,000,000 per incident, naming the city of Longview as a co-insured.

(2) All licensees shall comply with all relevant regulations of the Cowlitz County health department, and shall keep and maintain the sidewalk area covered by such sidewalk business license in a clean, neat and safe manner at all times.

(3) A minimum area shall be reserved for pedestrian use not less than five feet in width, and shall be within the area between the curb and building, and shall be for the entire width of the building. Such pedestrian area shall be maintained free and clear of all obstructions at all times, and shall allow for a continuous walkway along the entire front of the building, connecting with pedestrian walkway areas on both ends thereof. The department of public works shall specify a distance on each sidewalk business license between the curb and the point where the licensee may exercise such license which area shall be maintained clear for vehicular loading and unloading and for the parking of vehicles along side or at an angle to the curb.

(4) Landscaped areas and areas containing trees and the dirt areas around such trees shall not be disturbed or used in connection with sidewalk business activities, and shall not be designated as the area reserved for pedestrian use.

(5) Pedestrian entrances to all buildings shall intersect with such pedestrian walkway areas, shall be not less than five feet in width, and shall be maintained free and clear of all obstructions at all times. In addition, no obstruction shall be placed to inhibit persons from entering or exiting parked vehicles.

(6) The department of community and economic development shall establish reasonable conditions as to each sidewalk business license relating to the size of tables, chairs, benches, umbrellas, awnings, display racks, works of art, freestanding signs, and any other items which are proposed for placement on the area of the sidewalk permitted to be used under a sidewalk business license. In the event that an applicant or licensee should disagree with such conditions, the assistant city manager shall intervene on the request of such applicant or licensee, and the decision of such assistant city manager shall be final and not subject to further appeal.

(7) Failure to comply with the provisions of LMC 12.30.090 through 12.30.140 shall constitute grounds for suspension of the sidewalk business license by the director of community and economic development if the licensee fails to heed a written warning issued by the director of community and economic development or his designee. Such suspension shall be for 48 successive hours. More than two suspensions within any 30-

day period will result in revocation of the sidewalk business license. In the event of the cancellation or termination of required insurance coverage, and/or of the suspension or revocation thereof, such sidewalk business license shall be suspended until such insurance is reestablished. Upon written request of the holder of a sidewalk business license, a hearing before the assistant city manager shall be conducted with regard to any sidewalk business license revocation.

(8) All sidewalk business licenses shall be subject to the prior right of the city or of utility companies to effect repair and maintenance within the right-of-way.

SECTION 5. The following Section of Title 16, Chapter 13 of the Longview Municipal Code is hereby amended to read as follows; provided manifest and numbering errors shall be corrected prior to publication:

### **16.13.040 New chapter added to Uniform Sign Code.**

#### Section 1504. Prohibited Signs.

No person shall erect, maintain, alter, repair, remove, use (or cause or allow the same to be done) or continue to use any sign not permitted by this Chapter 16.13, Longview Municipal Code Chapter 16.40, or exempt under section 1503. The following signs are prohibited throughout the city, and the erection, maintenance, use or allowance thereof constitutes a class II Civil Infraction:

- (1) Signs which bear or contain statements, words, or pictures in which the dominant theme appeals to the prurient interest in sex or is patently offensive because it affronts the contemporary community standard relating to the description or representation of sexual material, that is utterly without redeeming social value.
- (2) Signs which resemble any regulatory sign used by the city, county, state or federal government.
- (3) Signs or advertising devices located on pedestrian benches containing off-premises advertising or copy.
- (4) Signs that are attached to, painted on or otherwise a part of any truck, trailer, semi-trailer, van or other motor vehicle, parked or left standing on private property for more than forty-eight (48) hours (2 days), advertising, promoting or announcing any business, service, activity, belief, or other matter that is not provided upon the premises where such vehicle is parked or left standing; provided, however, that this provision shall not apply to Temporary Political Signs that are attached to, painted on or otherwise a part of any truck, trailer, semi-trailer, van or other motor vehicle.
- (5) ~~Within the downtown commerce district D-C, reader board signs, reader panel signs, bulletin board signs or similar advertising devices that employ changeable copy, are prohibited except as permitted in Chapter [19.52](#) LMC.~~

SECTION 6. The following Sections of Title 16, Chapter 40 of the Longview Municipal Code are hereby amended to read as follows; provided manifest and numbering errors shall be corrected prior to publication:

**16.40.015 Areas where allowed.**

(1) Commercial Districts ~~C-2~~. No outdoor advertising structures or billboards shall be constructed or erected ~~after the effective date of this section~~ in the commercial districts ~~C-2~~ D-C, CBD, RC, NC, GC and O/C. Any outdoor advertising structures or billboards existing and licensed in the commercial districts ~~C-2~~ on the effective date of the ordinance codified in this section shall be deemed to be a nonconforming use and the relevant provisions of LMC 19.75.010 and 19.75.030 shall be applicable thereto; provided, however, that in the event that the licensee of any such outdoor advertising structure or billboard should remove such structure or billboard from its present location in the commercial districts ~~C-2~~, or should any such structure or billboard be destroyed or damaged to the extent that a permit to repair or replace such structure or billboard is denied under the provisions of LMC 19.75.030, the licensee may, for a period of one year after such removal, relocate or replace said structure or billboard in a location within a use district in the city designated as LI-A, HI or C/I. Such relocation or replacement shall be subject, however, to the provisions of this chapter relating to location requirements and spacing.

SECTION 7. The following Sections of Title 16, Chapter 75 of the Longview Municipal Code are hereby amended to read as follows; provided manifest and numbering errors shall be corrected prior to publication:

**16.75.050 Permitted locations of antennas to be used for wireless communications service.**

(4) In the use districts described in LMC Title 19 as R-3, R-4, C-C, ~~C-1, C-2, C-3, C-4, C-W~~ NC, CBD, GC, O/C, LI-A, LI-B, HI and C/I, directional (panel) antennas may be included as a part of an antenna array, and may be so connected, mounted, attached, or located on such antenna array or platform as to achieve a 360° transmission/reception pattern. Directional (panel) antennas that are not a part of an antenna array may be mounted or erected and maintained on lattice towers, on monopole towers (where permitted), on roofs of existing buildings in the use districts described in this subsection and on the facades or sides of existing buildings if adequately obscured as determined under LMC 16.75.080; provided, however, that if mounted or erected and maintained on the roof of an existing building any such directional (panel) antenna shall be no closer than 15 feet from the imaginary vertically extended sides of such building unless adequately obscured from view from the street upon which such building fronts by use of screening materials designed, painted and maintained in a manner that will blend with the appearance of the building as provided by LMC 16.75.080. Directional (panel) antennas may be mounted on alternative antenna support structures other than roofs of existing buildings, and within the use districts described in this subsection only as special property uses approved by the appeal board of adjustment in accordance with LMC 19.12.050.

SECTION 8. The following Section of Title 18, Chapter 10 of the Longview Municipal Code are hereby amended to read as follows; provided manifest and numbering errors shall be corrected prior to publication:

**18.10.080 Establishment of limits of districts in which storage of liquefied petroleum gas is to be restricted.**

(1) The limits referred to in Section 3804.2 of the fire code, in which bulk storage of liquefied petroleum gas is restricted, are as follows: All of the classified use districts listed in LMC 19.15.010 except for industrial districts Light Industrial-A district, Light Industrial-B district and Heavy Industrial district.

(2) Retail sales of liquefied petroleum gas shall be restricted in all classified use districts listed in LMC 19.15.010 except for industrial districts Light Industrial-A district, Light Industrial-B district, Heavy Industrial district and Commercial/Industrial district, and commercial districts ~~C-1, C-2, C-3, and C-4~~ NC, CBD, GC, RC and O/C. The maximum capacity for storage containers in ~~C-1, C-2, C-3 and C-4~~ NC, CBD, GC, RC and O/C districts shall be 1,200 gallons water capacity.

SECTION 9. The following Chapter List of Title 19, of the Longview Municipal Code is hereby amended to read as follows; provided manifest and numbering errors shall be corrected prior to publication:

**Title 19**  
**ZONING<sup>1</sup>**

Chapters:

- 19.03 Comprehensive Plan
- 19.06 General Provisions
- 19.09 Definitions
- 19.12 Appeal Board of Adjustment
- 19.14 Repealed
- 19.15 Districts Established
- 19.16 Repealed
- 19.17 Residential Care Facilities
- 19.18 Repealed
- 19.20 Residential Zoning Districts
- 19.21 Repealed
- 19.22 Supplemental Zoning Standards
- 19.24 Repealed
- 19.27 Repealed

- 19.28 Standards for Manufactured Home Parks
- 19.30 Repealed
- 19.32 Repealed
- 19.33 Country Club District, C-D
- 19.35 Riverfront District, RF-1
- 19.39 Civic Center District, C-C
- 19.40 County Fairgrounds District, C-F
- 19.41 Seasonal Sales – Temporary Use Permit
- ~~19.42 Commercial District, C-1~~
- ~~19.45 Commercial District, C-2~~
- ~~19.48 Commercial District, C-3~~
- ~~19.51 Commercial District, C-4~~
- ~~19.52 Downtown Commerce District, D-C~~
- ~~19.53 Regional Commercial District, RC~~
- ~~19.54 Commercial Warehouse District, C-W~~
- 19.44 Commercial Zoning Districts
- 19.46 Supplemental Commercial Zoning Standards
- 19.55 Performance Standards – Industrial/Manufacturing Zones
- 19.57 Repealed
- 19.58 Industrial Zoning Districts
- 19.59 Repealed
- 19.60 Repealed
- 19.63 Repealed
- 19.65 Repealed
- 19.66 Planned Unit Development
- 19.67 Short Subdivisions
- 19.68 Boundary Line Adjustments
- 19.69 General Use Regulations
- 19.70 Adult Entertainment Establishments
- 19.72 Repealed
- 19.75 Nonconforming Uses
- 19.78 Off-Street Parking and Loading
- 19.79 Repealed
- 19.80 Longview Subdivision Code
- 19.81 Amendments
- 19.84 Enforcement by Building Inspector
- 19.87 Violations
- 19.90 Binding Site Plan

SECTION 10. The following Sections of Title 19, Chapter 09 of the Longview Municipal Code is hereby amended to read as follows; provided manifest and numbering errors shall be corrected prior to publication:

Add the following definitions:

19.09.082 Brewery/winery

“Brewery or winery” means an establishment primarily engaged in the production and distribution of beer, ale, or other malt beverages, or wine, and which may include accessory uses such as a tasting room and retail sales of promotional products, This classification allows a brewery/winery to sell beer/wine at retail and/or act as wholesaler for beer/wine of its own production for off-site consumption with appropriate state licenses. The tasting room and retail area can be no larger than 750 square feet combined. One-day promotional events may be held on-site up to four times per year. These events shall be permitted through LMC Chapter 7.40. The development may include other uses such as a standard restaurant, bar or live entertainment as otherwise permitted in the zoning district.

