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## Proposed Fossil Fuel Use Related Code Changes

Revised August 11, 2022

*Editor's Note: Text to be deleted is indicated with ~~strike-throughs~~, and new text is indicated with underlines. For purposes of brevity, this exhibit includes excerpts only of Title 20 VMC chapters proposed to be modified. For example, definitions of terms and development standards of each district which are not proposed to be modified are not shown. Also, there is no significance to the different colors of text, which will be fixed in a final version.*

### Chapter 20.150

#### DEFINITIONS

~~*Bulk Crude Storage.* Bulk crude storage and handling facility, means any structure, group of structures, equipment, or device that stores or transfers any naturally occurring liquid petroleum extracted from geological formations beneath the earth's surface which requires further refinement before consumer use, including but not limited to; conventional crude oil, extra heavy oil, and bitumen. The term does not include facilities that store and handle finished products derived from petroleum including but not limited to asphalt.~~

*Cleaner Fuels.* Liquid or gaseous fuels produced from renewable sources or that have low or no emissions, including the following:

A. Carbon-free fuels that generate no carbon emissions including green hydrogen or fuels that are certified by state or federal responsible agencies as net-zero carbon emissions.

B. Any credit generating fuel under the Washington State Low Carbon Fuel Standard (HB 1091 2021-2022) as allowed by the Washington State Department of Ecology.

C. Any biomass renewable fuels approved by the federal Environmental Protection Agency under the federal Renewable Fuel Standard (40 CFR Part 80) as regulation exists or may hereafter be amended and meeting any future federal renewable fuels regulations.

D. Alcohol fuels meeting the requirements of RCW 19.112.010(1) as that statute exists or may hereafter be amended.

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E. Biodiesel fuel meeting the requirements of RCW 19.112.010(3), and Renewable Diesel meeting the requirements of RCW 19.112.010(9), as those statutes exist or may hereafter be amended.

F. E85 motor fuel which meets the requirements of RCW 19.112.010(2) exclusively for the propulsion of motor vehicles upon the roads, or RCW 19.112.010(6) for other motors, as those statutes exist or may hereafter be amended.

G. Alternative fuels that are not fossil fuels and that produce low or no carbon that meet state or federal requirements not otherwise listed above.

*Petroleum.* Crude oil, gases (including natural gas), natural gasoline, and other related hydrocarbons, oil shale, and the products of any of such resources.

**Utility Facilities, Major.** Those facilities which have a substantial public impact, including but not limited to:

1. Administrative offices and operation centers;
2. Sewage treatment plants and lagoons;
3. Electric generation facilities including biomass and coal energy-generating facilities; and
4. Essential public facilities as defined in Chapter 20.855 VMC, Essential Public Facilities.



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## Chapter 20.160

### USE CLASSIFICATIONS

C. *Commercial use types.*

5. *Motor Vehicle Related.*

- a. *Motor Vehicle Sales/Rental.* Includes car, light and heavy truck, mobile home, boat and recreational vehicle sales, rental and service.
  - b. *Motor Vehicle Servicing/Repair.* Free-standing vehicle servicing and repair establishments including quick and general vehicle service, car washes and body shops not an accessory to new vehicle sales.
  - c. *Vehicle Fuel Sales.* Establishments engaging in the direct to consumer sale of gasoline, diesel fuel, and oil products for cars, trucks, recreational vehicles, and boats.
  - d. *Electric Vehicle (EV) Basic Charging Station.* A slow to medium level charging station for electric vehicles that is typically accessory to another use, such as single family residences, apartments, and businesses. Level 1 (120 volt AC) is considered slow charging. Level 2 (208 or 240 volt AC) is considered medium charging.
  - e. *Electric Vehicle (EV) Rapid Charging Station.* An industrial grade electrical outlet that allows for faster charging of electric vehicle batteries through higher power levels and that meets or exceeds any standards, codes, and regulations set forth by Chapter [19.28](#) RCW and consistent with rules adopted under RCW [19.27.540](#). Such stations are also known as Level 3 facilities and are considered fast or rapid charging (480-volt AC), and are generally available to the public.
  - f. *Electric Vehicle (EV) Battery Exchange Station.* A facility that will enable an electric vehicle with a swappable battery to enter a drive lane and exchange the depleted battery with a fully charged battery. Such exchange stations may use a fully automated process, which meets or exceeds any standards, codes, and regulations set forth by Chapter [19.27](#) RCW.
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D. *Industrial use types.*

1. *Industrial Services.* Includes the repair and servicing of industrial and business machinery, equipment and/or products. Examples include welding shops; machine shops; sales, repair, storage, salvage or wrecking of heavy machinery, metal and building materials; towing and vehicle storage; auto and truck salvage and wrecking; heavy truck servicing and repair; tire recapping and retreading; truck stops; building, heating, plumbing or electrical contractors; exterminators; janitorial and building maintenance contractors where the indoor storage of materials is more than incidental to the office use (see subsection (C)(6)(a) of this section); ~~fuel oil distributions; solid fuel yards;~~ laundry, dry-cleaning and carpet cleaning plants; and photo-finishing laboratories.

8. *Major Utility Facilities.* Those facilities which have a substantial public impact, including but not limited to: sewage treatment plants and lagoons; electric generation facilities ~~including biomass and coal energy generation facilities;~~ and essential public facilities as defined in Chapter 20.855 VMC, Essential Public Facilities.

9. *Bulk Fossil Fuel Storage and Handling Facility.* Bulk fossil fuel storage and handling facility means any structure, group of structures, equipment, or device that stores or transfers any material derived from prehistoric organic matter and used to generate energy, including but not limited to; petroleum and petroleum products, coal, and natural gases, including without limitation methane, propane, and butane. The term does not include facilities that store and handle finished products derived from fossil fuels including but not limited to asphalt, plastics, fertilizers, paints, and denatured ethanol. Bulk fossil fuel storage and handling facilities are greater than 60,000 gallons cumulative storage.

10. *Cleaner Fuels Storage and Handling Facility.* Means any structure, group of structures, equipment or device previously classified as bulk fossil fuel storage and handling that is converted to store or transfers any material derived from cleaner fuels, as defined in VMC 20.150.

11. *Small Fossil Fuel or Cleaner Fuel Storage and Distribution Facilities.* Means local distribution gas storage tanks with individual storage capacities of 30,000 gallons or less and

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cumulative storage of 60,000 gallons or less. Such tanks store fossil fuels or cleaner fuels and are either for local distribution to customers or serve as an accessory facility necessary to support an onsite allowed primary commercial, industrial, educational, scientific, or governmental use and do not otherwise meet the definitions of Bulk Fossil Fuel Storage and Handling Facility in D.9, or Vehicle Fuel Sales in C.5.c.

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## **20.400 ZONING DISTRICTS**

### **Chapter 20.410**

#### **LOWER DENSITY RESIDENTIAL DISTRICTS**

Sections:

<b>20.410.010</b>	<b>Purpose.</b>
<b>20.410.020</b>	<b>List of Zoning Districts.</b>
<b>20.410.025</b>	<b>Lower Density Residential Zone Function and Location Criteria.</b>
<b>20.410.030</b>	<b>Uses.</b>
<b>20.410.040</b>	<b>Minimum and maximum densities.</b>
<b>20.410.050</b>	<b>Development Standards.</b>

#### **20.410.010 Purpose.**

Preserve and promote neighborhood livability and protect the consumer's choices in housing. The Low-Density Residential Districts are primarily designed to preserve and promote neighborhoods of detached single dwellings at low intensities. Flexibility in housing type is promoted by allowing manufactured homes, duplexes, and planned unit developments under special conditions. Compatible nonresidential development, such as elementary schools,

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churches, parks, and child care facilities are permitted at appropriate locations and at an appropriate scale. (Ord. M-3709 § 3, 06/20/2005; Ord. M-3643, 01/26/2004)

### **20.410.020 List of Zoning Districts.**

A. R-2: Low-Density Residential District. The R-2 zoning district is designed to accommodate detached single dwellings with or without accessory residential units at a minimum lot size of 20,000 square feet and a density of 1.8 to 2.2 units/net acre. Some civic and institutional uses are permitted as limited or conditional uses. The R-2 zoning district was referred to as R1-20 zone prior to March 11, 2004.

B. R-4: Low-Density Residential District. The R-4 zoning district is designed to accommodate detached single dwellings with or without accessory residential units at a minimum lot size of 10,000 square feet and a density of 2.3 to 4.4 units/net acre. Some civic and institutional uses are permitted as limited or conditional uses. The R-4 zoning district was referred to as R1-10 zone prior to March 11, 2004.

C. R-6: Low-Density Residential District. The R-6 zoning district is designed to accommodate detached single dwellings with or without accessory residential units at a minimum lot size of 7,500 square feet and a density of 4.5 to 5.8 units/net acre. Some civic and institutional uses are permitted as limited or conditional uses. The R-6 zoning district was referred to as R1-7.5 zone prior to March 11, 2004.

D. R-9: Low-Density Residential District. The R-9 zoning district is designed to accommodate detached single dwellings with or without accessory residential units at a minimum lot size of 5,000 square feet and a density of 5.9 to 8.7 units/net acre. Some civic and institutional uses are permitted as limited or conditional uses. The R-9 zoning district is a new zoning district that combines what was referred to as R1-6 and R1-5 zones prior to March 11, 2004. (Ord. M-3643, 01/26/2004)

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## **20.410.025 Lower Density Residential Zone Function and Location Criteria.**

A. *General Criteria.* The Lower Density Residential designation is applied to areas that provide predominantly single-family structures (attached or detached) on individual lots. Application of individual zones to specific areas in the City should enhance and support the integrity of existing neighborhoods, provide for a range of choices in housing styles and cost, and encourage compatible infill development and redevelopment.

B. Lower Density Residential Zone (R-2, R-4, R-6, R-9) Location Criteria.

The Lower Density zone designations defined above can be appropriately applied and maintained in areas meeting one of the following criteria:

1. Blocks, intersection-to-intersection street segments, or areas with defined physical edges, which have at least eighty (80) percent of the existing structures in single-family residential use on lots whose average size falls within the minimum and maximum lot size standards of the zone to be applied. Half-blocks at the edges of single-family zones with more than fifty (50) percent single-family structures, or portions of blocks on an arterial with a majority of single-family structures, shall generally be included. This shall be decided on a case-by-case basis, but the policy is for inclusion.
  2. Blocks, intersection-to-intersection street segments, or areas with defined physical edges, which have less than eighty (80) percent of the existing structures in single-family residential use but in which an increasing trend toward single-family residential use can be demonstrated; for example:
    - a. The construction of single-family structures in the last five (5) years has been increasing proportionately to the total number of constructions for new uses in the area, or
    - b. The area shows an increasing number of improvements and rehabilitation efforts to single-family structures, or
    - c. The number of existing single-family structures has been very stable or increasing in the last five (5) years, or
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d. The area's location is topographically and geographically connected to, and compatible with, existing single-family residential development, with physical edges (such as major arterials, topography, waterways, open space, existing natural or landscape screening, etc) that separate and buffer the area from Higher Density Residential, Commercial, and Industrial.

3. Areas with sensitive physical, environmental or natural resource characteristics that make lower intensity development advisable and appropriate.

4. Areas that meet the above criteria for designation as Lower Density Residential shall not be rezoned for nonresidential uses, except NC (Neighborhood Commercial), unless the change has been adopted as part of a sub-area planning study.

5. No vacant or underutilized land areas (per Vacant Buildable Lands Model criteria) within the City shall be rezoned R-2 or R-4 for new residential development. Land use and zoning designations for residential lands being annexed into the City shall be converted to City designations in accordance with VMC Table 20.230.030. (Ord. M-3946 § 6, 02/01/2010; Ord. M-3730, Added, 12/19/2005, Sec 9)

### **20.410.030 Uses.**

A. *Types of uses.* For the purposes of this chapter, there are four kinds of use:

1. A permitted (P) use is one that is permitted outright, subject to all of the applicable provisions of this title.

2. A limited (L) use is permitted outright providing it is in compliance with special requirements, exceptions or restrictions.

3. A conditional use (C) is a discretionary use reviewed through the process set forth in Chapters [20.245](#) and [20.210](#) VMC, governing conditional uses and decision-making procedures, respectively.

4. A prohibited use (X) is one that is not permitted in a zoning district under any circumstances.

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B. *Use table.* A list of permitted, limited, conditional, and prohibited uses in Low-Density Residential Districts is presented in Table 20.410.030-1.

**Table 20.410.030-1. LOWER-DENSITY RESIDENTIAL DISTRICTS USE TABLE**

<b>USE</b>	<b>R-2</b>	<b>R-4</b>	<b>R-6</b>	<b>R-9</b>
<b>RESIDENTIAL</b>				
Household Living	P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>
Group Living	P/X <sup>1</sup>	P/X <sup>1</sup>	P/X <sup>1</sup>	P/X <sup>1</sup>
Home Occupation	L <sup>2</sup>	L <sup>2</sup>	L <sup>2</sup>	L <sup>2</sup>
Medical Center Residential	L <sup>23</sup>	L <sup>23</sup>	L <sup>23</sup>	L <sup>23</sup>
<b>HOUSING TYPES</b>				
Single Dwelling, Attached	L <sup>18</sup>	L <sup>18</sup>	L <sup>18</sup>	L <sup>18</sup>
Single Dwelling, Detached	P	P	P	P
Accessory Dwelling Units	L <sup>4</sup>	L <sup>4</sup>	L <sup>4</sup>	L <sup>4</sup>
Duplexes <sup>22</sup>	L <sup>21</sup>	L <sup>21</sup>	L <sup>21</sup>	L <sup>21</sup>
Multi-Dwelling Units	X	X	X	X
Existing Manufactured Home Developments	L <sup>5</sup>	L <sup>5</sup>	L <sup>5</sup>	L <sup>5</sup>
Designated Manufactured Homes	L/X <sup>19</sup>	L/X <sup>19</sup>	L/X <sup>19</sup>	L/X <sup>19</sup>
New Manufactured Homes	L <sup>20</sup>	L <sup>20</sup>	L <sup>20</sup>	L <sup>20</sup>
<b>CIVIC (Institutional)</b>				
Basic Utilities	C	C	C	C
Colleges	C	C	C	C
Community Centers	X	X	X	X
Community Recreation	C <sup>6</sup>	C <sup>6</sup>	C <sup>6</sup>	C <sup>6</sup>

<b>USE</b>	<b>R-2</b>	<b>R-4</b>	<b>R-6</b>	<b>R-9</b>
Cultural Institutions	P/C <sup>7</sup>	P/C <sup>7</sup>	P/C <sup>7</sup>	P/C <sup>7</sup>
<b>Day Care</b>				
- Family Day Care Home	p <sup>8</sup>	p <sup>8</sup>	p <sup>8</sup>	p <sup>8</sup>
- Child Care Center	L/C <sup>11</sup>	L/C <sup>11</sup>	L/C <sup>11</sup>	L/C <sup>11</sup>
- Adult Day Care	L/C/X <sup>9</sup>	L/C/X <sup>9</sup>	L/C/X <sup>9</sup>	L/C/X <sup>9</sup>
Emergency Services (except ambulance services)	L/C <sup>11</sup>	L/C <sup>11</sup>	L/C <sup>11</sup>	L/C <sup>11</sup>
Ambulance Services	X	X	X	X
Medical Centers	X	X	X	X
<b>Parks/Open Space</b>				
- Neighborhood Parks	P	P	P	P
- Community Parks	P	P	P	P
- Regional Parks	C	C	C	C
- Trails	P	P	P	P
Postal Service	C	C	C	C
Religious Institutions	L/C <sup>11</sup>	L/C <sup>11</sup>	L/C <sup>11</sup>	L/C <sup>11</sup>
Schools	L/C <sup>11</sup>	L/C <sup>11</sup>	L/C <sup>11</sup>	L/C <sup>11</sup>
Social/Fraternal Clubs	X	X	X	X
Transportation Facility	C <sup>12</sup>	C <sup>12</sup>	C <sup>12</sup>	C <sup>12</sup>
<b>COMMERCIAL</b>				
Commercial and Transient Lodging	L/C/X <sup>13</sup>	L/C/X <sup>13</sup>	L/C/X <sup>13</sup>	L/C/X <sup>13</sup>
<b>Eating/Drinking Establishments</b>	X	X	X	X

