



## CITY OF OTHELLO PLANNING COMMISSION

**Regular Meeting  
500 E. Main St.  
May 21, 2018  
6:00 PM**

1. Call to Order- Roll Call
2. April 16, 2018 Minutes Approval
3. Election of Chair/Vice Chair
4. Municipal Code Update – Public Facilities – OMC 17.41 I-1, Industrial District
5. Municipal Code Update – Sign – Request for Direction
6. Clearview Triangle Examples

***\*Next Regular Meeting is Monday June 18, 2018 at 6:00 P.M. at Othello City Hall\****

**City Hall is accessible for persons with disabilities.  
Please let us know if you will need any special accommodations to attend the meeting.**



Planning Commission

April 16, 2018

Terri Phillips

**CALL TO ORDER**

Chair Terry Thompson called the meeting to order at 6:00 pm.

**ROLL CALL**

Commissioners: Chair Terry Thompson, Chris Dorow, Brian Gentry, Kevin Gilbert, and Roger Ensz

Staff: Community Development Director Anne Henning and Planning Secretary Terri Phillips

Attendees: Bob Carlson; Councilmember John Lallas

Quorum Established.

**APPROVAL OF March 19, 2018 PLANNING COMMISSION MEETING MINUTES**

It was voted to accept the minutes from March 19, 2018 M/S Chris Dorow / Roger Ensz

**Municipal Code Update – Sign Code – OMC 14.58**

As part of the update of the Municipal Code, the Planning Commission should review the existing signage regulations and discuss changes that should be made. Signs are always an interesting topic, and everyone has lots of opinions. If you are a business owner, you want a large number of signs. Everyone else only want the signs when they are looking for the business. It's a balance between enough advertising for the business but without clutter in your town. In addition, there are some legal issues. There have been some Supreme Court cases on how jurisdictions can regulate signs. Noncommercial temporary signs, include event signs and political signs, can be regulated by the size or the location, but they must all be regulated the same. For the most part, you should not have to read the sign to determine which regulations apply. We can regulate when they have to be picked up but not when they can be put out. They should be picked up 10 days to 2 weeks after the event.

Temporary Signs, banner signs, feather signs. These are commercial signs, so the city can be more stringent on how they are regulated, as long as the regulations are fair. Currently freestanding temporary signs are limited to 32 sq. ft per street frontage per site, and the designated area shall not exceed 12 lineal feet parallel to street frontage. Signs must be repaired, replaced, or removed when torn, worn, broken, or dilapidated. The Commission was in favor of retaining and enforcing these existing regulations.

**Sandwich Boards.** The Planning Commission agrees that these signs should not be located in right of way, except in areas where the buildings are built up to the right of way line. In those situations, the sandwich boards could be located adjacent to the building. The current limits are 8 sq. ft each face and maximum 4' high. They require a permit.

**Electronic Reader Boards.** These can be programmed to flash, and flashing is currently prohibited. Some felt they can be a traffic hazard. Reader boards need to be at least 13 feet in the air to get them above eye level. Staff will do some research on regulations in other jurisdictions and get guidance from the Police Chief if he has any concerns.

**Garage sale signs** are an issue because a lot of people don't pick them up after the sale is over. The existing codes are pretty good, but enforcement is time-consuming. With limited staff, should it be a priority to have them to go pick up garage sales signs? The city clerk is working on some changes to the ordinance for garage sales, which may include changes to how the signage is regulated and enforced. The Commission was in favor of shortening the time a garage sale sign can be displayed from four days to two days.

**Real Estate Signs.** There are multiple regulations in the code currently for this type of sign; however, they do not need a permit. For Sale or For Rent signs are regulated to 6 sq. ft for residential and 32 sq. ft for commercial. The Commission felt the existing regulations were acceptable.

The existing sign code has a table with all types of signs listed, and a code to say if the sign is allowed, prohibited, or exempt, plus the other regulations for the allowed types. To make it easier, Ms. Henning removed the exempt and prohibited signs from the table and put them a list. This leaves just the allowed signs in the table. In addition, the draft tries to condense down the categories of sign types. Freeway and Interchange signs are proposed to be deleted because they are defined in relation to Interstate 90 so not relevant to Othello. The draft proposes to take Home Occupation signs out of this chapter. The home occupation zoning code chapter says they are allowed one sign of 1 square foot. That is a specialized application and all the other sign regulations don't apply.

**Directional sign.** This is a sign that points the way to a location. No changes proposed.

**Directory sign.** This sign type lists all the businesses at a site. This should just fall under freestanding or building sign. There is no real value to having a separate category.

A sign in a window if it can be seen from the outside meets the definition of a sign.

Wall graphics of an artistic nature that do not convey a commercial message are proposed to be exempt from the sign chapter. This would apply to window paintings for the County Fair, holidays, etc.

Painting on windows or doors are considered signs if it conveys a commercial message. If it is permanent, it requires a permit; temporary does not. The Commission discussed whether there should be a maximum amount of window coverage that should be allowed. They agreed that windows should be to allow views into the building or to display merchandise. Opinions on the maximum percent sign cover that should be allowed ranged from 25% to 50%. It was voted to accept the motion of maximum coverage of 40%. M/S Kevin Gilbert / Terry Thompson.

Billboards. Billboards are currently prohibited. The draft proposes to move this regulation from the table to a list, but that doesn't change the prohibition on new billboards. The Commission asked whether existing billboards could be eliminated. Ms. Henning will do some research.

Commissioners discussed some problems with signs blocking visibility at intersections. Ms. Henning will bring information on enforcing the clear view triangle.

