

Chapter ~~17.18~~17.16 ZONING

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~~17.18~~17.16.010 ~~Purpose.~~Introduction.

- A. The purpose of this chapter is to establish controls to guide the use and development of property in accordance with the provisions of the Kelso comprehensive plan and state and federal laws, in order to:
1. Protect, preserve and promote the public health, safety and general welfare;
 2. Respect private property rights;
 3. Provide the economic and social advantages gained from a comprehensively planned use of land resources;
 4. Facilitate adequate provisions for transportation, water, sewage, schools, parks and other public needs;
 5. Promote the coordinated development and redevelopment of land, buildings and structures;
 6. Avoid undue concentrations of population and to prevent overcrowding of land;
 7. Provide adequate access, privacy, light and air for all buildings; and
 8. Secure safety from fire and other hazards.
- B. If there is any question about the status of a lot or the zoning designation, the city shall resolve the question through an administrative code interpretation or legislative action. (Ord. 3889 § 3 (Exh. A), 2017)

~~17.18~~17.16.020 **Applicability.**

No new building or structure shall be erected and no existing building or structure shall be moved, altered, added to, or enlarged, nor shall any land, building or structure be used, for any purpose or in any manner

other than as permitted by this title. The city shall issue no permit for the construction or alteration of any building or part thereof unless the plans, specifications and intended use of such building conform in all respects with the provisions of this title. (Ord. 3889 § 3 (Exh. A), 2017)

~~17.18~~17.16.030 Official zoning map.

The city shall establish and maintain an official zoning map consistent with the provisions of this title and the comprehensive plan. The city manager or his/her designee shall maintain and make available to the public the official zoning map. The following zoning districts and overlays are hereby established and shall be depicted in accordance with the provisions of the Kelso comprehensive plan:

- A. Residential Single-Family 5 Zone. The purpose of the residential single-family 5 (RSF-5) zone is to maintain neighborhoods where existing development patterns and the availability of infrastructure support smaller lots and higher density single-family residential development.
- B. Residential Single-Family 10 Zone. The purpose of the residential single-family 10 (RSF-10) zone is to promote the establishment of neighborhoods where existing development patterns, topography, or the limited availability of infrastructure warrant larger lots, and lower densities of single-family residential development.
- C. Residential Multifamily Zone. The purpose of the residential multifamily (RMF) zone is to provide areas for the highest density of residential development and to support mixed-use development.
- D. Residential Mixed Density Zone. The purpose of the residential mixed density (RMD) zone is to promote diverse housing options in new and existing neighborhoods, high quality design, reinvestment in existing buildings and properties, and the revitalization of existing residential neighborhoods.
- E. Neighborhood Commercial Zone. The purpose of the neighborhood commercial (NC) zone is to provide areas for neighborhood-scale commercial and service activities which are compatible with the character of the surrounding residential neighborhood.
- F. General Commercial Zone. The purpose of the general commercial (GC) zone is to support business activities and mixed-use developments designed primarily to serve the local community.
- G. Regional Commercial Zone. The purpose of the regional commercial (RC) zone is to accommodate larger-scale commercial retail stores, shopping centers, and freeway oriented commercial uses that are designed to serve the commercial needs of the city, the surrounding region, and travelers.
- H. Light Industrial Zone. The purpose of the light industrial (LI) zone is to provide opportunities for industrial activities involving manufacturing, processing, assembling, repairing, servicing or storage of

goods or products as well as professional services and mixed-use development in a business park setting.

- I. General Industrial Zone. The purpose of the general industrial (GI) zone is to provide opportunities for industrial activities that require larger sites, access to the Columbia River, and/or a master planned industrial park.
- J. Open Space Zone. The purpose of the open space (OPN) zone is to ensure that certain areas of the city be preserved for the most part in their undisturbed and/or natural state. Areas appropriate for the OPN zoning district are characterized by public and/or private land that is not suitable for or permanently protected from development. These areas may include, but are not limited to, forested areas; wetlands and associated buffers; creek, stream or river corridors; ravines; bluffs; landslide hazards and/or other geological hazardous areas; environmentally sensitive area tracts; dikes and other rights-of-way; dedicated open space; public parks; and conservation areas.
- K. Airport Safety Overlay. The airport safety overlay is intended to regulate or control the various types of air space obstructions and other hazards that may interfere with the safety of aircraft operations near the Kelso-Longview Airport.

