

Title 14

BUILDINGS AND CONSTRUCTION*

Chapters:

14.04 Building Codes

~~**14.30 Commercial Development Standards**~~

14.36 Fences, Walls and Hedges

~~**14.49 Site Plan Review**~~

14.56 Undergrounding of Utilities

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14.58 Signs

* For zoning—See Title 17.

Chapter 14.04
BUILDING CODES

[No changes to this chapter at this time.]

Chapter 14.30

COMMERCIAL DEVELOPMENT STANDARDS

Sections:

- ~~14.30.050 — Development standards for commercial zones.~~
- ~~14.30.060 — Performance standards.~~
- ~~14.30.070 — Health regulations.~~
- ~~14.30.090 — Construction code requirements.~~
- ~~14.30.100 — Commercial coaches and recreational vehicles.~~
- ~~14.30.110 — Outside storage.~~
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- ~~14.30.130 — Buffer strips.~~
- ~~14.30.140 — Stormwater and drainage.~~
- ~~14.30.150 — Structure design.~~
- ~~14.30.160 — Pedestrian standards.~~

14.30.050 — Development standards for commercial zones.

(a) ~~Purpose. This section establishes the development standards and site requirements for uses in the commercial zones. The standards and rules are established to provide flexibility in project design, prevent fire danger, provide adequate access and circulation, reduce incompatibilities, and prevent overloading of infrastructure due to the impacts of development.~~

(b) ~~Explanation of Table. Development standards are listed down the left column of the table and the commercial zones are identified across the top row. The matrix cells contain the requirements of each zone. The footnotes identify particular requirements applicable to a specific use, standard, or zone.~~

TABLE 2: DEVELOPMENT STANDARDS IN COMMERCIAL ZONES

Development Standards	C-1	C-2
Minimum lot size	NR	NR
Maximum lot size	NR ¹	NR
Maximum building height	4 stories or 62' ²	4 stories or 62' ²
Minimum front yard setback ³	NR	15'
Exterior side yard setback ²	NR	15'
Interior side yard setback ³	NR	NR
Rear yard setback ³	NR	NR
Landscaping required (Chapter 14.57)	New parking lots only	Yes
Buffer requirements	Section 14.30.130	Section 14.30.130
Signage	Chapter 14.58	Chapter 14.58
Outside storage allowed	No	Section 14.30.110
Fencing requirements	Section 14.30.120	Section 14.30.120
Parking required (Chapter 17.61)	Yes	Yes

Development Standards	C-1	C-2
Ground floor window standards	Section- 14.30.150	NR
Pedestrian requirements	NR	Section- 14.30.160

NR= No requirement for the zone. Other regulations may apply.

Footnotes for Table 2

- (1) — No maximum lot size; however, any use over two acres requires planning commission approval as a conditional use.
- (2) — The planning commission may allow buildings or structures to be erected to an additional height after a public hearing and examination of the location and upon due proof to the satisfaction of the commission that the additional height will not be detrimental.
- (3) — Setbacks:
- (A) — ~~Within the setback area shown on Table 2, no building or structure (as defined in Sections 17.09.140 and 17.09.836) shall be allowed, except flagpoles, street furniture, transit shelters, signage, fencing, slope stability structures, and improvements less than thirty inches above grade, including decks, patios, walks, and driveways. Some of these structures and improvements require a permit.~~
- (B) — The setbacks shown in the table are zoning setbacks. Larger setbacks may be required by the State Building Code, State Fire Code, sight distance requirements, or landscaping requirements (Chapter 14.57).

(Ord. 1507 § 1, 2018; Ord. 1298 § 2 (part), 2009).

14.30.060 — Performance standards.

~~Uses within the commercial zones shall not inflict upon adjacent property smoke, dust, dirt, glare, odors, steam, vibration, electrical interference, excessive hazard or noise which exceeds the maximum permissible limits as herein defined.~~

- (a) — ~~Air Quality. Emissions from combustion and incineration, emissions from sources emitting hazardous air pollutants, and emissions of suspended particles or fugitive dust shall not exceed the standards set forth in the Washington Administrative Code, General Regulations for Air Pollution. Where such emissions could be produced as a result of accident or equipment malfunction, safeguards standard for safe operation in the industry shall be taken. Polluted air streams shall be treated with the best available control technology.~~
- (b) — ~~Heat, Glare, and Humidity (Steam). Any activity producing humidity in the form of steam or moist air, or producing heat or glare shall be carried on in such a manner that the heat, glare, or humidity is not perceptible at or beyond the property line. Artificial lighting shall be hooded or shaded so that direct light of high intensity lamps will not result in objectionable glare.~~
- (c) — ~~Odors. Any use producing odors shall be carried on in such a manner that offensive or obnoxious odors shall not be perceptible at or beyond the property line.~~
- (d) — ~~Vibration. Every use shall be so operated that the ground vibration inherently and recurrently generated from equipment other than vehicles is not perceptible without instruments at any point beyond the property line.~~
- (e) — ~~Electromagnetic Interference. Electric fields and magnetic fields shall not be created that adversely affect the public health, safety, and welfare, including but not limited to interference with the normal operation of equipment or instruments or normal radio, telephone, or television reception from off the premises where the activity is conducted. This section does not apply to telecommunication facilities which are regulated by the FCC under the Federal Telecommunication Act of 1996 or its successor.~~
- (f) — ~~Noise. Noise within the commercial zones must not exceed the maximum permissible noise levels set forth in WAC 143-60-040 and this chapter as measured at the property line of the noise source.~~

Maximum Permissible Environmental Noise Levels

Maximum Permissible Environmental Noise Levels			
Noise Source	Property Receiving Noise by Zone		
-	Residential	Commercial	Industrial
Commercial Zone	57 dBA*	60 dBA	65 dBA

* Between the hours of ten p.m. and seven a.m., the noise limitations of the foregoing table shall be reduced by ten dBA for residential receiving property.