<b>USE</b>	<b>R-2</b>	<b>R-4</b>	<b>R-6</b>	<b>R-9</b>
Entertainment-Oriented				
- Adult Entertainment	X	X	X	X
- Indoor Entertainment	X	X	X	X
- Major Event Entertainment	X	X	X	X
<b>General Retail</b>				
- Sales-Oriented	C <sup>14</sup>	C <sup>14</sup>	C <sup>14</sup>	C <sup>14</sup>
- Personal Services	C <sup>14</sup>	C <sup>14</sup>	C <sup>14</sup>	C <sup>14</sup>
- Repair-Oriented	X	X	X	X
- Bulk Sales	X	X	X	X
- Outdoor Sales	X	X	X	X
<b>Motor Vehicle Related</b>				
- Motor Vehicle Sales/Rental	X	X	X	X
- Motor Vehicle Servicing/Repair	X	X	X	X
- Vehicle Fuel Sales	X	X	X	X
- EV Basic Charging Stations (accessory only)	P	P	P	P
- EV Rapid Charging Stations (accessory only)	P	P	P	P
- EV Battery Exchange Stations	X	X	X	X
<b>Office</b>				
- General	X	X	X	X
- Medical	X	X	X	X
- Extended	X	X	X	X

<b>USE</b>	<b>R-2</b>	<b>R-4</b>	<b>R-6</b>	<b>R-9</b>
Non-Accessory Parking	X	X	X	X
Self-Service Storage	X	X	X	X
Marina	C	C	C	C
<b>INDUSTRIAL</b>				
<u>Bulk Fossil Fuel Storage and Handling Facilities</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Cleaner Fuel Storage and Handling Facilities</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Small Fossil Fuel or Cleaner Fuel Storage and Distribution Facilities</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
Industrial Services	X	X	X	X
Manufacturing and Production	X	X	X	X
Railroad Yards	X	X	X	X
Research and Development	X	X	X	X
Warehouse/Freight Movement	X	X	X	X
Wholesale Sales	X	X	X	X
Waste-Related	X	X	X	X
Major Utility Facilities	X	X	X	X
<b>OTHER</b>				
Agriculture/Horticulture	P	P	P	P
Airport/Airpark	X	X	X	X
Animal Kennels/Shelters	X	X	X	X
Cemeteries	C <sup>15</sup>	C <sup>15</sup>	C <sup>15</sup>	C <sup>15</sup>
Detention & Post Detention	X	X	X	X

USE	R-2	R-4	R-6	R-9
Facilities				
Dog Day Care	X	X	X	X
Heliports	X	X	X	X
Recreational or Medical Marijuana Facilities	X	X	X	X
Medical Marijuana Cooperatives	X	X	X	X
Mining	X	X	X	X
Rail Lines/Utility Corridors	P	P	P	P
Temporary Uses	L <sup>16</sup>	L <sup>16</sup>	L <sup>16</sup>	L <sup>16</sup>
Wireless Communication Facilities	L/C/X <sup>17</sup>	L/C/X <sup>17</sup>	L/C/X <sup>17</sup>	L/C/X <sup>17</sup>

**1** Residential Care Homes, state or federally approved, with six or fewer residents and any required on-site residential staff permitted by right; all larger group living uses prohibited.

**2** Subject to the provisions of Chapter [20.860](#) VMC, Home Occupations.

**4** Subject to the provisions of Chapter [20.810](#) VMC, Accessory Dwelling Units.

**5** Subject to the provisions of Chapter [20.880](#) VMC, Manufactured Home Parks. Manufactured Home Developments established prior to July 1, 2005, are exempt from the standards of VMC [20.410.050\(F\)](#), Criteria for Placement of Manufactured Homes, and may continue to exist and expand within existing previously approved boundaries. An existing manufactured home in a development or subdivision may be replaced or may be relocated either to an approved manufactured home development or an approved manufactured home subdivision.

**6** Subject to provisions in VMC [20.895.040](#), Community Recreation and Related Facilities.

**7** Libraries only permitted outright; all other cultural institutions are conditional uses.

**8** Family day care homes for no more than 12 children are permitted when licensed by the state.

**9** Adult day care facilities for six or fewer adults allowed as limited uses subject to compliance with the development standards governing Home Occupations, per VMC [20.860.020\(B\)\(1\)](#) through [\(B\)\(7\)](#); facilities with seven to 12 adults allowed as conditional uses; and larger facilities are prohibited.

**10** *Repealed by M-4289.*

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**11** Schools, religious institutions, government buildings, fire stations, child care centers, and emergency services facilities that meet all of the criteria contained in VMC [20.410.050\(D\)](#) are permitted by right; all others require conditional use approval. Child care centers permitted by right shall be consistent with Chapter [20.840](#) VMC, Child Care Centers, and be subject to Type II review pursuant to VMC [20.210.050](#).

**12** Except bus, trolley and streetcar stops, including bus shelters, which are allowed by right.

**13** One- and two-bedroom Bed-and-Breakfast facilities are permitted outright and three- to six-bedroom Bed-and-Breakfast facilities are allowed as conditional uses, with all Bed-and-Breakfast facilities subject to provisions of Chapter [20.830](#) VMC, Bed-and-Breakfast Establishments. No more than six bedrooms are allowed under any circumstances. All other commercial lodging is prohibited.

**14** Retail commercial uses limited to 1,500 gsf per use to a maximum of 5,000 square feet in planned developments of 150 units or more. See VMC [20.260.020\(B\)\(1\)\(b\)\(2\)](#).

**15** Subject to provisions in VMC [20.895.030](#).

**16** Subject to provisions in Chapter [20.885](#) VMC, except sales of fireworks which is prohibited in residential zones.

**17** Building-mounted antennas are allowed by conditional use on nonresidential buildings in single-family residential zones subject to requirements contained in Chapter [20.890](#) VMC, Wireless Communication Facilities.

**18** Subject to VMC [20.260.020\(B\)\(1\)\(a\)\(2\)](#), planned development, VMC [20.910.050](#), Zero Lot Line Developments, and Chapter [20.920](#) VMC, Infill Development Standards.

**19** A “designated manufactured home” is exempt from the development standards of VMC [20.410.050\(F\)](#) and may continue to exist and expand. An existing unit may be replaced or may be relocated either to an approved manufactured home development or an approved manufactured home subdivision. After July 1, 2005, only “new manufactured homes” that also meet the “designated manufactured home” criteria will be permitted on individual lots not part of an existing approved manufacturing home development or manufactured home subdivision. Except that a new manufactured home placed on an individual lot after July 1, 2005, may be relocated as permitted by this title if within five years of the date of the original placement.

**20** Subject to VMC [20.410.050\(F\)](#), Development Standards – Criteria for Placement of Manufactured Homes.

**21** Subject to Chapter [20.920](#) VMC, Infill Development Standards.

**22** Existing duplexes built on lots meeting the minimum infill lot size standards of Table 20.920.060-1 shall be considered conforming uses even if not part of an infill development.

**23** Medical Center Residential uses, as defined in VMC [20.160.020](#), are permitted outright if approved through a public facilities master plan per VMC [20.680.040](#).

(Ord. M-4325 § 3, 2020; Ord. M-4289 § 4, 2019; Ord. M-4255 § 6, 2018; Ord. M-4254 § 3(BB), 2018; Ord. M-4187 § 5, 2016; Ord. M-4071 § 7, 2014; Ord. M-4066 § 5, 2013; Ord. M-4035 § 2, 2012; Ord. M-4034 § 10, 2012; Ord.

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M-4024 § 6, 2012; Ord. M-4002 § 5, 2011; Ord. M-3931 § 9, 2009; Ord. M-3922 § 19, 2009; Ord. M-3840 § 18, 2007; Ord. M-3709 § 4, 2005; Ord. M-3663 § 12, 2004; Ord. M-3643, 2004)

## **Chapter 20.420**

### **HIGHER DENSITY RESIDENTIAL DISTRICTS**

Sections:

<b>20.420.010</b>	<b>Purpose.</b>
<b>20.420.020</b>	<b>Zoning Districts.</b>
<b>20.420.025</b>	<b>Higher Density Residential Zone Function and Location Criteria.</b>
<b>20.420.030</b>	<b>Uses.</b>
<b>20.420.040</b>	<b>Minimum and Maximum Densities.</b>
<b>20.420.050</b>	<b>Development Standards.</b>
<b>20.420.060</b>	<b>Commercial Development Restrictions.</b>

#### **20.420.010 Purpose.**

Promote a range of housing choices while preserving neighborhood livability and protecting the consumer's choices in housing. These districts are designed to promote medium- to high-density residential neighborhoods. Housing types include manufactured homes, duplexes, rowhouses, and multi-unit structures. A mix of nonresidential uses, such as professional office and limited commercial, civic, and institutional uses, is permitted outright or conditionally subject to provisions to minimize adverse impacts, if any, on the residential character. However, the encouragement of mixed uses should not result in a predominance of business or commercial uses in areas designated for residential development by the Comprehensive Plan. (Ord. M-3709 § 6, 06/20/2005)

#### **20.420.020 Zoning Districts.**

A. R-18: Higher-Density Residential District. The R-18 zoning district is designed to accommodate attached homes such as duplexes and rowhouses, and garden-type apartments

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at a minimum lot size of 1,800 square feet per unit. Professional office uses are permitted under certain circumstances. Some retail, civic and institutional uses are allowed conditionally. This zone consolidates the R-18 and OR-18 zones as of March 11, 2004.

B. R-22: Higher-Density Residential District. The R-22 zoning district is designed to accommodate rowhouses, garden-type apartments, and lower-density multi-dwelling structures at a minimum lot size of 1,500 square feet per unit. Professional office uses are permitted under certain circumstances. Some retail, civic and institutional uses are allowed conditionally. This zone consolidates the R-22 and OR-22 zones as of March 11, 2004.

C. R-30: Higher-Density Residential District. The R-30 zoning district is designed to accommodate multi-dwelling structures at a minimum lot size of 1,500 square feet per unit. Professional office uses are permitted under certain circumstances. Some retail, civic and institutional uses are allowed conditionally. This zone consolidates the R-30 and OR-30 zones as of March 11, 2004.

D. R-35: Higher-Density Residential District. The R-35 zoning district is designed to accommodate multi-dwelling structures at a minimum lot size of 1,200 square feet per unit. Professional office uses are permitted under certain provisions. Some retail, civic and institutional uses are allowed conditionally. (Ord. M-4034 § 11, 12/03/2012; Ord. M-3922 § 21, 07/06/2009; Ord. M-3730 § 11, 12/19/2005; Ord. M-3663 § 14, 08/02/2004; Ord. M-3643, 01/26/2004)

## **20.420.025 Higher Density Residential Zone Function and Location Criteria.**

A. *R-18 (Higher Density Residential) Zone Location Criteria.* The R-18 designation is most appropriate in areas with the following characteristics and relationships to the surrounding area:

1. Areas occupied by a substantial amount of multifamily development, but where factors such as narrow streets, on-street parking congestion, local traffic congestion, lack of alleys and irregular street patterns restrict local access and circulation and make a lower intensity of development desirable.
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2. Areas where properties are well-suited to multifamily development, but where adjacent single-family developments or public open space make a transitional scale of development (height and bulk) desirable. There should be a well-defined edge such as an arterial, open space, change in block pattern, topographic change or other significant feature that provides physical separation from the single-family area. (This is not a necessary condition where existing moderate scale multifamily structures have already established the scale relationship with abutting single-family areas).

3. Properties must have access from collector or arterial streets, such that vehicular travel to and from the site is not required to use local access streets through lower density residential zones.

B. *R-22 (Higher Density Residential) Zone Location Criteria.* The R-22 designation is most appropriate in areas with the following characteristics and relationships to the surrounding area:

1. Areas already developed predominantly to the permitted R-22 density and where R-22 scale is well established.

2. Areas with close proximity and pedestrian connections to neighborhood services, public open spaces, schools and other residential amenities.

3. Properties that are adjacent to existing business and commercial areas with comparable height and bulk, or where a transition in scale between areas of larger multifamily and/or commercial structures and smaller multifamily development is desirable.

4. Areas well served by public transit and having direct access to arterials, such that vehicular traffic is not required to pass through lower density residential zones; street widths must be sufficient to allow for two (2) way traffic and on-street parking in accordance with City street standards.

5. Areas with significant topographic breaks, major arterials or open space that provide a separation and transition to Lower Density Residential areas.

C. *R-30 (Higher Density Residential) Zone Location Criteria.* The R-30 designation is most appropriate in areas with the following characteristics and relationships to the surrounding area:

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1. Areas that are already developed predominantly to the permitted R-30 density, or areas that are within an urban center, or identified in an adopted sub-area plan as appropriate for higher density multifamily housing.
  2. Properties in close proximity to major employment centers, open space and recreational facilities.
  3. Areas with well-defined edges such as an arterial, open space, change in block pattern, topographic change or other significant feature providing sufficient separation from adjacent areas of small scale residential development, or areas should be separated by other zones providing a transition in the height, scale and density of development.
  4. Areas that are served by major arterials, where transit service is good to excellent, and where street capacity could absorb the traffic generated by higher density development.
  5. Principal streets in the area shall be sufficient to allow for two (2) way traffic and parking on both sides of the street. Vehicular access to the area shall not require use of streets passing through lower density residential zones.
  6. Areas of sufficient size to promote a high quality, higher density residential environment with close proximity (and good pedestrian connections) to public open spaces, neighborhood oriented commercial services, and other residential amenities.

D. *R-35 (Higher Density Residential) Zone Location Criteria.* The R-35 designation is most appropriate in areas generally characterized by the following development characteristics of the area and relationship to the surrounding area:

1. Areas that are developed predominantly to the intensity permitted by the R-35 zone, or areas located within an urban center, or defined in a subarea plan adopted by the City as appropriate for higher density multi-family housing.
  2. Areas of sufficient size to promote a high quality, higher density residential environment with close proximity (and good pedestrian connections) to public open spaces, neighborhood oriented commercial services, other residential amenities, major employment centers, open space and recreational facilities.
  3. Properties adjacent to business and commercial areas with comparable height and bulk.
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4. Properties in areas along arterials where topographic changes either provide an edge or permit a transition in scale with surroundings.
  5. Areas that are served by major arterials and where transit service is good to excellent and street capacity could absorb the traffic generated by high density development. (Ord. M-3730, Added, 12/19/2005, Sec 12)

**20.420.030 Uses.**

- A. *Types of uses.* For the purposes of this chapter, there are four kinds of use:
1. A permitted (P) use is one that is permitted outright, subject to all of the applicable provisions of this title.
  2. A limited (L) use is permitted outright providing it is in compliance with special requirements, exceptions or restrictions.
  3. A conditional use (C) is a discretionary use reviewed through the process set forth in Chapters [20.245](#) and [20.210](#) VMC, governing conditional uses and decision-making procedures, respectively.
  4. A prohibited use (X) is one that is not permitted in a zoning district under any circumstances.
- B. *Use table.* A list of permitted, limited, conditional, and prohibited uses in Higher Density residential zones is presented in Table 20.420.030-1.

