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NOTICE OF PUBLIC HEARINGS

The Planning Commission will hold two public hearings at City Hall on Tuesday, May 24, 2022, beginning at 7:30 p.m. as part of their regular meeting.

The purpose of the hearings is to receive public comment on the following proposals by Onion Patch Securities, LLC and Manheim Remarketing, Inc.:

1. Proposed text change creates an Outdoor Vehicle Storage Overlay ("OVSO") zone (WBMC 17.46) and modifies Outdoor Storage Section (WBMC 17.92).
2. Re-zone proposes to change the zone of the Onion Patch leased land to the Commercial Highway zone as a conditional use and insert it into the newly created OVSO zone.

More information can be found on the city website at www.WBCity.org in the Calendar or Public Notices section. All interested parties are invited to participate in the hearing. Written comments may be submitted prior to the meeting to Recorder@WBCity.org.

Cathy Brightwell
City Recorder

17.46 Outdoor Vehicle Storage Overlay

(5-11-2022)

17. .010 Purpose

The purpose of this chapter is to introduce outdoor vehicle storage uses within specified commercial areas

17. .020 Applicability

The Outdoor Vehicle Storage Overlay (OVSO) shall be applied only to the C-H zone. Approval of the OVSO constitutes a rezone, which may be approved or denied in the City Council's sole discretion. The OVSO includes the uses currently allowed in the underlying zone (C-H), plus outdoor vehicle storage as described in this chapter. Except as modified by the OVSO, all of the regulations of the underlying zone apply, subject to the more specific or restrictive requirements of this chapter.

17. .030 Development Agreement

All applicants receiving OVSO approval shall be required to enter into a development agreement with the City to assure that the development negotiated and defined during the rezone process and required by this chapter is reflected in the actual construction and maintenance of the project.

17. .040 Uses

In addition to the uses allowed in the underlying zone, outdoor vehicle storage shall be a conditional use in the OVSO pursuant to the requirements and procedures of this chapter.

17. .050 Signs

Signs in the OVSO shall be governed by Chapter 17.48, except all illuminated signs shall have downward directed and shielded lighting.

17. .060 Application Process

- A. General Requirements. An application for the OVSO is considered a rezone application subject to the rezone process provided in this chapter. The application shall be accompanied by a draft development agreement. The application, development agreement template, and their associated requirements are available online and at the city offices.
- B. Pre-application Conference. The applicant is required to have a pre-application conference with a member of the planning department and city engineer to ascertain the appropriate scope of the project and any additional information or reports that may be required in connection with the application and development agreement. The applicant is also encouraged to meet with the building official and the fire marshal to be advised of how building and fire code requirements may affect the proposed development.
- C. Fees. There will be the initial rezone application fee for the OVSO. For all proposed rezones and associated development plans, a complete application is required before authorization to proceed to the Planning Commission.
- D. Planning Commission Review of Initial Rezone Application; Preparation of Proposed Development Agreement:
 1. The initial application shall be referred to the Planning Commission for review and comment.
 2. The City shall mail notice of an initial public hearing to owners of property within 300 feet of the proposed project.
 3. The Planning Commission shall make a recommendation to the City Council of approval, approval with modifications/conditions, or denial. Such recommendation shall include any recommended changes/modifications to the draft development agreement.

4. If approval is recommended, the planning department, with the assistance of the city attorney and the concurrence of the applicant, shall prepare a second draft of the development agreement.

E. City Council Review and Public Hearing:

1. If city staff and the applicant cannot concur on the terms and conditions of a proposed development agreement, the applicant may prepare and submit their own proposed development agreement, addressing all the required information and any proposed changes contrary to the Planning Commission recommendation. Upon the submission of such agreement, and the submission of any other related project-specific plans requiring approval of the City Council, the application shall be scheduled and noticed for public hearing before the City Council. The City shall mail notice of the public hearing to owners of property within 300 feet of the proposed project.
2. City Council Public Hearing: The initial application, additional information, and planning commission recommendation, together with the proposed development agreement and the complete submission of all other related, project-specific information requiring approval of the City Council, shall constitute a final application for the potential rezone. If approved by the City Council, the rezone application and development agreement shall authorize the applicant to proceed with an administrative site plan process. If a subdivision is required an administrative subdivision process will follow the approvals by the City Council.

17.92 Outdoor Storage And Outdoor Merchandising

17.92.010 Requirements Generally

In addition to requirements found elsewhere in this code and laws of the state, all outdoor storage and outdoor merchandising shall be done under the requirements of this chapter.