~~At any time of the day or night the applicable noise limitations may be exceeded for any receiving property by no more than:~~

- ~~(1) Five dBA for a total of fifteen minutes in any one hour period.~~
- ~~(2) Ten dBA for a total of five minutes in any one hour period.~~
- ~~(3) Fifteen dBA for a total of one and one half minutes in any one hour period.~~

~~Exemptions to the maximum permissible noise level cited in this chapter shall be as enumerated in WAC 143-60-050, Maximum Environmental Noise Levels Exemptions.~~

~~(g) Fire and Explosive Hazard. The manufacture, use, processing, or storage of flammable liquids, gases, or solids shall be in compliance with the State Fire Code, the State Building Code, National Fire Protection Association standards, and any other state or nationally recognized standards that may apply to the particular use, building, or process. (Ord. 1298 § 2 (part), 2009).~~

14.30.070 Health regulations.

~~All uses must be in compliance with all current health regulations. (Ord. 1298 § 2 (part), 2009).~~

14.30.090 Construction code requirements.

~~All uses in the commercial zones must be in compliance with the applicable requirements of the building code, the fire code, the mechanical code, and the plumbing code except as may be provided in this chapter. (Ord. 1298 § 2 (part), 2009).~~

14.30.100 Commercial coaches and recreational vehicles.

~~Other than a recreational vehicle in a recreational vehicle park, the only allowed use of a commercial coach or recreational vehicle is as a temporary office for a period of time not to exceed one hundred twenty days in duration in specific instances where a permanent structure housing an existing licensed business has been destroyed or damaged to the extent that it is rendered unusable. The siting of temporary structures shall be approved by the building official and shall not require site plan review. Temporary structures shall maintain a twenty foot separation from property lines and/or other buildings or structures. (Ord. 1298 § 2 (part), 2009).~~

14.30.110 Outside storage.

~~Outside storage is permitted in the C-2 zone when conducted in conjunction with the principal use which is in an enclosed adjoining building. Screening may be required by the planning commission as part of site plan review. Outside storage is prohibited in the other commercial zones. (Ord. 1298 § 2 (part), 2009).~~

14.30.120 Fences and walls.

~~Fences and walls not exceeding eight feet in height may be permitted subject to the requirements of this section. All fences and walls will require a fence permit to be issued by the building official prior to construction or installation. Electric and barbed wire fences are prohibited, except that security fences containing barbed wire may be permitted subject to review by the building official regarding the safety of such a fence. All applications for permits to construct or install fences or walls shall be reviewed by the building official and city engineer for vehicular and pedestrian safety. Additional information about fences is contained in Chapter 14.36. (Ord. 1298 § 2 (part), 2009).~~

14.30.130 — Buffer strips.

Site plan review by the planning commission will be required for any contiguous commercial and residential development. Buffer strips, in addition to the perimeter landscaping requirements in Chapter 14.57, may be required by the planning commission to separate developed contiguous commercial and residential uses from each other in order to eliminate nuisances. The planning commission may allow or require screening fences, walls, plantings, or berms or any combination thereof. (Ord. 1298 § 2 (part), 2009).

14.30.140 — Stormwater and drainage.

(a) — Each use shall provide for approved on-site or off-site detention or control of excess stormwater runoff or drainage resulting from the use. No use shall cause downstream property owners to receive stormwater runoff at a higher peak flow than would have resulted from the same event had the use or improvement not been present.

(b) — Stormwater runoff or drainage shall be controlled and contained on site except where adequate off-site storm drainage systems are available. Stormwater runoff and/or drainage resulting from a use must be controlled so that water will not flow on to a public sidewalk or onto adjacent property. Drainage into city storm sewer or onto a city street must be approved by the city engineer. (Ord. 1298 § 2 (part), 2009).

14.30.150 — Structure design.

(a) — Ground Floor Windows.

(1) — Purpose. In pedestrian-oriented commercial areas, blank walls on the ground level of buildings are limited in order to:

- (A) — Provide a pleasant, rich, and diverse pedestrian experience by connecting activities occurring within a structure to adjacent sidewalk area.
- (B) — Encourage compatible design between residential and commercial uses.
- (C) — Encourage surveillance/security opportunities by restricting fortress-like facades at street level.
- (D) — Avoid a monotonous pedestrian environment.

(2) — Required Amount of Window Area.

(A) — Where ground floor window standards are required, exterior walls on the ground floor that are within thirty feet of a street lot line shall meet the general window standard below. However, on corner lots, the general standard needs to be met on only one street frontage. On the other street, the requirement is one-half the general standard. If the streets have the same classification, the applicant may choose on which street to meet the general standard.

(B) — General Standard. The windows shall be at least forty percent of the length and twenty percent of the ground level wall area. Ground level wall area includes all exterior walls up to nine feet above finished grade. The requirement does not apply to walls of residential units or to parking structures when set back at least five feet and landscaped consistent with Chapter 14.57 in the C-1 zone.

(C) — Qualifying Window Features. Required window areas shall be either windows that allow views into working areas or lobbies, pedestrian entrances, or display windows set into the wall. Doors and display cases attached to the outside wall do not qualify. The bottom of the windows shall be no more than four feet above the adjacent exterior grade.

(D) — The applicant may submit a ground floor window plan that differs from the specific criteria set forth in this section, except that the amount of window area may not be less than the amount required in this chapter. The applicant shall clearly and in detail state what adjustments of requirements are being requested and the reasons that such adjustments are warranted. The request shall be accompanied by supplemental data, such as sketches and statistical information, that is necessary to support the adjustment. The planning commission may approve, modify, or deny the requested adjustment. In approving the alteration request, the planning commission shall make the following findings:

- ~~(i) — The alteration would be in keeping with and preserve the intent of the zone; and~~
 - ~~(ii) — The alteration would not be contrary to the public interest.~~
- ~~(b) — Building Design and Appearance.~~
 - ~~(1) — Purpose. To ensure compatibility in appearance in commercial sites, to set a theme or district continuity, to apply community standards in appearance and to establish expectations in building color, design and construction materials.~~
 - ~~(A) — Within the C-1 commercial zone, buildings should be at a scale which is pleasing to pedestrians and fit the character of other development in the zone. Colors should be muted earth tones that blend and complement other development in the vicinity. Exterior materials such as brick, wood, stucco and the like are encouraged. Bare concrete block, metal, concrete tilt up and the like are discouraged. Solid walls without architectural relief are discouraged.~~
 - ~~(B) — Landscaping of commercial sites is subject to Chapter 14.57, Landscaping.~~
 - ~~(C) — Signage located on commercial sites is subject to Chapter 14.58, Signs. (Ord. 1298 § 2 (part), 2009).~~

14.30.160 — Pedestrian standards.