<b>Table 20.420.030-1 Higher Density Districts Use Table</b>				
<b>USE</b>	<b>R-18</b>	<b>R-22</b>	<b>R-30</b>	<b>R-35</b>
<b>RESIDENTIAL</b>				
Household Living	P	P	P	P
Group Living	P	P	P	P
Home Occupation	L <sup>3</sup>	L <sup>3</sup>	L <sup>3</sup>	L <sup>3</sup>

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**Table 20.420.030-1  
Higher Density Districts Use Table**

<b>USE</b>	<b>R-18</b>	<b>R-22</b>	<b>R-30</b>	<b>R-35</b>
<b>HOUSING TYPES</b>				
Single Dwelling Units, Attached	P <sup>4</sup>	P <sup>4</sup>	P <sup>4</sup>	X
Single Dwelling Units, Detached	P <sup>4</sup>	P <sup>4</sup>	P <sup>4</sup>	X <sup>5</sup>
Accessory Dwelling Units	P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>
Duplexes	P <sup>4</sup>	P <sup>4</sup>	P <sup>4</sup>	P <sup>4</sup>
Multi-Dwelling Units	P <sup>4</sup>	P <sup>4</sup>	P <sup>4</sup>	P <sup>4</sup>
Manufactured Home Developments	L <sup>7</sup>	L <sup>7</sup> /X	L <sup>7</sup> /X	L <sup>7</sup> /X
Designated Manufactured Home	L/X <sup>23</sup>	X	X	X
New Manufactured Home	L <sup>23</sup>	X	X	X
<b>CIVIC (Institutional)</b>				
Basic Utilities	C	C	C	C
Colleges	C	C	C	C
Community Centers	C	C	C	C
Community Recreation	C <sup>8</sup>	C <sup>8</sup>	C <sup>8</sup>	C <sup>8</sup>
Cultural Institutions	P/C <sup>9</sup>	P/C <sup>9</sup>	P/C <sup>9</sup>	P
<b>Day Care</b>				
- Family Day Care Home	P/C <sup>10</sup>	P/C <sup>10</sup>	P/C <sup>10</sup>	P/C <sup>10</sup>
- Child Care Center	L/C <sup>14</sup>	L/C <sup>14</sup>	L/C <sup>14</sup>	L/C <sup>14</sup>
- Adult Day Care	P/C <sup>11</sup>	P/C <sup>11</sup>	P/C <sup>11</sup>	P/C <sup>11</sup>
Emergency Services (except ambulance services)	C <sup>12</sup>	C <sup>12</sup>	C <sup>12</sup>	C <sup>12</sup>
Medical Centers	C	C	C	C

**Table 20.420.030-1  
Higher Density Districts Use Table**

<b>USE</b>	<b>R-18</b>	<b>R-22</b>	<b>R-30</b>	<b>R-35</b>
<b>Parks/Open Space</b>				
- Neighborhood Parks	P	P	P	P
- Community Parks	P	P	P	P
- Regional Parks	C	P	P	P
- Trails	P	P	P	P
Postal Service	C	C	C	C
Religious Institutions	L/C <sup>14</sup>	L/C <sup>14</sup>	L/C <sup>14</sup>	L/C <sup>14</sup>
Schools	L/C <sup>14</sup>	L/C <sup>14</sup>	L/C <sup>14</sup>	L/C <sup>14</sup>
Social/Fraternal Clubs	C <sup>6</sup>	C <sup>6</sup>	C <sup>6</sup>	C <sup>6</sup>
Transportation Facility	P/C <sup>15</sup>	P/C <sup>15</sup>	P/C <sup>15</sup>	P/C <sup>15</sup>
<b>COMMERCIAL</b>				
Commercial and Transient Lodging	L/X <sup>16</sup>	L/X <sup>16</sup>	L/X <sup>16</sup>	L/X <sup>16</sup>
Eating/Drinking Establishments	L <sup>17</sup> /X	L <sup>17</sup> /X	L <sup>17</sup> /X	L <sup>17</sup> /X
<b>Entertainment-Oriented</b>				
- Adult Entertainment	X	X	X	X
- Indoor Entertainment	X	X	X	X
- Major Event Entertainment	X	X	X	X
<b>General Retail</b>				
- Sales-Oriented	L <sup>17</sup> /X	L <sup>17</sup> /X	L <sup>17</sup> /X	L <sup>17</sup> /X
- Personal Services	L <sup>17</sup> /X	L <sup>17</sup> /X	L <sup>17</sup> /X	L <sup>17</sup> /X
- Repair-Oriented	X	X	X	X

**Table 20.420.030-1  
Higher Density Districts Use Table**

<b>USE</b>	<b>R-18</b>	<b>R-22</b>	<b>R-30</b>	<b>R-35</b>
- Bulk Sales	X	X	X	X
- Outdoor Sales	X	X	X	X
<b>Motor Vehicle Related</b>				
- Motor Vehicle Sales/Rental	X	X	X	X
- Motor Vehicle Servicing/Repair	X	X	X	X
- Vehicle Fuel Sales	X	X	X	X
- EV Basic Charging Stations (accessory only)	P	P	P	P
- EV Rapid Charging Stations (accessory only)	P	P	P	P
- EV Battery Exchange Stations	X	X	X	X
<b>Office</b>				
- General	L <sup>17</sup> /X	L <sup>17</sup> /X	L <sup>17</sup> /X	L <sup>17</sup> /X
- Medical	L <sup>17</sup> /X	L <sup>17</sup> /X	L <sup>17</sup> /X	L <sup>17</sup> /X
- Extended	X	X	X	X
Self-Service Storage	X	X	X	X
Non-Accessory Parking	X	X	X	X
<b>INDUSTRIAL</b>				
<u>Bulk Fossil Fuel Storage and Handling Facilities</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Cleaner Fuel Storage and Handling Facilities</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Small Fossil Fuel or Cleaner Fuel Storage and Distribution Facilities</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
Industrial Services	X	X	X	X

**Table 20.420.030-1  
Higher Density Districts Use Table**

<b>USE</b>	<b>R-18</b>	<b>R-22</b>	<b>R-30</b>	<b>R-35</b>
Manufacturing and Production	X	X	X	X
Railroad Yards	X	X	X	X
Research and Development	X	X	X	X
Warehouse/Freight Movement	X	X	X	X
Wholesale Sales	X	X	X	X
Waste-Related	X	X	X	X
Major Utility Facilities	X	X	X	X
<b>OTHER</b>				
Agriculture/Horticulture	P	P	P	P
Airport/Airpark	X	X	X	X
Animal Kennel/Shelters	X	X	X	X
Cemeteries	C <sup>18</sup>	C <sup>18</sup>	C <sup>18</sup>	C <sup>18</sup>
Detention & Post Detention Facilities	X	X	X	X
Dog Day Care	C <sup>19</sup>	C <sup>19</sup>	C <sup>19</sup>	C <sup>19</sup>
Heliports	X <sup>20</sup>	X <sup>20</sup>	X <sup>20</sup>	X <sup>20</sup>
Recreational or Medical Marijuana Facilities	X	X	X	X
Medical Marijuana Cooperatives	X	X	X	X
Mining	X	X	X	X
Rail Lines/Utility Corridors	C	C	C	C
Basic Utilities	P	P	P	P
Temporary Uses	L <sup>21</sup>	L <sup>21</sup>	L <sup>21</sup>	L <sup>21</sup>

**Table 20.420.030-1  
Higher Density Districts Use Table**

USE	R-18	R-22	R-30	R-35
Wireless Communication Facilities	L/C/X <sup>22</sup>	L/C/X <sup>22</sup>	L/C/X <sup>22</sup>	L/C/X <sup>22</sup>

- 1** Subject to the provisions of Chapter [20.810](#) VMC, Accessory Dwelling Units.
- 2** The language for this footnote has been deleted.
- 3** Subject to the provisions of Chapter [20.860](#) VMC, Home Occupations.
- 4** Provided the minimum required residential density is met, on an overall project basis.
- 5** Single-family dwelling units legally established prior to March 11, 2004, shall be considered permitted uses.
- 6** Subject to the provisions of VMC [20.895.040](#), Community Recreation and Related Facilities.
- 7** Subject to the provisions of Chapter [20.880](#) VMC, Manufactured Home Parks. Manufactured Home Developments established prior to July 1, 2005 are exempt from the standards of VMC [20.420.050\(G\)](#), Criteria for Placement of Manufactured Homes, and may continue to exist and expand within existing previously-approved boundaries. An existing manufactured home in a development or subdivision may be replaced or may be relocated either to an approved manufactured home development or an approved manufactured home subdivision. Manufactured Home Developments in the R-22, R-30, R-35 zones are allowed as a Limited Use (L) only as part of a Chapter [20.260](#) VMC Planned Development that meets overall minimum density standards for the applicable zone.
- 8** Subject to the additional provisions in VMC [20.895.040](#).
- 9** Libraries permitted only; all other cultural institutions are conditional uses.
- 10** Family day care homes for no more than 12 children are permitted when licensed by the state. Child care centers are permitted as conditional uses, subject to the provisions of Chapter [20.840](#) VMC, Child Care Centers, unless part of a Planned Development, in which case they are approved subject to Chapter [20.260](#) VMC. All child care facilities must be licensed by the state.
- 11** Adult day care facilities with 12 or fewer clients are permitted outright; larger facilities are permitted as conditional uses.
- 12** The language for this footnote has been deleted.
- 13** *Repealed by M-4289.*
- 14** Schools, child care centers, and religious institutions that meet all of the locational criteria contained in VMC [20.420.050\(F\)](#) are permitted by right; all others require conditional use approval. Child care centers permitted by right shall be consistent with Chapter [20.840](#) VMC, Child Care Homes and Centers, and be subject to Type II review pursuant to VMC [20.210.050](#).



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- 15** Except bus, trolley and street car stops, including bus shelters, which are allowed by right.
- 16** Bed-and-breakfast establishments as limited uses subject to provisions of Chapter [20.830](#) VMC, Bed and Breakfast Establishments; all other commercial and transient lodging prohibited.
- 17** New commercial uses allowed as limited uses subject to special development restrictions in VMC [20.420.060](#). Existing commercial uses permitted if legally established prior to code effective date. However, alterations and expansions shall be subject to Chapter [20.245](#) VMC (Conditional Use Permits).
- 18** Subject to the provisions in VMC [20.895.030](#).
- 19** Subject to the provisions of Chapter [20.850](#) VMC, Dog Day Care.
- 20** Except as an accessory to a medical center.
- 21** Subject to provisions of Chapter [20.885](#) VMC, except sale of fireworks prohibited in residential zones.
- 22** Subject to the provisions of Chapter [20.890](#) VMC, Wireless Communication Facilities.
- 23** A “designated manufactured home” is exempt from the development standards of VMC [20.420.050\(G\)](#) and may continue to exist and expand. An existing unit may be replaced or may be relocated either to an approved manufactured home development or an approved manufactured home subdivision. After July 1, 2005, only “new manufactured homes” that also meet the “designated manufactured home” criteria will be permitted on individual lots not part of an existing approved manufacturing home development or manufactured home subdivision. Except that a new manufactured home placed on an individual lot after July 1, 2005, may be relocated as permitted by this title if within five years of the date of the original placement.

(Ord. M-4223 § 4, 12/04/2017; Ord. M-4187 § 6, 12/05/2016; Ord. M-4105 § 3, 11/17/2014; Ord. M-4071 § 8, 03/03/2014; Ord. M-4066 § 5, 12/16/2013; Effective 01/16/2014; Ord. M-4035 § 3, 12/03/2012; Ord. M-4024 § 7, 09/10/2012; Ord. M-4002 § 6, 12/05/2011; Ord. M-3959 § 25, 07/19/2010; Ord. M-3931 § 12, 11/02/2009; Ord. M-3840 § 20, 08/06/2007; Ord. M-3730 § 13, 12/19/2005; Ord. M-3709 § 7, 06/20/2005; Ord. M-3701 § 15, 05/02/2005; Ord. M-3663 § 15, 08/02/2004; Ord. M-3643, 01/26/2004)

## **20.420.060 Commercial Development Restrictions.**

Commercial uses. General office, medical office, personal and sales-oriented retail services, eating and drinking establishments, and other nonresidential uses may be allowed in the Higher Density residential districts as part of a mixed use building or site pursuant to VMC [20.430.060](#). (Ord. M-4034 § 12, 12/03/2012; Ord. M-3730 § 16, 12/19/2005; Ord. M-3698 § 3, 04/03/2005; Ord. M-3643, 01/26/2004)

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## Chapter 20.430

### COMMERCIAL AND MIXED USE DISTRICTS

Sections:

<b>20.430.010</b>	<b>Purpose.</b>
<b>20.430.020</b>	<b>List of Zoning Districts.</b>
<b>20.430.025</b>	<b>Commercial Zone Function and Location Criteria.</b>
<b>20.430.030</b>	<b>Uses.</b>
<b>20.430.040</b>	<b>Development Standards.</b>
<b>20.430.050</b>	<b>Special Limitations on Uses.</b>
<b>20.430.060</b>	<b>Mixed Use Standards and District.</b>
<i>20.430.070</i>	<i>Waterfront Mixed Use (WX) District.</i>

*(Repealed by Ord. M-4289)*

#### **20.430.010 Purpose.**

A. *Provide a range of commercial services for City residents.* One of the major purposes of the regulations governing development in commercial zoning districts is to ensure that a full range of retail and office uses are available throughout the City so that residents can fulfill all or most of their needs for goods and services within close proximity of their homes. The location of land within each commercial district must be carefully selected and design and development standards created to minimize the potential adverse impacts of commercial activity on established residential areas. At the same time, it is important to create more opportunities for mixed use, including residential, commercial and institutional activities in new and re-developing commercial areas.

B. *Facilitate economic goals.* Another purpose of these regulations is to ensure that there is a full range of economic activities and job opportunities within the City limits, in compliance with the economic goals of the City of Vancouver Comprehensive Plan. (Ord. M-3643, 01/26/2004)

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## **20.430.020 List of Zoning Districts.**

A. CN: Neighborhood Commercial District. The CN zoning district is designed to provide for small-scale, convenience commercial uses to serve adjacent residential neighborhoods. Convenience goods and services are those which are purchased frequently and do not require comparison shopping. Typical uses include, but are not limited to, convenience markets, personal services, restaurants, bakeries, and video rental shops. Above ground floor housing and some civic and institutional uses are allowed conditionally. The design and impact of these uses should be compatible with the surrounding neighborhood in size and scale and should generate minimal traffic. Because these uses primarily serve the immediate area, there are significant opportunities for walking, bicycle and transit trips that shall be encouraged and accommodated through building design, landscaping and access. The CN zoning district was referred to as Neighborhood Commercial (NC) prior to March 11, 2004.

B. CC: Community Commercial. The CC zoning district is designed to provide for retail goods and services purchased regularly by residents of several nearby neighborhoods. The zone also accommodates offices, institutions and mixed use housing. Because of the limited trade area, there are significant opportunities for walking, bicycle and transit trips that should be encouraged and accommodated through building/site design, landscaping and access.

C. CG: General Commercial. The CG zoning district is designed to allow for a full range of retail, office, mixed use and civic uses with a city-wide to regional trade area. Above ground floor housing is allowed. Some light industrial uses also are allowed, but limited so as not to detract from the predominant commercial character of the district. Development is generally expected to be auto-accommodating given the large service area but trips by alternative modes – walking, cycling and transit – should be encouraged through building/site design, landscaping and access. Because such areas generate more traffic than less-intense commercial zones, such developments should take their primary access from a street with at least the capacity of a Minor Arterial. The CG zoning district was referred to as General Commercial (GC) prior to March 11, 2004.

