

ORDINANCE NO. 40-19

AN ORDINANCE of the City of Richland amending Title 23 of the Richland Municipal Code prohibiting the use of storage containers as accessory buildings in residential zoning districts.

WHEREAS, the City of Richland Code Enforcement division receives a high volume of complaints regarding storage containers being used as accessory buildings in residential zoning districts; and

WHEREAS, the Richland Municipal Code (RMC) is silent on the regulation of storage containers being used as accessory buildings in residential zoning districts; and

WHEREAS, the City has a need to regulate the placement of storage containers on residential properties; and

WHEREAS, on May 22, 2019, the Richland Planning Commission conducted a public hearing regarding storage containers being used as accessory buildings in residential zoning districts; and

WHEREAS, the Richland Planning Commission recommends that storage containers, as defined in by the RMC, be prohibited as permanent accessory storage buildings in residential zoning districts.

NOW, THEREFORE, BE IT ORDAINED by the City of Richland as follows:

Section 1. Chapter 23.06 of the Richland Municipal Code, as enacted by Ordinance No. 28-05, and last amended by Ordinance No. 07-19, is hereby amended to read as follows:

**Chapter 23.06  
DEFINITIONS**

**Sections:**

- 23.06.010 Definitions – Introductory.**
- 23.06.020 Accessory apartment unit.**
- 23.06.025 Accessory dwelling unit.**
- 23.06.027 Adult family home.**
- 23.06.030 Adult use establishment.**
- 23.06.035 Agriculture.**
- 23.06.040 Airport commercial.**
- 23.06.045 Airport industrial.**
- 23.06.050 Alley.**
- 23.06.053 Amendment.**
- 23.06.055 Animal shelter.**

**23.06.065 Apparel and accessory stores.**  
**23.06.070 Apartment.**  
**23.06.071 Apartment, studio.**  
**23.06.075 Arcade.**  
**23.06.080 Area of special flood hazard.**  
**23.06.085 Art galleries.**  
**23.06.090 Assisted living facility.**  
**23.06.095 Auto parts sales.**  
**23.06.100 Automobile repair.**  
**23.06.105 Automobile service station.**  
**23.06.110 Automobile wrecking.**  
**23.06.115 Base flood.**  
**23.06.117 Basement.**  
**23.06.120 Bed and breakfast.**  
**23.06.125 Block front.**  
**23.06.130 Book, stationery and art supply store.**  
**23.06.135 Building.**  
**23.06.140 Building, accessory.**  
**23.06.145 Building, main.**  
**23.06.150 Building, hardware and garden supply store.**  
**23.06.155 Bus station.**  
**23.06.160 Bus terminal.**  
**23.06.165 Bus transfer station.**  
**23.06.170 Cafeteria.**  
**23.06.175 Car wash.**  
**23.06.180 Carport.**  
**23.06.185 Cemetery.**  
**23.06.190 Church.**  
**23.06.195 City officials and agencies.**  
**23.06.200 Cinema.**  
**23.06.205 Clinic.**  
**23.06.210 Club or fraternal societies.**  
**23.06.215 Commercial recreation.**  
**23.06.217 Concessionaire.**  
**23.06.220 Convention center.**  
**23.06.225 Contractors' offices and shops.**  
**23.06.230 Contractors' yards.**  
**23.06.235 Court.**  
**23.06.240 Cultural institution.**  
**23.06.245 Day care center.**  
**23.06.250 Delicatessen.**  
**23.06.255 Department store.**  
**23.06.260 Dependent recreational vehicle.**  
**23.06.265 Designated manufactured home.**  
**23.06.270 Development.**  
**23.06.275 District.**