- ~~(a) — Purpose. The pedestrian standards encourage a safe, attractive, and usable pedestrian circulation system in all developments. They ensure a direct pedestrian connection between the street and buildings on the site, and between buildings and other activities within the site. In addition, they provide for connections between adjacent sites, where feasible.~~
- ~~(b) — Standards. The standards of this section apply to all development in the C-2 zone. An on-site pedestrian circulation system shall be provided. The system shall meet all standards of this section.~~
- ~~(c) — Required Connections.~~
 - ~~(1) — Connection to the Street. The system shall connect all adjacent streets to the main entrance. One of the connections should be no longer than the straight line distance from the entrance to the closest sidewalk. It may not be more than twenty feet longer or one hundred twenty percent of the straight line distance, whichever is less.~~
 - ~~(2) — Connection to Neighboring Uses. The system shall connect to all adjacent properties. The connections shall extend to the property line and connect to paths or sidewalks on neighboring properties or to the likely location of connections on those properties. When no connections exist on a neighboring property and extending a connection would create a safety hazard or it is not possible to determine the likely location of future connections on that property, the city of Othello may enter into a legally binding agreement with the owner of the property being developed to construct the connection to the neighboring use when the property on which the use is located develops or redevelops. This agreement shall run with the land and be recorded in Adams County's real property records.~~
 - ~~(3) — Internal Connections. The system shall connect all buildings on the site and provide to other areas of the site, such as parking areas, bicycle parking, recreational areas, common outdoor areas, and any pedestrian amenities.~~
- ~~(d) — Materials.~~
 - ~~(1) — The circulation system shall be paved and be at least five feet wide.~~
 - ~~(2) — Where the system crosses driveways, parking areas, and loading areas, the system shall be clearly identifiable through the use of elevation changes, speed bumps, a different paving material, or other equally effective methods. Striping does not meet this requirement.~~

~~(3) — Where the system is parallel and adjacent to an auto travel lane, the system shall be a raised path or be separated from the auto travel lane by a raised curb, bollards, landscaping, or another physical barrier. If a raised path is used, the ends of the raised portions shall be equipped with curb ramps.~~

~~(e) — Lighting. The on site pedestrian circulation system shall be lighted to an intensity where the system can be used at night by employees, residents, and customers. Lighting should be at a height appropriate for a pedestrian pathway system. (Ord. 1298 § 2 (part), 2009).~~

Chapter 14.36

FENCES, WALLS AND HEDGES

Sections:

- 14.36.010 Definitions.
- 14.36.020 Applicability.
- 14.36.030 Restrictions.
- 14.36.040 Construction.
- 14.36.050 Barbed wire fences.
- 14.36.060 Electric fences.
- 14.36.070 Swimming pool fences.
- 14.36.080 Rear yard access.
- 14.36.090 Deviations.
- 14.36.100 Nuisance—Declaration.
- 14.36.110 Nuisance—Abatement.
- 14.36.120 Violation—Penalty.

14.36.010 Definitions.

As used in this chapter:

- (a) “Corner lot” means a lot or plot of land located at the interior angle of two streets.
- (b) “Fence” means any barrier erected, constructed or placed on a lot or plot of ground and includes hedges, masonry walls and ornamental constructions as well as the commonly known wire, board, metal, wood, wood picket or wood rail fences.
- (c) “Front street” means the street along the shorter platted frontage of a corner lot.
- (d) “Hedge” means any vegetation serving as a fence or barrier including a row of closely planted shrubs, trees, bushes or other vegetation.
- (e) “Height” means the distance measured above the street curb parallel to the fence line. For interior and alley fences, the height is measured above the average grade within five feet of the fence on the high side of the fence. (Ord. 1152 § 1 (part), 2003; Ord. 586 § 1, 1979).

14.36.020 Applicability.

These regulations shall apply to fences and hedges for residential use. (Ord. 1152 § 1 (part), 2003; Ord. 586 § 2, 1979).

14.36.030 Restrictions.

The following restrictions shall apply to construction, maintenance, repair or placement of fences and hedges, and no deviation from these requirements shall be made except as provided in Section 14.36.090:

- (a) Corner Lot. A maximum of six feet in height anywhere on a corner lot, except as follows:
 - (1) A maximum of three feet in height where closer than forty-five feet from the point of projected intersections of the street curb face;
 - (2) A maximum of three feet in height where closer than twenty feet from the front street property line (right of way);
 - (3) A maximum of three feet in height where closer than thirteen feet from a point located by projecting the side street curb and the alley right of way.

(b) Interior Lot. A maximum of six feet in height anywhere on an interior lot, provided a maximum of three feet in height where closer than twenty feet from the front property line.

(c) Public Right of Way. Property owners constructing or reconstructing a fence on public right of way shall provide a public sidewalk parallel to the curb for the full length of the lot side per the public works design standards. Wood and chain link fences on public right of way shall be considered licensed by the city with the building permit. Masonry and/or decorative metal fences shall obtain a standard public right-of-way license approved by council. Fences on public right of way will be removed at the adjacent landowner's expense within sixty days of terminating said license. Upon request of removal, the fence shall be considered a public nuisance.

(d) Driver Visibility. Property owners shall not allow a hedge to grow such that a visibility hazard is created for a driver of a vehicle on or entering onto public right of way. (Ord. 1152 § 1 (part), 2003; Ord. 586 § 3, 1979).

(e) Fences along alleys shall be located completely on private property and at least 10' from the alley centerline.

14.36.040 Construction.

Fences may be constructed of wood, masonry, iron, wire fence or grown as hedges. All construction is to be done in such manner as to leave no sharp or protruding ends, barbs or projections. Fences shall not be made of used materials such as pallets, conveyor chain, tin siding, rusted pipe, vehicle bodies or similar used materials. (Ord. 1152 § 1 (part), 2003; Ord. 586 § 4, 1979).