19.09.083 Brewpub

“Brewpub” means a restaurant, tavern, bar or nightclub that manufactures up to 1,500 barrels of fermented malt beverages per year on premises for either consumption on premises or by hand-capped or sealed containers in quantities up to one-half barrel or 15.5 gallons sold directly to the consumer. Wholesaling shall be permitted only as otherwise permitted in the zoning district. All aspects of production, service and sales of alcohol beverages must have the appropriate Washington State permits. A brewpub is not allowed in conjunction with a restaurant that has a drive-up facility.

19.09.223 Emergency shelter.

“Emergency shelter” means congregate facilities providing housing to shelter families and individuals offered on an emergency basis for a period not to exceed 90 days continuously. Shelters may offer meals, lodging and associated services on site, aimed at helping people move towards self-sufficiency.

19.09.337 Health care providers.

“Health care providers” means any health professional, hospital, or other institution, organization, or person that furnishes health care services and is licensed by the State of Washington to furnish such services. Health care providers include medical, surgical, dental, chiropractic, hospital, optometric, podiatric, pharmaceutical, ambulance, mental health, and other therapeutic services. Health care providers do not include the suppliers of medical marijuana.

19.09.447 Microbrewery/winery.

“Microbrewery or microwinery” means the same as “Brewery/winery” except for the following: a microbrewery shall have a capacity of not more than 15,000 barrels a year and a microwinery no more than 3,000 cases of wine per year. Per RCW 66.24.244(3) a microbrewery may also sell beer produced by another microbrewery or a domestic brewery for on and off-premises consumption from its premises as long as the other breweries' brands do not exceed twenty-five percent of the microbrewery's on-tap offering of its own brands.

19.09.597 Stand-alone liquor store

Stand-alone liquor store means a business that has a spirits retail license per WAC 314-02-106 and WAC 314-02-107 whose primary stock in trade is alcohol beverages such as spirits, wine and beer.

19.09.658 Transitional housing facility.

Transitional housing facility means a project that has as its purpose facilitating the movement of homeless individuals and families to permanent housing within a reasonable amount of time (usually 24 months). Transitional housing includes housing primarily designed to serve deinstitutionalized homeless individuals and other homeless individuals with mental or physical disabilities and homeless families with children.

Modify the following definitions:

**19.09.140 Community center.**

~~“Community center” means a building, area or other facility used for and providing religious, fraternal, social, or recreational programs generally open to the public and designed to accommodate and serve significant segments of a community. May also be~~

referred to as a convention center or civic center, to be used as a place of meeting, recreation, or social activity and not operated for profit and which neither alcoholic beverages or meals are normally dispensed or consumed.

**19.09.345 Hotel.**

“Hotel” means a building in which lodging is provided for a fee to guests for up to 30 consecutive nights and may provide such things as restaurants, meeting rooms, and/or other auxiliary facilities and services Hotels shall be licensed by the State Department of Health.

**19.09.450 Motel.**

“Motel” means a building or group of buildings in which lodging is provided for a fee to guests for up to 30 consecutive nights and typically do not provide such things as restaurants, meeting rooms, and/or other auxiliary facilities and services. Motels shall be licensed by the State Department of Health. Motels are distinguished from a hotel primarily by reason of providing direct access to, and adjoining parking for, each rental unit.

SECTION 11. The following Section of Title 19, Chapter 15 of the Longview Municipal Code is hereby amended to read as follows; provided manifest and numbering errors shall be corrected prior to publication:

**19.15.010 Use districts – Established and designated.**

For the purpose of promoting public health, safety, morals and the general welfare, and in accordance with the provisions of RCW 35A.63.100, and all present and future amendments, additions and changes thereto, all land within the boundaries of the city shall be classified according to the following districts:

Residential district, R-1

Residential district, R-2

Residential district, R-3

Residential district, R-4

Traditional neighborhood residential, TNR

Downtown commerce, D-C

Country club district, C-D

Civic center district, C-C

~~Commercial district, C-1~~

~~Commercial district, C-2~~

~~Commercial district, C-3~~

~~Commercial district, C-4~~

Central business district, CBD

Regional commercial district, RC  
General commercial district, GC  
Neighborhood commercial district, NC  
~~Commercial warehouse district, C-W~~  
Riverfront district, RF-1  
Light industrial district, LI-A;  
Light industrial district, LI-B;  
Heavy industrial district, HI;  
Commercial/industrial district, C/I.

SECTION 12. The following Section of Title 19, Chapter 17 of the Longview Municipal Code is hereby amended to read as follows; provided manifest and numbering errors shall be corrected prior to publication:

**19.17.010 Residential care facilities permitted in residential and commercial districts.**

In accordance with the requirements of the laws of the state of Washington, in the districts R-1, R-2, R-3, R-4, TNR, RF-1, RC, C-C, ~~C-1, C-2, C-3 and C-4~~ NC, GC, CBD, O/C, the following shall be permitted uses:

- (1) “Adult family homes” as defined in Chapter 19.09 LMC.
- (2) “Family day care provider” as defined in Chapter 19.09 LMC.

SECTION 13. The following Section of Title 19, Chapter 35 of the Longview Municipal Code is hereby amended to read as follows; provided manifest and numbering errors shall be corrected prior to publication:

**19.35.040 Yard requirements.**

(1) Every building, structure or facility located on a lot in the riverfront district, RF-1, easterly of the east right-of-way boundary of River Road shall have a front property line setback of not less than 25 feet in depth for those buildings, structures or facilities fronting on a street. For those buildings, structures or facilities fronting on the Cowlitz River, a rear property line setback of not less than 25 feet in depth is required.

(2) Every building, structure or facility located on lots in the riverfront district. RF-1, westerly of the west boundary of River Road, shall be required to maintain a front property line setback of not less than 25 feet in depth, and a rear property line setback of not less than 15 feet in depth.

(3) Every building, structure or facility located on any lot east of River Road and 1<sup>st</sup> Avenue in the riverfront district, RF-1, shall be required to have side property line setbacks the combined total of which shall equal not less than 15 percent of the width of the lot as measured along the lot line upon which such building structure or facility fronts, but under no circumstances shall a side property line setback be less than ~~four~~ five feet in width. For lots west of River Road and 1<sup>st</sup> Avenue, the minimum side yard setback is five feet.

(4) Where the location line of ordinary high water of the Cowlitz River, as defined by the U.S. Corps of Engineers, or the location of the easement owned by consolidated diking and improvement district No. 1 of Cowlitz County makes compliance with the rear setback requirements as established in this section difficult or impossible, an owner of such property shall have the right to make application to the board of appeals for a variance from the rear setback requirement as provided in LMC 19.12.140.

SECTION 14. A new Chapter 19.44 is hereby added to the Longview Municipal Code to read in its entirety as follows; provided manifest and numbering errors shall be corrected prior to publication:

## **Chapter 19.44 COMMERCIAL ZONING DISTRICTS**

### **Sections**

<b>19.44.010</b>	<b>Purpose</b>
<b>19.44.020</b>	<b>Uses</b>
<b>19.44.030</b>	<b>Downtown Commerce District - Special property use</b>
<b>19.44.040</b>	<b>Neighborhood Commercial District – Uses permitted</b>
<b>19.44.050</b>	<b>Regional Commercial District - Uses permitted</b>
<b>19.44.060</b>	<b>Regional Commercial District - Expansion of existing uses</b>
<b>19.44.070</b>	<b>Dimensional standards</b>
<b>19.44.080</b>	<b>Regional Commercial District – Additional Dimensional Standards</b>
<b>19.44.090</b>	<b>General Provisions</b>

### **19.44.010 Purpose.**

This chapter accommodates a range of commercial land uses in the community in five commercial districts and one mixed use district. All of these districts are intended to provide for land use compatibility while providing a high-quality environment for customers, businesses and employees.

The Central Business (CBD) District is the commercial area which is, shall be maintained, promoted as, and redeveloped as a major retail, service, financial, professional, and cultural center if not also the regional retail trade center for the

Longview-Kelso urban area and vicinity. This area shall be developed and redeveloped with a dense, highly intensive land use pattern focusing on high quality, urban style of development and architecture.

