



# CITY OF KALAMA

## SIMILAR USE DETERMINATION APPLICATION

Please attach the necessary supporting documentation to a completed application, and the **\$500** application fee. *Your application will not be processed until it has been reviewed and determined complete. A copy of the KMC 17.60 is attached.* Application may be submitted to the Planning Department at City Hall 195 N. First, Kalama, WA 98625 or mailed to City of Kalama, PO Box 1007, Kalama WA 98625. For questions contact (360) 673-5211 or by email at [building@cityofkalama.com](mailto:building@cityofkalama.com).

Applicant/Owner \_\_\_\_\_ Phone \_\_\_\_\_

Mailing Address \_\_\_\_\_

Email Address \_\_\_\_\_

Co-Applicant \_\_\_\_\_ Phone \_\_\_\_\_

Mailing Address \_\_\_\_\_

Authorized Agent \_\_\_\_\_ (Letter of authorization required)

Mailing Address \_\_\_\_\_ Phone \_\_\_\_\_

Site Location/Address \_\_\_\_\_

Subdivision/DLC/Short \_\_\_\_\_ Plat Block \_\_\_\_\_ Lot #s \_\_\_\_\_

Parcel # \_\_\_\_\_ Square Footage of Space to Used \_\_\_\_\_

- Include a map or site photo of site and showing neighboring properties.
- Detailed Business Description – include Business Model.

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- Driver's License Number \_\_\_\_\_
- State UBI Number \_\_\_\_\_
- Federal EIN \_\_\_\_\_
- Other Required State/Federal/Professional ID # \_\_\_\_\_
- Proposed Hours of Operations \_\_\_\_\_
- Number of Employees Anticipated \_\_\_\_\_



## Chapter 17.60

### USAGE TABLE

#### Sections

17.60.010 Purpose.

17.60.020 Use table.

17.60.030 Similar use criteria.

17.60.035 Similar use determination procedure.

#### 17.60.010 Purpose.

This chapter provides a complete list of uses permitted (P), prohibited (X) and permitted by a conditional use permit (C) in the residential and commercial zones. This table is to serve as a user-friendly guide for citizens, developers and city officials in determining the placement of proposed uses within the city. Floating zoning districts are not shown in this table, due to the lack of geographical boundaries. The sexually oriented business overlay zone describes the uses permitted within the zone in section 17.26.150. The MU (mixed use) zoning district includes development districts to promote grouping of compatible uses. MU zone districts are further defined in section 17.25.020. The table below reflects the four sub-zones and the use classification for each district.

If a particular use is not listed and is not deemed substantially similar to another listed use by the city through a similar use determination procedure described in section 17.60.035 subject to the criteria in section 17.60.030, then the use is prohibited. A use deemed to be prohibited may be appealed, subject to the provisions of section 17.12.050.

(Ord. No. 1313, § 1, 6-5-2013; Ord. No. 1240, § 9, 6-17-2009)

**17.60.020 Use table.**

Use	Zoning District									
	R-1	R-2	R-3	C-1 (CBD)	C-2 (HWC)	PSO	MU			
							R	C	B	I
<b>Food and Beverage Service Uses</b>										
Bakery	X	X	X	P	P	X	X	P	P	X
Candy Store	X	X	X	P	P	X	X	P	X	X
Coffee kiosks or drive-through coffee stores	X	X	X	P	P	X	X	P	X	X
Drinking establishments (bars, cocktail lounges, night clubs, and taverns)	X	X	X	P	C	X	X	P	X	X
Food Processing	X	X	X	C	P	X	X	X	P	P
Liquor Store	X	X	X	P	P	X	X	X	X	X
Microbreweries/Wineries /Brew Pubs	X	X	X	C	P	X	X	P	P	X
Other food service establishments including coffee houses, delicatessens, ice cream parlors, juice bars, etc.	X	X	X	P	P	C	X	P	P	X
Restaurants	X	X	X	P	P	C	X	P	P	X
<b>Manufacturing Uses</b>										
Apparel and other related products manufacture and assembly	X	X	X	X	P	X	X	X	C	P
Blacksmith	X	X	X	X	X	X	X	X	X	P
Computer Equipment Manufacture and assembly	X	X	X	X	P	X	X	X	C	P
Custom, art and craft work	X	X	X	P	P	C	X	C	P	X
Electrical and electronic goods manufacture and assembly	X	X	X	X	P	X	X	X	C	P
Fuel Storage Facilities	X	X	X	X	P	X	X	X	X	P
Furniture and fixtures manufacture and assembly	X	X	X	X	P	X	X	X	C	P
General Manufacturing	X	X	X	X	P	X	X	X	C	P
General Manufacturing (up to 40,000 SF)	X	X	X	X	C	X	X	X	P	P
Heavy equipment repair and service	X	X	X	X	C	X	X	X	X	X
Light Industrial Manufacturing	X	X	X	X	C	X	X	X	C	P
Light Industrial Manufacturing (up to 40,000 SF)	X	X	X	X	C	X	X	X	P	P