There were questions about projecting signs and signs overhanging the right of way. Projecting signs are currently allowed 80% of the distance between the right-of-way line and back of curb, but only within the primary highway system. The Planning Commission is not in favor of signs in right of way, but was interested in having provisions allowing some building overhang over the sidewalk.

#### **NEXT MEETING**

Ms. Henning brought up the idea of a Special Meeting on April 30<sup>th</sup> at 6:00 pm to finish up some of the items from previous meetings, including Signs, Parking and Landscaping. The Planning Commission was in favor.

#### **OPEN PUBLIC MEETING TRAINING**

Ms. Henning reminded all Commissioners about the requirement for Open Public Meeting Training. She will resend the link for them to complete this training.

#### **ADJOURNMENT**

Having no other business at hand a motion was carried to adjourn the meeting at 7:10 pm M/S Roger Ensz / Chris Dorow

The next regular meeting is scheduled for May 21, 2018 at 6:00 pm.

By: \_\_\_\_\_ Date: \_\_\_\_\_

Terri Phillips, Planning Secretary

NOTE: These are abbreviated minutes that contain all motions and business conducted. These meetings are taped; a complete record of the minutes may be obtained by contacting the Planning Commission Office or a verbatim copy of these minutes can be ordered at the requestor's expense.



TO: Planning Commission

FROM: Anne Henning, Community Development Director

MEETING: May 21, 2018

SUBJECT: Municipal Code Update – Public Facilities –OMC 17.41 I-1, Industrial District

Avista Corp has requested that the City consider updating the Municipal Code to allow Public Facilities in the I-1 Industrial Zone. Public Facilities are currently not addressed so are not allowed.

#### **Staff Comments**

1. Public Facilities are defined in the definitions section of the Zoning Code at OMC 17.09.740 as “Facilities owned by the public or private enterprise and operated for the benefit of the community. This also includes, is not limited to schools, libraries, fire stations, water and sewage systems, police stations, cemeteries, refuse disposal, and power systems.”
2. “Public Facilities” are not a listed permitted use in any zone. Some of the uses listed in the definition are individually listed in various zones (school are permitted in C-1; “Municipal and governmental facilities, shops, and yards” are permitted in C-2; in C-3 (a zone not currently applied), “Buildings or developments necessary for the operation of a public utility” are permitted “provided the installation complies with the requirements for those same uses when installed within a residential district” (staff was unable to locate those requirements).
3. Like the rest of the Zoning Code, the I-1 Industrial chapter needs an overhaul, and the Planning Commission will review it as part of our comprehensive update to Title 17, but for now, the proposed addition is a simple fix that will allow public facilities providers to proceed with projects.

#### **Attachments**

- May 8 letter from Todd McLaughlin of Avista Corp
- Draft OMC 17.41.010, Permitted uses in the I-1 Industrial District

**Action:** The Planning Commission should review the proposed addition to OMC 17.41 and make a recommendation to City Council.

## City of Othello Zoning Code Change

To: City of Othello Planning Commission

Re: Proposal to add Public Facilities (17.09.740) as a permitted use to I-1 Industrial District (17.41.010)

Date: May 08, 2018

Avista Corp (Spokane, WA) is petitioning the City of Othello Planning Commission to consider updating the Othello Municipal Code (OMC) to include Public Facilities as a permitted use in the I-1 Industrial District. The current version of the OMC prohibits (not a permitted use) Public Facilities in the I-1 Industrial District.

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Public Facilities is defined in the OMC on Chapter 17.09.740:

*Facilities owned by the public or private enterprise and operated for the benefit of the community. This also includes, but is not limited to schools, libraries, fire stations, water and sewage systems, police stations, cemeteries, refuse disposal, and **power systems**.*

The definition of a Public Facility is comparable to existing permitted uses in the I-1 Industrial District. Here is a partial list: Wood, Coal, or Oil Fuel Yards, Auto Freight Terminals, Machine Shops.

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The City of Othello Comprehensive Plan (2015) describes the need for Public Facilities (Electricity and Natural Gas) as the City's growth area develops. The document specifically addresses the need in Industrial areas (page 47):

*As the City of Othello grows normal electrical and natural gas service growth should occur to keep pace with customer demand. However, the comp plan envisions economic growth that involves a significant increase in industrial users who are likely to require significant increases in the amount of natural gas available in the area. The Economic Development Chapter (Chapter 5) of this plan includes goals and objectives which include the expansion of natural gas infrastructure. The City supports the expansion of natural gas infrastructure into the City and its growth area.*

By allowing Public Facilities as a permitted use in the I-1 Industrial district, large corporations may see that as an asset by removing any doubts regarding power delivery to their development.

Please accept this petition in accordance with OMC Chapter 17.05.040, **Zone change extension**. Additionally, Avista Corp would prefer this petition be reviewed by the City of Othello Planning Commission at the May 21, 2018 meeting. An Avista Corp employee will be present for questions and answers.

Thank you for your consideration, please contact me with any concerns and/or comments.

/s/

Todd McLaughlin

*Environmental and Cultural Resource Compliance*

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## Chapter 17.41

### I-1 INDUSTRIAL DISTRICT

Sections:

- 17.41.010 Permitted uses.
- 17.41.015 Conditional uses.
- 17.41.020 Yards.
- 17.41.030 Height.
- 17.41.035 Dwelling units.