The Downtown Commerce (D-C) District is a part of the overall Central Business District identified in the Comprehensive Plan. The D-C district has the same purpose as the CBD zoning district but is designed to reflect its unique historical heritage. Pedestrian, bicycle, and transit access is emphasized to ensure that this area is walkable. Active storefronts are vital to maintaining a walkable ambiance for the Downtown area.

The Regional Commercial (RC) District is characterized by development that typically contains a mixture of high intensity uses including regional shopping, offices, professional services, entertainment facilities, and hotels.

The overall intent of the Office/Commercial (O/C) District is to accommodate commercial and personal service establishments of a Citywide or regional nature.

The General Commercial (GC) District is intended to provide activity centers that serve the day-to-day needs of the community as well as the surrounding neighborhoods and residential areas but that are less intense than regional commercial areas.

The Neighborhood Commercial (NC) District purpose is to accommodate relatively small, compact areas located throughout the city that provide goods and services for the immediate neighborhood. These areas provide goods and services sought routinely and regularly, generally more on the basis of convenient location than price.

This chapter guides the orderly development of commercial areas based on the following objectives:

- (1) Provide for efficient use of land and public services;
- (2) Create a mixture of land uses that encourages employment and housing option is close proximity to one another;
- (3) Provide formal and informal community gathering places and opportunities for socialization (e.g. active street fronts in the Downtown District);
- (4) Encourage new developments to support multiple modes of transportation such as public transit, pedestrians, and bicyclists;
- (5) Accommodate a range of allowable business and commercial uses in appropriate locations at the neighborhood, community, and regional levels;
- (6) Ensure land use compatibility among business, commerce and residences in terms of permitted uses, building height, bulk, scale;
- (7) Provide attractive locations for business to locate, and
- (8) To protect commercial areas from harmful encroachment by incompatible uses and to ensure no land shall be usurped by inappropriate uses.

19.44.020 Uses.

Table 19.44.020-1 includes uses that are permitted (“P”) or allowed through a Special Property Use permit (“SPU”). If a field is blank, or the use is not listed, the use is not allowed in that particular zone.

Table 19.44.020-1. Permitted uses in commercial zones.

Use						
<b>Retail Sales and Service</b>	<b>D-C</b>	<b>CBD</b>	<b>RC<sup>1</sup></b>	<b>NC<sup>2</sup></b>	<b>GC</b>	<b>O/C</b>
Sales oriented: Stores selling, leasing, or renting consumer, home and business goods.	P	P	P	P	P	P <sup>12</sup>
Personal service-oriented: Financial, insurance, real estate, professional outlets and offices, and beauty/barber shops	P	P	P	P	P	P
Health care providers <sup>3</sup>	P	P	P	P	P	P
Repair oriented: Repair of TVs, bicycles, clocks, watches, shoes , guns, appliances and office equipment; photo or laundry drop off; quick printing; tailor; locksmith; and upholsterer	P	P		P	P	P
Stand-alone liquor store		P <sup>10</sup>	P		P	
<b>Eating and Drinking Establishments</b>	<b>D-C</b>	<b>CBD</b>	<b>RC<sup>1</sup></b>	<b>NC<sup>2</sup></b>	<b>GC</b>	<b>O/C</b>
Restaurant	P	P	P	P	P	P
Restaurant, with incidental consumption of alcoholic beverages	P	P <sup>10</sup>	P	SPU	P	P
Bars, taverns, and nightclubs	P	P <sup>10</sup>	P		P	
Restaurant, with drive-through facility	SPU	P	P		P	P
Restaurant, with seating in the public right-of-way	P	P		P	P	P
Walk-up food establishment with no indoor seating	SPU				SPU	SPU
Brewpub	P	P	P <sup>11</sup>		P	P
<b>Lodging, temporary stay</b>	<b>D-C</b>	<b>CBD</b>	<b>RC<sup>1</sup></b>	<b>NC<sup>2</sup></b>	<b>GC</b>	<b>O/C</b>
Hotels, motels and lodges	P	P	P <sup>4</sup>		P	P
Recreational vehicle (RV) parks and campgrounds					P	
Bed and Breakfast Inns	P <sup>5</sup>			P		

<b>Vehicle sales, renting, service, and storage</b>	<b>D-C</b>	<b>CBD</b>	<b>RC<sup>1</sup></b>	<b>NC<sup>2</sup></b>	<b>GC</b>	<b>O/C</b>
Vehicle repair and service of consumer motor vehicles, including motorcycles, all-terrain vehicles and light and medium trucks.		P			P	P
Automobile, light and medium truck dealers		P			P	P <sup>12</sup>
Bus, heavy truck, RV, travel trailer or other large vehicle dealers						
Bicycle, motorcycle, All-terrain vehicle dealers	P <sup>6</sup>	P	P		P	
Boat or marine craft dealer					P	P
Vehicle storage, outdoor					P	
Vehicle washing					P	P
Vehicle renting and leasing		P			P	P
Vehicle fueling station		P	P <sup>13</sup>	P <sup>14</sup>	P	P <sup>12</sup>
<b>Amusement/Cultural</b>	<b>D-C</b>	<b>CBD</b>	<b>RC<sup>1</sup></b>	<b>NC<sup>2</sup></b>	<b>GC</b>	<b>O/C</b>
Indoor continuous entertainment activities such as bowling alleys, skating rinks, game arcades and pool halls	P	P	P		P	
Outdoor continuous entertainment activities such as miniature golf and skateboard facilities					P	
Theaters, indoor	P	P	P		P	
Drive-in theaters, stadiums and arenas					P	
Museums, botanical and zoological gardens, public plazas, performing and cultural arts studios	P	P			P	
Athletic, health and racket clubs	P	P	P	P	P	P
Circuses, carnivals, or amusement rides		SPU			SPU	
Membership clubs such as fraternal organizations	P <sup>7</sup>	P			P	
Gambling casinos, card rooms, bingo parlors, pari-mutuel betting parlors, and video arcades		SPU <sup>10</sup>				

<b>Residential</b>	<b>D-C</b>	<b>CBD</b>	<b>RC<sup>1</sup></b>	<b>NC<sup>2</sup></b>	<b>GC</b>	<b>O/C</b>
Residential dwellings above the first story of a commercial buildings	P	P		P	P	P
Congregate care, assisted living and continuing care facilities and nursing homes for elderly individuals; including accessory services to the above uses	SPU				SPU	SPU
Existing residences without any increase in density			P			
Transitional housing facility	SPU <sup>8</sup>					SPU
Emergency shelters for homeless persons and families	SPU <sup>8</sup>				P	
<b>Education</b>	<b>D-C</b>	<b>CBD</b>	<b>RC<sup>1</sup></b>	<b>NC<sup>2</sup></b>	<b>GC</b>	<b>O/C</b>
Schools that meet state requirements for elementary, secondary or higher education, public or private	SPU					
Vocational or technical institutions and colleges	SPU	P			P	P
Dance, music or art schools or studios; Athletic, sports-training or martial arts facilities or schools	SPU	P		SPU	P	P
Driving School	SPU	P			P	P
<b>Miscellaneous</b>	<b>D-C</b>	<b>CBD</b>	<b>RC<sup>1</sup></b>	<b>NC<sup>2</sup></b>	<b>GC</b>	<b>O/C</b>
Day care facilities for the care of more than 12 children	SPU	P		P	P	P
Commercial off-street parking lots and garages	SPU	P			P	P
Sidewalk businesses in accordance with LMC 12.30.090 through 12.30.140	P	P		P	P	P
Funeral parlors		P			P	P
Basic utility facilities, non-building structures	SPU	SPU	SPU	SPU	P	SPU
Self-service storage (mini warehouses)					P	SPU
Convention centers	SPU	P	P		P	P
Bus terminals and stations, transportation and transit facilities	SPU	P	P	P	P	P
Drive-in and drive-through facilities associated with an	SPU	P	P		P	P

allowed use						
Telecommunications structures and equipment, subject to the provisions of Chapter 16.75 LMC		P	P	P	P	P
Small animal clinics or veterinary hospitals	P <sup>9</sup>	P <sup>9</sup>			P <sup>9</sup>	<u>P<sup>9</sup></u>
<u>Pet grooming</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
Boat Marinas						P
Microbrewery/winery		SPU			SPU	
Religious assembly and institutions, Community Centers	P <sup>7</sup>	P			P	P

1. See Section 19.44.050 for further clarification on what is a permitted use within the Regional Commercial District.
2. See Section 19.44.040 for further clarification on what is a permitted use within the Neighborhood Commercial District.
3. Providers of ambulance services need a special property use permit.
4. Motels/hotels, and lodging facilities shall have a minimum of 40 guest rooms.
5. Bed and Breakfast Inns must be located above the first floor in the D-C District.
6. No outdoor display of motorized vehicles is allowed.
7. In the D-C district any property use intended to primarily provide meeting areas for secular and non-secular uses without an on-going active ground-floor uses is prohibited. An active ground floor use means a retail, business, or entertainment use where persons come and go on a constant and frequent basis.
8. No ground floor residential
9. The medical care and services administered to animals shall occur only within the confines of the principal building located on the premises.
10. These uses are not allowed within 700 feet of the center line of the west end of the city street named Mark Morris Court.
11. Brewpubs are permitted outright only in conjunction with LMC Subsection 19.44.050 (4) Sit-down restaurants with a minimum enclosed floor area of 5,000 square feet.
12. These uses are only allowed in the O/C district if they are located west of 12<sup>th</sup> Avenue except Assessor's Parcel Number 08749 is allowed to have these uses also.
13. Per Section 19.44.050
14. Per Section 19.44.040

#### **19.44.030 Downtown Commerce District - Special property use**

In the Downtown Commerce District special property use permits are granted by the City Council. Per LMC Section 2.03.060, the City Council shall conduct an open-record public hearing prior to their decision. Per LMC Section 2.27.070, the Planning Commission shall make recommendations to the city council for the granting or denial of such permits.