Medical and optic goods manufacture and assembly	X	X	X	C	P	X	X	X	C	P
Printing	X	X	X	C	P	C	X	X	P	X
Transportation vehicle, equipment manufacture and assembly	X	X	X	X	P	X	X	X	X	P
Welding and fabrication	X	X	X	X	P	X	X	X	X	P
General Wholesaling	X	X	X	C	P	X	X	X	C	P
Office Uses										
Banks and Credit Unions	X	X	X	P	P	X	X	P	P	X
Business Services	X	X	X	P	P	C	X	P	P	X
Contractors' shops, and storage yards	X	X	X	X	P	X	X	X	X	X
Offices, business and professional	X	X	X	P	P	C	X	P	P	X
Offices, medical	X	X	X	P	P	C	X	P	P	X
Office support services and facilities	X	X	X	P	P	X	X	P	P	X
Veterinary hospitals or animal rehabilitation facility	X	X	X	P	P	X	X	P	P	X
Recreational and Cultural Uses										
Amusement parks or centers	X	X	X	X	P	X	X	X	X	X
Arcades	X	X	X	C	P	X	X	X	X	X
Art Galleries and studios non-commercial	X	X	X	P	P	C	X	X	X	X
Bowling Alleys	X	X	X	C	P	X	X	X	X	X
Health Clubs, dance studios, martial arts studios	X	X	X	P	P	C	X	P	C	X
Libraries	X	X	X	P	P	X	X	X	X	X
Museums	X	X	X	P	P	C	X	X	X	X
Photographic Studio	C	C	C	P	P	C	C	X	C	X
Stadiums, arenas and assembly halls	X	X	X	X	P	X	X	C	C	X
Theaters, movie and performing arts, not including drive-ins	X	X	X	C	P	X	X	P	C	X
Residential Uses										
Accessory uses and structures normal to a residential environment including detached garages up to 20 feet in height	P	P	P	C	C	P	P	X	X	X
Accessory uses and structures normal to a residential environment including detached garages that exceed 20 feet in height, with a maximum height of 25 feet	C	C	C	X	C	C	C	X	X	X
Adult family home	P	P	P	X	X	P	P	X	X	X

Duplex (two-family dwelling)	X	P	P	X	X	X	P	X	X	X
Four-plex (four-family dwelling)	X	P	P	X	X	X	P	X	X	X
Home occupations, subject to Section 17.18.070(K)	P	P	P	P	P	P	P	X	X	X
Home swimming pools and sport courts	P	P	P	X	C	P	P	X	X	X
Manufactured homes, subject to section 17.18.070(L)	P	P	P	X	X	P	X	X	X	X
Manufactured home parks, subject to compliance Title 16	X	P	P	X	X	X	X	X	X	X
Mixed-Use or Multiple-Use buildings (Examples: apartments on upper floors and store or restaurant on ground floor; video store on one side and laundromat on the other side, partitioned by a two-hour fire wall)	X	X	X	P	C	C	X	X	X	X
Multifamily dwellings (five-family dwellings or more)	X	X	P	X	X	X	P	X	X	X
Single-family dwellings and their customary uses on small lots (as infill), subject to the lot owner obtaining the necessary site plan approval in conformance with Chapter 17.23 of this title	P	P	P	X	X	P	X	X	X	X
Single-family detached dwelling	P	P	P	X	X	P	X	X	X	X
Townhouse (single-family attached dwelling), subject to the development standards of this Chapter	X	P	P	X	X	C	P	X	X	X
Triplex (three-family dwelling)	X	P	P	X	X	X	P	X	X	X
<b>Commercial Retail Facilities</b>										
Ancillary retail uses	X	X	X	P	P	C	X	P	P	X
Antique and gift sales	X	X	X	P	P	C	X	X	X	X
Apparel and accessory stores	X	X	X	P	P	X	X	P	X	X
Automobile sales and service establishments, new and used	X	X	X	C	P	X	X	P	X	X
Boat sales and rentals	X	X	X	X	P	X	X	P	X	X
Building materials, garden and farm supplies stores	X	X	X	P	P	X	X	C	X	X
Convenience stores	X	X	X	P	P	X	X	P	X	X
Farmer's markets	X	X	X	P	P	C	X	X	X	X
Flea markets	X	X	X	C	P	X	X	X	X	X
Food stores and grocery stores	X	X	X	P	P	X	X	X	X	X

