

ORDINANCE NO. 939

AN ORDINANCE OF THE CITY OF BENTON CITY, WASHINGTON, AMENDING SECTION 20.09.370 "SERVICE STATION"; SECTION 20.33.030 "CONDITIONAL USES" IN C-1 COMMERCIAL FOR VEHICLE AND EQUIPMENT SALES; AND SECTION 20.60.040 "AUTO ORIENTED USES" PROVIDING FOR VEHICLE AND EQUIPMENT SALE USES

WHEREAS, to assist in appropriate planning, and development of the C-1 Commercial zoning district, a distinction in auto oriented uses subject to separate classifications and regulations would be in the best interest of the City. NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF BENTON CITY, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. That Section 20.09.370 entitled "Service Station" of the Benton City Municipal Code shall be and hereby is amended and shall read as follows:

20.09.370 Service Station. "Service station" means a retail establishment for the sale on the premises of motor vehicle fuel and other petroleum products, ~~and automobile accessories, and for the parts and services including, but not limited to, brakes, tires, mufflers, auto glass,~~ washing, lubrication and minor repair of automotive vehicles, including "mini marts" providing for the accessory sale of food and beverages. Service station as defined above shall not include tire recapping, major engine overhaul, body or fender repairwork, salvage, demolition, or painting. (Ord. 765, September 2003.)

Section 2. That Section 20.33.030 entitled "Conditional Uses" in the C-1 Commercial Zone of the Benton City Municipal Code shall be and hereby is amended and shall read as follows:

20.33.030 Conditional Uses. The following uses are permitted subject to approval of a conditional use permit:

- A. Automobile service stations (as defined in BCMC 20.09.370), drive-in eating and drinking establishments, and similar auto-oriented uses, or auto assessable food and beverage establishments.
- B. New and used vehicle or equipment sales.
- ~~B~~C. Adult Entertainment Uses subject to compliance with the provisions and standards set forth in Section 20.60.260 of this code.
- ~~C~~D. Congregate care center, residential care facilities and senior center.
- ~~D~~E. Any similar or compatible use not specifically permitted in this district.
- ~~E~~F. Mini storage and storage facilities.
- ~~F~~G. Outdoor theaters.
- ~~G~~H. Wireless communication facilities. (Ord. 765, September 2003; Ord. 716, October 2000.)

Section 3. That Section 20.60.040 entitled "Auto Oriented Uses" of the Benton City

Municipal Code shall be and hereby is amended and shall read as follows:

20.60.040 Auto Oriented Uses. Service Stations and Vehicle Sales.

- A. Canopies and similar architectural features may be attached to the principal structure and may be constructed over vehicle service areas. No vehicle service apparatus shall be closer than fifteen feet to any public right-of-way.
- B. Except for landscaped areas, the entire service area shall be paved with a permanent surface of concrete or asphalt. Landscaped areas shall be contained by a minimum six inch high concrete curb.
- C. Except for necessary openings, auto washing equipment, hydraulic hoists, pits, lubrication equipment, food preparation and washing equipment and all other similar equipment shall be contained within a completely enclosed building. All washing residue shall be drained to the approval of the director of public works. All washing ingredients shall be biodegradable.
- D. Except as provided elsewhere, a masonry wall or screened chain link fence, at least thirty-six inches in height, but no higher than six feet in height, shall be erected along the property lines separating the site from any R district except in the street frontage yard area of the abutting R district, which shall have a fence no higher than thirty-six inches. Any fence shall not exceed four feet in height along the alley property lines where the property opposite is zoned residential.
- E. Exterior lighting shall be arranged so that it is deflected away from the adjacent property.
- F. The "service area" as defined in subsection B above, for new and used vehicle and equipment sales shall consist of that outside area upon which vehicles and equipment are displayed for sale. In the event 15 or less vehicles or equipment are displayed for sale, the service area may consist of dust and weed-free compacted gravel or other impervious or semi-impervious material.
- G. No equipment, vehicle, sign or other obstruction may be located within the five-foot setback from any existing street frontage property line. (Ord. 765, September 2003.)

Section 4. This Ordinance shall take full force and effect five (5) days after its approval, passage and publication as required by law.

PASSED by the City Council of the City of Benton City, Washington, and approved as provided by law this 7 day of October, 2014.


Lloyd R. Carnahan,
Mayor

ATTEST:


Stephanie Haug, CMC
City Clerk/Treasurer

APPROVED AS TO FORM:


Kerr Law Group,
City Attorney