#### **19.44.040 Neighborhood Commercial District – Uses permitted**

(1) To ensure consistency with the purpose statement for the Neighborhood Commercial District as given in Section 19.44.010, the types of land uses and their size shall be limited as follows:

(a) Land uses are restricted to those uses that provide sales and services to neighborhoods not on a citywide or regional basis.

Neighborhood convenience store (vehicle fueling stations are allowed in conjunction with a convenience store but only upon receiving a special property use permit per LMC Chapter 19.12)

Pharmacy/Drug store

Variety/sundries store

Snacks e.g. Ice cream parlor, Bakery

Personal services, e.g. beauty or barber shop

Indoor recreation facilities (no alcohol beverages) e.g. arcade, computer gaming/internet access, pool hall

Tutoring centers, computer classes, after school math and reading centers, and arts and crafts classes

Medical and dental offices for primary care and/or wellness programs only

Other uses listed in the broad categories in the Retail Sales and Service Section of Table 19.44.020-1 are allowed in the Neighborhood Commercial District upon receiving a written determination from the Director that the use:

- i. Primarily serves adjacent neighborhoods
- ii. No generation of dust, odors, noise, vibration, or electrical interference or fluctuation shall be perceptible beyond the property line.
- iii. Vehicle traffic generated by the use shall be limited to no more than 200 trip ends per weekday on average.

The Director's decision may be appealed to the Appeal Board of Adjustment per LMC Sections 19.12.045 and 19.12.047.

(b) The amount of floor space for each business shall be limited as follows: Storage and any other ancillary floor space are included in the floor space limit.

Sales oriented: 5,000 square feet

Personal service oriented: 2,000 square feet

Repair oriented: 1,500 square feet

Restaurant: 2,000 square feet

Indoor recreation facilities: 2,000 square feet

Athletic, health and racket clubs: 4,000 square feet

Dance, music or art schools or studios; Athletic, sports-training or martial arts facilities or schools: 4,000 square feet

Medical or Dentist office and/or wellness center: 2,000 square feet

(2) Beer and wine may be served and consumed on the premises of a restaurant located within the Neighborhood Commercial (NC) District, only as a special property use, permitted by the appeal board of adjustment. Any special property use permit granted by the appeal board of adjustment shall be subject to the following determinations and/or requirements:

- (a) The serving and consumption of beer and wine is not expected to have an unreasonable adverse effect on adjoining residential property uses arising from increased traffic, noise or lights;
- (b) The serving and consumption of beer and wine shall be permitted to occur only when accompanied by the serving of food, and not independent thereof;
- (c) The hours of restaurant operation shall be limited in such a manner as to not unreasonably have an adverse effect on the residential character of adjoining property.

#### **19.44.050 Regional Commercial District - Uses permitted**

In the regional commercial district, RC, no building or premises shall be used or shall any building or structure be hereafter erected or altered except for one or more of the following uses. If a conflict arises between this section and Table 19.44.020-1, this section shall prevail.

- (1) Individual (stand-alone) retail or supermarket stores; provided, that they are operated in a structure with an enclosed floor area of 20,000 square feet or larger;
- (2) Retail or supermarket uses of any size; provided, that they are located within a structure with a minimum enclosed floor area of 40,000 square feet;
- (3) Individual (stand-alone) retail and supermarket stores operated in a structure that has a minimum enclosed floor area of 5,000 square feet; provided that:
  - (a) An individual (stand-alone) retail or supermarket store exceeding 40,000 square feet of enclosed floor area is constructed as part of the same overall development; or
  - (b) The total square footage of all proposed permitted uses is equal to or exceeds 80,000 square feet of enclosed floor area and is part of a comprehensive development plan;
- (4) Sit-down restaurants with a minimum enclosed floor area of 5,000 square feet;
- (5) Fast-food (including drive-through) restaurants and cafes of any size that are developed as part of, or within, a comprehensive development proposal or project that is equal to or exceeds 80,000 square feet of enclosed floor area;

(6) Vehicle fueling stations operated in conjunction with one or more permitted uses; provided, that it is part of a comprehensive development plan that includes a minimum enclosed floor area of 80,000 square feet, but not including stand-alone service stations with or without mini-marts;

(7) Entertainment facilities which occupy structures with a minimum enclosed floor area of 20,000 square feet;

(8) Office uses or personal service establishments operated in structures that include a minimum enclosed floor area of 20,000 square feet;

(9) Existing legal lots, built on or vacant, that were commercially zoned prior to April 18, 2008, shall not be subject to the square footage requirements set forth in subsections (1), (2), (3), (4), (5), (6), (7) and (8) of this section now or in the future even if they are subsequently combined or otherwise consolidated; provided, that all land divisions must comply with this chapter;

(10) Single-family detached dwellings and their customary accessory buildings and uses, existing on the effective date of the regulations codified in this chapter, but not including new single-family residences, with the following exception: legal lots existing as of the original effective date of this chapter that do not have an existing residence or commercial structure on them and are not otherwise used for commercial purposes, including parking lots, may construct one single-family residence per existing vacant lot;

(11) Accessory uses and structures constructed on lots that have a pre-existing residence.

#### **19.44.060 Regional Commercial District - Expansion of existing uses.**

The following standards apply to all structures and uses existing on the original effective date of the regulations codified in this chapter:

(1) Existing Residential Uses. The restoration or reconstruction of a residence in its existing footprint is allowed, provided a building permit is issued within one year of the date of its [residence] partial destruction by fire, explosion, act of God or act of public enemy. A legally established residential use or structure may be expanded, remodeled or rebuilt; provided, that the construction and use conforms to the residential district, R-1 zoning standards. Expansions of up to 25 percent of the existing residential footprint (in square feet) are allowed and shall be measured cumulatively from the effective date of the ordinance codified in this chapter.

(2) Existing Commercial Uses. Existing commercial uses that do not conform to this chapter may be expanded, enlarged, extended (including hours of operation), remodeled or rebuilt. This allowance relates strictly to the use and size (square footage) of the operation in relation to the permitted uses set forth in LMC 19.44.030. Any expansion, enlargement, extension, remodel or rebuilding must meet area, landscaping, transportation, parking, stormwater control and all other applicable standards unless otherwise approved.

**19.44.070 Dimensional standards.**

Table 19.44.070-1 provides the density and dimensional standards for each zone. No building, structure or use shall hereafter be erected, constructed or established on a lot that does not meet the requirements for lots as contained in this chapter and for the district in which said lot is located, except for nonconforming lots of record as defined in Chapter 19.09. NR means no restriction.

Table 19.44.070-1. Dimensional standards by zone.

<b>Standards</b>						
	<b>D-C</b>	<b>CBD</b>	<b>RC</b>	<b>NC<sup>2</sup></b>	<b>GC</b>	<b>O/C</b>
Minimum lot size (square feet)	NR	5,000	One Acre <sup>1</sup>	5,000	6,000	5,000
Minimum lot frontage/width (feet)	NR	40	40	40	50	40
Minimum front setback (feet)	NR		10	30	25	20
Maximum Front setback (feet)	10	NR	NR	NR	NR	NR
Rear yard setback (feet)	NR		10 <sup>1</sup>	20	10	10
Side yard setback (feet)	NR		10 <sup>1</sup>	10	NR	10
Side yard (street) setback – corner lot, street flanking (feet)	NR		10 <sup>1</sup>	15	10	15
Maximum building height (feet)	60	60	48, with no building over 3 stories	35	48, with no building over 3 stories	112
Maximum impervious area of lot	NR	90%	90%	80%	85%	85%
	<b>D-C</b>	<b>CBD</b>	<b>RC</b>	<b>NC<sup>2</sup></b>	<b>GC</b>	<b>O/C</b>

1. See Section 19.44.080 for additional dimensional standards and exemptions.
2. See Section 19.44.090 for additional dimensional standards.

**19.44.080 Regional Commercial District – Additional dimensional standards.**

- (1) Minimum lot size.
  - (a) Lots 10,000 square feet or larger may be created provided the site is part of an existing shopping center or is part of a comprehensive development project that

includes one or more permitted uses which have a combined enclosed square footage of 80,000 square feet or greater.

(b) Lots that existed on April 18, 2008 that do not meet the minimum area requirements of this section may be developed in accordance with this chapter; provided, that all other standards are met unless otherwise approved, including those set forth in LMC 19.44.030 and 19.44.060.

(2) Rear yard setback. The minimum rear yard setback is 20 feet if the rear yard abuts a residential zone plus an additional half foot for each foot the building exceeds 20 feet in height to a maximum setback requirement of 40 feet. Buildings in excess of 20 feet may be stepped.

(3) Side yard setback. The minimum side yard setback is 15 feet if the side yard abuts a residential zone plus an additional half foot for each foot the building exceeds 20 feet in height to a maximum setback requirement of 40 feet. Buildings in excess of 20 feet may be stepped.

#### **19.44.090 General Provisions**

(1) Every principal structure shall front on or be located on property that fronts upon a street dedicated to and maintained by a municipal corporation. The amount of frontage required is given in Table 19.44.030-1.

(2) All driveways, parking areas, and pedestrian ways shall be surfaced with an all-weather surface. Curb and gutter shall be provided where required by the street design standards.