D. CX: City Center. The CX zoning district is designed to provide for a concentrated mix of retail, office, civic and housing uses in downtown Vancouver. The broad range of allowed uses is intended to promote Vancouver as the commercial, cultural, financial and municipal center of Clark County. Typical uses include, but are not limited to retail sales; hotels/motels; restaurants; professional offices; educational, cultural and civic institutions; public buildings; and

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commercial parking. Ground floor residential is allowed with the exception of properties fronting Main Street between Sixth Street and Mill Plain. All of the property that has a CX zoning designation lies within the Downtown Plan District.

E. WX: Waterfront Mixed-Use. The WX zoning district is designed to provide for a significant level of mixed-use development and pedestrian access along the Columbia River while maintaining environmental and scenic resources and compatibility of uses. Permitted use categories include retail, office, institutional, residential, parks and civic uses. Limited warehouse and industrial uses, in addition to some regional scale facilities, are conditionally permitted.

F. CPX: Central Park Mixed-Use. The CPX zoning district is the base zone designation for all land located within the Vancouver Central Park Plan District that contains a number of existing parks and governmental, health, recreational, educational and cultural facilities. The CPX zone district also contains the Vancouver National Historic Reserve that includes Officers Row, Vancouver Barracks, Fort Vancouver and Pearson Air Park. The CPX zone district is designed to enhance and protect existing facilities and fulfill the vision and policies identified in the Central Park Plan. The CPX zoning district was referred to as Vancouver Central Park (VCP) in the previous zoning code.

G. MX: Mixed Use District. The Mixed-Use zoning district is intended to provide the community with a mix of mutually supporting retail, service, office, light industrial, and residential uses. It promotes physically and functionally coordinated and cohesive site planning and design which maximizes land use. It also encourages development of a high-density, active urban environment which is expected to:

1. Achieve the goals and objectives of the Community Framework Plan and the Vancouver Urban Area Comprehensive Plan;
  2. Fulfill the community vision identified through the Visual Preference Survey and other opportunities for public involvement;
  3. Enhance livability, environmental quality, and economic vitality;
  4. Maximize efficient use of public facilities and services;
  5. Provide a variety of housing types and densities;
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6. Reduce the number of automobile trips and encourage alternative modes of transportation; and

7. Create a safe, attractive, and convenient environment for living, working, recreating, and traveling.

H. *HX: Heights District.* The HX zoning district is envisioned as a vibrant neighborhood center that is sustainable, healthy, equitable, accessible and safe, and includes a mix of complementary uses, engaging public open space, diverse housing affordable to a wide range of community members and safe multimodal travel opportunities within the district and to transit and nearby neighborhoods. The purpose of the Heights Mixed Use (HX) Plan district is to implement the vision, goals, and policies of the Heights District Plan, and ensure future development is integrated, cohesive, context sensitive and contributes to the overall district vision. (Ord. M-4341 § 3 (Exh. B), 2021; Ord. M-4289 § 4, 2019; Ord. M-3891 § 4, 2008; Ord. M-3832 § 5, 2007; Ord. M-3730 § 17, 2005; Ord. M-3643, 2004)

## **20.430.025 Commercial Zone Function and Location Criteria.**

A. *General Criteria.* Compact, concentrated commercial areas, or nodes, shall be preferred to diffuse, sprawling, or linear commercial areas. The preservation, improvement, and redevelopment of existing commercial areas shall be preferred to the creation of new business areas or districts. Areas meeting the location criteria for Lower Density designations (i.e. R-6, R-9) are generally not appropriate for conversion to commercial. The encroachment of commercial development into residential areas shall be discouraged, except for Neighborhood Commercial within the criteria defined below for CN.

B. *CN (Neighborhood Commercial) Location Criteria.* The CN (Neighborhood Commercial) zone designation, as defined in above, is most appropriate in areas that are generally characterized by the following:

1. Lower Density Residential areas surround the subject site;
  2. No physical edges (waterways, major arterial streets or freeways, ravines, cliffs, etc) separate the residential areas from the subject site;
  3. Access is through residential areas or from collector streets
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4. Designated areas typically total less than 2 acres and are not contiguous with other commercial areas.

C. *CC (Community Commercial) Location Criteria.* The CC (Community Commercial) zone designation, as defined in above, is most appropriate in areas that are generally characterized by the following:

1. Both residential and commercial areas abut the subject site;
2. No physical edges (waterways, major arterial streets or freeways, ravines, cliffs, etc) separate the existing residential or commercial areas from the subject site;
3. The site is located to provide a transition between more intense General Commercial areas and surrounding residential areas; or is located along a major arterial where parcels are generally small or shallow, and are bordered by Lower Density Residential areas.
4. The site is located on streets with good capacity (major collector streets and minor arterials) and good pedestrian and bicycle connections to adjacent residential areas.
5. Areas where the total acres in a Community Commercial cluster or node can be limited to approximately 10 acres, with other zones providing separation between Community Commercial clusters or nodes.

D. *CG (General Commercial).* The CG (General Commercial) Zone designation, as defined above, is most appropriate in areas designated by an adopted sub-area plan or generally characterized by the following:

1. Existing shopping centers or shopping areas along arterials or major commercial nodes or strips characterized by heavy, nonretail commercial activity, often including a few major employers;
  2. Areas readily accessible from a principal arterial with sufficient capacity to support major commercial development and with good to excellent transit service;
  3. Areas adjacent to or abutting industrial zones;
  4. Areas with physical edges that buffer residential districts, such as changes in residential street or lot layout that orient residential uses away from the commercial site, dense
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vegetation or landscaping, topographical features (i.e. ravines, cliffs), and other natural buffers.

5. Areas with a predominance of large lots that could physically accommodate a wide range of commercial uses, including large uses.

E. *Additional Commercial Criteria.*

1. Proposals to expand or create designated commercial areas shall include a current market analysis which identifies the need for the new commercial area/center.

2. Proposals to expand or create designated commercial areas shall include a current land use analysis of commercially designated and zoned land in the market area of the proposed site that includes a discussion of why the amount or character of existing commercial lands are inadequate. (Ord. M-3931 § 15, 12/02/2009; Ord. M-3730, Added, 12/19/2005, Sec 18)

### **20.430.030 Uses.**

A. *Types of uses.* For the purposes of this chapter, there are four kinds of use:

1. A permitted (P) use is one that is permitted outright, subject to all of the applicable provisions of this title.

2. A limited (L) use is permitted outright providing it is in compliance with special requirements, exceptions or restrictions.

3. A conditional use (C) is a discretionary use reviewed through the process set forth in Chapters [20.245](#) and [20.210](#) VMC, governing conditional uses and decision-making procedures, respectively.

4. A prohibited use (X) is one that is not permitted in a zoning district under any circumstances.

B. *Use table.* A list of permitted, limited, conditional, and prohibited uses in the commercial and mixed use zones is presented in Table 20.430.030-1.

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**Table 20.430.030-1. Commercial and Mixed-Use Districts Use Table**

USE	CN	CC	CG	CX	WX	CPX <sup>1</sup>	MX <sup>2</sup>	RGX <sup>44</sup>	HX <sup>51</sup>
<b>RESIDENTIAL</b>									
Household Living	L <sup>4</sup>	L <sup>4,8</sup>	L <sup>4,8</sup>	L <sup>42,8</sup>	L <sup>5,8</sup>		p <sup>6,8</sup>	p <sup>8</sup>	p <sup>8</sup>
Group Living	P/C <sup>7</sup>	P/C <sup>7</sup>	P/C <sup>7</sup>	P/C <sup>7</sup>	P/C <sup>7</sup>		p <sup>6</sup>	P	P
Home Occupation	L <sup>10</sup>	L <sup>10</sup>	L <sup>10</sup>	L <sup>10</sup>	L <sup>10</sup>		L <sup>10</sup>	L <sup>10</sup>	L <sup>10</sup>
<b>HOUSING TYPES</b>									
Single Dwelling Units, Attached	L <sup>4</sup>	L <sup>4</sup>	L <sup>4</sup>	L <sup>42</sup>	L <sup>4</sup>		p <sup>6</sup>	P	L <sup>4</sup>
Single Dwelling Units, Detached	X	X	X	X	X		p <sup>6</sup>	P	X
Accessory Dwelling Units	X	X	X	X	X		p <sup>6</sup>	P	P
Duplexes	L <sup>4</sup>	L <sup>4</sup>	L <sup>4</sup>	L <sup>42</sup>	L <sup>4</sup>		p <sup>6</sup>	P	X
Multi-Dwelling Units	L <sup>4</sup>	L <sup>4</sup>	L <sup>4</sup>	L <sup>42</sup>	L <sup>4</sup>		p <sup>6</sup>	P	L <sup>4</sup>
Existing Manufactured Home Development	X	X	X	X	X		X	X	X
Designated Manufactured Home	X	X	X	X	X		X	X	X
New Manufactured Home	X	X	X	X	X		X	X	X
Affordable Housing Projects	X	L <sup>8</sup>	L <sup>8</sup>	L <sup>8</sup>	L <sup>8</sup>	L <sup>8</sup>	L <sup>8</sup>	L <sup>8</sup>	P
<b>CIVIC (Institutional)</b>									
Basic Utilities	C	C	C	P	C		C	C	C
Colleges	X	C	C	P	C		P	P	P
Community Centers	X	C	C	C	C		C	C	C



USE	CN	CC	CG	CX	WX	CPX <sup>1</sup>	MX <sup>2</sup>	RGX <sup>44</sup>	HX <sup>51</sup>
Community Recreation	X	L <sup>11</sup>	L <sup>11</sup>	L <sup>11</sup>	L <sup>11</sup>		L <sup>11</sup>	L <sup>11</sup>	L <sup>11</sup>
Cultural Institutions	L <sup>19</sup>	P	P	P	P		P	P	P
Day Care									
- Family Day Care Home	P/L <sup>13</sup>	P/L <sup>13</sup>	P/L <sup>13</sup>	P/L <sup>13</sup>	P/L <sup>13</sup>		P/L <sup>13</sup>	P/L <sup>13</sup>	P/L <sup>13</sup>
- Child Care Center	L <sup>13</sup>	L <sup>13</sup>	L <sup>13</sup>	L <sup>13</sup>	L <sup>13</sup>		P/L <sup>13</sup>	P/L <sup>13</sup>	P/L <sup>13</sup>
- Adult Day Care	P/C <sup>14</sup>	P	P	P	P		P	P	P
Emergency Services	X	C	P	P	C		P	P	P
Medical Centers	X	C	C	P	C		C	P	C
Parks/Open Space									
- Neighborhood Parks	P	P	P	P	P		P	P	P
- Community Parks	P	P	P	P	P		P	P	P
- Regional Parks	X	P	P	P	P		P	P	P
- Trails	P	P	P	P	P		P	P	P
Postal Service	L <sup>19</sup>	P	P	P	P		P	P	P
Religious Institutions	X	P	P	P	C		P	P	P
Schools (not truck driving schools)	C	P	P	P	P		P	P	P
Social/Fraternal Clubs	C	L <sup>11</sup>	L <sup>11</sup>	L <sup>11</sup>	L <sup>11</sup>		L <sup>11</sup>	L <sup>11</sup>	L <sup>11</sup>
Transportation Facility	P	P	P	P	P		P	P	P
Park & Ride Facilities									
- Surface	X	L <sup>48</sup>	L <sup>48</sup>	X	X	X	X	X	X
- Structure	X	L <sup>48</sup>	L <sup>48</sup>	L <sup>48</sup>	L <sup>48</sup>	L <sup>48</sup>	L <sup>48</sup>	X	L <sup>48</sup>
<b>COMMERCIAL</b>									
Commercial and	X	C	P	P	L <sup>18</sup> /C		L <sup>18</sup> /C	P	L <sup>18</sup> /C

USE	CN	CC	CG	CX	WX	CPX <sup>1</sup>	MX <sup>2</sup>	RGX <sup>44</sup>	HX <sup>51</sup>
Transient Lodging									
Eating/Drinking Establishments	L <sup>19/20</sup>	P	P	P	P		P	P	P
Entertainment-Oriented									
- Adult Entertainment	X	X	L <sup>23</sup>	X	X		X	X	X
- Indoor Entertainment	X	P/L <sup>24</sup>	P/L <sup>24</sup>	P/L <sup>24</sup>	P/L <sup>24</sup>		P/L <sup>24</sup>	P/L <sup>24</sup>	P/L <sup>24</sup>
- Major Event Entertainment	X	X	P	P	C		C	X	C
General Retail									
- Sales-Oriented	L <sup>19</sup>	P	P	P <sup>25</sup>	P		P	P <sup>25, 46</sup>	P
- Personal Services	L <sup>19</sup>	P	P	P	P		P	P	P
- Repair-Oriented	X	P	P	P	X		P	P	P
- Bulk Sales	X	P	P	P	X		P	C	P
- Outdoor Sales	X	C	P/L <sup>26</sup>	P/L <sup>26</sup>	X		P/L <sup>26</sup>	X	P/L <sup>26</sup>
Artisan and Specialty Goods Production	X	L <sup>40</sup>	L <sup>40</sup>	L <sup>40</sup>	X		X	X	L <sup>40,52</sup>
Motor Vehicle Related									
- Motor Vehicle Sales/Rental	X	L <sup>27</sup>	P	P	X		C <sup>27</sup>	X, L <sup>45</sup>	X
- Motor Vehicle Servicing/Repair (entirely indoors)	X	L <sup>28</sup>	L <sup>28</sup>	L <sup>28</sup>	X		C <sup>28</sup>	X	X
- Vehicle Fuel Sales	X	L <sup>28</sup>	L <sup>28</sup>	L <sup>28</sup>	C		C <sup>28</sup>	X	X
- EV Basic Charging Stations (accessory and standalone)	P	P	P	P	P		P	P	P

USE	CN	CC	CG	CX	WX	CPX <sup>1</sup>	MX <sup>2</sup>	RGX <sup>44</sup>	HX <sup>51</sup>
- EV Rapid Charging Stations (accessory and standalone)	P	P	P	P	P		P	P	P
-EV Battery Exchange Stations	X	P	P	P	X		X	P	X
Office									
- General	L <sup>19</sup>	P	P	P	P		P	P	P
- Medical	L <sup>19</sup>	P	P	P	P		P	P	P
- Extended	X	P	P	P	X		X	X	X
Marina (See also Chapter <a href="#">20.760</a> VMC)	X	P	P	P	P		P	X	P
Non-Accessory Parking	X	C	C	C <sup>43</sup>	C		C	C <sup>43</sup>	X
Self-Service Storage	X	P <sup>3, 50</sup>	P <sup>50</sup>	X	X		X	X	X
<b>INDUSTRIAL</b>									
<u>Bulk Fossil Fuel Storage and Handling Facilities</u>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>
<u>Cleaner Fuel Storage and Handling Facilities</u>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>
<u>Small Fossil Fuel and Cleaner Fuels Storage and Distribution Facilities</u>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>
Industrial Services	X	C	C	X	X		X	C	X
Manufacturing and Production	X	C/X <sup>30</sup>	P/X <sup>31</sup>	P/X <sup>41</sup>	X		C/X <sup>32</sup>	P <sup>41</sup>	C/X <sup>32</sup>
Railroad Yards	X	X	X	X	X	X	X	X	X
Research and	X	X	P	C	C		C	P	C