**17.41.010 Permitted uses.**

In the I-1 district, no building or premises shall be used and no building shall be hereafter erected or structurally altered, unless otherwise provided in this title, except for one or more of the following uses:

- (1) Any use permitted in the C-2 district;
- (2) Wood, coal or oil fuel yards;
- (3) Contractors' offices, shops and storage yards used exclusively for the repair and storage of their personal equipment;
- (4) Auto freight terminals;
- (5) Warehouses and wholesaling;
- (6) Machine shops;
- (7) Cold storage locker plants;
- (8) Open storage of materials available for retail sale, and not storage as junk for sale to wholesalers, manufacturers, or metal processors;
- (9) Dwelling units complying with Section 17.41.035.
- (10) Public facilities as defined in Section 17.09.740.

TO: Planning Commission

FROM: Anne Henning, Community Development Director

MEETING: May 21, 2018

SUBJECT: Municipal Code Update – Sign Code – OMC 14.58

Based on the Planning Commission discussion at the April 16 meeting, the attached draft of OMC 14.58, Signs, has been updated.

#### **Staff Comments**

1. The Planning Commission also asked about the possibility of eliminating existing billboards. There is a process that can be followed, but it is legally complicated and will take a while to prepare. Given the number of other items that need to be address, staff would advise updating the rest of the Sign chapter, and tagging eliminating billboards as something to come back to after the more urgent issues have been addressed.
2. Last meeting, the Commission discussed sandwich board signs on the sidewalk for businesses that had no other place to put them. See 14.58.030(j)(3). The Commission should discuss whether the same rules should apply to a flag signs on the sidewalk.
3. The Commission should discuss whether landscaping should be required around the base of free-standing signs. In general, this is good practice, but it can be costly when irrigation needs to be extended to the landscaping.

#### **Attachments**

- Draft OMC 14.58, Signs

**Action:** The Planning Commission should review the signage chapter and provide direction to staff. Once the Commission is satisfied with the draft, the Commission should make a recommendation to the City Council.



## Chapter 14.58 SIGNS

Sections:

[14.58.010 Purpose.](#)

[14.58.020 Definitions.](#)

[14.58.025 Calculation of sign area.](#)

[14.58.030 Sign regulations.](#)

[14.58.040 Sign work exempt from sign permit.](#)

[14.58.050 Sign permit requirements.](#)

~~[14.58.060 Interpretations and rulings.](#)~~

[14.58.070 Appeals.](#)

[14.58.080 Variances.](#)

[14.58.090 Nonconforming signs.](#)

~~[14.58.100 Sign for nonconforming use.](#)~~

~~[14.58.110 Planning commission review and approval.](#)~~

[14.58.120 Violation.](#)

[14.58.130 Enforcement.](#)

[14.58.140 Conflict.](#)

### **14.58.010 Purpose.**

The purposes of this chapter are to: (a) ensure that signs and sign structures are designed, installed, and maintained to prevent personal injury, and to avoid traffic and property hazards and public nuisances; (b) recognize that signs are necessary for public, private, business, community, and other purposes; and (c) impose limited controls on signs so that they are compatible with surrounding property uses and enhance the appearance of the Othello community.

### **14.58.020 Definitions.**

"Abandoned sign" means a sign which no longer serves its intended purpose.

"Architectural appendage sign" means a building sign that is suspended from, attached to, applied to, or part of an awning, marquee, false mansard, canopy, or similar projection from the exterior walls of a building.

"Billboard" means an off-site sign that is substantial in size and construction, usually is owned by an outdoor advertising company, and contains advertising space that is for rent or lease.

"Building" means an enclosed structure for a use or occupancy.

"Building sign" means any sign that is attached or applied to, mounted on, suspended from, painted on, or part of the exterior of a building or architectural appendage, including the roof and facade.

"Cabinet sign" means a sign enclosure which has access for the replacement of one or more sign faces and lamps, if internally illuminated.

"Changeable copy sign" means a sign that is designed to easily rotate or alternate messages by whatever means. Examples of changeable copy signs are reader boards and electronic message centers.

~~"Community sign" means a temporary sign that promotes, celebrates, or commemorates a community event, public awareness, community service, holiday season, or similar public function.~~

"Construction sign" means a temporary standing or portable sign that is nonilluminated. A construction sign provides information about a construction project.

"Directional sign" means a sign which only identifies a business or activity and directs traffic to that business or activity.

~~"Directory sign" means a sign that has space which is limited to the name, address, and logo of the developed site and the names, addresses, and logos of several on-site businesses, organizations, or facilities.~~

"Double-face sign" means two sign faces which are identical in size and message and either are displayed back-to-back or within a thirty-degree interior angle.

"Facade" means one or more exterior walls of a building that face one direction, including parapets and openings such as doors and windows.

*Need to review how this applies to electronic signs:* "Flashing sign" means a sign that has external or internal lighting which changes intensity, rotates, animates, travels, or switches on and off in a blinking manner. Examples of such lighting are lamp banks with blinking or traveling messages, traveling arrows and revolving beacons.

"Free-standing sign" means a sign that has vertical support which is permanently anchored in the ground. Examples are pole (or pylon), post, and monument signs.

~~"Freeway interchange sign" means a free-standing sign that is intended to attract the attention of traffic entering or exiting an Interstate 90 interchange. A freeway interchange sign is located within one thousand five hundred feet of the interchange as measured from the centerline of Interstate 90 right-of-way and the intersecting right-of-way centerline.~~

~~"Freeway sign" means a free-standing sign that is intended to attract the attention of traffic on Interstate 90. A freeway sign is located within two hundred fifty feet of Interstate 90 right-of-way.~~

"Garage sale sign" means a temporary sign for the sale of household items.