(3) Every land use hereafter erected or enlarged within the commercial districts (D-C, CBD, RC, NC, GC and O/C) shall provide off-street automobile parking and truck loading and unloading facilities as required by applicable sections of Chapter 19.78 LMC.

(4) Corner Lots. Landscaping, screening, fencing, equipment and materials shall not be located on corner lots so as to create sight obstructions at intersections. Appropriate site distance shall be maintained in accordance with LMC and city engineering standards to the satisfaction of the public works director or their designee.

(5) Stormwater Management and Erosion Control. Stormwater runoff and erosion control shall be as set forth in Chapter 17.80 LMC and all other applicable statutes.

(6) Lighting. Lighting shall be directed downward, inward and away from public rights-of-way and adjoining uses. All lighting shall be shielded so that the direct illumination shall be confined to the property boundaries of the light source.

(7) Outdoor Storage and Product Display. Product display and outdoor storage shall be located only in designated areas as illustrated on an approved site plan and shall not block required pedestrian pathways, vehicular circulation routes or parking areas and shall not negatively impact public safety.

(8) Screening of Mechanical Equipment. Rooftop mechanical equipment shall be screened in a manner that is incorporated in the architectural form of the building. Mechanical equipment located on the ground shall be screened by fencing and/or landscaping.

(9) Loading Areas, Refuse Receptacles. Solid waste and recycling receptacles, services areas and loading docks shall be screened from adjacent residential properties and public rights-of-way by an opaque visual barrier no lower than the highest point of the receptacles. Screening may include landscaping, walls, fences, topographic changes, buildings, horizontal separation, or any combination thereof. Overhead doors and loading docks shall not face gateways, arterial or collector streets unless completely screened from view and shall not be located in required front yards.

(10) Offensive Activities. No use, activity, or equipment shall be permitted that creates a nuisance or is offensive, objectionable, or hazardous by reason of creation of excessive odors, noise, sound, vibrations, electrical and/or magnetic interference, dust, dirt, smoke, or other pollutants, noxious, toxic, or corrosive fumes or gases, radiation, explosion or fire hazard, or by reason of the generation, disposal, or storage of hazardous or dangerous wastes or materials in a manner inconsistent with RCW Title 70 as presently constituted or as may be subsequently amended.

SECTION 15. A new Chapter 19.46 is hereby added to the Longview Municipal Code to read in its entirety as follows; provided manifest and numbering errors shall be corrected prior to publication:

**Chapter 19.46**  
**SUPPLEMENTAL COMMERCIAL ZONING STANDARDS**

**Sections:**

<b>19.46.010</b>	<b>Purpose.</b>
<b>19.46.020</b>	<b>Regional Commercial - Building and site design standards</b>
<b>19.46.030</b>	<b>Landscaping/Screening requirements</b>
<b>19.46.040</b>	<b>Signs, CBD, RC, GC and O/C Commercial Districts</b>
<b>19.46.050</b>	<b>Signs, Neighborhood Commercial District</b>
<b>19.46.060</b>	<b>Signs, Downtown Commerce District</b>
<b>19.46.070</b>	<b>Downtown Commerce District - Crime Prevention through Environmental Design</b>

**19.46.010 Purpose.**

The standards contained herein are supplemental standards that apply to applicable uses in the city's commercial zoning districts.

**19.46.020 Regional Commercial - Building and site design standards**

The following building and site design standards apply to all structures and sites in the RC zone:

(1) Parking. Hard surfaces for parking, loading, storage and display shall be set back at least 10 feet from any property line or private drive, with exception provided for neighboring properties having a shared parking agreement.

(2) Site Circulation. Internal site circulation shall provide for the following:

(a) Identifiable and safe pedestrian walkways within the site shall be provided that interconnect entrance doors of establishments and connect to transit stops and to the public sidewalk on the perimeter. Pedestrian walkways shall be a minimum of five feet in width and of contrasting materials or color for easy identification. Pedestrian walkways shall be maintained and kept clean. When formally requested by the city, bus shelters, transit turnouts and supporting facilities shall be located and designed into the project;

(b) Amenities such as benches, sitting areas, art, pedestrian squares and varied building facades should be provided along pedestrian routes;

(c) The auto circulation system and parking shall be designed as an extension of the public street system through the use of continuous sidewalks, landscaping consistent with public streets, utilization of the street elevation and the use of driveways and circulation drives as mid-block connections, subject to review by the city engineer for impacts to city streets;

(d) Shared parking between users of same or abutting properties shall occur wherever practicable. Users with differing peak periods such as offices and movie theaters are especially suitable for shared parking. Common driveways between users on the same or abutting properties shall be required wherever possible;

(e) Parking and pedestrian circulation shall be designed to accommodate connections between developments; and

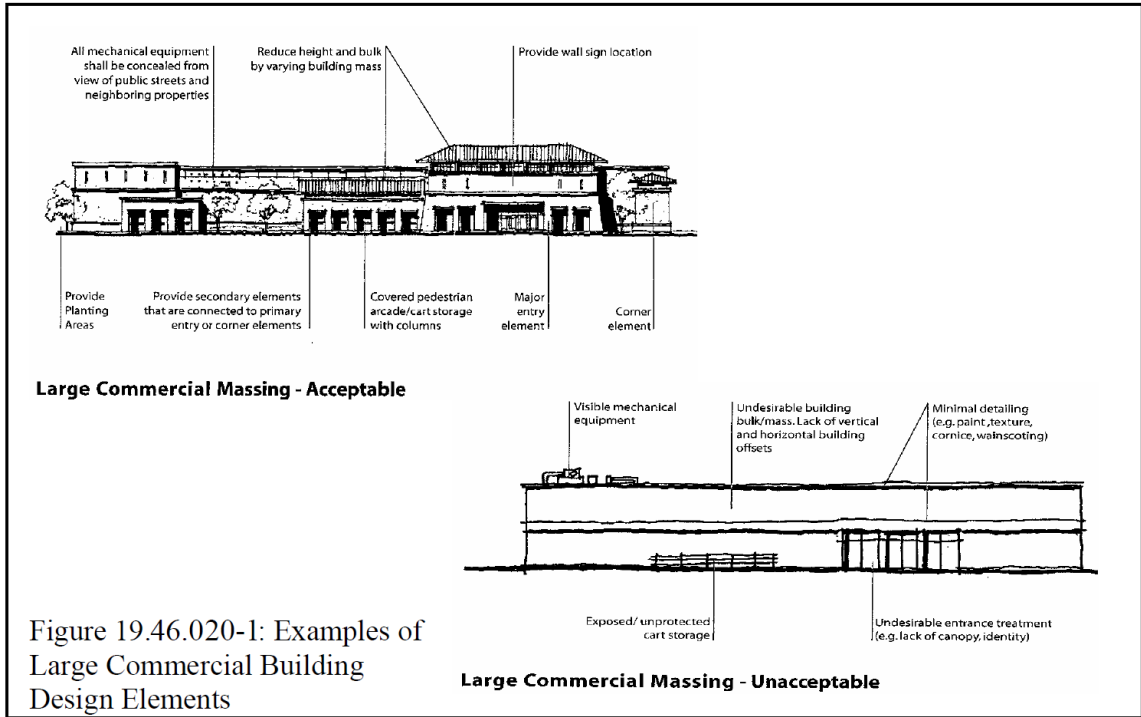
(f) Site circulation specifications shall be consistent with all other applicable city standards including the current version of the city of Longview access management ordinance. Where conflicting standards exist, the required design shall be as approved by the city engineer.

(3) Building Design for Large Commercial Buildings. The intent of this subsection is to encourage pedestrian-scale development through creative and innovative building and architectural design. Any structure constructed under this chapter which exceeds 20,000 square feet in size shall be designed to meet the following requirements:

(a) Main entrances shall be emphasized by a recessed and/or projected facade, by accent materials, change of grade or by pedestrian-scale lighting and other pedestrian amenities;

(b) Buildings shall provide articulated facades on all street-facing elevations to break up the mass and add visual interest. This criterion is met when an elevation contains at least one of the following features for every 40 feet of building (horizontal length): large windows; primary entrances; weather protection (awnings, canopies, arbors, trellises), building offsets; projections; changes in elevation or horizontal direction; sheltering roofs; terraces; a distinct pattern of divisions in surface materials; ornamentation; screening trees; small-scale lighting (e.g., wall-mounted lighting, or up-lighting); and/or similar features as generally shown in Figure 19.46.020-1 (note: this figure should not be interpreted as a required architectural style); and

(c) Primary building entrances shall be made visually prominent through the use of architectural details, entrance paving treatments and landscaping.



(4) Regulation Conflict. Where this section and Chapter 19.75 LMC conflict, this section shall govern.

**19.46.030 Landscaping/Screening requirements**

(1) Neighborhood Commercial and General Commercial Districts. Every commercial building erected or altered adjacent to or abutting a lot or plot which is the site for a single-family home shall provide, at the expense of the owner of the commercial building, a sight and sound obscuring screen in the form of a fence, masonry wall or hedge, at least five feet in height but not exceeding six feet and six inches in height, to protect the peace, quiet and rest of the adjoining residents; and further provided, that the height of the screen in the required front yard shall comply with the requirements of other ordinances of the city pertaining to fences and hedges.

(2) Regional Commercial (RC) District. The following landscaping standards apply to all new development and to the expansion by more than 25 percent of an existing building mass or site in the zone:

(a) Required Landscaping. The applicant shall professionally landscape the lot, according to an approved landscape plan as a condition precedent to receiving a certificate of occupancy for all commercial uses. Landscape plans shall meet the standards set forth in Table 19.46.030-1. The community development director shall evaluate landscape plans for all permitted uses. Landscape plan approval is a condition precedent to issuance of a building permit for the parcel. All landscaping shall be in place prior to issuance of a certificate of occupancy, unless seasonal conditions make installation unfeasible, in which case the improvements shall be bonded. A minimum of 10 percent of any site shall be landscaped.