1. Outdoor storage facilities for "automobile graveyards," "tow yards," "salvage yards," "junk," "junk dealers," "scrap metal processors" and "junkyards" are prohibited.
2. Except for agricultural products, outdoor storage facilities for raw materials, parts and products shall be enclosed by a fence or wall at least six (6) feet in height and impervious to sight, adequate to conceal such facilities, materials, parts, and products from adjacent properties and the street unless expressly exempted elsewhere in this code. No items may be stacked higher than the fence or wall of the enclosure.
3. No material or waste shall be deposited or stored upon any property in such form or manner that may be easily transferred off such property by natural causes or forces such as wind and rain. All materials or wastes which, in the opinion of the city, cause excessive fumes or dust, or which constitute a fire hazard, or which may be edible by, or otherwise be attractive to rodents or insects may not be stored outdoors.
4. No yard or other open space around a building shall be used for the storage of junk, building materials, debris, inoperable vehicles or commercial equipment, and no other land shall be used for such purposes except as specifically permitted herein.
5. Open storage of hay or other agricultural products shall be located not less than thirty (30) feet from a public street.
6. ~~For zones outside of~~ Within the Outdoor Vehicle Storage ~~in Certain Commercial Areas~~ Overlay Zone ("OVSO"), outdoor merchandising may include provisions for ~~off-site~~, temporary vehicle parking; where the parking is controlled by an access gate ~~and the term of parking shall not exceed five consecutive days without the vehicle being removed from the site. Notwithstanding the foregoing, for zones outside of the OVSO, outdoor wholesale merchandising of motorized vehicles or vehicle parts (other than boats), as well as the outdoor storage of such vehicles or parts, is prohibited.~~
7. Seasonal outdoor merchandising shall be limited to the specific seasonal duration approved by the planning commission through a conditional use permit. All materials, displays, fencing, lighting and other facilities associated with the outdoor merchandising function shall be precluded at all other times.
8. Outdoor merchandising shall be consistent with the nature and use of the associated business or as provided by the planning commission under a conditional use permit.

17.92.020 Storage/Merchandising/Zoning Permitted And Conditional Use Matrix

The number(s) in the restrictions column refer to the restrictions at the end of the matrix. "C" represents Conditional Use; "P" represents Permitted Use. If a block is blank, outdoor storage and/or outdoor merchandising is not allowed.

	Outdoor Vehicle Storage Overlay		CN Zone		CG Zone		LI Zone		IG Zone		CH Zone	
	Permitted or Conditional	Restrictions	Permitted or Conditional	Restrictions	Permitted or Conditional	Restrictions	Permitted or Conditional	Restrictions	Permitted or Conditional	Restrictions	Permitted or Conditional	Restrictions
Public or quasi-public uses			C	1	C	1	C	1	P		C	7
General merchandise sale (retail or wholesale) less than 2000 sq. ft.			P	2	P	2					C	2
Convenience stores												
Learning studios					C	3	C	3				
Custom woodworking			C	2, 3					P	1, 9	C	2, 3
Sheet metal			C	3					P	1, 9		
Contractor — general, electrical, mechanical, plumbing, HVAC			C	1, 9					P	1	C	1, 9
Fabrication, welding and other industrial equipment and materials									P	1, 6	C	1, 9
Manufacturing, compounding, processing, milling and packaging of products									P	6		
Printing and publishing							C		C			
Lawn and yard care			C						P	1, 6	C	1, 6
Businesses and uses which are similar to 17.28.020 and 17.28.030 (C-N)			C									
Motor vehicle retail sales and service	P				C	1, 5	C	5	C	5	C	5
Grocery store					C							
Lumber and other building material, retail sales					C	4	C	4	C	4	C	1, 6

[illegible]

<u>motor vehicles</u>												
Other uses and businesses similar 17.40.020 and 17.40.030 (I-G)									C			

Provide for visual screening and security as determined by the City (the zoning administrator for permitted uses and the planning commission for conditional uses).Restrictions:

1. Merchandise to be stored indoors after business hours.
2. Storage not to exceed seven days, with a minimum of thirty (30) days between storage events.
3. Storage to be accomplished within a three-sided, roofed building or structure.
4. Merchandise shall be displayed in an orderly fashion and shall make up the majority of the business revenue or activity. All merchandise shall be of such a nature as to allow for immediate sale and use.
5. Storage shall meet appropriate state and/or federal requirements for environmental protections.
6. Seasonal merchandise.
7. Materials or equipment used in manufacturing.
8. Equipment exceeding 20 feet in height that will be visible from outside the perimeter of the property must be stored indoors; all materials that will be visible from outside the perimeter of the property must be stored indoors or within a three-sided, roofed building or structure.