14.36.050 Barbed wire fences.

Fences containing barbed wire shall be prohibited for residential use. (Ord. 1152 § 1 (part), 2003; Ord. 586 § 6, 1979).

14.36.060 Electric fences.

Electric fence shall be prohibited. (Ord. 586 § 5, 1979).

14.36.070 Swimming pool fences.

A new swimming pool shall receive a certificate of occupancy only after it is enclosed by a fence and/or structure which shall be at least six feet in height as measured from the outside of the fence. This safety barrier shall be a fence not readily climbed by children or a structure that is a barrier to unauthorized entrance. The fence gate shall have a latch not readily operable by small children. (Ord. 1152 § 1 (part), 2003; Ord. 586 § 7, 1979).

14.36.080 Rear yard access.

Every fence built along the alley property line or within the required rear yard shall be provided with a gate at least three feet in width so as to provide accessibility to the rear of any lot in case of an emergency. (Ord. 1152 § 1 (part), 2003; Ord. 668 § 2, 1983; Ord. 586 § 8, 1979; Ord. 10 § 5.02, 1951).

14.36.090 Deviations.

No deviation may be made from these regulations except with the written approval of the city planning commission, with the right of appeal to the city council. The following criteria shall be established as grounds for deviation from the regulations set forth in this chapter:

(a) Special circumstances applicable to the property in question or to the intended use that do not apply generally to other properties or classes of use in the same vicinity and zoning classifications;

(b) A deviation is necessary for the preservation and enjoyment of a substantial property right or use possessed by other property in the same vicinity and in zoning classification which because of special circumstances is denied to the property in question;

(c) The granting of a deviation will not be materially detrimental to the public welfare or injurious to other property improvements in such vicinity and zoning classification in which the subject property is located;

(d) That the granting of a deviation will not conflict with the general intent of this chapter. (Ord. 1152 § 1 (part), 2003; Ord. 586 § 9, 1979).

14.36.100 Nuisance—Declaration.

All existing fences and new fences hereafter erected in violation of the provisions of this chapter are public nuisances. Such fences are subject to being abated by any means permitted by this code or state law. (Ord. 1152 § 1 (part), 2003; Ord. 586 § 11, 1979).

14.36.110 Nuisance—Abatement.

Whenever any fence has become a public nuisance, as herein defined, the building inspector of the city shall notify the owner of record of the premises on which the same is located, or his agent or person having charge or control of said premises, in writing, to obtain a variance, if he can, or to remove or abate such nuisance within sixty days after receiving such notice. The person so notified shall have the right, within the sixty days period to alter the fence so that the same conforms to the requirements of this chapter. If such alternation is so made, no further action will be taken. If the person so notified neglects or refuses to alter, remove or abate such nuisance, the building inspector is authorized to request the city attorney to institute in the name of the city such proceedings as may be necessary, in any court of competent jurisdiction to secure abatement of the same. (Ord. 586 § 12, 1979).

14.36.120 Violation—Penalty.

In addition to the remedy of abatement provided herein, any person, firm or corporation who suffers or permits any nuisance as herein defined to exist or remain upon his, their or its premises or under his, their or its control after having been notified by the building inspector to remove or abate the same is deemed to have committed a civil infraction as provided in this code and is subject to a penalty of up to one thousand dollars for each day the violation exists after being declared a nuisance as provided in Section 14.36.110. (Ord. 1152 § 1 (part), 2003; Ord. 586 § 13, 1979).

Chapter 14.49

SITE PLAN REVIEW

Sections:

- ~~14.49.010 — Intent.~~
- ~~14.49.020 — Applicability.~~
- ~~14.49.030 — Site plans and review.~~
- ~~14.49.040 — Preliminary site plan conference.~~
- ~~14.49.050 — Contents of application.~~
- ~~14.49.060 — Application open for public inspection.~~
- ~~14.49.070 — Duration of approval.~~
- ~~14.49.080 — Amendments to a site plan.~~

14.49.010 — Intent.

~~This chapter is intended to provide procedures for the review of site plan applications. Site plan review is intended to ensure that new development projects carried out in given zoning districts are executed in a manner consistent with existing ordinances concerning public utilities, traffic, facilities, and services and provide unified site design, access, landscaping, screening, building placement, and parking lot layout. The site plan review process is not intended to review and determine the appropriateness of a given use on a given site. It is intended to ensure that development of a site will provide the features necessary to protect the health, safety, and general welfare of the citizens of the city. (Ord. 1299 § 2 (part), 2009).~~

14.49.020 — Applicability.

~~(a) — Site plan review and approval shall be required prior to issuance of a building permit when provided under this chapter.~~

~~(b) — Site plan review and approval shall be required for all new nonresidential uses including any multifamily residential development of three or more units. This shall include all new commercial development and change of use in existing commercial development. (Ord. 1299 § 2 (part), 2009).~~

14.49.030 — Site plans and review.

~~Any use that is subject to the requirements for a site plan review prior to issuance of building permits shall be processed in accordance with the following procedures:~~

~~(a) — Application. An application for site plan approval may be filed by the property owner, lessee of the property with more than a month to month tenancy, or authorized agent of the property owner. These shall be submitted to the city planner for analysis.~~

~~(b) — City Planner Administrative Review. The city planner shall consider the approval of the site plan review application with specific attention to the following:~~

- ~~(1) — Compatibility with the city's comprehensive plan.~~
- ~~(2) — Compatibility with the surrounding buildings' occupancy and use factors.~~
- ~~(3) — All relevant statutory codes, regulations, ordinances, and compliance with the same.~~
- ~~(4) — Application of appropriate design standards.~~

~~(c) — The city planner shall issue a written decision including appropriate findings and conditions for approval within thirty days of receipt of a complete application.~~

~~(d) — The decision of the city planner is final unless appealed to the city council within ten days of approval. (Ord. 1299 § 2 (part), 2009).~~

~~14.49.040 — Preliminary site plan conference.~~

~~Prior to applying for site plan review, a developer may present to city staff a preliminary site plan, which shall contain in a rough and approximate manner all of the information required on the site plan application. The purpose of the conference is to enable the developer to obtain the advice of city staff as to the intent, standards, and provisions of this chapter with regard to the proposed plan. Information presented for preliminary site plan discussion shall be considered confidential. (Ord. 1299 § 2 (part), 2009).~~

