

CHAPTER 11.33

LIGHT INDUSTRIAL DISTRICT (LI)

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11.33.010 PURPOSE. The Light Industrial District (LI) is designed to provide an area for the establishment of manufacturing facilities that generally do not involve significant pollution issues, such as: research and development, computer component manufacturing businesses, and other businesses of a similar nature. Such light industrial activities should be sited and designed so as to avoid or significantly mitigate material adverse effects to the natural environment, adjacent non-industrial areas, and communities whenever feasible.

[Ord. 611 (2018) § 124]

11.33.020 APPLICABILITY. Provided all applicable code provisions are satisfied, the provisions of this Chapter shall apply to the areas designated as a Light Industrial District (LI) on the official zoning maps of Benton County and located in unincorporated Benton County.

[Ord. 611 (2018) § 125]

11.33.030 ALLOWABLE USES. The following uses are allowed within the Light Industrial District (LI) on a single parcel of record:

- (a) Fire department facility, law enforcement facility, and/or medical facility.
- (b) Research and development facility, computer component manufacturing, laboratory, and/or electronic data processing facility.
- (c) Agricultural uses.
- (d) Lumber yard and/or custom milling of logs into dimensional lumber.
- (e) Nursery and/or landscaping business.
- (f) Warehouse.
- (g) Utility substation facility.
- (h) Rental storage facility.
- (i) Food processing and/or cannery.
- (j) Metal fabrication and/or welding.
- (k) Sales of on-site manufactured goods.
- (l) Sales, service and repair of machinery equipment, automobiles, and/or trucks.
- (m) Wineries/Breweries/Distilleries.
- (n) Hiking and non-motorized biking trails.
- (o) Hazardous waste treatment and/or hazardous waste storage facilities as an accessory use to an allowed or conditionally permitted use; provided, that such facilities must comply with the

state siting criteria adopted in RCW 70.105.210, as it now exists or is hereafter amended, and only treat waste generated on the same parcel or a contiguous parcel.

(p) Rapid Charging Station.

(q) No more than one (1) wind turbine and related support structures and other improvements per parcel for private use; provided, the wind turbine height must be less than sixty (60) feet and the wind turbine must be set back from all property lines a distance equal to one (1) foot for every foot in height of the wind turbine.

[Ord. 611 (2018) § 126; Ord. 640 (2021) § 3]

11.33.040 ACCESSORY USES. Provided all applicable code provisions are satisfied, the following uses are allowed as an accessory/ancillary use within the Light Industrial District on a single parcel of record:

(a) Accessory/ancillary uses or buildings.

(b) Accessory equipment structure if ancillary to a communication facility.

(c) Solar Power Generator Facility, Minor.

[Ord. 611 (2018) § 127]

11.33.050 USES SUBJECT TO PLANNING ADMINISTRATOR REVIEW AND APPROVAL. The following uses may be allowed within the Light Industrial District (LI) on a single parcel of record upon the review and approval of the Planning Administrator:

(a) Communication facilities, subject the provisions of Chapter 11.47 BCC.

[Ord. 611 (2018) § 128]

11.33.060 USES REQUIRING A CONDITIONAL USE PERMIT. The following uses may be permitted on a single parcel of record within the Light Industrial District (LI) if a conditional use permit is

issued by the Hearings Examiner after notice and public hearing as provided by BCC 11.50.040.

(a) Race track facility for automotive, motocross, or horse racing.

(b) Agricultural recreational facility.

(c) Sand and/or gravel pit, stone quarry, mining, crushing, stockpiling of mineral resources and similar uses for the development of natural resources extracted on-site.

(d) Solid waste transfer station.

(e) Airport/Heliport.

(f) Asphalt plant.

(g) Concrete plant.

(h) Sewage treatment plant for industrial and/or domestic waste.

(i) Wrecking yard.

(j) Indoor shooting range.

(k) Solar Power Generator Facility, Major.