~~L. (Removed.)~~

~~M.L.~~ Adult Oriented Business Overlay. The purpose of the adult oriented business overlay is to regulate the location, permitting and operation of sexually oriented businesses and marijuana retail businesses in order to promote the health, safety and welfare of all city of Kelso citizens and in order to preserve and protect the quality of, and the quality of life in and around, all city of Kelso neighborhoods through effective land use planning and reasonable regulation in light of the findings adopted by the city council and to regulate the display of adult materials by other commercial establishments.

~~N.M.~~ West Main Pedestrian Overlay. The purpose of this overlay is to facilitate the implementation of the West Kelso subarea plan by providing standards unique to designated areas in West Kelso that support a high quality pedestrian oriented design element along West Main Street.

~~O.N.~~ West Kelso Overlay. The purpose of this overlay is to facilitate the implementation of the West Kelso subarea plan by providing design standards unique to West Kelso to guide new multifamily development.

~~P.O.~~ Recreational Marijuana Sales Overlay. The purpose of this overlay is to regulate the location, permitting and operation of retail marijuana sales businesses in order to promote the health, safety,

~~and welfare of all city of Kelso citizens.~~ (Ord. 3992 § 6 (Exh. B), 2023; Ord. 3917 § 4 (Exh. B), 2018; Ord. 3889 § 3 (Exh. A), 2017)

17.1817.16.040 Table of permitted uses.

Land uses and development activities may be permitted in accordance with the table of permitted uses (Table ~~17.1817.16.040~~); provided, that:

- A. Only those uses identified with a P (permitted), C (permitted only through the issuance of a conditional use permit), or T (permitted only through a temporary use permit) may be approved. Those uses identified with an ~~X~~ or a blank cell are not permitted in that zone.
 - 1. Uses not specifically listed in the Table of Permitted Uses, or any questions about the interpretation of this table, shall be addressed through an administrative code interpretation utilizing the most recent edition of the North American Industry Classification System (NAICS) Manual as determined by the city and the intent of each zoning district.
 - a. In the event that more than one definition could apply to a use, the city will determine through an administrative code interpretation the most applicable definition.
 - 2. Uses not specifically identified as permissible (P, C, or T), or authorized through an administrative code interpretation, may not be approved.

B. Uses identified as permissible (P, C, or T) shall comply with all other applicable standards.

Table ~~17.1817.16.040~~ Permitted Uses by Zoning District

Use	Zoning District									
	Residential				Commercial			Industrial		Institutional
	RSF-5	RSF-10	RMD	RMF	NC	GC	RC	LI	GI	OPN
RESIDENTIAL USES										
Household Living										
Accessory Dwelling Unit	P	P	P							
Community Garden	P	P	P	P						
<u>Cottage Cluster</u>	<u>P</u>		<u>P</u>	<u>P</u>						
<u>Day Care (in-home)</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>						

Table ~~17.18~~17.16.040 Permitted Uses by Zoning District

Use	Zoning District									
	Residential				Commercial			Industrial		Institutional
	RSF-5	RSF-10	RMD	RMF	NC	GC	RC	LI	GI	OPN
Duplex	P	<u>P</u>	P	P						
Mixed-Use Residential			<u>P(1)</u>	<u>P(13)</u>	<u>P(13)</u>	<u>P(13)</u>	<u>P(13)</u>			
Mobile Home				<u>P(13)</u>						
Multi-Family Residence (5+ units)			P	P		<u>P(52)</u>				
Single-Family Residence	<u>P(7)</u>	<u>P(7)</u>	<u>P(7)</u>	<u>P(7)</u>	<u>(4)</u>	<u>(4)</u>	<u>(4)</u>			
Townhouse	P	<u>P</u>	P	P						
Triplex and Fourplex			P	P						
Special Needs Housing and Facilities										
<u>Adult Family Home</u>	<u>P</u>	<u>P</u>	<u>P</u>							
Assisted Living Facility	<u>C(18)</u>	<u>C(18)</u>	<u>C(18)</u>	<u>C(18)</u>						
Caretaker Residence						<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
Halfway House	<u>C(18)</u>	<u>C(18)</u>	<u>C(18)</u>	<u>C(18)</u>						
Nursing Home/ Congregate Care				<u>C(18)</u>		<u>PC(5)</u>				
<u>Shelter</u>			<u>C</u>	<u>C</u>		<u>C</u>				
Transitional Housing Facilities						<u>C(5,</u>				
<u>Treatment FacilityCenter (in-patient)</u>			<u>C</u>	<u>C</u>		<u>C</u>				
Temporary Homeless Encampment	<u>T(19)</u>	<u>T(19)</u>	<u>T(19)</u>	<u>T(19)</u>		<u>T(19)</u>	<u>T(19)</u>	<u>T(19)</u>	<u>T(19)</u>	