(b) Landscape Materials and Plant Selection. Permitted landscape materials include trees, shrubs, ground cover plants, nonplant ground covers, and outdoor hardscape features, the selection of which shall be based on local climate, exposure, water availability, and drainage conditions. When new vegetation is planted, soils shall be amended, as necessary, to allow for healthy plant growth. In general, planting should consist primarily of native plantings and noninvasive species in accordance with any approved planting/species list maintained by the city. Trees and shrubs shall meet the minimum size and spacing standards set forth in Table 19.46.030-1.

(c) Existing Vegetation. Existing noninvasive vegetation may be used in meeting landscape requirements. When existing mature trees are protected on the site (e.g., within or adjacent to parking areas) the decision-making body may reduce the number of new trees required by a ratio of one-inch caliper of new tree(s) for every one-inch caliper of existing tree(s) protected.

(d) Non-plant Ground Covers. Bark dust, chips, aggregate, or other nonplant ground covers may be used, but shall cover no more than 60 percent of the area to be landscaped and shall be confined to areas underneath plants. Nonplant ground covers cannot be a substitute for ground cover plants.

(e) Maintenance and Irrigation. The use of drought-tolerant native plant species is encouraged, and may be required when irrigation is not available. Irrigation shall be provided for plants that are not drought-tolerant. If the plantings fail to survive, the property owner shall replace them with an equivalent specimen.

(f) Parking Areas. Parking areas shall be landscaped in accordance with Table 19.46.030-1. Landscaping shall consist of evenly distributed shade trees with shrubs and/or ground cover plants that conform to the criteria in this section. "Evenly distributed" means that the trees and other plants are distributed around the parking lot perimeter and between parking bays to provide a partial canopy. At a minimum, one tree per six parking spaces on average shall be planted to create a partial tree canopy over and around the parking area. All parking area landscapes shall have dimensions of not less than 24 square feet of area, or not less than four feet in width by six feet in length, to ensure adequate soil, water, and space for healthy plant growth.

(g) Parking/Maneuvering Area Adjacent to Streets, Drives and Residential Areas. Where a parking or maneuvering area is adjacent to a street or driveway or a residential zoning district, an evergreen hedge; decorative wall (masonry or similar quality material) with openings; arcade, trellis, or similar partially opaque structure a minimum of three feet in height shall be established between the street or driveway and the maneuvering/parking area. Evergreen hedges used to comply with this standard shall be a minimum of three feet in height at maturity, and shall be of such species, number, and spacing to provide the required screening within one year after planting. Any areas outside of public rights-of-way between the wall/hedge and the street/driveway line shall be landscaped with shrubs, trees and ground cover. Adequate site distance as determined by the city engineer shall be maintained.

(h) Residential Buffer. New development shall provide a landscape buffer of 15 feet or greater to separate, screen and buffer commercial uses from adjacent residential areas along side and rear lot lines. The landscaped buffer area shall include a

minimum of one tree for every 250 square feet of buffer area. Commercial uses which abut residential zones on side and/or rear property lines shall also provide a sight-obscuring fence or wall a minimum of six feet in height. A chain link fence containing slats does not qualify as a sight-obscuring fence for the purposes of this section. Plantings shall be comprised of a largely view-obscuring arrangement of evergreen trees, shrubs, and similar vegetation not less than six feet in height.

(i) Front Yards and Frontage Landscaping Improvements. Front yards per the definition of Chapter 19.09 LMC, excluding ingress and egress points, shall be landscaped to include landscaping that enhances the property, softens the building and parking areas and provides an aesthetically pleasing streetscape. Landscaping shall be located within the front yard setback area in accordance with the criteria of this section and Table 19.46.030-1, while providing reasonable opportunity for signage, entrance features, parking and ingress/egress areas. Street trees planted within city right-of-way shall be as approved by the public works director. Adequate site distance as determined by the city engineer shall be maintained.

(j) Deviations. Whenever there are practical difficulties in meeting these standards that result from variations of specific property characteristics, a deviation from this section may be approved by the reviewing authority during the review process. This deviation shall not require a variance under Chapter 19.12 LMC. Any such deviation so granted shall be specifically identified in the approval authority decision of a development application. Approved deviations shall not be used to grant a special privilege that is inconsistent with the limitations placed on other properties with similar circumstances.

Table 19.46.030-1 – Summary of Landscaping Requirements by Area for RC District

AREA	REQUIREMENT	SPECIFICATIONS
Front Yard	10' landscaped setback	• 1 tree per 30' (linear) of frontage
		• Trees may be clustered as approved by the city
		• Deciduous trees, 2" caliper min.
		• Evergreen trees, 6' min. height
Side Yard	5' landscaped setback, unless greater landscaped area required for residential buffer	• 1 tree per 400 s.f.
		• Deciduous trees, 2" caliper min.
		• Ornamental trees, 1.5" caliper min.
		• Evergreen trees, 6' min. height
Rear Yard	10' landscaped setback, unless greater landscaped area required for residential buffer	<ul style="list-style-type: none"> <li>• 1 tree per 400 s.f.</li> <li>• Deciduous trees, 2" caliper min.</li> <li>• Ornamental trees, 1.5" caliper min.</li> <li>• Evergreen trees, 6' min. height</li> </ul>
Parking Lots	Perimeter landscaping of at least 5' in width with a minimum of 10% interior landscaping with one landscaped island for every 12 spaces	<p>For all parking areas:</p> <ul style="list-style-type: none"> <li>• One tree per 6 spaces (average)</li> <li>• Deciduous trees, 2" caliper min.</li> <li>• Ornamental trees, 1.5" caliper</li> <li>• Evergreen trees, 6' min. height</li> </ul>
Overall Site	10% of site to be landscaped	<ul style="list-style-type: none"> <li>• 50% of landscaping must be evergreen</li> <li>• All irrigation shall be automatic</li> </ul>
Residential Buffer – Rear and Side Yards	15' between residentially zoned areas, existing residences and commercial uses	<ul style="list-style-type: none"> <li>• 1 tree for every 250 square feet of buffer area</li> <li>• Deciduous trees, 2" caliper min.</li> <li>• Ornamental trees, 1.5" caliper min.</li> <li>• Evergreen trees, 6' min. height</li> <li>• 6' site-obscuring fence between commercial and residential uses</li> </ul>

**19.46.040 Signs, CBD, RC, GC and O/C Commercial Districts.**

(1) For the Central Business, Regional Commercial, General Commercial, and Office/Commercial districts, signs are permitted as provided in Chapter 16.13; provided, that all signs shall relate to the business of the occupant of the premises on which the sign is located and for which a current business license exists.

(2) Outdoor advertising structures, as defined in Chapter 16.40 LMC, located in the CBD district shall be subject to the provisions of Chapter 16.40 LMC.

**19.46.050 Signs, Neighborhood Commercial District.**

Allowable signs in the Neighborhood Commercial District, NC, shall be as follows:

(1) All signs shall relate to the business of the occupant of the premises on which the sign is located and for which a current business license exists.

(2) Not more than two signs, not exceeding four square feet in area for each sign, advertising for sale or for rent the premises upon which such signs are located are permitted.

(3) No sign shall exceed 75 square feet, and no more than two signs shall be permitted for each building, structure or facility.

(4) Business Complex Signs. Each business complex may have one freestanding sign available to the businesses within the complex. Each principal business within the complex may have up to two wall, canopy or awning signs. The height of the freestanding sign shall not exceed 16 feet above grade nor shall the allowable sign area be greater than 50 square feet. The total square footage for wall, canopy or awning signs for each principal business shall not exceed 100 square feet; no individual sign shall exceed 75 square feet in area.

(5) No signs shall extend upwards beyond the highest point of the building, structure or facility to which it is affixed, and shall not extend more than five feet from the wall thereof.

(6) All signs shall be stationary, and the sign and support structure shall be of permanent construction and attractive in appearance.

(7) Illuminated signs shall be in keeping with the purpose of the type of zone being created in this chapter and the type of business being advertised, and shall be of constant intensity and color. No flashing signs shall be permitted. Complete plans of such signs shall be required to be submitted to the Department of Community Development. The plans shall show:

- (a) Site location;
- (b) Dimensions;
- (c) Type of material;
- (d) Intensity and color;
- (e) Structural details; and
- (f) Design.

(8) Signs which restrict the view of adjoining properties or create confusion relative to interpretation of traffic signals or traffic signs shall not be permitted.

(9) Directional and informational signs in areas normally and customarily found in parks, playgrounds and other recreational areas for the benefit of pedestrians are permitted.

#### **19.46.060 Signs, Downtown Commerce District (D-C)**

The following signs, when displayed in accordance with this section, are allowed within the downtown commerce (D-C) district.

(1) Permanent Signs – General Provisions for Permanent Signs. The total ~~number and~~ area of permanent signs in this district shall conform to the following:

(a) Maximum sign area per building frontage. The total aggregate area of all signs per building frontage shall not exceed an area equal to one and one-half square feet per each lineal foot of building frontage or 32 square feet, whichever is greater. The total area of all regulated signs within this district shall not exceed 150 square feet per building frontage elevation.

(b) Maximum sign area per occupancy. The maximum total aggregate sign area permitted for all regulated sign types is 150 square feet per occupancy.