~~14.49.050 — Contents of application.~~

~~Each application for site plan review shall contain the following information:~~

- ~~(a) — An environmental checklist when required.~~
- ~~(b) — The title and location of the proposed development, together with the names, addresses, and telephone numbers of the recorded owners of the land and the applicant, and if applicable, the name, address, and telephone number of any architect, planner, designer, or engineer responsible for the preparation of the plan, and of any authorized representative of the applicant.~~
- ~~(c) — A written description addressing the scope of the project, the nature and size in gross floor area of each use, and the total amount of square feet to be covered by impervious surfaces.~~
- ~~(d) — A vicinity map showing site boundaries and existing roads and accesses within and bounding the site.~~
- ~~(e) — A topographic map delineating contours, existing and proposed, at five foot intervals and which locates existing streams, marshes, and other natural features.~~
- ~~(f) — Site plans drawn to a scale no smaller than one inch equals thirty feet showing location and size of uses, buffer areas, yards, open spaces, and landscaped areas and any existing structures, easements, and utilities.~~
- ~~(g) — A circulation plan drawn to a scale acceptable to the municipal services director illustrating all access points for the site, the size and location of all driveways, streets and roads with proposed width and outside turning radius, the location, size and design of parking and loading areas, and existing and proposed pedestrian circulation system.~~
- ~~(h) — A drainage and stormwater runoff plan if new development.~~
- ~~(i) — A utility plan.~~
- ~~(j) — A plot plan of all proposed landscaping including the treatment and materials used for open spaces, and the types of plants and screening to be used.~~
- ~~(k) — Typical building elevation and architectural style.~~
- ~~(l) — Landscaping and irrigation plan.~~
- ~~(m) — Any other information deemed pertinent by the city staff. (Ord. 1299 § 2 (part), 2009).~~

~~14.49.060 — Application open for public inspection.~~

~~From the time of the filing of the application until the time of final action by the city, the application together with all plans and data submitted shall be available for public inspection upon request. (Ord. 1299 § 2 (part), 2009).~~

~~14.49.070 — Duration of approval.~~

~~Construction on the project must commence within twenty four months from the date of final action; otherwise, the approval of the project becomes null and void. Construction may include approved site work or building construction. (Ord. 1299 § 2 (part), 2009).~~

~~14.49.080 — Amendments to a site plan.~~

~~(a) — Minor adjustments may be made and approved when a building permit is issued. Any such alteration must be approved by the city planner. Minor adjustments are those which may affect the precise dimensions or siting of buildings (i.e., lot coverage, height, setbacks) but which do not affect the basic character or arrangement and number~~

~~of buildings approved in the plan, nor the density of the development or the amount and quality of open space and landscaping. Such dimensional adjustments shall not vary more than ten percent from the original, but shall not exceed the standards of the applicable district.~~

~~(b) — Major amendments are those which substantially change the character, basic design, density, open space or other requirements and conditions of the site plan. When a change constitutes a major amendment, no building or other permit shall be issued without full review under the provisions of this chapter. (Ord. 1299 § 2 (part), 2009).~~

Chapter 14.56

UNDERGROUNDING OF UTILITIES

[No changes to this chapter at this time.]

Chapter 14.57
LANDSCAPING

Sections:

- ~~14.57.010 Purpose and intent.~~
- ~~14.57.020 Applicability.~~
- ~~14.57.030 General requirements.~~
- ~~14.57.040 Specific requirements.~~
- ~~14.57.050 Landscape buffers Types and descriptions.~~
- ~~14.57.060 Submittal requirements.~~
- ~~14.57.070 Approval of landscape plan and installation of landscaping.~~
- ~~14.57.080 Preservation and care of significant trees.~~
- ~~14.57.090 Maintenance requirements.~~
- ~~14.57.100 Approved, discouraged and prohibited trees.~~
- ~~14.57.110 Alteration of landscape requirements.~~
- ~~14.57.120 Deviations.~~

14.57.010 Purpose and intent.

The purpose of this chapter is to establish landscaping provisions to achieve the following:

- ~~(a) Provide a smooth transition between adjacent properties and buffer different intensities of land uses.~~
- ~~(b) Maintain and enhance the character and appearance of the city.~~
- ~~(c) Soften the visual impact of paved surfaces and blank building walls.~~
- ~~(d) Reduce the effects of light, noise, glare, exhaust fumes, heat, wind, erosion, and other adverse effects.~~
- ~~(e) Provide shade. (Ord. 1298 § 2 (part), 2009).~~

14.57.020 Applicability.

~~(a) Other than the exceptions listed in subsection (b) of this section, the requirements of this chapter shall apply to all of the following:~~

- ~~(1) New development.~~
- ~~(2) Any change in the use of a property requiring a land use permit.~~
- ~~(3) Any change in the use of a property requiring a change of occupancy permit.~~
- ~~(4) Any addition, remodel, alteration, or repair of a structure that increases the gross floor area by more than twenty percent or where the cost of the addition, remodel, alteration, or repair exceeds twenty five percent of the existing assessed value of the structure.~~

~~(b) Exceptions.~~

- ~~(1) This chapter does not apply to any use or development in the C-1 zone, other than parking lots.~~
- ~~(2) An individual one or two family dwelling unit on an individual lot that is not part of a subdivision or planned development district application is only required to comply with the following sections of this chapter:~~
 - ~~(A) Section 14.57.040(e)(1), residential front yard setbacks;~~
 - ~~(B) Section 14.57.080, Preservation and care of significant trees;~~
 - ~~(C) Section 14.57.090, Maintenance requirements;~~

~~(D) — Section 14.57.100, Prohibited plants. (Ord. 1298 § 2 (part), 2009).~~

14.57.030 — General requirements.