~~"Home occupation sign" means an on-site sign that advertises a home occupation as defined in Section 17.09.390.~~

"Incidental sign" means a nonilluminated, on-site, convenience sign. Examples of incidental signs are credit card, telephone, and rest room signs.



"Monument sign" means a free-standing sign in the shape of a monolith. Usually the sign is vertically supported on a base which is on a pedestal, but the sign may be a pole-covered sign. A monument sign is intended to be viewed at eye level.

"Non-commercial sign" means a sign expressing non-commercial speech, such as public community events, public awareness, community service, religious, political, social, or other philosophical messages. A non-commercial sign can also include a warning or directional sign, such as "Keep Out", "No Trespassing", "Right Turn Only", "Security Alarm", or "No Dumping".

"Nonconforming sign" means a permanent sign that was lawfully erected, installed, or otherwise displayed according to the applicable Adams County or city zoning regulations, but does not conform to the sign regulations of this chapter.

"Off-site sign" means a sign that is not related to an activity that is on the same site as the sign, or the sign is on a vacant site.

"Official sign or legal notice" means an official sign or legal notice issued by a court, public agency, or as authorized by law or federal, county, or city authority.

"On-site sign" means a sign that is related to an activity that is on the same site as the sign.

"Permanent sign" means any sign which is not a temporary sign as defined in this section.

"Pole (or pylon) sign" means a free-standing sign on one or more upright supports in a foundation. The upright supports may be covered for aesthetic purposes. A pole sign is the same as a pylon sign.

"Portable sign" means a sign that either is a sign structure or is part of or affixed to a sign structure that is designed to be movable.

~~"Private-warning/directional sign" means a permanent, portable, or temporary sign that is erected for a private purpose such as KEEP OUT, NO TRESPASSING, RIGHT TURN ONLY, STOP, SECURITY ALARM, or NO DUMPING.~~

"Projecting sign" means a type of building sign that either is: (1) mounted at right angle to a facade; (2) suspended under an architectural appendage and at right angle to a facade; or (3) a wall sign that extends eighteen or more horizontal inches from the facade.

~~"Public or recreational identification sign" means a sign for a public or semi-public facility or area. Examples of such signs are park, school, or hospital signs.~~

"Real estate sign, other" means a sign that either advertises a parcel or lot of nonresidential land, or the buildings thereon, or both which is for sale, lease, or rent.

"Real estate sign, residential lot" means a sign that either advertises a parcel or lot of residential land, or the buildings thereon, or both which is for sale, lease, or rent. Residential land includes land that is vacant and within a residential zone or land that is in residential use, regardless of zone.

~~"Residential identification sign" means a sign that identifies a residential subdivision, planned residential development, neighborhood, condominium development, manufactured home park, multifamily residential development, or similar residential developments.~~

"Residential subdivision sign" means a sign which advertises the sale of lots in a residential subdivision, parcels in a manufactured home binding site plan, or lots in a residential planned development.

"Right-of-way" means a corridor which either is reserved for or contains a public street, road, alley, pathway, highway, or freeway.

"Roof sign" means a building sign that is mounted on the roof of a building as defined in this section. A roof sign does not project beyond the vertical planes of the building facades.

"Sandwich board sign" means a portable sign that is A-frame, does not exceed four feet in height or two feet in width, and is nonilluminated.

"Sign" means a visual message that is displayed to attract the outdoor attention of the general public. A sign may be: (1) advertising of a generic or specific product, item, or service; (2) a promotion of an activity or event; (3) any other implicit or explicit message which informs, alerts, directs attention to, or warns; (4) the name of a business, building, place, or organization; or (5) any combination of advertising, promotion, other message, or name. A sign may consist of, but is not limited to, words, pictures, drawings, logos, symbols, other graphics, border, trim, frame, cabinet, background, space, material, or devices which are integral to the visual message. A sign may contain multiple visual messages which are related in content and proximity.

"Sign face" means one dimension of a sign that contains the visual message.

"Sign height" means the vertical distance as measured from finished grade at the base of a sign or sign structure to the top of the sign.

"Sign structure" means the horizontal and vertical support for a sign.

"Site" means either: (1) a parcel of unplatted land, a parcel in a binding site plan, a tract, or a lot in a subdivision; or (2) two or more contiguous parcels, tracts, or lots under one ownership without intervening right-of-way and identified or delineated as one development site; or (3) two or more contiguous parcels, tracts, or lots under different ownerships, without intervening right-of-way, and identified or delineated as one development site.

"Street frontage" means that portion of a site boundary that borders one or more streets as defined in Section 17.09.830.



“Temporary sign” means a sign affixed to, applied on, or made from lightweight material, with or without a frame or backing which is designed to be displayed for a limited time. Examples of lightweight materials are vinyl, cardboard, card stock, corrugated plastic, and fabric.

“Traffic control sign” means any permanent or temporary traffic control, traffic signal, or construction sign that is subject to: (1) the latest edition of the Standard Specifications for Road, Bridge, and Municipal Construction as published by the Washington State Department of Transportation in conjunction with the Washington State Chapter of the American Public Works Association, as amended by the city Community Street and Utility Standards; and (2) the Manual on Uniform Traffic Control Devices.

“Vehicle sign” means a sign that is affixed or painted on a vehicle which is primarily used for transportation rather than parked for the purpose of displaying the sign.

“Wall sign” means a building sign that is painted or flush-mounted on a facade, fascia, or architectural appendage, less than eighteen inches horizontal projection.