Furniture, home furnishings and appliance stores	X	X	X	P	P	X	X	P	X	X
General merchandise stores	X	X	X	P	P	C	X	P	X	X
Heating fuel sales	X	X	X	X	P	X	X	X	X	X
Lumber sales, entirely within an enclosed building	X	X	X	X	P	X	X	P	X	X
Mobile, manufactures and modular housing sales	X	X	X	X	P	X	X	X	X	X
Motor vehicle sales	X	X	X	C	P	X	X	P	X	X
Motor vehicle supply stores	X	X	X	C	P	X	X	P	X	X
Office supplies and equipment	X	X	X	P	P	X	X	P	P	X
Pharmacies and medical supply stores	X	X	X	P	P	X	X	P	X	X
Yard and garden supplies, including nurseries	X	X	X	X	P	X	X	P	X	X
Retail sales, General	X	X	X	C	P	X	X	P	X	X
Specialty stores	X	X	X	P	P	C	X	P	X	X
<b>Service Uses, Health</b>										
Congregate Care, assisted living, and continuing care facilities and nursing homes for elderly individuals, including accessory services to the above uses.	C	C	C	C	C	C	C	X	X	X
Hospitals, when located on major arterials as defined in the city's comprehensive plan	C	C	C	C	P	C	C	X	X	X
Massage Clinic or Center	X	X	C	P	P	C	C	P	P	X
Offices, medical	X	X	X	P	P	C	X	P	P	X
Residential treatment facilities, group homes	X	X	X	X	C	C	X	X	X	X
<b>Service Uses, Lodging</b>										
Bed and breakfast inns	P	P	P	P	P	P	P	P	X	X
Bed and breakfast inns with event space	C	C	C	C	C	C	C	P	X	X
Hotels	X	X	X	P	P	X	X	P	X	X
Motels	X	X	X	P	P	X	X	X	X	X
Resorts, including Bungalows	X	X	X	X	X	X	P	X	X	X
Recreational vehicle parks (RV parks) and individual recreational vehicles (RVs) used for dwelling purposes	X	X	X	X	C	X	X	P	X	X
<b>Personal Service Uses</b>										
Beauty Salons/Barbers	X	X	X	P	P	C	X	P	X	X

Child day care centers, preschools	C	C	C	P	P	C	C	P	X	X
Child day care facilities operated in a family home (subject to the conditions set forth in sections 17.36.070 and 17.36.080), school, church or community building	P	P	P	P	P	P	P	P	P	X
Financial institutions, commercial banking, savings institutions, credit unions	X	X	X	P	P	X	X	P	P	X
Financial institutions (non-bank)	X	X	X	P	P	X	X	P	P	X
Funeral parlors and mortuaries	X	X	X	P	P	X	X	X	X	X
Laundromats, dry cleaning	X	X	X	P	P	X	X	X	X	X
Other personal services	X	X	X	P	P	C	X	C	C	X
<b>Service Uses, Miscellaneous</b>										
Automobile body and fender shops	X	X	X	P	P	X	X	X	C	X
Automobile rental agencies	X	X	X	P	P	X	X	P	P	X
Automobile towing services	X	X	X	C	P	X	X	P	X	X
Automobile repair	X	X	X	C	P	C	X	X	C	P
Automobile service stations	X	X	X	P	P	C	X	P	X	X
Business, labor scientific and professional, civic, social, fraternal, charitable, labor and political organizations	X	X	X	P	C	C	X	X	P	X
Car Washes	X	X	X	P	P	X	X	P	X	X
Catering Establishment	C	C	C	P	P	C	C	P	X	X
Colleges and universities (public or private) without students in residence	X	X	X	C	P	X	X	X	P	X
Equipment/machinery rental services	X	X	X	C	P	X	X	X	C	X
Kennels, commercial (subject to the conditions set forth in Section 6.04.090)	X	X	X	C	P	X	X	X	X	X
Large Animal Grooming, Farriers, etc.	X	X	X	X	P	X	X	X	X	X
Media productions	X	X	X	P	P	X	X	X	P	X
Storage, mini and covered outdoor storage	X	X	X	X	P	X	X	X	X	X
Printing, Commercial	X	X	X	C	P	X	X	X	X	P
Radio, television, broadcasting, and recording studios	X	X	X	P	P	C	X	X	P	X
Research and development facilities	X	X	X	C	P	X	X	X	C	C
Schools, public or private	C	C	C	C	P	C	C	X	X	X