- 23.06.280 Dormitories, fraternities and sororities.**
- 23.06.285 Drinking establishment.**
- 23.06.290 Drive-through.**
- 23.06.295 Drug store/pharmacy.**
- 23.06.300 Dwelling, one-family attached.**
- 23.06.305 Dwelling, one-family detached.**
- 23.06.310 Dwelling, two-family detached.**
- 23.06.315 Dwelling, multiple-family.**
- 23.06.320 Dwelling unit.**
- 23.06.325 Electronic equipment stores.**
- 23.06.330 Essential public facilities.**
- 23.06.335 Equipment rental.**
- 23.06.340 Family.**
- 23.06.345 Family day care home.**
- 23.06.350 Farming of land.**
- 23.06.355 Fence.**
- 23.06.360 Financial institution.**
- 23.06.365 Flood or flooding – Flood Insurance Rate Map (FIRM) – Flood Insurance Study.**
- 23.06.370 Florist.**
- 23.06.375 Food stores.**
- 23.06.380 Food wagon.**
- 23.06.385 Fuel station/mini-mart.**
- 23.06.390 Funeral establishment.**
- 23.06.395 Furniture, home furnishings, and appliance stores.**
- 23.06.400 General service businesses.**
- 23.06.405 Grade plane.**
- 23.06.410 Gross floor area.**
- 23.06.415 Guest room.**
- 23.06.420 Habitable floor.**
- 23.06.425 Hazardous waste.**
- 23.06.430 Hazardous waste storage.**
- 23.06.435 Hazardous waste treatment.**
- 23.06.440 Hazardous waste treatment and storage facilities, off site.**
- 23.06.445 Hazardous waste treatment and storage facilities, on site.**
- 23.06.450 Hedge.**
- 23.06.455 Height of building.**
- 23.06.460 Hog farm.**
- 23.06.465 Home occupations.**
- 23.06.470 Health/fitness center.**
- 23.06.475 Health/fitness facility.**
- 23.06.477 Health spa.**
- 23.06.480 Homeless shelter.**
- 23.06.485 Hospital.**
- 23.06.490 Hospital or clinic for large animals.**
- 23.06.495 Hospital or clinic for small animals.**

**23.06.500 Hot tub.**  
**23.06.505 Hotel.**  
**23.06.510 House-banked card room.**  
**23.06.515 Junkyard.**  
**23.06.520 Kennel, commercial.**  
**23.06.525 Landscaping.**  
**23.06.530 Landscaping material sales.**  
**23.06.535 Large livestock farming.**  
**23.06.540 Lattice tower.**  
**23.06.545 Laundry, self-service.**  
**23.06.550 Laundry/dry cleaning, retail.**  
**23.06.552 Laundry/dry cleaning, neighborhood.**  
**23.06.555 Laundry/dry cleaning, commercial.**  
**23.06.560 Livestock feed lot.**  
**23.06.565 Lot.**  
**23.06.567 Lot area.**  
**23.06.570 Lot, corner.**  
**23.06.572 Lot, interior.**  
**23.06.575 Lot line, front.**  
**23.06.577 Lot line, rear.**  
**23.06.580 Lot line, side.**  
**23.06.582 Lot depth.**  
**23.06.584 Lot width.**  
**23.06.586 Lowest floor.**  
**23.06.587 Lumberyard.**  
**23.06.590 Macrofacility.**  
**23.06.595 Mailing services.**  
**23.06.600 Manufactured home.**  
**23.06.605 Manufactured home lot, park, and stand.**  
**23.06.610 Manufacturing, general.**  
**23.06.615 Manufacturing, heavy.**  
**23.06.617 Manufacturing, light.**  
**23.06.620 Manufacturing use.**  
**23.06.625 Marinas.**  
**23.06.630 Marine equipment rentals.**  
**23.06.635 Marine gas sales.**  
**23.06.640 Master plan.**  
**23.06.645 Microbrewery.**  
**23.06.650 Repealed.**  
**23.06.655 Mini-warehouse.**  
**23.06.660 Mobile home.**  
**23.06.665 Monopole.**  
**23.06.670 Motel.**  
**23.06.675 Nursing home or rest home.**  
**23.06.680 Nursery, plant.**  
**23.06.685 Office – Corporate.**

**23.06.687 Office – Consulting services.**  
**23.06.690 Office – General.**  
**23.06.695 Office – Research and development.**  
**23.06.700 Office supply store.**  
**23.06.705 Outdoor advertising sign.**  
**23.06.710 Outdoor advertising structure.**  
**23.06.715 Outdoor storage.**  
**23.06.720 Parking lot.**  
**23.06.725 Parking space, automobile (off street).**  
**23.06.728 Parking structure.**  
**23.06.730 Pasture.**  
**23.06.732 Patio.**  
**23.06.735 Pawn shop.**  
**23.06.740 Pen.**  
**23.06.745 Personal loan business.**  
**23.06.750 Personal services business.**  
**23.06.755 Pet shop and pet supply store.**  
**23.06.760 Photo processing, copying and printing services.**  
**23.06.765 Pool, private.**  
**23.06.770 Pool, public.**  
**23.06.775 Pool, semi-public.**  
**23.06.777 Porch.**  
**23.06.780 Portable food vendor.**  
**23.06.785 Poultry farm.**  
**23.06.790 Public agency building.**  
**23.06.792 Public agency facility.**  
**23.06.795 Radio and television studio.**  
**23.06.797 Reclassification.**  
**23.06.800 Recreational club.**  
**23.06.802 Recreational vehicle.**  
**23.06.805 Recreational vehicle campground.**  
**23.06.807 Recreational vehicle park.**  
**23.06.809 Recreational vehicle space.**  
**23.06.810 Restaurant.**  
**23.06.817 Sales, retail.**  
**23.06.820 Sales, wholesale.**  
**23.06.825 Sanitary station or sanitary dumping station.**  
**23.06.830 School.**  
**23.06.832 School, alternative.**  
**23.06.833 School, commercial.**  
**23.06.834 School, trade.**  
**23.06.835 Secondhand/consignment store.**  
**23.06.840 Senior housing.**  
**23.06.845 Sensitive land uses.**  
**23.06.850 Small livestock farming.**  
**23.06.855 Specialty retail store.**