USE	CN	CC	CG	CX	WX	CPX <sup>1</sup>	MX <sup>2</sup>	RGX <sup>44</sup>	HX <sup>51</sup>
Development									
Warehouse/Freight Movement	X	X	X	X	X		X	X	X
Waste-Related	X	X	P <sup>47</sup>	X	X		X	X	X
Wholesale Sales	X	X	C	C	X		X	X	X
Major Utility Facilities	X	X	X	X	X		X	X	X
<b>OTHER</b>									
Agriculture/Horticulture	X	X	X	X	X		X	X	X
Airport/Airpark	X	X	X	X	X		X	X	X
Animal Kennel/Shelters	X	L <sup>33</sup>	L <sup>33</sup>	X	X		X	X	X
Cemeteries	X	C <sup>34</sup>	P <sup>34</sup>	C <sup>34</sup>	X		C <sup>34</sup>	X	C <sup>34</sup>
Detention & Post Detention Facilities	X	X	C/X <sup>35</sup>	C/X <sup>35</sup>	X		X	X	X
Dog Day Care	L <sup>36</sup>	L <sup>36</sup>	L <sup>36</sup>	L <sup>36</sup>	L <sup>36</sup>		L <sup>36</sup>	L <sup>36</sup>	L <sup>36</sup>
Heliports	X	X	X	C <sup>37</sup>	C <sup>37</sup>		C <sup>37</sup>	C <sup>37</sup>	C <sup>37</sup>
Medical Marijuana Cooperatives	X	X	X	X	X		X	X	X
Recreational Marijuana, Production or Processing	X	X	X	X	X		X	X	X
Recreational Marijuana Retail	X	L <sup>49</sup>	L <sup>49</sup>	X	X		X	X	L <sup>49</sup>
Mining	X	X	X	X	X		X	C	X
Rail Lines/Utility Corridors	C	P	P	P	C		C	P	C
Temporary Uses	L <sup>26</sup>	L <sup>26</sup>	L <sup>26</sup>	L <sup>26</sup>	L <sup>26</sup>		L <sup>26</sup>	L <sup>26</sup>	L <sup>26</sup>

USE	CN	CC	CG	CX	WX	CPX <sup>1</sup>	MX <sup>2</sup>	RGX <sup>44</sup>	HX <sup>51</sup>
Wireless Communication Facilities	X	L/C/X <sup>39</sup>	L/C/X <sup>39</sup>	L/C/X <sup>39</sup>	L/C/X <sup>39</sup>		L/C/X <sup>39</sup>	L/C/X <sup>39</sup>	L/C/X <sup>39</sup>

**1** Refer to Vancouver Central Park Plan District, Chapter [20.640](#) VMC.

**2** Refer to Mixed Use standards in VMC [20.430.060](#).

**3** A single ground floor caretaker/security/manager residence is allowed if it is an integral part of a mini-storage building.

**4** All or part of residential uses must be located above the ground floor of the structure as specified by VMC [20.430.060\(B\)\(2\)](#) with exception of Community Commercial (CC) zoned properties fronting Broadway Street and located within the Uptown Village District of the Vancouver City Center Subarea Plan (refer to VMC [20.430.020\(B\)](#)).

**5** Must have a minimum density of 10 dwelling units/net acre.

**6** Allowed pursuant to mixed use standards of VMC [20.430.060](#).

**7** Residential Care Homes with six or fewer residents and any required on-site staff permitted by right in housing above the ground floor; all larger group home uses are permitted conditionally.

**8** Eligible affordable housing projects must (a) demonstrate eligibility for Washington State Housing Finance Commission Low Income Housing Tax Credits by providing at least 40 percent of units affordable to households at 60 percent of Area Median Income or otherwise as demonstrated eligible for credits; (b) include a guarantee that the threshold is maintained for at least 30 years unless specified longer by the finance commission; and (c) be located on properties whose borders are within 1,000 feet of a bus rapid transit or other high capacity transit corridor, or transit corridors with existing weekday peak service frequencies of 35 minutes or less, as indicated in the C-Tran 2018-2033 Transit Development Plan.

**9** The language for this footnote has been deleted.

**10** Subject to the provisions of Chapter [20.860](#) VMC, Home Occupations.

**11** Subject to provisions of VMC [20.895.040](#), Community Recreation and Related Facilities.

**12** The language for this footnote has been deleted.

**13** Family day care homes for no more than 12 children are permitted when licensed by the state. Child care centers (13 or more children) are Limited (L), subject to a Type II procedure in Chapter [20.210](#) VMC. Child care centers can also be approved as part of a Planned Development, Chapter [20.260](#) VMC. In all cases child care centers must meet the standards outlined in Chapter [20.840](#) VMC.

**14** In the CN zone, adult day care facilities for six or fewer adults allowed outright in the CN zone, all other facilities are permitted as conditional uses.

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- 15** The language for this footnote has been deleted.
- 16** The language for this footnote has been deleted.
- 17** Transportation facilities are permitted except for large or land-intensive facilities such as park-and-ride lots and water taxi and ferry stations.
- 18** Bed-and-breakfast establishments are allowed as limited uses, subject to the provisions in Chapter [20.830](#) VMC, and all other lodging allowed as conditional uses.
- 19** Limited uses subject to the development standards in VMC [20.430.040\(D\)](#).
- 20** Eating and drinking establishments are permitted only in conjunction with another permitted use on site. Exclusively or predominantly drive-through eating and drinking establishments are prohibited.
- 22** Limited uses subject to the development standards in VMC 20.430.050(B).
- 23** Subject to provisions in Chapter [20.820](#) VMC, Adult Entertainment.
- 24** Provisions in VMC [20.895.060](#) apply to Indoor Target Shooting Ranges.
- 25** Pawnshops allowed in CX and CG Districts only. No more than four pawnshop establishments allowed in the CX District.
- 26** Subject to provisions in Chapter [20.885](#) VMC, Temporary Uses.
- 27** Sales/rental lots for motor vehicles only are subject to the following criteria: (a) the lot size is approximately 200 feet by 200 feet, or 100 feet by 100 feet if a corner lot, though smaller lots will be considered if shown to meet all other requirements; (b) reviewed and approved by the city transportation manager for on-site circulation, access, and parking plan; (c) located on a primary arterial with average traffic in excess of 10,000 vehicle trips per day; (d) employee/customer parking is provided at a rate of one space plus an additional space per each 5,000 square feet of lot area; (e) there is no vehicle display in setback areas, and all setbacks are landscaped rather than paved.
- 28** Subject to provisions in VMC [20.895.070](#), Motor Vehicle Fuel Sales and Repair.
- 29** The language for this footnote has been deleted.
- 30** Micro-breweries and manufacturing of optical, medical and dental devices, goods, and equipment allowed by conditional use; all others prohibited.
- 31** Micro-breweries, bakeries, printing, publishing, binding, lithography, repair shops for tools, scientific/professional instruments and motors, and manufacturing of optical, medical and dental devices, goods, and equipment allowed outright; all others prohibited.
- 32** Micro-breweries allowed by conditional use; all others prohibited.
- 33** Subject to provisions in VMC [20.895.020](#), Animal Kennel/Shelters.
- 34** Subject to provisions in VMC [20.895.030](#), Cemeteries.
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- 35** Secure Transition Facilities as per VMC [20.855.020\(B\)\(6\)\(a\)](#) are prohibited.
- 36** Subject to the provisions in Chapter [20.850](#) VMC, Dog Day Care.
- 37** Subject to provisions in VMC [20.895.080](#), Private Landing Strips and Heliports. Airpark related uses are permitted in Pearson Airpark and Evergreen Airport only.
- 38** The language for this footnote has been deleted.
- 39** Subject to requirements in Chapter [20.890](#) VMC, Wireless Telecommunications Facilities.
- 40** Subject to limitations in VMC [20.430.050\(A\)](#). Uses defined in VMC [20.160.020\(C\)\(10\)](#).
- 41** Printing, binding, lithography, repair shops for tools, scientific/professional instruments and motors, computer research or assembly, and manufacturing of optical, medical and dental devices, goods and equipment permitted outright; all others prohibited.
- 42** Ground floor residential is allowed within the CX zone with the exception of properties fronting Main Street between Sixth Street and Mill Plain.
- 43** Parking structures are permitted outright.
- 44** Allowed subject to provisions of Riverview Gateway Plan District Standards, Chapter [20.680](#) VMC, and associated Master Plan adopted for the area of proposed development.
- 45** Motor vehicle rental permitted where ancillary to another use.
- 46** Retail uses shall not exceed 50,000 square feet in total floor space unless included in a mixed use building with other uses accounting for at least 20 percent of floor space, and is in full compliance with Riverview Plan District Design Guidelines.
- 47** Neighborhood recycling and/or yard debris collection centers which are exempt from a state solid waste handling permit are permitted; all other waste-related uses prohibited. If a neighborhood recycling and/or yard debris collection center is handling organic materials, they shall not be stored on site for a period longer than seven days.
- 48** See VMC [20.430.040\(E\)](#), Park and Ride Facility Development Standards.
- 49** Subject to Chapter [20.884](#) VMC.
- 50** Subject to requirements and standards within the Miscellaneous Special Use Standards for Self-Service Storage, pursuant to VMC [20.895.100](#).
- 51** Allowed subject to the provisions of the Heights District Plan standards, Chapter [20.670](#) VMC.
- 52** Permitted in the HX Plan district where commercial uses are permitted.

(Ord. M-4341 § 3 (Exh. B), 2021; Ord. M-4289 § 4, 2019; Ord. M-4288 § 4, 2019; Ord. M-4255 § 8, 2018; Ord. M-4254 § 3(DD), 2018; Ord. M-4187 § 7, 2016; ACM dated 1/7/2016; Ord. M-4147 § 4, 2015; Ord. M-4071 § 4, 2014; Ord. M-4035 § 4, 2012; Ord. M-4034 § 13, 2012; Ord. M-4024 § 8, 2012; Ord. M-4002 § 7, 2011; Ord.

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M-4002 § 7, 2011; Ord. M-3959 § 26, 2010; Ord. M-3931 § 16, 2009; Ord. M-3922 § 22, 2009; Ord. M-3911 § 5, 2009; Ord. M-3891 § 5, 2008; Ord. M-3865 § 3, 2008; Ord. M-3840 § 22, 2007; Ord. M-3832 § 6, 2007; Ord. M-3730 § 19, 2005; Ord. M-3709 § 9, 2005; Ord. M-3701 § 17, 2005; Ord. M-3698 § 5, 2005; Ord. M-3667 § 3, 2004; Ord. M-3663 § 17, 2004; Ord. M-3643, 2004)

## **Chapter 20.440**

### **INDUSTRIAL DISTRICTS**

Sections:

<b>20.440.010</b>	<b>Purpose.</b>
<b>20.440.020</b>	<b>List of Zoning Districts.</b>
<b>20.440.025</b>	<b>Industrial Zone Function and Location Criteria.</b>
<b>20.440.030</b>	<b>Uses.</b>
<b>20.440.040</b>	<b>Development Standards.</b>
<b>20.440.050</b>	<b>Additional OCI Development Standards.</b>

#### **20.440.010 Purpose.**

A. *Provide a range of industrial services for City residents.* One of the major purposes of the regulations governing development in industrial zoning districts is to ensure that a full range of job opportunities are available throughout the City so that residents can work close to home if they choose. The location of land within each industrial district must be carefully selected and design and development standards created to minimize the potential adverse impacts of industrial activity on established residential areas.

B. *Facilitate economic goals.* Another purpose of these regulations is to ensure that there is a full range of economic activities and job opportunities within the City limits, in compliance with the economic goals of the City of Vancouver Comprehensive Plan. (Ord. M-3643, 01/26/2004)

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## **20.440.020 List of Zoning Districts.**

A. OCI: Office Commercial Industrial. The OCI zoning district provides appropriate locations for office, light industrial and small-scale commercial uses (e.g., restaurants, personal services and fitness centers) either singly or in combination. Only those light industrial uses with no off-site impacts, e.g., noise, glare, odor, vibration, outdoor storage, or process visibility are permitted in the OCI zone. In addition to mandatory site plan review, design and development standards in the OCI zone have been adopted to ensure that developments will be well-integrated, attractively landscaped, and pedestrian friendly. The OCI zone combines two zones that were referred to as the Office Campus (OC) and Industrial Commercial (MC) zones prior to March 11, 2004.

B. IL: Light Industrial. The IL zoning district provides appropriate locations for combining light, clean industries including industrial service, manufacturing, research/development, warehousing activities, and general office uses and limited retail. These activities do not require rail or marine access and have limited outdoor storage.

C. IH: Heavy Industrial. The IH zoning district provides appropriate locations for intensive industrial uses including industrial service, manufacturing and production, research and development, warehousing and freight movement, railroad yards, waste-related and wholesale sales activities. Activities in the IH zone include those that involve the use of raw materials, require significant outdoor storage and generate heavy truck and/or rail traffic. Because of these characteristics, IH-zoned property has been carefully located to minimize impacts on established residential, commercial and light industrial areas.

D. ECX: Employment Center Mixed-Use. The ECX zoning district is designed to provide for a concentrated urban mix of office, light industrial and small-scale commercial uses (e.g., restaurants, personal services and fitness centers) either singly or in combination in the Section 30 Employment Center Plan District. Only those light industrial uses with no off-site impacts, e.g., noise, glare, odor, vibration, outdoor storage, or process visibility are permitted in the ECX zone. In addition, the ECX zoning district provides for optional Urban Neighborhood Overlay(s), allowing for two concentrated urban mixed-use commercial/residential neighborhoods. Mandatory master planning and development standards in the ECX zone have been adopted to ensure that developments will be well-integrated, attractively landscaped, and pedestrian friendly. (Ord. M-3930 § 6, 10/05/2009; Ord. M-3730 § 24, 12/19/2005; Ord. M-3643, 01/26/2004)

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## **20.440.025 Industrial Zone Function and Location Criteria.**

A. *General Criteria.* Increasing industrially zoned land shall be favorably considered when such action will provide additional opportunities for business expansion, retention of manufacturing and other industrial firms, or increased employment, especially employment that adds to or maintains the diversity of job opportunities.

B. *OCI (Office-Commercial-Industrial) Location Criteria.* The OCI (Office-Commercial-Industrial) zone designation is most appropriate in areas generally characterized by the following:

1. Areas with existing concentrations of technology-oriented, research and development, and professional service uses or close proximity to major institutions capable of utilizing or supporting new technology-oriented, research and development, and professional service businesses.
2. Existing light or heavy industrial areas which are undergoing a transition to predominantly office and/or mixed commercial and industrial activity.
3. Areas which are underutilized and could provide the type of environment attractive for new technology-oriented, research and development, and professional service office-style development.
4. Areas with access primarily along major highways and arterials, preferably well served by transit.

C. *IL (Light Industrial) Location Criteria.* The Light Industrial (IL) zone designation is most appropriate in areas generally characterized by the following:

1. Areas that are currently developed with a mix of industrial activity and related or limited commercial uses;
  2. Areas that, because of their size, isolation, or separation by another type of zone or major physical barrier (such as a topographic break, major arterial, waterway, or open space) can accommodate more industrial activity without conflicting with the function of nearby commercial and residential activity.
  3. Areas with adequate access to the existing and planned arterial street network, such that additional trips generated by increased industrial activity in the area can be
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accommodated without conflicting with the access and circulation needs of nearby commercial and residential activity.

4. Large parcels of land with generally flat topography;
5. Adequate water, sewer, and fire protection services are available.