All required landscaped areas shall comply with the following:

~~(a) — Landscaping shall be primarily vegetative and consist of combinations of trees, shrubs, and ground cover. Nonliving natural features may also be incorporated. At least eighty percent of the ground area required to be landscaped shall be covered by living plant materials.~~

~~(b) — Trees are not permitted in the city right of way or utility easement, unless planted by the city.~~

~~(c) — Required landscape plantings shall be suited to the climate, location, and physical conditions of the site. The use of drought tolerant species is encouraged.~~

~~(d) — All landscaped areas shall be graded to prevent erosion and to facilitate the installation, growth, and maintenance of the landscaping. All turf areas located in public rights of way shall have a grade of no greater than 4(h):1(v).~~

~~(e) — Trees and shrubs shall be chosen and located to avoid interference with underground and overhead utility lines or public improvements.~~

~~(f) — Landscaping shall be designed to ensure adequate visibility and safety of vehicular traffic, bicyclists, pedestrians, and other users, on and off the proposed site. Height and/or spacing of landscaping may be modified to accommodate sight distances.~~

~~(g) — Other than a fence around an individual one or two family dwelling, all fences shall be placed on the inward side of any required perimeter landscaping.~~

~~(h) — To protect against the possibility of all trees in one project being destroyed by disease or pests, a mix of tree species shall be provided in accordance with the following table:~~

Required Number of Trees	Minimum Number of Species	Maximum Percent of Any One Species
11 — 20	2	55
21 — 30	3	35
31 — 40	4	27
41+	5	22

~~(i) — Minimum Plant Sizes at Installation.~~

Type of Plant	Minimum Size at Installation
Street trees and other deciduous trees	Two-inch caliper
Multi-stemmed trees, e.g., vine maple	Six feet tall
Evergreen trees	Six feet tall
Small shrubs	Twelve inches tall
Medium and tall shrubs	Eighteen inches tall

~~(j) — Living ground covers shall provide at least fifty percent coverage at the time of planting and one hundred percent coverage within three years, except that grass sod areas shall provide one hundred percent coverage at~~

installation. Living ground cover is preferred; however, materials such as river rock, decorative gravel, wood chips, and bark may be used in limited amounts.

(k) — If approved by the city, required street frontage landscaping may be placed in city right of way, not including trees. This area shall be maintained by the owner of the property that abuts the right of way. The city and other public services shall have the right to remove landscaping placed on city right of way for repair, replacement, or installation of utility services. The city will not accept liability for damages to said landscaping from future street expansion, meter reading, or utility installation, inspection, or repair. The city will not be responsible for restoration of said landscaping.

(l) — All required landscaping shall be served by irrigation systems appropriate for the plants.

(m) — The incorporation of existing vegetation, especially healthy trees, is strongly encouraged. Where existing trees and associated vegetation serve the same or similar function as the required landscaping, they may substitute for the required landscaping, provided trees are healthy and appropriate for the site at mature size. When necessary, existing vegetation shall be supplemented with new plantings to accomplish the specific intent and purpose of this chapter.

(n) — Landscape requirements contained in this chapter are minimums. Additional landscaping is encouraged.

(o) — In the event of a conflict between the content of this chapter and other regulations, the more restrictive regulations shall apply. (Ord. 1487 § 1, 2016; Ord. 1298 § 2 (part), 2009).

14.57.040 — Specific requirements.

(a) — Buffers. When adjacent to the uses listed, the subject property shall provide the type and width of landscaping listed in the table below along the entire property line between the subject property and the adjacent use, except for vehicular and pedestrian access points. If a building is located in the buffer area, the landscaping displaced by the building shall be located elsewhere on the site. Types of landscaping are as described in Section 14.57.050.

ADJACENT USE	SUBJECT PROPERTY USE				
	1 & 2 Family-Subdivision	Multifamily	Manufactured-Home Park	Commercial/Institutional	Industrial
Freeway or highway	Type I 20 feet wide	Type I 20 feet wide	Type I 20 feet wide	Type II 10 feet wide	Type II 10 feet wide
Street frontage	Type III 5 feet wide	Type III 5 feet wide	Type III 5 feet wide	Type III 10 feet wide	Type II 20 feet wide
1 & 2 Family or vacant land zoned R-1 or R-2	—	Type II 5 feet wide	Type II 10 feet wide	Type II 10 feet wide	Type I 15 feet wide
Multifamily or vacant land zoned R-3	Type II 10 feet wide	Type III 5 feet wide	Type II 10 feet wide	Type II 10 feet wide	Type I 15 feet wide
Manufactured Home Park	Type II 10 feet wide	Type III 5 feet wide	—	Type II 10 feet wide	Type I 15 feet wide
Commercial/Institutional or vacant land zoned C-1 or C-2	Type II 10 feet wide	Type II 5 feet wide	Type II 10 feet wide	—	Type II 10 feet wide
Industrial or vacant land zoned I-L	Type II 10 feet wide	Type I 5 feet wide	Type II 10 feet wide	Type II 10 feet wide	—

(b) — Parking Areas. Parking areas shall be landscaped to provide shade and visual relief while maintaining clear lines of sight.

(1) — Landscaping shall be provided within and/or around all surface parking lots containing ten or more parking stalls. Landscaping shall be provided at a rate of twenty square feet per parking stall. Other required

~~landscaping may not be counted toward this total. At a minimum, landscaping shall consist of ground cover and shade trees with a minimum mature canopy spread of fifteen feet.~~

~~(2) — The minimum area per planter shall be one hundred square feet.~~

~~(3) — Landscaped areas shall be distributed around and/or throughout the parking lot so that the maximum distance between the trunk of shade tree and any parking stall shall be no more than fifty feet.~~

~~(4) — Permanent curbs or structural barriers shall be provided to protect the landscape plantings from vehicle overhang.~~

~~(5) — Trees shall be planted at least four feet from the outside edge of the planting area.~~

~~(6) — No plant material greater than twelve inches in height shall be located within two feet of the edge of a landscaped area adjacent to a parking stall.~~

~~(c) — Residential Landscaping.~~

~~(1) — Front Yard Setback. The required front yard setback of all residential uses shall be landscaped within one year of occupancy and maintained. For the purposes of this section, “landscaping” shall be defined as the addition of lawn, trees, plants, shrubs, and other natural and decorative features.~~

~~(2) — Multifamily Structures. Multifamily residential uses shall also landscape the required open space areas so that they are usable for outdoor recreation.~~

~~(3) — Manufactured Home Parks. All areas within the boundaries of the manufactured home park shall be landscaped. All lawns, trees, landscaping, occupied and unoccupied manufactured home spaces, recreation areas, and open space areas shall be continually maintained. A permanent irrigation system shall be installed and maintained for planted common areas.~~

~~(d) — Building Facade Landscaping. Blank building facades more than twenty feet in height or fifty feet in width or length shall be landscaped with Type III landscaping to provide visual relief and soften the effect of the new building on the surrounding area. (Ord. 1298 § 2 (part), 2009).~~

14.57.050 — Landscape buffers — Types and descriptions.