- 23.06.860 Specified anatomical areas.**
- 23.06.862 Specified sexual activities.**
- 23.06.865 Stable, private.**
- 23.06.867 Stable, public.**
- 23.06.870 Stock-in-trade.**
- 23.06.871 Storage container.**
- 23.06.875 Story.**
- 23.06.880 Street.**
- 23.06.885 Structure.**
- 23.06.888 Substantial damage.**
- 23.06.890 Substantial improvement.**
- 23.06.895 Theater.**
- 23.06.900 Towing, vehicle impound lots.**
- 23.06.905 Travel trailer.**
- 23.06.910 Truck terminal.**
- 23.06.915 Use – Permitted.**
- 23.06.920 Use – Accessory (secondary).**
- 23.06.925 Use – Nonconforming.**
- 23.06.930 Use – Special.**
- 23.06.935 Variance.**
- 23.06.937 Vehicle-based food service.**
- 23.06.940 Vehicle leasing and rentals.**
- 23.06.945 Vehicle sales.**
- 23.06.950 Video rental store.**
- 23.06.955 Warehousing and wholesale trade.**
- 23.06.960 Warehousing, storage and distribution.**
- 23.06.965 Wholesale use.**
- 23.06.970 Wineries – Production.**
- 23.06.972 Wineries – Tasting room.**
- 23.06.975 Yard.**
- 23.06.980 Yard, front.**
- 23.06.983 Yard, rear.**
- 23.06.985 Yard, side.**

**23.06.871 Storage container.**

**“Storage container” is defined as provided in RMC 11.33.010.**

Section 2. Richland Municipal Code Section 23.38.020, entitled Accessory buildings in residential zoning districts, as enacted by Ordinance No. 28-05 and last amended by Ordinance No. 20-14, is hereby amended to read as follows:

**23.38.020 Accessory buildings in residential zoning districts.**

A. Attached accessory buildings and detached accessory buildings meeting the main building setbacks shall comply with all the site requirements for the main building including maximum building height, minimum setbacks and maximum lot coverage as set forth in RMC 23.18.040.

B. Detached accessory buildings not meeting the main building setbacks are subject to the following requirements:

1. Detached accessory buildings shall be erected or altered so as not to be nearer to any street lot line than the minimum depth required for a front yard in the district.
2. Detached accessory buildings built adjacent to the front half of an adjoining lot shall comply with applicable side yard requirements of the underlying zoning district.
3. Detached accessory buildings under 200 feet may be located adjacent to the primary structure provided all building and fire codes are met. Those sheds less than 200 feet located in the side yard shall maintain a minimum five-foot clearance to the property line or primary structure from the leading edge of the shed; see diagram below.
4. When a detached accessory building is built adjacent to the back half of the adjoining lot or is 75 feet or more from any right-of-way line bounding the lot, the following setbacks shall apply:
  - a. If the accessory building is 120 square feet or less in floor area and 10 feet or less in height, a one-and-one-half-foot setback is required from the side and rear property lines.
  - b. Accessory buildings over 10 feet in height and those between 120 square feet and 600 square feet in floor area shall be set back a minimum of three feet from the rear and side property lines.
  - c. Any accessory building exceeding 600 square feet in floor area shall be set back a minimum of five feet from the rear and side property lines.

C. In addition to maintaining compliance with the maximum overall lot coverage set forth in RMC 23.18.040, total area of detached accessory buildings located in a rear yard shall not exceed 25 percent of the area of said rear yard.

D. In no case shall a detached accessory building exceed 900 square feet in floor area or 50 percent of the gross floor area of the main building (including the floor area of attached garages but excluding any floor area of a basement), whichever is greater, to a maximum of 1,200 square feet.