D. *IH (Heavy Industrial) Location Criteria.* The IH (Heavy Industrial) zone designation, as defined above, is most appropriate in areas generally characterized by the following:

1. Areas with suitable water access for marine industrial activity and/or directly served by major freight rail lines serving industrial businesses;
2. A character established by existing industrial uses and related commercial activity including manufacturing use, warehousing, transportation, utilities, and similar activities;
3. Areas that, because of their size, isolation, or separation by a nonresidential zone or major physical barrier (such as a topographic break, major arterial, waterway, or open space) can accommodate more industrial activity without conflicting with the function of nearby commercial and residential activity.
4. Access by roads designed/developed to accommodate heavy load or high volume truck traffic, with minimal mixing with nonindustrial traffic.
5. Large parcels of land with generally flat topography;
6. Adequate water, sewer, and fire protection services are available. (Ord. M-3730, Added, 12/19/2005, Sec 23)

### **20.440.030 Uses.**

A. *Types of uses.* For the purposes of this chapter, there are four kinds of use:

1. A permitted (P) use is one that is permitted outright, subject to all of the applicable provisions of this title.
  2. A limited (L) use is permitted outright providing it is in compliance with special requirements, exceptions or restrictions.
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3. A conditional use (C) is a discretionary use reviewed through the process set forth in Chapters [20.245](#) and [20.210](#) VMC, governing conditional uses and decision-making procedures, respectively.

4. A prohibited use (X) is one that is not permitted in a zoning district under any circumstances.

5. Uses may also be subject to restrictions and standards set forth in the Water Resource Protection Ordinance (VMC Title [14](#)).

B. *Use table.* A list of permitted, limited, conditional, and prohibited uses in the industrial zoning districts is shown in Table 20.440.030-1.

**Table 20.440.030-1. Industrial Zoning Districts Use Table**

USE	OCI <sup>20</sup>	IL <sup>1</sup>	IH	ECX <sup>27</sup>
<b>RESIDENTIAL</b>				
Household Living	L <sup>2</sup>	L <sup>2</sup>	L <sup>2</sup>	L <sup>28</sup>
Group Living	P <sup>21</sup> /X	X	X	P <sup>21</sup> /X
Home Occupation	L <sup>3</sup>	L <sup>3</sup>	L <sup>3</sup>	L <sup>3</sup>
<b>HOUSING TYPES</b>				
Single Dwelling, Attached	L <sup>2</sup>	X	X	L <sup>28</sup>
Single Dwelling, Detached	X	X	X	X
Accessory Dwelling Units	X	X	X	X
Duplexes	L <sup>2</sup>	X	X	L <sup>28</sup>
Multi-Dwelling Units	L <sup>2</sup>	X	X	L <sup>28</sup>
Existing Manufactured Home Developments	X	X	X	X
Designated Manufactured	X	X	X	X
New Manufactured Homes	X	X	X	X

USE	OCI <sup>20</sup>	IL <sup>1</sup>	IH	ECX <sup>27</sup>
<b>CIVIC (Institutional)</b>				
Basic Utilities	P	P	P	P
Colleges	X	X	X	C
Community Centers	P	X	P	P
Community Recreation	L <sup>24</sup>	P	X	L <sup>24</sup>
Cultural Institutions	X	P	X	P
Day Care				
- Child Care Center	L <sup>4</sup>	L <sup>4</sup>	X	L <sup>4</sup>
- Adult Day Care	P	P	X	P
Emergency Services (except ambulance services)	P	P	P	P
Medical Centers	C	X	X	P
Parks/Open Space				
- Neighborhood Parks	P	P	P	P
- Community Parks	P	P	P	P
- Regional Parks	C	C	C	C
- Trails	P	P	P	P
Postal Service	X	P	P	X
Religious Institutions	X	X	X	X
Schools	X	X	X	X
Social/Fraternal Clubs	X	X	X	X
Transportation Facility	P/X <sup>26</sup>	P	P	P/X <sup>26</sup>
Park and Ride Facilities				
Surface	X	L <sup>31</sup>	L <sup>31</sup>	X

<b>USE</b>	<b>OCI<sup>20</sup></b>	<b>IL<sup>1</sup></b>	<b>IH</b>	<b>ECX<sup>27</sup></b>
Structure	L <sup>31</sup>	L <sup>31</sup>	L <sup>31</sup>	L <sup>31</sup>
<b>COMMERCIAL</b>				
Commercial and Transient Lodging	X	X	X	P
Eating/Drinking Establishments	L	L <sup>5</sup>	L <sup>5</sup>	L <sup>6</sup>
Entertainment-Oriented				
- Adult Entertainment	X	L <sup>7</sup>	L <sup>7</sup>	X
- Indoor Entertainment	X	X	X	X
- Major Event Entertainment	X	X	X	X
Artisan Small Scale Manufacturing	X	X	X	P
General Retail				
- Sales-Oriented	L	L <sup>6</sup>	L/C <sup>6</sup>	L <sup>6</sup>
- Personal Services	L	L <sup>6</sup>	X	L <sup>6</sup>
- Repair-Oriented	L	L <sup>6</sup>	X	L <sup>6</sup>
- Bulk Sales	X	X	X	X
- Outdoor Sales	X	X	P	X
Motor Vehicle Related				
- Motor Vehicle Sales/Rental	X	X	X	X
- Motor Vehicle Servicing/Repair	X	L <sup>8</sup>	L <sup>8</sup>	X
- Vehicle Fuel Sales	X	X	L <sup>8</sup>	L <sup>8,29</sup>
- EV Basic Charging Stations (accessory and stand-alone)	P	P	P	P
- EV Rapid Charging Stations (accessory and stand-alone)	P	P	P	P

USE	OCI <sup>20</sup>	IL <sup>1</sup>	IH	ECX <sup>27</sup>
- EV Battery Exchange Stations	P	P	X	P
Office				
- General	P	P	L/C <sup>9</sup>	P
- Medical	P	P	X	P
- Extended	P	P	X	P
Marina (See also Chapter <a href="#">20.760</a> VMC)	X	C	X	X
Nonaccessory Parking	C <sup>10</sup>	L <sup>10</sup> /X	X	L <sup>30</sup>
Self-Service Storage	P <sup>35</sup>	P <sup>35</sup>	X	X
<b>INDUSTRIAL</b>				
Industrial Services	P	P	P	P
Manufacturing and Production	P	P <sup>11</sup>	P <sup>11</sup>	P
Railroad Yards	X	X	P	X
Bulk <del>Crude Oil</del> Fossil Fuel Storage and Handling Facilities	X <sup>34</sup>	X <sup>34</sup>	X/L/C <sup>34</sup>	X <sup>34</sup>
<u>Cleaner Fuel Storage and Handling Facilities</u>	X	X	C <sup>37</sup>	X
<u>Small Fossil Fuel or Cleaner Fuel Storage and Distribution Facilities</u>	X	X	C <sup>37</sup>	X
Petroleum/Oil Refineries	X	X	X	X
Research and Development	P	P	C	P
Warehouse/Freight Movement	X	L <sup>12</sup>	P	X
Waste-Related	X	X	P <sup>22</sup> /X	X
Wholesale Sales	P	L <sup>12</sup>	X	X

USE	OCI <sup>20</sup>	IL <sup>1</sup>	IH	ECX <sup>27</sup>
Major Utility Facilities	X	X/P <sup>32</sup>	L <sup>33</sup>	X
<b>OTHER</b>				
Agriculture/Horticulture	X	P	P	X
Airport/Airpark	X	L <sup>19</sup>	P	X
Animal Kennel/Shelters	X	L <sup>17</sup>	L <sup>17</sup>	X
Cemeteries	X	X	C	X
Detention and Post Detention Facilities	X	C/X <sup>13</sup>	C <sup>14</sup>	X
Dog Day Care	L <sup>15</sup>	L <sup>15</sup>	L <sup>15</sup>	L <sup>15</sup>
Heliports	C	C	C	C
Medical Marijuana Cooperatives	X	X	X	X
Recreational Marijuana Retail	X	X	X	X
Recreational Marijuana Growing or Processing	X	L <sup>36</sup>	L <sup>36</sup>	X
Mining	C <sup>18</sup>	C <sup>18</sup>	C <sup>18</sup>	C <sup>18</sup>
Rail Lines/Utility Corridors	P/X <sup>23</sup>	P	P	P/X <sup>23</sup>
Wireless Communication Facilities	L <sup>16</sup>	L <sup>16</sup>	L <sup>16</sup>	L <sup>16</sup>

**1** Due to the unique character and combination of uses in the Columbia Business Center area, uses existing prior to March 11, 2004, on parcels zoned IL in the Columbia Business Center may be altered, expanded or replaced regardless of use limitations in Table 20.440.030-1.

**2** In the OCI zone, multifamily housing allowed above ground floor only as specified by VMC [20.430.060\(B\)\(2\)](#). In all industrial zones, one caretaker residence permitted per use.

**3** Subject to the conditions in Chapter [20.860](#) VMC, Home Occupations.



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- 4** Child care centers allowed as a Limited (L) use, subject to a Type II procedure. Child care centers are permitted in order to provide service for those employees working in the IL district, subject to provisions in Chapter [20.840](#) VMC, Child Care Centers.
- 5** If within an industrial building, these uses shall consume no more than 10 percent of the building's total gross square footage. If freestanding, they shall be considered together with the rest of the project and shall consume no more than 10 percent of the site's total gross square footage.
- 6** These limited uses, separately or in combination, may not exceed 20 percent of the entire building square footage within a development complex. No retail uses shall exceed 40,000 gross square feet (gsf) per building or business; retail uses greater than 40,000 gsf but less than 60,000 gsf require conditional use review.
- 7** Subject to provisions in Chapter [20.820](#) VMC, Adult Entertainment.
- 8** Subject to provisions in VMC [20.895.070](#), Motor Vehicle Fuel Sales and Repair.
- 9** Offices not accessory to a permitted use may not exceed 40,000 gsf; offices greater than 40,000 gsf but less than 60,000 gsf require conditional use review.
- 10** In the OCI zone, nonaccessory surface parking is conditionally permitted on brownfields where subsurface environmental constraints effectively preclude other uses, provided such development complies with applicable local, state and federal environmental standards. In the IL zone, nonaccessory surface parking is permitted, and nonaccessory structured parking is prohibited. In the ECX zone, nonaccessory structural parking only shall be permitted.
- 11** Electroplating and related uses not permitted.
- 12** Permitted as limited use provided all activities, except outdoor storage of materials, are wholly contained within building(s).
- 13** Secure Community Transition Facilities as per Chapter [20.150](#) VMC are prohibited.
- 14** In addition to other detention and post-detention facilities, Secure Community Transition Facilities are allowed by conditional use permit, subject to criteria set forth in VMC [20.855.020\(B\)\(6\)\(a\)](#).
- 15** Subject to provisions in Chapter [20.850](#) VMC, Dog Day Care.
- 16** Subject to requirements in Chapter [20.890](#) VMC, Wireless Telecommunications Facilities.
- 17** Subject to provisions in VMC [20.895.020](#), Kennels/Shelters.
- 18** Surface mining is only allowed by conditional use on sites of 20 acres or larger which are adjacent to existing mining operations. Reclamation activity for existing mining operations approved by the Washington State Department of Natural Resources is a permitted use in any nonresidential zoning district.
- 19** Allow airport/airpark related activities such as hangars, air cargo, and warehousing, pilot schools, aircraft sales and repairs, aviation clubs, and museum in the Light Industrial District (IL). New airports/airparks are prohibited.
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**20** All uses locating the OCI zone shall comply with the special use limitations of VMC [20.440.040\(C\)](#) and [20.440.050\(A\)](#). Development agreements in existence on the effective date of the ordinance codified in this section shall control the uses and development standards of the affected properties. In order to protect the investments made in reliance upon such agreements, improvements made or site plans approved consistent with these agreements shall not be deemed nonconforming.

**21** Existing legally established group living uses are permitted. New group living is prohibited.

**22** Ten-day hazardous waste handling and transfer facilities, excluding facilities handling radioactive or high explosive materials, are allowed, provided such facilities: (a) do not repackage waste (except as necessary to address damaged or improper packaging); (b) are located at least 200 feet from any residential zoning district; and (c) do not store hazardous wastes (except for "universal wastes," as that term is defined in Code of Federal Regulations, Title [40](#), Part 273) for more than 10 days.

**23** Prohibited within 200 feet of a residential zone.

**24** Subject to provisions of VMC [20.895.040](#), Community Recreation and Related Facilities.

**25** The language for this footnote has been deleted.

**26** Transportation facilities are permitted except for large or land-intensive facilities such as water taxi and ferry stations.

**27** All uses locating in the ECX zone shall comply with Chapter [20.690](#) VMC, Section 30 Employment Center Plan District. Development agreements in existence on the effective date of this ordinance shall control the uses and development standards of the affected properties, unless property owners choose differently as provided under VMC [20.690.030](#). In order to protect the investments made in reliance upon such agreements, improvements made or site plans approved consistent with these agreements shall not be deemed nonconforming.

**28** In the ECX zone, multi-family housing is allowed above ground floor only; and one caretaker residence permitted per use.

**29** Vehicle fuel sales is limited to one operation within the Section 30 Plan District

**30** The language for this footnote has been deleted.

**31** See VMC [20.430.040\(E\)](#), Park and Ride Facility Development Standards.

**32** Major Utility Facilities are prohibited with the exception that sewer treatment plants and lagoons are allowed outright.

**33** ~~Coal-fired electricity generating plants are prohibited in all districts.~~ Biomass ~~and coal~~ generating plants are prohibited on Heavy Industrial zoned properties within the Vancouver City Center Subarea and Hough Neighborhood Association boundaries located west of Lincoln Street and east of the Burlington Northern Sante Fe Railroad tracks.

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34 New bulk fossil fuel storage and handling facilities are prohibited. Maintenance and safety improvements to existing bulk fossil fuel storage and handling facilities are allowed subject to compliance with requirements in VMC 20.895.110. Existing bulk ~~crude oil~~ fossil fuel storage and handling facilities including vested projects as of July 18, 2016 [insert date of ordinance], are prohibited to ~~may~~ convert to Cleaner Fuels and as part of such conversion may expand the amount of ~~crude oil~~ storage by up to 15 percent of the baseline capacity subject to a Conditional Use Permit and compliance with the requirements of VMC 20.895.110.

**35** Subject to requirements and standards within the Miscellaneous Special Use Standards for Self-Service Storage, pursuant to VMC [20.895.100](#).