“Window or door sign” means a building sign that is suspended or mounted flush with an exterior window, or painted on a window or door, and directed outside.

#### **14.58.025 Calculation of sign area.**

The area of a sign is the smallest circle, square, or rectangle that encloses a sign face or the largest plane of a three-dimensional sign. The area of a double-face sign is the area of a single face. The area of a multiple-face sign (other than a double-face sign) is the sum of the areas of all sign faces. Only the sign portion of a structure, material, space, or device is calculated for the purpose of sign area, except that the area of a cabinet sign or sign in a frame or border shall be based on the outside dimensions of the cabinet, frame, or border. The area of multiple signs on a structure, material, space, or device is the sum of the areas of all signs. The area of a sign with multiple messages is the smallest circle, square, or rectangle that encloses all of the messages.

#### **14.58.030 Sign regulations.**

- (a) Only a sign as defined in the definition for “Sign” in Section [14.58.020](#) is subject to the provisions of this chapter.
- (b) A sign type that is listed “A” in the following table is allowed to be displayed, subject to the applicable sign regulations listed in this section and in the table.
- (c) ~~A The following sign type that is listed “P” in the following table is~~ are prohibited from display, unless it is a nonconforming sign as provided in Section [14.58.090](#).

(1) Abandoned signs

(2) Billboards

(3) Dilapidated or hazardous signs, as determined by the Building Inspector or Code Enforcement Officer



(4) Flashing signs

(5) Signs which could be confused with or obstruct view of a traffic sign or signal, as determined by the Public Works Director or City Engineer.

(6) Parking a vehicle primarily for displaying advertising.

(d) ~~A The following~~ sign types ~~that is listed "E" in the following table is~~ are exempt from the provisions of this chapter.:

(1) Government flags.

(2) Official signs and legal notices

(3) Incidental signs intended for public information, such as open, closed, business hours, address, greeting, credit cards, restrooms, help wanted, parking, and similar.

(4) Traffic signs, signals, wayfinding signs, and other traffic control devices installed by the City, State, or other public authority.

(5) Wall or window graphics of an artistic nature that do not convey a commercial message.

(6) Signs on a lot where construction is taking place, provided the signs are removed prior to occupancy of the building.

(e) A sign type that is not listed in the following table is not allowed to be displayed.

(f) A sign shall comply with applicable provisions of the State Building Code.

(g) A sign is subject to Chapter 8.26, Nuisances.

(h) State law (RCW 70.54.090) prohibits the attachment of a sign to a utility pole.

(i) No sign is allowed on or over right-of-way except ~~for as approved by city council for city streets. No sign is allowed within right-of-way of the interstate or primary system where there are no curbs. A sign may be allowed within right-of-way of the primary system where there are curbs and other streets, subject to the following conditions and circumstances:~~

(1) A projecting sign is allowed over a sidewalk in right-of-way in the C-1 zone and in the C-2 zone where the building is not set back from right-of-way; provided, that the sign does not project more than eighty percent of the distance between the right-of-way line and back of curb line, and there is a minimum of eight feet vertical clearance under the sign.

(2) A ~~political~~ non-commercial temporary sign is allowed in right-of-way, with the permission of the abutting property owner, subject to the remainder of the applicable sign regulations in this section and in the following table.

(3) A sandwich board sign is allowed within right-of-way in a Commercial Zone where the building is built up the right-of-way line and there is no other place to put the sign. The sign must be placed as close to the building as possible, there must be at least 5' of clearance from the sign to the curb, and the sign must be weighted or anchored so it will not become a hazard.

(j) No permanent sign is allowed on or over a public utility easement.

(k) A permanent sign may be allowed over but not on a municipal easement, upon approval by the city engineer.

(l) Every sign shall be maintained in a safe and secure manner. A torn, broken, hazardous, dilapidated, or outdated sign, as determined by the building official, shall be repaired, replaced, or removed.

(m) The city engineer shall review each application for a sign permit for sight distance. The city engineer shall consider whether a sign would be located or constructed so as to obscure or obstruct an official traffic sign, signal, or device, or obstruct a motorist's view of approaching, merging, or intersecting traffic before approving or disapproving the application.

(n) Internal or external sign lighting shall be shaded, hooded, site screened, or directed so that the light's intensity or brightness shall neither adversely affect adjacent or nearby property, nor create a public nuisance, nor create a traffic hazard.

~~(o) A sign may be located within the front or exterior yard (as defined in Sections 17.09.940 and 17.09.960) but shall not be located in the interior side or rear yard (as defined in Sections 17.09.950 and 17.09.960).~~

(p) No sign shall be erected or maintained if it is visible from the main traveled way of the ~~interstate or~~ primary system except as permitted by Chapter 468-66 WAC, Highway Advertising Control Act, or Chapter 47.42 RCW, Highway Advertising Control Act—Scenic Vistas Act.

(q) Where electronic signs are allowed, the following conditions apply:

1. Minimum height for the sign shall be 13' from grade of the adjacent roadway to the bottom of the sign.
2. The sign background shall not be white in color. White lights shall not be used as the sign background.
3. No sign lamp may be illuminated to a degree of brightness that is greater than necessary for adequate visibility. In no case may the brightness exceed 8000 nits or equivalent candelas during daylight hours, or 1000 nits or equivalent from dusk to dawn. Signs found to be too bright shall be adjusted as directed by the City of Othello.
4. The message shall have a static display time of at least 2 seconds after moving onto the signboard, with all segments of the total message to be displayed within 10 seconds.
5. Displays may travel horizontally or scroll vertically but must hold in a static position for 2 seconds after completing the travel or scroll.