(c) Unless specifically permitted, the height of a sign shall be measured from the finished ground (grade) level, excluding mounds, berms, etc., to the top of the sign or the highest portion of the sign structure or frame, whichever is greater.

(d) Unless otherwise specifically permitted in this chapter, reader board signs, reader panel signs, bulletin board signs or similar advertising devices that employ changeable copy, are prohibited.

(e) Conforming and/or nonconforming signs in existence at the time of the enactment of the ordinance codified in this section shall be counted in establishing the permitted area or size of all new signs to be permitted on the property.

(2) Types of Permanent Signage Permitted.

(a) Awning, Canopy and Marquee Signs.

(i) Maximum number of signs permitted: The maximum number of signs will be limited by the total aggregate sign area permitted.

(ii) Maximum allowable sign area: The maximum allowable sign area is limited by the total aggregate sign area permitted. Where a sign has two or more faces, the area of all faces shall be included in determining the area of the sign.

(iii) Placement: Anywhere on awning or canopy subject to meeting the maximum sign height restriction. For marquee signs, the sign shall be integral to the marquee. There shall be no extension or embellishments past the edge of the marquee.

(iv) Maximum sign height: 18 feet above grade to the top of the sign or sign structure.

(v) Illumination: Any type of illumination is allowed. Internally illuminated awning, canopy or marquee signs are limited to 40 percent of the maximum sign area otherwise allowed.

(vi) Changeable copy: Changeable copy shall be permitted on theatre marquee signs only.

(b) Directional Signs.

(i) Maximum number of signs permitted: One per driveway entrance/exit. No advertising copy shall be displayed on directional signs.

(ii) Maximum allowable sign area: Six square feet. The area of directional signs shall not be included within the total aggregate sign area permitted.

(iii) Maximum sign height: Five feet above grade elevation to the top of the sign or sign structure.

(iv) Illumination: Internal or indirect illumination is permitted.

(v) Additional requirements: Freestanding signs shall contain landscaping at the base of the sign at the rate of two square feet of landscaping per one square foot of sign face area, where practical. At least 50 percent of the landscaped area must contain live plant material.

(c) Directory Signs.

(i) Maximum number of signs permitted: One sign per entrance, limited to wall-mounted signs only.

(ii) Maximum allowable sign area: Eight square feet. If larger multitenant building requires additional signage, each additional tenant allowed 0.375 square foot of signage per lease foot. The area of all directory signs shall count towards the total aggregate sign area permitted.

(iii) Maximum sign height: 18 feet above grade to the top of the sign or sign structure.

(iv) Illumination: Direct or indirect illumination is permitted.

(v) Additional requirements: Directory signs shall be reserved for use on multi-tenant buildings only.

(d) Freestanding Signs.

(i) Maximum number of signs permitted: One sign per business frontage for businesses not located on Commerce Avenue.

(ii) Maximum sign face area, per side: 75 square feet.

(iii) Maximum sign face area, total of all sides: 150 square feet.

(iv) Maximum sign height: 18 feet above grade to top of sign or sign structure.

(v) Additional requirements: The sign structure may be either pole or monument type. The sign may be illuminated directly or indirectly. No portion of the sign or sign structure shall extend over the right-of-way. Landscaping shall be provided around the base of the sign at a rate of one-half square foot of landscaping per one square foot of sign face area, where practical. At least 50 percent of the landscaped area must contain live plant material.

(e) Identification Signs – General Requirements. The letters or numerals shall be five inches in height minimum and 12 inches in height maximum. New (not historic) building names may have letters up to a maximum of 18 inches in height. Information on the sign may contain the address and/or the name of building only; the name of

business or sign copy “affiliated with a business” will be addressed as a business identification sign and subject to meeting total aggregate sign area permitted. No permit is required for identification signs.

(f) Mural Signs – General Regulations. Murals are exempt from the provisions of this code. However, any advertisement of any kind within a mural will be considered a wall sign and shall be regulated as such. Decorative or artistic murals may be painted or otherwise placed on any building or structure without a sign permit. However, a rendition of the mural shall be reviewed and approved by the community development department prior to placement to ensure that it is not considered a sign or advertising device. Proposed murals may also require a certificate of appropriateness from the historical preservation commission.

(g) Projecting Signs.

(i) Maximum number of signs permitted: One sign per business entrance.

(ii) Maximum allowable sign area: 32 square feet on each sign face, regardless of the number of projecting signs. The area of a projecting sign shall count towards the total aggregate sign area permitted. Exception: Hanging bracket signs no larger than six square feet in size.

(iii) Maximum sign height: 18 feet above grade to top of sign or sign structure. Hanging bracket signs no larger than six square feet in size may project a maximum of three feet from the fronting face of the building. Hanging bracket signs shall observe a minimum clearance of eight feet above grade elevation.

(iv) Illumination: Direct or indirect illumination is permitted.

(v) Changeable copy: Changeable copy shall not be permitted on projecting signs along Commerce Avenue, or on Maple Street, Broadway, Hudson Street, Hemlock Street or Florida Street east of the alley between 14th Avenue and Commerce Avenue, and west of the alley between 12th Avenue and Commerce Avenue; however, changeable copy may be placed on projecting signs located in other areas of the district including both sides of the alleys located between Commerce Avenue and 12th Avenue, and Commerce Avenue and 14th Avenue.

(h) Roof Signs.

(i) General provisions: Roof signs are permitted only if the director of the community development department, or their designee, determines that reasonable circumstances exist to permit a roof sign. A special property use permit shall be required. Special property use permits for roof signs shall be approved by the planning commission and the city council in accordance with LMC 2.27.070.

(ii) Location: Roof signs are permitted to be located on the edge of roofs of buildings only, and are subject to review and approval by the city council.

(iii) Maximum number of signs permitted: If approved by the city council, one roof sign may be permitted per business. The area of the roof sign shall count towards the total aggregate sign area permitted. The roof sign must face the main thoroughfare and contain no visible support structure.

(iv) Maximum allowable sign area: Roof signs shall not exceed a maximum of 15 percent of the area of the building elevation facing the main thoroughfare.

- (v) Maximum sign height: Eight feet above the roof parapet to the top of sign or sign structure.
  - (vi) Illumination: Internal and external illumination is permitted. Internally illuminated signs are limited to 40 percent of the maximum sign area otherwise allowed.
- (i) Sandwich board Signs.
- (i) Maximum number of signs permitted: One per street frontage per business on private property. The business must possess a current sidewalk business license.
  - (ii) Maximum allowable sign area: Six square feet.
  - (iii) Maximum sign height: Six and one-half feet, measured vertically (90 degree angle with the ground). [The sign, when set at an angle of 23 degrees from the ground will measure six feet in height.]
  - (iv) Minimum sign height: 30 inches.
  - (v) Maximum sign width: 30 inches.
  - (vi) Illumination: Self-contained illumination is permitted. No other type of illumination shall be permitted.
  - (vii) Placement: Each sandwich board must be placed on the sidewalk in front of or within 15 feet of the main entrance of the business or multitenant building. Sandwich board signs may be placed near markings separating parking spaces, but not within a crosswalk and not closer than 15 feet from the intersection of the extension of the curb lines (edge of curbs on the vehicular traffic side) of each intersecting street. Signs may be placed within locations shown on the sidewalk usage map, which is on file in the community development department. No sandwich board sign may be placed where the unobstructed space for the passageway of pedestrians is reduced to less than five feet. Trees, landscaping planters, poles, other signs, hydrants, trash receptacles, tree grates, etc., are all considered obstructions. Questions as to the placement of sandwichboard signs shall be determined by the community development director or their designee.
  - (viii) Display hours: The sign may be displayed during business hours only. Sandwich board signs must be removed when the business closes for the day.
- (j) Wall Signs and Cabinet Signs. Tenant directory signs, projecting signs, marquee signs and incidental signs are not considered wall or cabinet signs.
- (i) Maximum number of signs permitted: The number of signs will be limited by the total aggregate sign area permitted. Flat signs are preferred.
  - (ii) Maximum allowable sign area: 20 percent of the area of the building elevation per business.
  - (iii) Maximum allowable sign height: 18 feet to top of sign or sign structure. No portion of sign shall cover or be placed over any window.
  - (iv) Placement: Wall signage may be placed on any elevation. Cabinet signs may project from the building elevation a maximum of 14 inches.
  - (v) Illumination: Direct or indirect illumination is permitted. Sign illumination shall not result in glare being directed toward surrounding properties. The source of

illumination shall not be visible from a walkway or street. Internally illuminated cabinet signs are limited to 40 percent of the maximum sign area otherwise allowed.

(k) Window Signs.

(i) Maximum number of signs permitted: The number of signs will be limited by the total aggregate sign area permitted.

(ii) Maximum coverage of window: Signs shall not exceed a maximum of 25 percent of the glass area, per window.

(iii) Additional requirements: Neon signs within windows and glass doors shall be permitted. Non-illuminated letterboard signs shall be permitted (see definitions section). Window signs may be separately illuminated. No permit shall be required for window signs.

(3) Temporary Signs. The total number and area of temporary signs in this district shall conform to the following:

(a) The aggregate area of all signs per building frontage shall not exceed an area equal to 20 percent of the building frontage elevation, with a total aggregate sign area permitted of 150 square feet. For purposes of calculating this area, the maximum height of the building elevation shall be 18 feet.

(b) No temporary sign may be displayed at a height exceeding 18 feet as measured to the top of the sign.

(c) Unless otherwise specifically stated, no individual temporary sign shall be displayed for a period of time exceeding 60 days.