When the following types of buffers are required by this chapter, the minimum standards shall be as described below. As an alternative, in all cases except for street frontage landscaping, the shrubs may be eliminated if a six foot sight obscuring fence or wall is installed.

(a) — Type I Landscaping. Type I landscaping is a full screen that functions as a visual barrier. This landscaping is typically found adjacent to freeways and between residential and nonresidential areas. Type I landscaping shall consist of:

(1) — Primarily evergreen or densely branching deciduous trees and shrubs placed to form a continuous all season screen at least six feet tall within three years of planting. Trees and shrubs may be offset or staggered, rather than in a single line. Other deciduous trees and shrubs may be incorporated for seasonal interest, provided the screening function of the landscaping is not compromised. Trees and shrubs shall be spaced so that they will touch or overlap at mature size.

(2) — Ground cover.

(b) — Type II Landscaping. Type II landscaping is a filtered screen that functions as a visual separator between similar uses. This landscaping is typically found between commercial and industrial uses; between differing types of residential development; and to screen industrial uses from the street. Type II landscaping shall consist of:

(1) — A mix of evergreen and deciduous trees and shrubs. Trees and shrubs may be offset or staggered, rather than in a single line.

~~(2) — At least one tree and four shrubs shall be provided for each twenty lineal feet of property line being screened.~~

~~(3) — Required shrubs must achieve a height of four feet within three years.~~

~~(4) — Ground cover.~~

~~(e) — Type III Landscaping: Type III landscaping is a see-through buffer to provide visual relief between compatible uses and to soften the appearance of streets, parking areas, and building facades. This landscaping is typically found along street frontages or between apartment developments. Type III landscaping shall consist of:~~

~~(1) — One and two family residential subdivisions.~~

~~(A) — A mix of trees, with one tree for each forty lineal feet of frontage. Trees may be spaced irregularly or clustered rather than uniformly spaced.~~

~~(B) — Ground cover.~~

~~(2) — All other uses.~~

~~(A) — A mix of trees, with one tree for each twenty five lineal feet of street frontage or facade length or width. Trees may be spaced irregularly or clustered rather than uniformly spaced.~~

~~(B) — A mix of evergreen and deciduous shrubs that do not exceed a height of four feet at maturity, spaced not more than four feet apart.~~

~~(C) — Ground cover. (Ord. 1298 § 2 (part), 2009).~~

14.57.060 — Submittal requirements.

A landscape plan shall be prepared by a person experienced in the selection and installation of plants. For multifamily projects with five or more units and nonresidential projects with more than twenty thousand square feet of gross floor area, the landscape plan shall be prepared by one of the following: licensed landscape architect, Washington State Certified Nurseryman, or Washington State Certified Landscaper. A landscape plan shall accompany all development applications and shall contain the following information at a minimum:

~~(a) — Name and address or location of project.~~

~~(b) — Date of the plan.~~

~~(c) — North arrow and scale (one inch equals fifty feet or larger).~~

~~(d) — All property lines, rights of way, streets, walks, vehicular drives, parking lots, curbing, existing and proposed structures, building entrances, overhead and underground utilities, freestanding lights, service or loading areas, signs, open spaces, plazas, and recreation amenities, with materials noted.~~

~~(e) — Proposed location of all trees, shrubs, ground cover, and any proposed or existing physical elements, such as fencing, walls, curbing, or benches, that may affect the overall landscape.~~

~~(f) — A plant schedule which indicates the scientific and common names, quantities, spacing, and sizes at planting and maturity for all plants in the landscape plan.~~

~~(g) — Location, sizes and species of existing significant trees as defined in Section 14.57.080. Areas with existing vegetation that will be retained should be marked and described.~~

~~(h) — A legend which shows symbols and types of plant.~~

~~(i) — Location and details of irrigation system. The source of water and type of irrigation system shall be noted.~~

~~(j) — Location and dimensions of any designated sensitive areas and required sensitive area buffers, as defined in Chapter 13.08.~~

~~(k) — Plant materials shown on the landscaping plan at three quarters mature size in appropriate relation to the chosen scale of the plan, except that mature size shall be used for plants that will reach mature size within five years of planting.~~

~~(l) — A calculation of the square footage of landscaping proposed, with separate totals for living and nonliving landscape.~~

~~(m) — Such other submissions consistent with this chapter as may be required by the planner. (Ord. 1298 § 2 (part), 2009).~~

14.57.070 — Approval of landscape plan and installation of landscaping.

~~(a) — After receipt of a complete landscape plan, all development applications shall be reviewed by the planner for compliance with this chapter concurrently with and as a part of the review process of the principal use or structure and prior to issuance of any grading, building, or land use permit or approval.~~

~~(b) — No certificate of occupancy, or final inspection approval if no certificate of occupancy is required, shall be issued until one of the following occurs:~~

~~(1) — The required landscaping is installed.~~

~~(2) — A bond or some other form of cash surety acceptable to the city is submitted at a value of one hundred twenty percent of the estimated cost to complete the landscaping according to the approved landscape plan. Upon completion of the landscape installation, the city shall promptly release the surety. If the required landscaping improvements are not made within six months of occupancy of the building, the city may use the surety to install the landscaping. (Ord. 1298 § 2 (part), 2009).~~

14.57.080 — Preservation and care of significant trees.