6. Electronic signs requiring more than 4 seconds to change from one message display to another shall be turned off during the change interval.

7. Any electronic sign allowed in a residential zone shall not be illuminated between 10 PM and 6 AM.

**TABLE A: SIGN REGULATIONS**

Sign Type	Prohibited, Allowed, or Exempt	Maximum Sign Height	Maximum Sign Area	Sign Permit	Other Sign Regulations
Abandoned	P	NA	NA	NA	NA
Architectural Appendage	A	Sign may be flush- mounted or suspended under the architectural appendage	See Building sign	R	Sign allowed only in commercial and industrial zones. If the sign is suspended, there shall be at least 8' clearance above grade
Billboard	P	NA	NA	NA	NA
Building	See specific types of building signs	See specific types of building signs	The total area of building signs shall not exceed 25% of the overall area of each facade. None of this allowance is transferable from one facade to another facade. No individual building	See specific types of building signs	Sign allowed in commercial, <u>and</u> industrial, <del>agricultural, and</del> <del>municipal airport zones.</del> <u>Allowed in R-3 zone on a site</u> <u>with a conditional use, with</u> <u>review and approval of the</u> <u>planning commission according</u> <u>to Section 14.58.110 for a</u> <u>properly-permitted commercial</u> <u>use in another zone, or for a</u> <u>public, semi-public, or non-</u> <u>commercial facility or area, such</u> <u>as a park, school, hospital,</u> <u>church, neighborhood, or</u> <u>apartment complex.</u>

Sign Type	Prohibited, <del>Allowed,</del> or Exempt	Maximum Sign Height	Maximum Sign Area	Sign Permit	Other Sign Regulations
			sign shall exceed 15% of the overall area of a facade		
Changeable Copy	A	25' for Free- standing, <del>Freeway or</del> <del>Freeway</del> <del>Interchange</del> sign, or wall height for Wall sign	See Building, <del>Freeway or</del> <del>Freeway</del> <del>Interchange</del> Free- standing, or Temporary Free- standing or Portable sign	R	Sign allowed only in commercial and industrial zones <u>or for a properly-permitted commercial use in another zone, or for a public, semi-public, or non- commercial facility or area, such as a park, school, hospital, church, neighborhood, or apartment complex.</u>
Community	A	<del>See Building</del> <del>or Free-</del> <del>standing</del> <del>signs</del>	<del>See</del> <del>Building,</del> <del>Free-</del> <del>standing,</del> <del>and</del> <del>Temporary</del> <del>Free-</del> <del>standing or</del> <del>Portable</del> <del>signs for</del> <del>other sign</del> <del>area</del> <del>regulations</del>	<del>R-if</del> <del>free-</del> <del>standin</del> <del>g-sign;</del> <del>NR-if</del> <del>building</del> <del>sign</del>	<del>Sign allowed only in commercial,</del> <del>industrial, and public zones. Sign</del> <del>shall be temporary</del>
Construction	A	8'	32 sq. ft. per street frontage per	NR	Sign may be erected a maximum of 30 days prior to start of construction, and shall be removed within 30 days after the

Sign Type	Prohibited, -Allowed, or Exempt	Maximum Sign Height	Maximum Sign Area	Sign Permit	Other Sign Regulations
			constructio n-site		<del>end-of construction. Sign shall be nonilluminated. Limited to one sign per street frontage per site</del>
Dilapidated or hazardous condition as determined by building official	P	NA	NA	NA	NA
Directional	A	6' for Free- standing sign; same as for Wall sign	8 sq. ft. per sign	R	Sign allowed only in commercial and industrial zones
Directory	A	Same as for Free- standing, and Freeway or Freeway Interchange sign	See Building, Freeway or Freeway Interchange , or Free- standing sign	R	<del>Sign allowed only in commercial and industrial zones, or on a site with a conditional use in the R-3 zone. Prior to issuance of a sign permit, a sign for a conditional use in the R-3 zone shall require planning commission review and approval according to Section 14.58.110</del>
Flashing	P	NA	NA	NA	NA
Freeway or Freeway Interchange	A	45'	350-sq. ft. per site	R	<del>Allowed only in commercial and industrial zones</del>
Free-standing	A	25'	150 square feet per site in a commercial or industrial zone, except that	R	Sign allowed only in commercial and industrial zones or on a site where there is a <del>conditional use in the R-3 zone.</del> <u>a properly- permitted commercial use in another zone, or for a public, semi-public, or non-commercial</u>



Sign Type	Prohibited, -Allowed, or Exempt	Maximum Sign Height	Maximum Sign Area	Sign Permit	Other Sign Regulations
			<p>a site which has street frontage exceeding 300 lineal feet is allowed 150 square feet per increment of 300 lineal feet of street frontage. <del>A site where there is a conditional use in the R-3 zone is allowed any combination of free-standing and building signs not to exceed a total of 12 square feet, except as provided in Other Sign Regulations in this row</del></p>		<p><u>facility or area, such as a park, school, hospital, church, neighborhood, or apartment complex.</u> A site without street frontage shall be limited to one free-standing sign structure. The number of free-standing sign structures that are allowed on a site with street frontage shall be limited to two per increment of 300 lineal feet of street frontage. If a site exceeds one free-standing sign structure, then the structures shall be separated a minimum of 100 lineal feet.</p> <p><b>Landscaping</b> (as defined in Section 14.57.030(a)) is required around the base of a new free-standing sign. The landscaping perimeter for a pole sign shall be not less than the largest sign dimensions as vertically projected to the ground. The landscaping perimeter for all other free-standing signs shall be not less than one foot larger than the base of the sign structure.</p> <p><del>Prior to issuance of a sign permit, a free-standing sign on a vacant site, or where there is a conditional use in the R-3 zone, shall require planning commission review and approval according to Section 14.58.110</del></p>