Servicing of personal apparel, tailoring	C	C	C	P	P	C	C	P	X	X
Small Animal Grooming	C	C	C	P	P	C	C	X	X	X
Small appliance repair shop	C	C	C	P	P	C	C	X	P	X
Transportation, including cargo, parking, towing, passenger terminal, heliports and helistops	X	X	X	X	P	X	X	X	C	P
Truck stops	X	X	X	X	P	X	X	X	X	X
Vehicle storage and maintenance	X	X	X	X	P	X	X	X	X	X
Vocational schools and trade sector training facilities, both public and private	X	X	X	X	P	X	X	X	P	C
Public Facility Uses										
Cemeteries, provided a sight-obscuring fence or hedge is provided along all property lines other than street lines	C	C	C	X	C	X	X	X	X	X
Electrical distribution substations	C	C	C	C	C	C	C	P	P	P
Hazardous Waste (Storage/Treatment)	X	X	X	X	C	X	X	X	X	X
Municipal improvements, public utilities and utility structures per section 17.18.070(H)	P	P	P	P	P	P	P	P	P	P
Offices, government and government facilities	X	X	X	P	P	C	X	X	P	X
Parks and playgrounds	P	P	P	P	P	P	P	X	X	X
Public utility or capital facility	P	P	P	P	P	P	P	P	P	P
Recycling facilities	X	X	X	C	C	X	X	X	X	P
Recreational facilities (private or public) developed as part of a subdivision in accordance with title 16	P	P	P	P	P	C	P	X	X	X
Water/Sewer Treatment Plant	X	X	X	X	C	X	X	X	X	X
Temporary Uses										
Contractor offices, mobile or modular units for a construction field office provided there are no sleeping quarters in the unit for the time period of the associated permitted project	P	P	P	P	P	P	P	P	P	P
Christmas tree sales	X	X	X	P	P	C	X	P	X	X
Carnivals/circuses	X	X	X	P	P	X	X	X	X	X
Outdoor art and craft sales	X	X	C	P	P	C	C	P	X	X
Parking lot/sidewalk sales	X	X	X	C	P	C	X	P	X	X

Other Uses										
Agricultural practices, subject to compliance with chapter 17.21	P	P	P	X	X	P	P	X	X	X
Casino/Card Room or gambling establishments	X	X	X	X	C	X	X	X	X	X
Churches, clubs, museums, galleries, lodges, fraternal institutions and similar secular and non-secular "places of assembly" not listed elsewhere in this table	C	C	C	C	C	C	C	P	C	X
Communication towers, including cellular communication towers	C	C	C	C	C	C	C	C	C	C
Correctional Facilities	X	X	X	X	C	X	X	X	X	X
Conference Centers	X	X	X	C	C	C	X	P	C	X
Event Venue	X	X	X	C	C	C	X	C	C	X
Garage, parking lot/public parking	X	X	X	C	P	C	X	P	P	X
General Warehouse	X	X	X	C	P	X	X	X	C	P
Golf Course/Miniature	X	X	X	C	P	X	X	X	X	X
Golf courses and country clubs, provided night lighting is directed away from all adjoining residential areas	C	C	C	X	P	X	C	X	X	X
Home gardens and gardening of vacant land including community gardens	P	P	P	P	P	P	P	X	X	X
Incineration Facility	X	X	X	X	P	X	X	X	X	X
Keeping of livestock/farm animals, on less than two acres	X	X	X	X	P	X	X	X	X	X
Keeping of chickens, for non-commercial purposes, subject to the provisions of section 6.04.080.	P	P	P	X	X	P	X	X	X	X
Repair, storage and parking of trucks and trailers in excess of six thousand pounds gross weight	X	X	X	X	P	X	X	X	X	X
Salvage Yard	X	X	X	X	P	X	X	X	X	X
Taxi Terminal	X	X	X	C	P	C	X	X	C	C
Waste Transfer Site	X	X	X	X	P	X	X	X	X	X