Table ~~17.18~~17.16.040 Permitted Uses by Zoning District

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	Residential				Commercial			Industrial		Institutional
	RSF-5	RSF-10	RMD	RMF	NC	GC	RC	LI	GI	OPN
COMMERCIAL USES										
Business and Professional Services										
Audio/Visual Media Production						<u>P</u>	<u>P</u>	<u>P</u>		
Funeral Home/Mortuary						P(5)	P	P		
Office					P	P	P			
<u>Treatment Center (out-patient)</u>						<u>C</u>				
Veterinarian Clinic					P(36)	P(36)	P(36)	P(36)		
Retail Sales and Services										
Arts and Entertainment						P	P	P		
Athletic Club/Exercise Facility					P	P	P	P		
Card Rooms						P(15)	P(15)	P(15)		
Eating and Drinking Establishments					P	P	P	P		
Microbrewery/Microdistillery/ Microwinery					P	P	P	P	P	
Participant/Spectator Sports						P	P	P		P
Personal Service					P	P	P			
Retail Sales/Services					P(62 4)	P(5)	P	P	P	
Retail Service Large Scale							P			
Tavern/Pub						P	P	P		
Motor Vehicle Sales and Services										

Table ~~17.18~~17.16.040 Permitted Uses by Zoning District

Use	Zoning District									
	Residential				Commercial			Industrial		Institutional
	RSF-5	RSF-10	RMD	RMF	NC	GC	RC	LI	GI	OPN
Boat Sales, Services, and Storage							P	P		
Commercial Truck Stop							P	P		
Parking Facility						P	P	P		
Vehicle Sales and Services					P(24)	P(24)	P	P		
Lodging										
Bed and Breakfast Inn	P	P	P	P	P	P	P	P		
Hotel/Motel						P	P			
INDUSTRIAL USES										
Industrial Service										
Brewery/Distillery/Winery						P(23)	P(23)	P		
Commercial Laundry								P		
Commercial Moving/Storage				C		C	C	P		
Construction Landscaping								P		
Hazardous Materials								P	P	
Industrial Park								P	P	
Junk/Salvage Yard								P		
Kennels								P(36)		
Manufactured Home Sales								P		
Manufacturing and Processing							C(25)	P		
Marine Shipping Facility								P	P	
Rail Service/Repair								P		

Table ~~17.18~~17.16.040 Permitted Uses by Zoning District

Use	Zoning District									
	Residential				Commercial			Industrial		Institutional
	RSF-5	RSF-10	RMD	RMF	NC	GC	RC	LI	GI	OPN
Recycling Center								P		
Warehouses								P		
Wholesale <u>Services</u>							P	P		
INSTITUTIONAL USES										
Education										
Schools	C	C	C	C		C	C	C		
Day Care Facility	CP(14)	CP(14)	CP(14)	CP(14)	P(14)	P(14)	P(14)			
Civic Services										
Auditorium/Meeting Hall						P(5)	P	P		
Correction/Detention/Prison Facility						C	C	C		
Government Office						P	P	P		
Community Service										
Community Center	C	C	C	C		P(5)	P			C
Social/Fraternal Organization						P	P	P		
Urban Rest Stops						C(18)				
<u>Emergency Shelter</u>						<u>I(7)</u>				
Health Services										
Health Care Facility						P	P	P		
Hospital						P	P	P		
Religious Institutions										

Table ~~17.18~~17.16.040 Permitted Uses by Zoning District

Use	Zoning District									
	Residential				Commercial			Industrial		Institutional
	RSF-5	RSF-10	RMD	RMF	NC	GC	RC	LI	GI	OPN
Adult-Oriented Businesses										
Marijuana – State Licensed Facility	✗	✗	✗	✗	✗	P (12)	✗	P (12)	✗	✗
Sexually Oriented Business								P (11)		

(Ord. 3990 § 5 (Exh. C), 2023; Ord. 3917 § 4 (Exh. B), 2018; Ord. 3889 § 3 (Exh. A), 2017)

~~17.18~~17.16.050 Footnotes.