~~Developments shall retain significant trees to the maximum extent practical. Areas devoted to access and areas to be cleared for required roads, utilities, sidewalks, trails, or storm drainage improvements are exempt from this requirement.~~

~~(a) — Significant trees are healthy trees that do not present a safety hazard, are not listed in Section 14.57.100 as prohibited, and that meet one or more of the following criteria:~~

~~(1) — Six inches or greater in diameter measured four feet above grade.~~

~~(2) — Part of a grouping of five or more trees with canopies that touch or overlap.~~

~~(3) — Member of a unique or unusual species.~~

~~(4) — Within twenty five feet of a sensitive area or buffer, as defined in Chapter 13.08.~~

~~(b) — The following measures shall be used to protect significant trees during construction:~~

~~(1) — There shall be no clearing or grading of the site until after approval of the landscape plan.~~

~~(2) — The developer shall install a temporary but immovable fence four feet high around the tree at the dripline to prevent disturbance during construction.~~

~~(3) — There shall be no impervious surfaces, fill, excavation, or storage of materials within the fenced area.~~

~~(4) — If the grade level around the tree is to be raised by more than one foot, a rock well shall be constructed around the tree, with the inside diameter of the well corresponding to the dripline of the tree. No fill is allowed inside the well area.~~

(5) — The grade level shall not be lowered within the larger of the two areas defined as follows:

(A) — The dripline of the tree; or

(B) — An area around the tree equal to one foot in diameter for each inch of tree trunk diameter measured four feet above the ground;

(C) — Alternative protection measures may be used if the city determines they will provide equal or greater tree protection. (Ord. 1298 § 2 (part), 2009).

14.57.090 — Maintenance requirements.

(a) — ~~Plant Maintenance. The property owner shall maintain all landscape plant material for the life of the project. All unhealthy or dead plant materials shall be replaced within the next planting season, not to exceed one hundred eighty days from the date of loss. Trees and shrubs shall only be pruned and trimmed as necessary to maintain a healthy growing condition or to prevent a safety hazard. Planted areas shall be maintained free of trash and weeds.~~

(b) — ~~Irrigation. All portions of any irrigation system shall be maintained in order to perform its original function. Uncontrolled emission of water from any pipe, valve, head, emitter or other irrigation device shall be considered evidence of lack of maintenance and a violation of this chapter.~~

(c) — ~~Hardscape. Maintenance of all landscape areas shall also include the painting, repairing, reconstruction, and restoration of landscape structures such as fences, walls, trellises, etc. (Ord. 1298 § 2 (part), 2009).~~

14.57.100 — Approved, discouraged and prohibited trees.

(a) — ~~Approved trees are preapproved, specific trees that the city of Othello has approved to be planted as park trees and city planted public trees in the right of way. This list is also advisable to use for private landscaping outside the city right of way on private property: flame maple, trident maple, tatarian maple, common hornbeam, zelkova, tree lilac, red sunset maple, Kwanzan flowering cherry, chanticleer flowering pear, white ash, red maple and spring snow crabapple.~~

(b) — ~~Discouraged trees have particular negative attributes that should be considered for sustainability for the specific location prior to planting in Othello. Research these trees carefully: box elder maple, hickory nuts, autumn brilliance service berry, imperial honeylocust, kousa dogwood, redbud, black pine, Chinese chestnut, catalpa, hackberry, hawthorn, black walnut, aspens, elms, fruit bearing trees, fruit bearing crabapple, and any tree within seven feet of a building or four feet of concrete.~~

(c) — ~~Prohibited trees have a clear and definitive reason not to plant anywhere in Othello: tree of heaven, silver maple, box elder, poplar, black cottonwood, pin oak, willows, Russian olive, Siberian elm, sycamore, sweetgum, sequoia, four oak, Norway maple, and black locust. Said trees are only prohibited from being planted by any person within city rights of way and/or easements, or within one hundred feet of a public sewer.~~

(d) — ~~Any plant listed by the Adams County Weed District as a noxious weed is prohibited from being planted or allowed to exist anywhere within the city limits of the city. (Ord. 1487 § 2, 2016; Ord. 1298 § 2 (part), 2009).~~

14.57.110 — Alteration of landscape requirements.

The applicant may submit for consideration a landscaping plan that differs from the specific criteria set forth in this chapter. The applicant shall clearly and in detail state what adjustments of requirements are being requested and the reasons that such adjustments are warranted. The application shall be accompanied by supplemental data, such as sketches, surveys, and statistical information, as is deemed necessary to support the adjustment. The planning commission may approve, modify, or deny the requested adjustment. In approving the alteration, the planning commission shall make the following findings:

(a) — The alteration would be in keeping with and preserve the intent of this chapter; and

(b) — The alteration would not be contrary to the public interest; and

(c) — The alteration is justified based on at least one of the following:

- ~~(1) — The requirements of this chapter would result in more than fifteen percent of the site area being landscaped. In such cases the planning commission may modify those requirements so that not more than fifteen percent of the site must be landscaped; provided, that the landscaping and corresponding setbacks required are those most beneficial to the public. More intensive landscaping may be required if the reduction in area would reduce the effectiveness of landscaping to a point where the intent of the landscaping type cannot be satisfied.~~
- ~~(2) — The inclusion of significant existing vegetation located on the site would result in as good as or better satisfaction of the purposes of this chapter.~~
- ~~(3) — Three foot berms or six foot architectural barriers are incorporated into the landscape design. Adjacent to the berm or barrier, the width of the perimeter landscaping strip may be reduced up to twenty five percent if the landscaping materials are incorporated elsewhere on site.~~
- ~~(4) — Existing conditions on or adjacent to the site, such as significant topographic differences, vegetation, structures, or utilities would render application of this chapter ineffective.~~
- ~~(5) — An existing or proposed structure precludes installation of the total amount of required perimeter landscaping. In such cases, the landscaping material shall be incorporated on another portion of the site.~~
- ~~(6) — The proposed landscaping represents a superior result or is more effective than that which would be achieved by strictly following requirements of this section. (Ord. 1298 § 2 (part), 2009).~~

14.57.120 — Deviations.

~~A deviation from the regulations of this chapter may be obtained through the hearing examiner in compliance with the provisions of Chapter 2.16 entitled “Hearing Examiner.” (Ord. 1305 § 2, 2009; Ord. 1298 § 2 (part), 2009).~~

Chapter 14.58

SIGNS

[This chapter was updated in 2018. No further changes proposed at this time.]