Sign Type	Prohibited, -Allowed, or Exempt	Maximum Sign Height	Maximum Sign Area	Sign Permit	Other Sign Regulations
Garage Sale	A	NA	NA	NR	Sign allowed in all zones. The sign shall not be displayed for more than four consecutive days <u>See OMC 4.24, Garage Sales</u>
Government Flags	E	NA	NA	NA	NA
Home Occupation	A	Same as for Wall sign	2-sq. ft. per residential dwelling unit with home occupation license	R	Sign shall be a nonilluminated wall sign. Limited to one sign per residential dwelling unit with home occupation license
Incidental	A	Same as for Wall sign, Freeway sign and/or Freeway Interchange sign	2-sq. ft. per sign	NR	Shall be nonilluminated and on site
Monument	A	8'	Same as for Free- standing sign	R	Sign allowed only in commercial and industrial zones
<u>Non- Commercial</u>		<u>See Building, Free- Standing, or Temporary sign</u>	<u>See Building, Free- Standing, or Temporary sign</u>	<u>NR if Tempor ary, R for others</u>	<u>See Building, Free-Standing, or Temporary sign</u>
Nonconforming	See Section <a href="#">14.58.090</a> for limitations on nonconforming signs				

Sign Type	<del>Prohibited, Allowed, or Exempt</del>	Maximum Sign Height	Maximum Sign Area	Sign Permit	Other Sign Regulations
Official Sign or Legal Notice	E	NA	NA	NA	NA
Open, Closed, Business Hours, Address, or Greeting	E	NA	NA	NA	NA
Political	A	NA	NA	NR	Shall be removed within 10 days after an election. May be located on private property with permission from property owner. May be placed in right-of-way adjacent to the private property of the abutting land owner and only with the permission of the private property owner/abutting land owner; provided, that it is not in a location or condition that is prohibited
Private Warning/ Directional	E	NA	NA	NA	NA
Projecting Sign	A	Same as for Wall or Architectural Appendage sign	See Building sign	R	See Section 14.58.030(i)
Public or Recreational Identification	A	Same as for Free- standing or Building sign	See Free- standing or Building sign	R	Allowed in commercial, industrial, and public zones
Public Zone (other than	A	Same as for Free-	See Free- standing or	R	Requires planning commission approval according to Section



Sign Type	Prohibited, -Allowed, or Exempt	Maximum Sign Height	Maximum Sign Area	Sign Permit	Other Sign Regulations
Public or Recreational Facility Identification signs)		standing or Building sign	Building sign		14.58.110
Real Estate— Other	A	8' for Free- standing sign; wall height for Building sign	32 sq. ft. per sign	NR	Shall be nonilluminated. Shall be removed from display within five days after sale, lease, or rent
Real Estate— Residential Lot	A	No limit	6 sq. ft. per sign	NR	Shall be nonilluminated. Shall be removed from display within one day after sale, lease, or rent
Residential Identification	A	8'	32 sq. ft. per site	R	Allowed in residential zones. Requires planning commission review and approval according to Section 14.58.110
Residential Subdivision	A	8'	32 sq. ft. per residential subdivision; manufactur ed home binding site plan or residential planned developme nt	R	A
Roof	A	10' above roof height as measured	See Building sign	R	Allowed in commercial and industrial zones

Sign Type	Prohibited, -Allowed, or Exempt	Maximum Sign Height	Maximum Sign Area	Sign Permit	Other Sign Regulations
		from intersection of the roof and lowest point of the sign, sign structure, or point of attachment			
Sandwich Board	A	4'	8 sq. ft. each face	R	Sign allowed only in commercial and industrial zones. <del>May be located in right-of-way adjacent to the site that is the object of the sign with planning commission recommendation and city council approval.</del> Otherwise, sign shall be on site. Shall be removed from display at the end of each business day
<del>Sign which could be confused with or obstructs the view of a traffic sign or signal, as determined by city engineer</del>	P	NA	NA	NA	NA
<del>Sign which restricts ingress to or egress from a building</del>	P	NA	NA	NA	NA
Sign on	P	NA	NA	NA	NA



Sign Type	Prohibited, -Allowed, or Exempt	Maximum Sign Height	Maximum Sign Area	Sign Permit	Other Sign Regulations
<del>vehicle other than Vehicle sign</del>					
<u>Temporary Non-Commercial</u>		<u>8' for Free-standing sign; same as for Wall sign</u>	<u>32 sq. ft. per sign</u>	<u>NR</u>	<u>Shall be removed within 10 days after the election or event. May be located on private property with permission from property owner. May be placed in right-of-way adjacent to the private property of the abutting land owner with the permission of the abutting land owner; provided that it is not in a location or condition that is prohibited</u>
Temporary Sign on free-standing structure or Portable	A	See Free-standing if on free-standing structure; 8' height if portable	32 sq. ft. per street frontage per site. If no street frontage, then 32 sq. ft. per site. The total sign area shall be restricted to one, contiguous, designated area per street frontage. The designated	R—one time per location. Owners hip change of businesses license requires new sign permit	Allowed only in commercial and industrial zones. Sign shall be repaired, replaced, or removed when torn, worn, broken, or dilapidated, <u>or when the event has passed or the message is no longer relevant</u>