A. The following footnotes can be found in the Table of Permitted Uses, Table ~~17.18~~17.16.040:

- ~~1. Existing residential uses are permitted and shall be considered conforming. No new single-family residences are permitted in these zones. Standards applicable to the RSF-5 zoning district shall apply to existing single-family dwellings.~~
- ~~2. Garage/estate sales may be conducted on private residential properties without a temporary use permit, subject to the following criteria. Any activities not meeting these criteria may be approved through a temporary use permit:

 - ~~a. Sales shall last no longer than three consecutive days; and~~
 - ~~b. Sales are held at the site no more than four times in a calendar year; and~~
 - ~~c. Sales are conducted on the owner's property. Multiple family sales are permitted if they are held on the property of one of the participants; and~~
 - ~~d. All signs are removed immediately after the event.~~~~
 1. Commercial/residential mixed-use developments with commercial uses on the ground floor **must** meet the following standards:- Residential uses should be located above the ground floor.
 - a. A minimum of 50% of the ground floor building square footage shall be dedicated to commercial use.
 - b. 100% of the ground floor street facing façade shall be developed as commercial store front.

~~3-c. Residential component of a mixed-use development shall be located above or behind the commercial use.~~

4.2. Vehicle Sales and Services.

- a. In the neighborhood commercial (NC) zone this use is restricted to minor auto repair services (lubrication and oil change, tune-up). Any vehicles remaining on site for more than seventy-two hours shall be screened in accordance with outdoor storage development standards.
- b. Commercial truck, trailer, and RV sales and services are not permitted in the neighborhood commercial (NC) and general commercial (GC) zones.

~~5. Not permitted on the ground floor on Pacific Avenue South between Oak and Maple Streets.~~

- ~~a. Retail sales with screened or unscreened outdoor storage are not permitted on the ground floor on Pacific Avenue South between Oak and Maple Streets.~~

6.3. All kennels and veterinarian clinics shall provide indoor sleeping areas only, in order to minimize nighttime noise impacts to neighboring properties.

~~7. Please see Section 17.1817.16-040, Single-family residential standards.~~

~~8. Only permitted in accordance with the provisions of Section 17.1817.16-060, Home businesses.~~

~~9. Only permitted in accordance with the provisions of Section 17.1817.16-050, Accessory buildings, structures, dwelling units, and uses.~~

~~10. Only permitted in accordance with the provisions of Section 17.1817.16-100, Domestic animals and livestock.~~

~~11. Only permitted in the adult oriented business overlay in accordance with the provisions of Section 17.28.050, Adult oriented business overlay.~~

~~12. Only permitted in accordance with the provisions of Section 17.22.170, State licensed marijuana production, processing, and sales.~~

~~13. Only permitted in accordance with the provisions of Section 17.1817.16-080, Mobile homes, recreational vehicles (RVs), and trailers, and tents.~~

~~14. Only permitted in accordance with the provisions of Section 17.1817.16-070, Day care.~~

~~15. Only permitted in accordance with the provisions of Section 17.20.030, Card rooms.~~

~~16. Only permitted in accordance with the provisions of Section 17.22.240, Wireless communication facilities.~~

~~17. Only permitted in accordance with the provisions of Section 17.24.040, Public facilities.~~

~~18. Only permitted in accordance with the provisions of Section 17.1817.16.090, Special needs facilities.~~

~~19. Only permitted in accordance with the provisions of Section 17.36.030, Temporary homeless encampments.~~

~~20. Only permitted in accordance with the provisions of Section 17.36.020, Temporary uses.~~

21.4. Permitted uses at the airport shall include all building and structures essential to airport operations and may include aviation related business and industrial buildings, structures, and uses as well as any use specifically authorized through the Southwest Washington Regional Airport master plan as adopted by the city.

22.5. Multifamily housing may be permitted in the general commercial zone in West Kelso outside of the West Main pedestrian overlay only, in accordance with the provisions of the West Kelso multifamily design standards and the West Kelso subarea plan.

~~23. Only microbreweries, microdistilleries, and microwineries may be permitted in the general commercial (GC) and regional commercial (RC) zones.~~

24.6. Retail sales and services in the neighborhood commercial (NC) zone shall be limited to uses designed to primarily serve the immediate neighborhood, such as:

- a. Convenience groceries;
- b. Beauty parlors, salons, and related personal services;
- c. Farmers' market;
- d. Fruit, vegetable, or flower stand;
- e. Food carts;
- f. Coffee shops and restaurants;
- g. Exercise studios; and

h. Automobile service stations and minor automobile services such as oil change, tune-ups, and lubrication.

~~25. Only in the vicinity of the I-5 and SR 432 interchange. (Ord. 3990 § 5 (Exh. C), 2023; Ord. 3917 § 4 (Exh. B), 2018; Ord. 3889 § 3 (Exh. A), 2017)~~

7. Emergency shelters are permitted as a temporary use in the general commercial (GC) zone and in all religious facilities in all zones.