**36** Subject to compliance with Chapter [20.884](#) VMC, Marijuana Businesses.

**37** Subject to compliance with VMC 20.895.110.

## **Chapter 20.450**

### **OPEN SPACE DISTRICTS**

Sections:

<b>20.450.010</b>	<b>Purpose.</b>
<b>20.450.020</b>	<b>List of Open Space Districts.</b>
<b>20.450.030</b>	<b>Uses.</b>
<b>20.450.040</b>	<b>Development Standards.</b>
<b>20.450.050</b>	<b>Special Provisions for Uses.</b>

#### **20.450.010 Purpose.**

Generally. Open space districts are intended to protect, preserve, conserve, and enhance natural areas, greenways, and parks. Together, the open space districts are intended to provide a full range of passive and active uses as well as environmental protection and enhancement for the future use, understanding, and enjoyment of the City and its residents. (Ord. M-3643, 01/26/2004)

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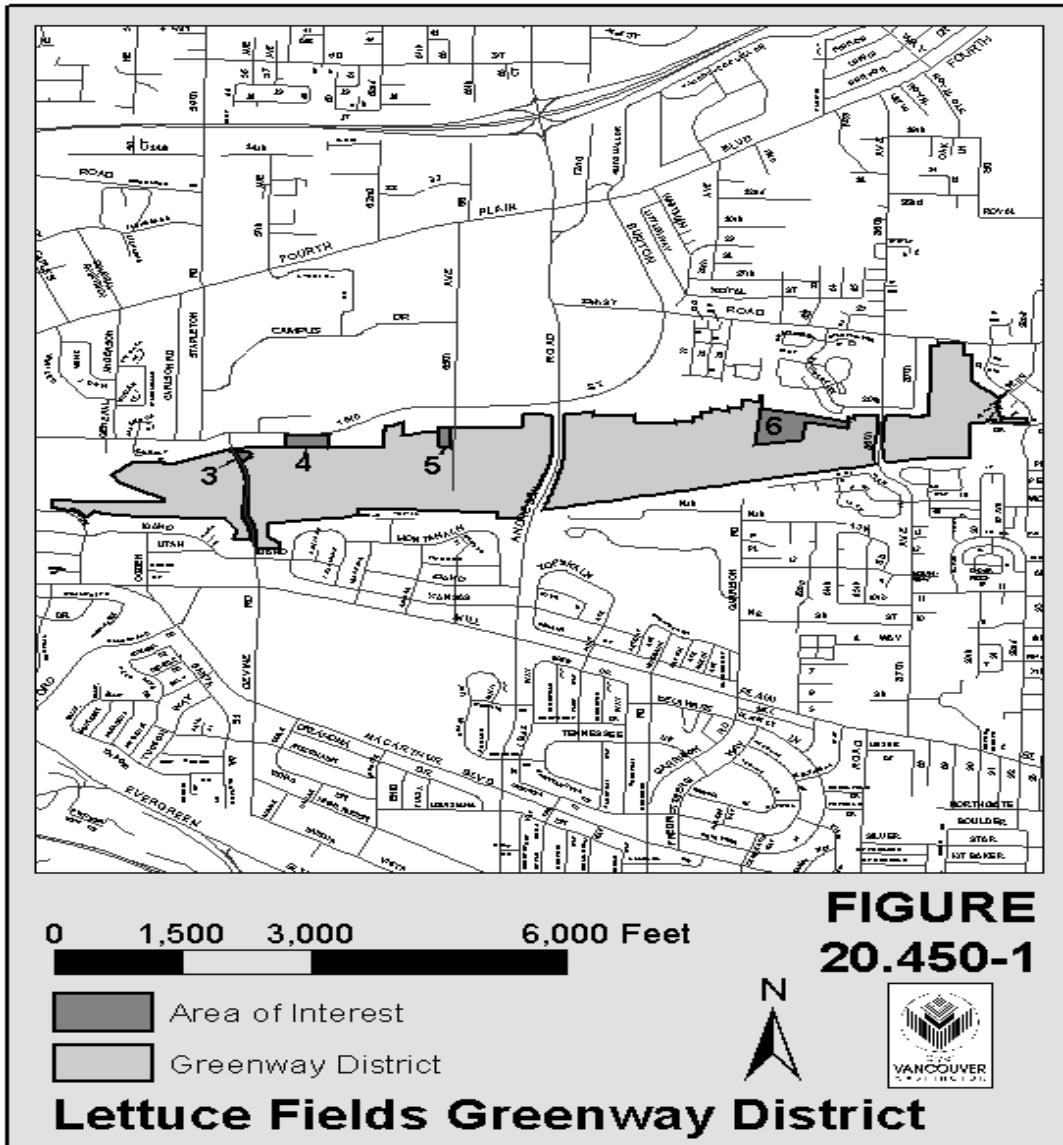
## **20.450.020 List of Open Space Districts.**

A. NA: Natural Areas. The Natural Areas District is intended to protect and preserve properly functioning habitat conditions to support the natural ecosystem of an area. Uses and activities to maintain and/or enhance the ecosystem and passive uses and activities are appropriate for these areas.

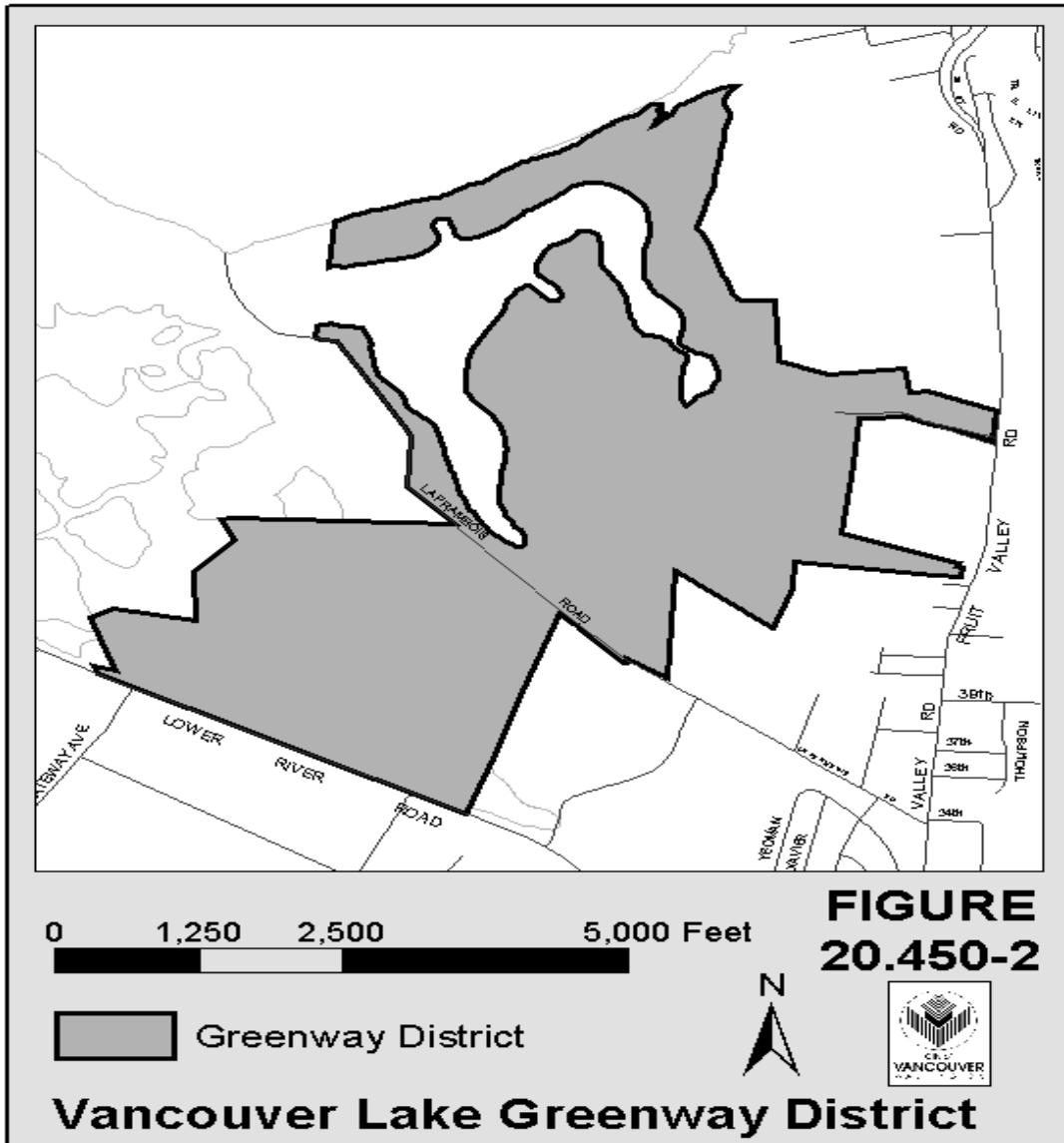
B. GW: Greenway. The Greenway District is intended to preserve, conserve, and enhance natural features to support water quality, habitat, public access, and education, contributing to Vancouver' s quality of life. Passive and low impact, low-intensity uses and activities are appropriate for these areas. The Greenway District consists of a set of greenways. Some are regulated individually to achieve their special purposes.

1. GW-Lettuce Fields Greenway District (Figure 20.450- 1). The Lettuce Fields Greenway District implements the Lettuce Fields Subarea Plan. The Lettuce Fields Greenway District is intended to effect (1) establishment of a continuous greenway throughout the District and the preservation and enhancement of its open space character; (2) enhancement and maintenance of the environmental conditions of the district, including fish and wildlife habitat; (3) provision of physical as well as visual public access to the publicly-owned lands of the district, including development of a pedestrian and bicycle trail connecting to established or planned trails on the east and west; (4) provision of environmental education opportunities; (5) enhanced stormwater and flood plain management; and (6) other passive or low-intensity, low-impact uses which further the public interest as stated in this section.

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2. GW-Vancouver Lake Greenway District (Figure 20.450- 2). The Vancouver Lake Greenway District is intended to encourage the preservation of agricultural and wildlife use on land which is suited for agricultural production, and to protect from incompatible uses agricultural areas that are highly valuable seasonal wildlife habitat. The district provides for activities which can be considered accessory only to agricultural, game, or wildlife habitat management, or recreational uses. Nothing in this chapter shall be construed to restrict normal agricultural practices.



3. GW: General Greenway District. The General Greenway District is intended to encourage preservation, conservation, and enhancement of natural areas in dispersed locations outside of the Lettuce Fields Greenway District or the Vancouver Lake Greenway District.

C. *Park*. The Park District is land that has been or is intended to be developed to provide for moderate- to high-intensity recreational activities in addition to passive or low-intensity recreational experiences. Environmental preservation, conservation, and enhancement are also objectives in the development and maintenance of park districts. Park districts will generally

consist of neighborhood, community, and regional parks as defined by the Vancouver Urban Parks, Recreation, and Open Space Plans. (Ord. M-3643, 01/26/2004)

**20.450.030 Uses.**

A. *Types of uses.* For the purposes of this chapter, there are four kinds of use:

1. A permitted (P) use is one that is permitted outright, subject to all of the applicable provisions of this title. Although permitted by right, most of these uses are still subject to the Site Plan Review, as governed by Chapter [20.270](#) VMC.
2. A limited (L) use is permitted outright providing it is in compliance with special requirements, exceptions or restrictions. Most uses also are subject to Site Plan Review, as governed by Chapter [20.270](#) VMC. If not subject to Site Plan Review, such a use may be subject to a Type I review, per the requirements in VMC [20.210.040](#).
3. A conditional use (C) is a discretionary use reviewed by the hearings examiner. The approval criteria and approval process are set forth in Chapters [20.245](#) and [20.210](#) VMC, governing conditional uses and decision-making procedures, respectively.
4. A prohibited use (X) is one that is not permitted in a zoning district under any circumstances.

B. *Use tables.* Lists of permitted, limited, conditional, and prohibited uses in Open Space Districts are presented in Tables 20.450.030-1 and 20.450.030-2. Specialized open space uses and activities are set forth in Table 20.450.030-1. Uses described in the Use Classification section (Chapter [20.160](#) VMC), are set forth in Table 20.450-2. Special limitations on uses are set forth in VMC [20.450.050](#).

Table 20.450.030-1 Specialized Open Space Uses/Activities					
		Greenway			
USE	Natural Area	Vancouver Lake	Lettuce Fields <sup>1</sup>	General	Park
<b>OPEN SPACE/ PARKS AND</b>					

**Table 20.450.030-1  
Specialized Open Space Uses/Activities**

USE	Natural Area	Greenway			Park
		Vancouver Lake	Lettuce Fields <sup>1</sup>	General	
<b>RECREATION</b>					
Agricultural Related <sup>2</sup>					
- Agriculture <sup>2</sup>	X	L	L <sup>3</sup>	X/ L <sup>4</sup>	L <sup>4</sup>
- Horticulture <sup>2</sup>	X	L	L	X/ L <sup>4</sup>	L <sup>4</sup>
- Silviculture <sup>2</sup>	X	C	L	X/ L <sup>4</sup>	L <sup>4</sup>
- Roadside Agricultural Stands/Sales <sup>2</sup>	X	L	L	X/L <sup>4</sup>	L <sup>4</sup>
- Storage Structures <sup>2</sup>	X	L	L	L <sup>4</sup>	L <sup>4</sup>
- Housing for Agricultural Employees <sup>2</sup>	X	X/C <sup>5</sup>	X	C	X
Environmental Management and Education <sup>2</sup>					
- Environmental Education Activities	P	P	P	P	P
- Environmental Maintenance Projects and Activities	P	P	P	P	P
- Environmental Restoration, Rehabilitation, or Enhancement Projects and Activities	P	P	P	P	P
Fences <sup>2</sup>	X	P	L	P	P
Fill <sup>2</sup>	C	L	L	L	P
Flood Plain and Stormwater Management Projects	C	C	P	P	P
Wetland Banking	C	C	P	P	P
Wetland Mitigation	C	C	P	P	P
Wildlife Habitat	P	P	P	P	P



**Table 20.450.030-1  
Specialized Open Space Uses/Activities**

USE	Natural Area	Greenway			Park
		Vancouver Lake	Lettuce Fields <sup>1</sup>	General	
Conservation, Maintenance, Rehabilitation, Restoration, Enhancement, and Education Projects					
Park Facilities					
- Interpretive Stations, Construction and Maintenance <sup>2</sup>	C	P	P	P	P
- Playgrounds	X	X	X	P	P
- Restrooms <sup>2</sup>	C	L	L	L	P
- Neighborhood Parks	X	X	X	P	P
- Community Parks	X	X	X	P	P
- Regional Parks	X	X	X	X	P
Recreational Facilities					
- Passive or Low-Impact, Low-Intensity Uses	P	C <sup>6</sup>	P	P	P
- Moderate or High-Impact, High-Intensity Uses	X	X	X	C	P
Motorized Recreational Equipment including Off-Road Vehicles and All Terrain Vehicles	X <sup>7</sup>	X <sup>7</sup>	X	X <sup>7</sup>	C <sup>7</sup>
- Community Recreation Facilities	X	X	X	X	P
- Trails <sup>2</sup>	L	L	L	L	P
- Parking <sup>2</sup>	C	L	L	L	P
- Informational and Interpretative Signs <sup>2</sup>	P	P	L/X	P	P

1 All uses in the Lettuce Fields Greenway District are subject to the special provisions for uses in VMC [20.450.050\(A\)](#).

2 The use is allowed (P, L, or C) subject to all applicable development standards set forth in VMC [20.450.040](#).

3 Agricultural practices existing on or before April 19, 2001, may continue. New agricultural uses must meet the standards of VMC [20.450.040](#).

4 Permitted uses of this classification or type are limited to those in existence on the date this ordinance was effective.

5 The prohibition on housing for agricultural employees in the Vancouver Lake Greenway District does not include a prohibition for a caretaker residence (see Table 20.450.030-2).