(l) One (1) wind turbine with a wind turbine height of sixty (60) feet or more or a wind turbine farm and related support structures and other improvements under the following conditions:

(1) The lowest point on all rotor blades must be at least thirty (30) feet above ground level;

(2) All wind turbine tower bases must be set back from all dwellings not located on the same parcel at least one thousand six hundred and forty (1,640) feet;

(3) All wind turbine tower bases must be set back from all property lines a distance equal to the associated wind turbine height plus 50% of that height, except that, where contiguous properties are leased for an identical duration for

development of a wind farm, the tower bases set back from the property lines common with such leased properties may be eliminated so long as no part of any wind turbine extends past any such interior property lines and the above-required setbacks are maintained from the property lines comprising the exterior boundaries of the wind farm;

(4) All wind turbine tower bases must be set back from the closest edge of a state, county, or city road right-of-way distance equal to the wind turbine height plus 50% of that height;

(5) All wind turbine tower bases must be set back a distance equal to the wind turbine height from all borders of the Light Industrial Zoning District, except for Light Industrial Zoning District borders adjacent to the Hanford Reservation owned by the Department of Energy or adjacent to another zoning district adopted by another county that contains a general minimum parcel size of at least twenty (20) acres per parcel;

(6) For wind turbine(s) proposed to be located within four (4) miles of the nearest point of the nearest runway of the nearest airport available for public use, the applicant for a building permit must comply with all the requirements imposed by the Federal Aviation Administration (FAA) and provide a written statement from the FAA that sets forth the FAA's comments and requirements, if any, for the proposal;

(7) All wind turbine(s) must comply with the Federal Aviation Regulations Part 77, Objects Affecting Navigable Airspace, as currently in effect or as hereafter amended, including but not limited to, providing such notices to the FAA as required thereunder and compliance with all requirements or prohibitions imposed by the FAA on the applicant's proposal;

(8) Conditional use permit applications for the placement and operation of wind turbines under this section shall be made available for review by the United States Department of

Defense (USDOD) in accordance with RCW 36.01.320, as in effect now or hereafter amended. The notice and processing of wind turbine permit applications will be in accordance with Benton County Code chapter 17.10. Pursuant to BCC 11.50.040 (d), the applicant is required to provide sufficient evidence to persuade the Hearings Examiner that the proposed wind turbine is compatible with other uses in the surrounding area, including any military training activities, or is no more incompatible than are any other outright permitted uses in the applicable zoning district, as well as provide all other evidence required by BCC 11.50.040;

(9) All wind turbine tower bases shall be located at least forty (40) feet for every one (1) foot of tower height or one mile, whichever is greater, from the ends of and at least five thousand (5,000) feet from the sides of all runways which are available solely for private use and identified on the most current edition of the Sectional Aeronautical Charts produced by the National Aeronautical Charting Office (NACO);

(10) If the use of any wind turbine or wind turbine farm is discontinued for a period of one (1) year or more, the owner of such facility shall remove the facility within ninety (90) days of written notification by the Planning Department. If such facility is not removed within said ninety (90) days, the County may refer the issue to the code enforcement officer for appropriate action pursuant to Chapter 11.43 BCC; and

(11) The wind turbine(s) and all associated service roads may not displace more than five (5) percent of the area of that parcel(s) on which they are located.

[Ord. 611 (2018) § 129; Ord. 640 (2021) § 4]

11.33.070 USES PROHIBITED. Any use not authorized or approved pursuant to BCC 11.33.030, BCC 11.33.040, BCC 11.33.050 or BCC 11.33.060 is prohibited in the Light Industrial District (LI).

[Ord. 611 (2018) § 130]

11.33.080 PROPERTY DEVELOPMENT STANDARDS. All lands, structures and uses in the Light Industrial District (LI) shall conform to the following standards:

(a) Lot Width. Each lot shall have an average lot width of not less than ninety (90) feet.

(b) Setback Requirements. The following minimum setbacks shall apply:

(1) Each building on a parcel that is contiguous to a Community Center Residential (CCR), Rural Lands One Acre (RL-1), Rural Lands Five Acre (RL-5), Rural Lands Twenty Acre (RL-20), or Urban Growth Area Residential (UGAR) zoning district shall have a minimum setback of thirty (30) feet from said district border.

(2) Each building must be at least twenty-five (25) feet from the property line bordering any public road right-of-way and at least twenty-five (25) feet from the closest edge of any legally established boundary line of a private access easement.

(3) No building or structure shall be located within an easement or any public road right-of-way.

[Ord. 611 (2018) § 131]

11.33.090 SEVERABILITY. If any provision of this chapter is declared unconstitutional, or the applicability thereof to any person or circumstance is held invalid, the constitutionality of the remainder of the chapter and the applicability thereof to other persons and circumstances shall not be affected thereby.

[Ord. 611 (2018) § 249]

11.33.100 EFFECTIVE DATE. This chapter shall take effect and be in full force upon its passage and adoption.

[Ord. 611 (2018) § 250]