E. To help ensure larger detached accessory buildings are similar in design and appearance to the main building, detached accessory buildings over 900 square feet in floor area or which exceed the height of the main building on the lot shall be subject to the following minimum design standards:

1. In no case shall a detached accessory structure exceed a height of 16 feet.

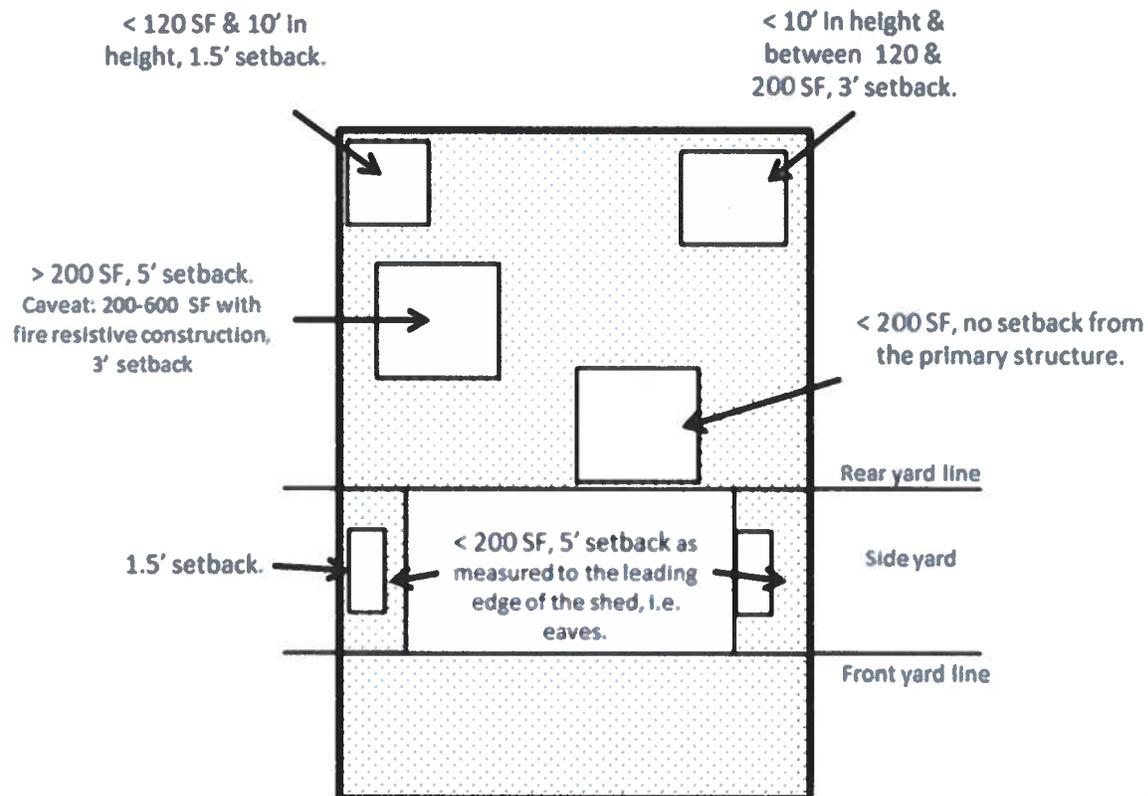
2. The detached accessory structure shall have a minimum roof pitch of 4:12 or a roof pitch equal to or greater than the roof pitch of the main building on the lot if the roof pitch of the main building is less than 4:12.

3. Exterior siding shall consist of wood, hardboard, stucco, aluminum, vinyl or steel siding commonly used in standard residential construction. Corrugated metal siding or similar industrial type siding is not permitted.

The final administrative decision as to a proposed accessory building's conformance with the design standards set forth in this subsection may be appealed ~~shall be appealable~~ to the ~~board of adjustment~~ hearings examiner in accordance with the procedures set forth in RMC 23.70.070, Administrative review – Procedures.

F. Detached residential accessory buildings built pursuant to this section shall not be more than one story.

G. Storage containers are not permitted as a permanent storage building or as temporary storage for longer than 180 consecutive days.



Section 3. This ordinance shall take effect the day following its publication in the official newspaper of the City of Richland.

PASSED by the City Council of the City of Richland, Washington, at a regular meeting on the 15<sup>th</sup> day of October, 2019.



ROBERT J. THOMPSON  
Mayor

ATTEST:



TONI FULTON, Acting Deputy City Clerk

APPROVED AS TO FORM:



HEATHER KINTZLEY, City Attorney

Date Published: October 20, 2019