(d) Holiday lights and decorations, including decorations on windows, are not considered signs.

(e) No permits shall be required for temporary signs.

(4) Types of Temporary Signage Permitted.

(a) Business Promotional Signs. Temporary business promotional signs, posters, banners, advertising flags, streamers, balloons and clusters of pennants are permitted to be displayed for not more than 60 days in any calendar year per business, and not more than 15 successive calendar days per sales event. All such materials shall be removed immediately at the end of each occurrence.

(b) Temporary Window Signs.

(i) Temporary window signs are permitted and may be displayed for a period not to exceed 60 days per sales or service event.

(ii) The maximum area of all permanent and temporary window signs shall not exceed 25 percent of the total exterior window area.

(iii) Community, civic and service club event announcement posters and signs, and nonprofit announcements are exempt from these requirements.

(c) Real Estate Signs, On-Premises.

(i) The maximum number of on-premises real estate signs permitted is two per vacant tenancy.

- (ii) The maximum allowable sign area shall be 12 square feet for signs placed on buildings or within windows, and 32 square feet for freestanding signs erected on vacant lots.
- (iii) On-premises real estate signs shall be attached to an exterior wall or window in such a manner so as to not be a hazard to pedestrians. Signs may be placed adjacent to the property line, but shall not be placed within the right-of-way.
- (iv) All on-premises real estate signs shall be removed within seven days of the property and/or buildings being advertised is sold, rented or leased.

(d) Short-Term Construction or Development Signs.

- (i) A maximum of one sign shall be permitted per project. The sign may be freestanding, or be a wall or banner sign attached to the construction fence or structure on the site.
- (ii) The maximum sign area permitted is four square feet, unless legally required by government contractors to be larger. No sign shall exceed a height of six feet.
- (iii) Construction or development signs shall not be posted on the property until after the issuance of a building permit. All signs shall be removed when construction is complete or upon the issuance of a certificate of occupancy, whichever occurs first. In all instances, the maximum duration any such sign may be displayed is two years.
- (iv) Signs may be placed adjacent to the property line, but shall not be placed within the right-of-way.
- (v) No off-premises signs shall be allowed.
- (vi) Copy and graphics on the sign are limited to identification of the project and participants, and shall only include the site identification, participating professional firms and contractors, and a description and/or purpose of the building or construction project.

(5) Notwithstanding the foregoing, buildings and structures in the D-C district located easterly of 12th Avenue and westerly of 14th Avenue and fronting on Washington Way, containing a single business occupant, and having not less than 10,000 square feet of ground floor area, may maintain and display signs as permitted in this section, and signs as permitted in LMC 19.44.130. However, roof signs shall comply with subsection (2)(h) of this section.

(6) Wayfinding signs, as described in LMC 16.13.040(73), and as approved by the Appeal Board of Adjustment in accordance with LMC 16.13.020, shall be permitted in the D-C district.

**19.46.070 Downtown Commerce District - Crime Prevention through Environmental Design.**

For new building sited in the Downtown Commerce District, the design professional shall demonstrate to the Director by letter and/or drawing demonstrating that crime prevention through environmental design (CPTED) concepts were considered and implemented where feasible.

SECTION 16. The following Section of Title 19, Chapter 58 of the Longview Municipal Code is hereby amended to read as follows; provided manifest and numbering errors shall be corrected prior to publication:

**19.58.020 Uses.**

Table 19.58.020-1 includes uses that are permitted (“P”) or allowed through a special property use permit (“SPU”). If a field is blank, or the use is not listed, the use is not allowed in that zone.

Table 19.58.020-1. Permitted uses in industrial zones.			
Use			
	LI-A & B	HI	C/I
Light manufacturing and fabrication	P	P	P
Warehousing and storage including cold storage	P	P	P
Wholesale distribution	P	P	P
Wholesale trade of durable goods including but not limited to: motor vehicle parts and supplies; furniture and home furnishings; lumber and other construction materials; professional and commercial equipment and supplies; metal and mineral (except petroleum); electrical goods; hardware, and plumbing and heating equipment and supplies; machinery, equipment, and supplies	P	P	P
Wholesale trade of nondurable goods including but not limited to: druggists’ sundries; apparel, piece goods, and notions; groceries and related product; beer, wine, and distilled alcoholic beverages; paint, varnish, and supplies	P		P
Wholesale trade of paper and paper products	P	P	P
Product processing and packaging	P	P	P
Industrial and commercial machinery and equipment rental and leasing	P		P
Industrial and commercial machinery and equipment repair and maintenance	P	P	P
Industrial and commercial support services	P		P
Construction and contracting operations	P	P	P
Parcel delivery services	P	P	P
Feed and seed stores	P		P
Building material wholesale and retail sales, including incidental sales of white goods	P	P	P

Table 19.58.020-1. Permitted uses in industrial zones.

Use			
	<b>LI-A &amp; B</b>	<b>HI</b>	<b>C/I</b>
Research, development, testing services, and technology centers	P	P	P
Veterinary offices and clinics requiring outside animal runs and dog kennels/boarding	P		P
Offices and institutions serving industrial workers	P		P
Energy production		P	
Manufacturing and fabrication with significant operations in an unenclosed area	SPU	P	
Corporate office headquarters	P	SPU	P
Offices, operation and/or maintenance facilities for utility providers	P	P	P
Marine/port industrial related activities including but not limited to: cargo handling of vehicles, forest products, steel and other bulk, non-bulk commodities; grain terminals; vehicle processing and storage; truck, marine and air freight terminals and dispatch centers		P	
Railroad yards		P	
Railroad service	P	P	
Caretaker dwelling	SPU		SPU
Day care centers	SPU	SPU	P
Vocational schools	P	SPU	P
Parks and public playgrounds, including public facilities for athletic events	P		P
Athletic, health and racket clubs 10,000 square feet of gross floor area or greater	P		P
Religious and secular assembly uses			SPU
Public utility structures	P	P	P
Recreational vehicle park			SPU
Manufactured home sales	P		P
Mini-storage and RV storage	P		P
Heavy equipment and truck sales, service, and repair	P	P	P
Motor vehicle dealers, new and used, including auto, motorcycle, truck trailer, boat, recreational vehicles and equipment			P

Table 19.58.020-1. Permitted uses in industrial zones.

Use			
	<b>LI-A &amp; B</b>	<b>HI</b>	<b>C/I</b>
Vehicle towing and storage services	P		P
Motor vehicle rental, repair or service including auto, motorcycle, truck trailer, boat, recreational vehicles and equipment including charging stations for electricity-powered vehicles	P		P
Service stations for vehicle fleets including retail cardlock facilities	P		P
Mortuaries			P
Office equipment and home appliance sales, rental, service, and repair			P
Printing, publishing and lithographic shops	P		P
Duplicating, addressing, blueprinting, photocopying, mailing, and stenographic services			P
Services to buildings (including dwellings), cleaning and exterminating	P		P
Incidental retail sales of durable products fabricated on-site	P	P	P
Convenience store, restaurant, branch banks (drive-up and drive-thru service is allowed)			P
Large scale commercial development per LMC <a href="#">19.58.090</a>			P
Legally existing commercial and industrial uses and structures	P	P	P
Agriculture activities		P	
Adult entertainment establishments	P – See note 1	P – See note 1	P – See note 1
Wireless facilities <sup>2</sup>	See note 2	See note 2	See note 2
Vehicle wrecking yards licensed per Chapter 46.80 RCW and junkyards <sup>3</sup>	SPU in LI- A	P	
<u>Brewery/Winery</u>	<u>P</u>	<u>P</u>	
<u>Microbrewery/winery</u>	<u>P</u>		<u>P</u>
<u>Brewpub only in conjunction with a full-serve sit-down restaurant</u>			<u>P</u>

Notes:

1 Adult entertainment establishments are only permitted if they meet the criteria and standards contained within Chapter [19.70](#) LMC.

2 Please see Chapter [16.75](#) LMC, for wireless communication locations, standards and requirements.

3 Vehicle wrecking yards and junkyards must meet the criteria and standards given in LMC [19.58.100](#).

SECTION 17. The following Section of Title 19, Chapter 70 of the Longview Municipal Code is hereby amended to read as follows; provided manifest and numbering errors shall be corrected prior to publication:

**19.70.020 Location of adult entertainment land uses.**

(1) Adult entertainment land uses or adult establishments are prohibited within the area circumscribed by a circle which has a radius consisting of the following distances from the following specified uses or districts:

(a) Within or within 1,000 feet of the following land use districts: ~~C-1, C-2~~, NC, GC, O/C, CBD, RF-1, R-1, R-2, R-3, R-4, TNR, RC, C-C and C-F;

**SECTION 18.** The following chapters of the Longview Municipal Code are hereby repealed:

Longview Municipal Code chapters 19.42, 19.45, 19.48, 19.51, 19.52, 19.53, and 19.54

SECTION 19. Longview Municipal Code chapters 19.42, 19.45, 19.48, 19.51, 19.52, 19.53, and 19.54 which are repealed by this ordinance shall remain in force and effect until the effective date of this ordinance.

SECTION 20. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance and the same shall remain in full force and effect. The City of Longview hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

SECTION 21. That nothing in this Ordinance hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

SECTION 22 . That the City of Longview City Clerk is hereby ordered and directed to cause this Ordinance to be published.

SECTION 23. Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.

SECTION 24 . This Ordinance shall be in full force and effect from and after thirty (30) days from the date of its passage and publication as provided by law.

Passed by the City Council this \_\_\_\_ day of \_\_\_\_\_, 2012.

Approved by the Mayor this \_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

Published: \_\_\_\_\_