6 Subject to the development standards in VMC [20.450.040\(D\)\(2\)](#).

7 Not including motorized boats where permitted on Vancouver Lake and the Columbia River.

<b>Table 20.450.030-2</b>					
<b>Permitted, Limited, Conditional and Prohibited</b>					
<b>Uses in Open Space District</b>					
		<b>Greenway</b>			
<b>USE</b>	<b>Natural Area</b>	<b>Vancouver Lake</b>	<b>Lettuce Fields<sup>2</sup></b>	<b>General</b>	<b>Park<sup>1</sup></b>
<b>RESIDENTIAL</b>					
Household Living	X	X/L <sup>3</sup>	X/L <sup>3</sup>	X/L <sup>3</sup>	X/L <sup>3</sup>
Group Living	X	X	X	X	X
Home Occupation	X	X	X	X	X
<b>HOUSING TYPES</b>					
Single Dwelling, Attached	X	X	X	X	X
Single Dwelling, Detached	X	X/L <sup>3</sup>	X/L <sup>3</sup>	X/L <sup>3</sup>	X/L <sup>3</sup>
Accessory Dwelling Units	X	X	X	X	X
Duplexes	X	X	X	X	X
Multi-Dwelling Units	X	X	X	X	X

**Table 20.450.030-2  
Permitted, Limited, Conditional and Prohibited  
Uses in Open Space District**

USE	Natural Area	Greenway			Park <sup>1</sup>
		Vancouver Lake	Lettuce Fields <sup>2</sup>	General	
Existing Manufactured Home Development	X	X	X	X	X
Designated Manufactured Home	X	X	X	X	X
New Manufactured Home	X	X	X	X	X
<b>CIVIC (Institutional)</b>					
Colleges	X	X	X	X	X
Community Centers	X	X	X	X	X
Community Recreation	X	X	X	X	P
Cultural Institutions	X	X	X	X	P
Day Care					
Family Day Care Home	X	L <sup>4</sup>	X	X	P
Child Care Center	X	C <sup>4</sup>	X	X	X
- Adult Day Care	X	C	X	X	P
Emergency Services	X	X	X	X	X
Medical Centers	X	X	X	X	X
Postal Service	X	X	X	X	X
Religious Institutions	X	X	X	X	X
Schools	X	C	X	X	P
Social/Fraternal Clubs	X	X	X	X	X

**Table 20.450.030-2  
Permitted, Limited, Conditional and Prohibited  
Uses in Open Space District**

USE	Natural Area	Greenway			Park <sup>1</sup>
		Vancouver Lake	Lettuce Fields <sup>2</sup>	General	
<b>COMMERCIAL</b>					
Commercial and Transient Lodging	X	X	X	X	X
Eating/Drinking Establishments	X	X	X	X	X
Entertainment-Oriented					
- Adult Entertainment	X	X	X	X	X
- Indoor Entertainment	X	X	X	X	X
- Major Event Entertainment	X	X	X	X	X
General Retail					
- Sales-Oriented	X	X	X	X	X
- Personal Services	X	X	X	X	X
- Repair-Oriented	X	X	X	X	X
- Bulk Sales	X	X	X	X	X
- Outdoor Sales	X	X	X	X	X
Motor Vehicle Related					
- Motor Vehicle Sales/Rental	X	X	X	X	X
-Motor Vehicle Servicing/Repair	X	X	X	X	X
- Vehicle Fuel Sales	X	X	X	X	X

**Table 20.450.030-2**  
**Permitted, Limited, Conditional and Prohibited**  
**Uses in Open Space District**

USE	Natural Area	Greenway			Park <sup>1</sup>
		Vancouver Lake	Lettuce Fields <sup>2</sup>	General	
- Electric Vehicle Re-charging Station	X	X	X	X	X
Office					
- General	X	X	X	X	X
- Medical	X	X	X	X	X
- Extended	X	X	X	X	X
Non-Accessory Parking	X	X	X	X	X
Self-Service Storage	X	X	X	X	X
Marina	X	X	X	X	X
<b>INDUSTRIAL</b>					
<u>Bulk Fossil Fuel Storage and Handling Facilities</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Cleaner Fuel Storage and Handling Facilities</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Small Fossil Fuel or Cleaner Fuel Storage and Distribution Facilities</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
Industrial Services	X	X	X	X	X
Manufacturing and Production	X	X	X	X	X
Railroad Yards	X	X	X	X	X

**Table 20.450.030-2  
Permitted, Limited, Conditional and Prohibited  
Uses in Open Space District**

USE	Natural Area	Greenway			Park <sup>1</sup>
		Vancouver Lake	Lettuce Fields <sup>2</sup>	General	
Research and Development	X	X	X	X	X
Warehouse/Freight Movement	X	X	X	X	X
Wholesale Sales	X	X	X	X	X
Waste-Related	X	X	X	X	X
<b>OTHER</b>					
Airport/Airpark	X	X	X	X	X
Animal Kennels/Shelters	X	X	X	X	X
Cemeteries	X	X	X	X	C <sup>5</sup>
Detention Facilities	X	X	X	X	X
Dog Day Care	X	X	X	X	X
Heliports	X	X	X	X	X
Landfills, Sanitary	X	X	X	X	X
Mining	X	X	X	X	X
Public Facilities and Utilities					
- Essential Utilities	X	P	L <sup>6</sup>	L <sup>7</sup>	L <sup>7</sup>
- Major Utilities	X	X	X/C <sup>6</sup>	C	C
-- Essential Public Facilities	X	X	C <sup>6</sup>	C	C
-- Other Major Utilities	X	X	X	C	C
- Minor Utilities	X	C	L <sup>6</sup>	C <sup>7</sup>	C <sup>7</sup>

**Table 20.450.030-2  
Permitted, Limited, Conditional and Prohibited  
Uses in Open Space District**

USE	Natural Area	Greenway			Park <sup>1</sup>
		Vancouver Lake	Lettuce Fields <sup>2</sup>	General	
- Public Utility Corridors	X	C	C <sup>6</sup>	C	C
- Transportation Facilities	X	C	C <sup>8</sup> /X	C	C
Rail Lines	X	X	X	C	C
Recreational or Medical Marijuana Facilities	X	X	X	X	X
Temporary Uses	X	X	X	X	X
Wireless Communication Facilities	X	C/L <sup>9</sup>	X	C <sup>10</sup>	C

**1** Parks shall be developed in accordance with the standards set forth in VMC [20.450.040](#).

**2** All uses in the Lettuce Fields Greenway District are subject to the special provisions for uses in VMC [20.450.050\(A\)](#).

**3** Caretaker residence or existing dwellings are permitted. In the Lettuce Fields Greenway District, only existing dwellings are permitted. New dwellings, including guest houses, accessory dwelling units, bed and breakfast establishments, etc. are prohibited. In the Vancouver Lake Greenway District, single-family dwellings require a minimum of 160 acres each.

**4** Family day care homes for no more than 12 children are permitted when licensed by the state. Family day care homes and child care centers (13 or more children) must meet the standards outlined in Chapter [20.840](#) VMC.

**5** Subject to the provisions of VMC [20.895.030](#), Cemeteries.

**6** Subject to the development standards of VMC [20.450.040\(B\)\(5\)](#).

**7** Plans for the construction or extension of essential utility services are to be reviewed and approved by development review staff. Utilities shall be installed underground or screened as to not be visible within the Greenway or Park. No septic fields are allowed.

**8** Only transit stops and shelters and bicycle parking integrated with automobile parking at trailheads are permitted by conditional use. Other transportation facilities are prohibited.

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9 Permitted subject to the requirements of Chapter [20.890](#) VMC.

10 Permitted only as co-location and through the conditional use process.

(Ord. M-4071 § 6, 03/03/2014; Ord. M-3709 § 11, 06/20/2005; Ord. M-3643, 01/26/2004)

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## **Chapter 20.895**

### **MISCELLANEOUS SPECIAL USE STANDARDS**

Sections:

<a href="#">20.895.010</a>	<a href="#">Purpose.</a>
<a href="#">20.895.020</a>	<a href="#">Animal Kennels/Shelters.</a>
<a href="#">20.895.030</a>	<a href="#">Cemeteries.</a>
<a href="#">20.895.040</a>	<a href="#">Community Recreation and Related Facilities.</a>
<a href="#">20.895.050</a>	<a href="#">Domestic Animals and Livestock.</a>
<a href="#">20.895.060</a>	<a href="#">Indoor Target Shooting Ranges.</a>
<a href="#">20.895.070</a>	<a href="#">Motor Vehicle Fuel Sales and Repair.</a>
<a href="#">20.895.080</a>	<a href="#">Private Use Landing Strips for Aircraft and Heliports.</a>
<a href="#">20.895.090</a>	<a href="#">Temporary Storage Units.</a>
<a href="#">20.895.100</a>	<a href="#">Self-Service Storage.</a>
<a href="#">20.895.110</a>	<a href="#">Fossil Fuel or Cleaner Fuel Storage and Handling</a>

#### **20.895.010 Purpose.**

Purpose. In addition to other standards and requirements imposed by this Title, all uses included in this Chapter shall comply with the provisions stated below. Should a conflict arise between the requirements of this Chapter and other requirements of this Title, the more restrictive provision shall control. (Ord. M-3643, 01/26/2004)

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## **20.895.110 Fossil Fuel or Cleaner Fuel Storage and Handling**

A. Purpose. The purpose of these standards is to minimize the risk of spill or discharge of fuels into groundwater or the waters of the state; to promote public health and safety and avoid and minimize impacts to nearby properties from fire or explosion or adverse air emissions; to support a reduction in greenhouse gas emissions and a transition to renewable fuel and energy production consistent with Federal, state and local targets; and to protect and preserve fish and wildlife habitat areas to ensure viable Tribal fisheries consistent with Treaty fishing rights.

B. Applicability. The standards in this section apply to:

1. Bulk Fossil Fuel Storage and Handling Facility
2. Cleaner Fuel Storage and Handling Facility
3. Small Fossil Fuel or Cleaner Fuel Storage and Distribution Facilities

C. Standards – Non-Capacity Improvements. The City may approve activities or structures for one or more of the following purposes as a limited use, provided there is no increase in baseline capacity:

1. Maintenance repair, or replacement.
2. Improvement of the safety or security of the infrastructure, including seismic upgrades.
3. Decrease in air or water emissions.
4. Allow the facility infrastructure or buildings to meet new regulatory requirements.
5. Addition of accessory structures or activities that do not add to the baseline capacity of the facility.

The applicant for non-capacity improvements shall specify the baseline capacity for the facility as of the date of this ordinance per subsection E.2 below.

D. Standards for New or Expanded Small Fossil Fuel or Cleaner Fuel Storage and Distribution Facilities

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1. The applicant shall document the existing baseline, and any proposed additional storage capacity and the fuel type(s) to be stored. Documentation shall be consistent with subsection E.2 below.

2. The Planning Official shall require seismic upgrades to existing facilities as a condition of the land use permit.

3. The applicant shall obtain approval of comprehensive spill prevention and fire response plans to the satisfaction of the Planning Official and Fire Marshal.

4. New small fossil fuel or cleaner fuel storage and distribution facilities shall be located at least 1,000 feet away from residentially zoned properties.

#### E. Standards for Bulk Fossil Fuel Storage and Handling Facilities – New or Capacity Expansion

1. New Facilities. New Bulk Fossil Fuel Storage and Handling Facilities are prohibited, regardless of size.

2. Baseline Established. The baseline for storage, transportation, and transshipment facilities is established by the following information available as of (insert the adoption date of this ordinance). Storage baseline capacity shall be established using Washington Department of Ecology industrial section permits and oil spill prevention plans or other verifiable documentation. Transshipment and transportation facility baseline is established through the most recent spill prevention plans approved by the Department of Ecology or where a local permit documenting such facilities has been approved more recently. If an existing facility does not have an established refining or storage baseline from a past industrial section permit or spill prevention plan, the baseline must be established as part of a permit application.

3. Expansion of Bulk Fossil Fuel Storage and Handling Facilities is allowed up to 15 percent increase above the baseline capacity if converted to Cleaner Fuels, as defined by VMC 20.150 Definitions, and subject to the requirements of Section F below.

#### F. Standards for Cleaner Fuels Storage and Handling Facilities – New or Expansion.

Option A: 1. New Cleaner Fuel Storage and Handling Facilities are prohibited in all districts.

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Option B: 1. New Cleaner Fuel Storage and Handling Facilities are allowed subject to a conditional use permit if no larger than 1 million gallons of cumulative storage, on a site 3 acres or less in size, and if located at least 1,000 feet from residential zoned land. Size cannot exceed the smaller of 1 million gallons or site acreage 3 acres. Such facilities shall meet spill prevention/fire response, seismic upgrade, GHG assessment, and annual reports in subsection 3.b et seq.

2. Existing Bulk Fossil Fuel Storage and Handling Facilities may be converted to Cleaner Fuels as defined by VMC 20.150 Definitions as a limited use, subject to the requirements of subsections 3 b, c, and d below.

3. Existing Bulk Fossil Fuel Storage and Handling facilities converted to Cleaner Fuels may be expanded, subject to approval of a conditional use permit and compliance with the following criteria:

a. Total or partial conversion of an existing fossil fuel storage and handling to cleaner fuel infrastructure is allowed. If a facility is converted the facility may be increased by up to 15 percent above the baseline capacity. The expansion shall be in proportion to the amount of cleaner fuel storage. For example, if 25% of the facility is converted to cleaner fuels, the storage and handling infrastructure may expand by 3.75%. If 50% of the facility is converted to cleaner fuels, storage and handling infrastructure may expand by 7.5%. If 100% of the facility is converted into cleaner fuels storage and handling, then 15% of the infrastructure may be increased.

b. If a fossil fuel storage and handling facility is partially or fully converted to cleaner fuel infrastructure that portion shall not be later used for storage, transportation, or transshipment of petroleum-based fossil fuels. The applicant shall provide a comprehensive spill prevention plan and fire response plan to the satisfaction of the Planning Official and Fire Marshal.

d. Seismic upgrades pursuant to current building code requirements shall be made to any existing fuel storage facilities.

e. GHG Assessment: Greenhouse gas emissions impacts shall be assessed for expanded facilities. The proponent is responsible to provide an expert evaluation by a qualified professional to the satisfaction of the Planning Official. The evaluation shall document baseline lifecycle greenhouse gas emissions from the facility, net increases in lifecycle

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greenhouse gas emissions, and mitigation of greenhouse gas emission increases. Lifecycle emissions shall be quantified as defined in 42 U.S. Code § 7545. The Planning Official shall require mitigation to address the project's direct greenhouse gas emissions and may require mitigation to address the project's indirect emissions. The assessment shall address mitigation, which may include, but is not limited to the one or more of following: onsite efficiency improvements, carbon capture and storage, purchase of carbon offsets from any carbon registry approved by the Vancouver Land Use Department or state agency, implementation of strategies in Vancouver's Climate Action Plan, or other measures approved by the Planning Official. The mitigation may concurrently satisfy any other requirements imposed by county, state or federal governments. Mitigation shall be made conditions of approval, and shall be specific, identifiable, quantifiable, permanent; enforceable; and verifiable.

f. Financial Assurance in Case of Accidents. To ensure applicants are able to mitigate the consequences of accidents, proof of financial assurance (such as trust funds, letters of credit, insurance, self-insurance, financial tests, corporate guarantees, payment bonds or performance bonds) shall be provided sufficient to comply with the financial responsibility requirements set forth in any State and federal law applicable to their proposed project. If the applicant relies on an insurance policy for compliance with a State or federal financial assurance requirement, the applicant must add the City of Vancouver as an additional insured as a condition of permit issuance.

g. Annual Report. The applicant shall provide annual report to the Planning Official of the following:

i. A description of on-site storage capacity including the number of tanks, tank volumes, and products.

ii. The number of vessel transfers of fuel, both inbound and outbound from the site, the type and quantity of products transferred, and the product destination.

iii. The number of rail cars transporting fuels, both to and from the site, including a description of the product, volume, and destination.

iv. The number of trucks transporting fuels, both to and from the site, including a description of the product, volume, and destination.

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v. Document that onsite activity is similar to the established baseline of storage and/or throughput.

vi. Conformity with applicable regional, state, and federal reporting or permit requirements pursuant to laws and rules implemented by Southwest Washington Clean Air Agency, Washington Department of Ecology, US Environmental Protection Agency, and US Energy Information Administration to ensure compliance with the requirements herein.