(Ord. No. 1313, § 1, 6-5-2013; Ord. No. 1240, § 8, 6-17-2009)

### **17.60.030 Similar use criteria.**

It is recognized that not every conceivable use can be identified. Therefore an allowance for a substantially similar use may be granted through an administrative review process in section 17.60.035. In no instance shall a use specifically identified in any zoning district in the city be allowed in another zoning district where that use is specifically permitted or is specifically prohibited in the subject zone. When a use is not specifically listed in table 17.60.020, the use may be allowed if it is determined by the city administrator or their designee through an administrative review process that the use is similar to other uses listed. This section establishes the authority to compare a proposed use and measure it against those listed in this chapter for determining similarity. In determining similarity, the city administrator shall make all of the following findings:

- The proposed use shall substantially meet the intent of and be consistent with the goals, objectives and policies of the comprehensive plan;
  - The proposed use shall meet the stated purpose and general intent of the zone in which the use is proposed to be located;
  - The proposed use shall not adversely impact the public health, safety and general welfare of the residents of the city; and
  - The proposed use shall possess similar characteristics or performance standards common with and not be of greater intensity, density or generate more environmental impact than those uses listed in the uses permitted in the zone in which it is to be located.
- (Ord. No. 1313, § 1, 6-5-2013)

### **17.60.035 Similar use determination procedure.**

A. Submittal Information. Submittals shall include:

1. Application Form. Applications shall be made on forms provided by the city.
2. Narrative. Address the relevant criteria applicable to the request in sufficient detail for review and action.
3. Be accompanied by the required fees.

B. Review by City Administrator. The city administrator shall deem the use to be consistent, inconsistent, or conditionally consistent, as a similar use request within fourteen calendar days after the date the application was accepted; provided, that an applicant may agree in writing to extend the time in which the city administrator shall issue a decision. Time spent by the applicant to provide additional information requested by the city shall not be included in the maximum permitted review period. The city administrator's decision to include the use as a similar use shall result in the use being permitted in the zoning district. A decision to disallow a use as similar shall result in the use being prohibited in the zoning district. A decision to allow the use as a conditionally similar use shall result in the use being a conditional use in the zoning district.

C. Final Decision. The final decision on a similar use determination application shall be mailed to the applicant, the property owner, and the applicant's representative by regular mail. The similar use determinations shall be included in the annual code update process and included

in the use table as the annual amendments are codified. The final decision on an administrative review application shall contain the following information:

1. A statement of the applicable criteria and standards pursuant to this Code and other applicable law;
2. A statement of the facts demonstrating how the use was considered consistent, inconsistent, or conditionally consistent;
3. The date the final decision is signed and the date the appeal period expires.

D. **Appeal of Final Decision.** A similar use determination decision becomes effective on the fourteenth calendar day after the decision is issued, unless an appeal is filed. The applicant and owner have the right to waive their appeal rights, and in such cases where a waiver is submitted in writing to the city administrator, the similar use determination decision is considered final on the day it is signed by the city administrator or on the day the waiver is approved, whichever is later.

### **17.12.050 Appeals.**

Any affected citizen or administrative official may appeal to the city council from any orders, recommendations, permits, decisions, rulings or determinations made by city code official in the administration or enforcement of provisions of the Uniform Building Code or the Kalama zoning code, or any ordinances adopted pursuant thereto, which are adverse to his interest, by filing with the clerk-treasurer, within ten days from such ruling or date of action, a written notice of appeal. Thereupon the clerk-treasurer, shall forthwith transmit to the city council all papers constituting a record upon which the action appealed from was taken; in addition thereto, the council may, at its hearing, receive such additional evidence as it deems relevant. Upon hearing, the council shall have the power to overrule or alter the ruling of any city code official, or to refer any matter back to the city code official for restudy or reconsideration. The action of the city council shall be final and binding unless appealed pursuant to the provisions of RCW 35A.63.110.