Sign Type	Prohibited, <del>Allowed,</del> or Exempt	Maximum Sign Height	Maximum Sign Area	Sign Permit	Other Sign Regulations
			area shall not exceed 12 lineal feet parallel to street frontage		
Temporary Gas Pump	A	NA	<del>2-sq.-ft.-per sign, one sign-per dispenser</del>	NR	NA
Temporary Sign on Wall	A	Same as Wall sign	See Building sign	NR	NA
<del>Traffic Control</del>	<del>E</del>	NA	NA	NA	NA
Vehicle	A	Flush- mounted to vehicle	NA	NR	Nonilluminated. <u>Vehicle must be used in the course of business, not parked for the purpose of advertising.</u>
Wall	A	The sign shall be contained within the outline of the facade	See Building sign	R	NA
Window or Door	A	The sign shall be contained within the perimeter of the window or door	See Building sign	NR for tempora ry sign; R for perman ent sign	<u>Not more than 40% of the window or door area may be used for signage.</u>
A = Allowed; E = <del>Exempt</del> ; NA = Not Applicable; NR = Not Required; <del>P = Prohibited</del> ; R = Required					

#### **14.58.040 Sign work exempt from sign permit.**

The replacement of the face or faces of a cabinet sign, maintenance of a sign or sign structure (by repair, replacement of parts, cleaning, or touch-up), and sign removal without any sign installation is exempt from the requirement for a sign permit.

#### **14.58.050 Sign permit requirements.**

A new sign or sign structure, or the replacement of an existing sign or sign structure, shall require an application for city review and issuance of a sign permit prior to work, except for types of signs that do not require a permit as listed in Table A, or sign work that is exempt from a sign permit. The application shall include:

- (a) Two copies of a scaled drawing of the site plan which shows the site boundary, sidewalk and curb, driveways, buildings, other relevant site development or site limitations, and the location of the proposed building or free-standing sign or signs. The location of free-standing signs should be shown as dimension lines from nearest lot or parcel boundaries.
- (b) Two copies of scaled plans and elevations of the sign work, including sign and sign structure dimensions, sign height, structural detail, description, drawing, or picture of the sign copy, footing details, method of sign attachment to sign structure, building, or architectural appendage, building façade dimensions; illumination, specifications, and calculations for wind loads.
- (c) An inventory of each and every existing sign on the site, including a description of the sign copy, type of sign, and sign dimensions.
- (d) The building official may waive the submission of plans, specifications, and calculations when the structural aspect is of minor importance.
- (e) A completed application with an inventory of each and every sign that will be installed or removed, and the type of sign.

#### **~~14.58.060 Interpretations and rulings.~~**

~~Recognizing that there may be ambiguities in any chapter and that it may be necessary to obtain an interpretation or ruling regarding intent, interpretation, or definition, the zoning administrator may forward a request to the planning commission for an interpretation or ruling regarding the application of the provisions of this chapter to any existing or proposed sign.~~

#### **14.58.070 Appeals.**

~~Any decision made by any administrator, officer, board, or agency in carrying out the provisions of this chapter may be appealed~~ Appeals shall be as provided for in Chapter ~~17.83~~ 19.11.

#### **14.58.080 Variances.**



The hearing examiner shall hear and decide any request for a variance from the sign regulations contained in this chapter in accordance with Chapter 2.16.

**14.58.090 Nonconforming sign.**

Any nonconforming sign may continue to be maintained and used in compliance with Chapter 17.79, Nonconforming Uses. Any nonconforming sign which has been abandoned at least six months shall be removed or conform to the applicable sign regulations of this chapter.

~~**14.58.100 Sign for nonconforming use.**~~

~~Any proposed sign for a nonconforming use may be allowed after review and approval by the planning commission upon a finding that the sign will be compatible with surrounding land uses. Conditions may be attached to an approval.~~

~~**14.58.110 Planning commission review and approval.**~~

~~Any sign in this chapter that requires planning commission review may be approved by the commission upon findings that the sign meets the purpose of this chapter and the sign will comply with applicable sign regulations. Conditions may be attached to an approval.~~

**14.58.120 Violation.**

Upon occurrence of a violation of the provisions of this chapter, the code enforcement officer shall notify the responsible person representing the sign in violation that a violation of this chapter exists. A notice of violation and order to correct or cease activity as provided in Section 8.26.050 shall be issued.

**14.58.130 Enforcement.**

The code enforcement officer may cause the removal or demolition of an illegal sign or for failure to comply with a notice of violation upon seven days' written notice. After removal or demolition of the sign, a notice shall be mailed to the sign owner stating the nature of the work and the date on which it was performed and demanding payment of the costs as certified by the building official. If the amount specified in the notice is not paid within thirty days of the notice, the city may institute a civil action to recover its costs. The owner of the property upon which the sign is located shall be presumed to be the owner of all signs thereon unless facts to the contrary are brought to the attention of the code enforcement officer.

**14.58.140 Conflict.**

If any provision of this chapter is found to be in conflict with any other provision of any local, state, or federal regulations, the provision which establishes the higher standard shall prevail.

## Clearview Sight Triangle

A clearview triangle is a measurement applied at the intersection of two streets or the intersection of an alley or commercial driveway and a street to ensure unobstructed vision of motorists and pedestrians. Within the clearview triangle, the space between three and one-half feet and seven feet above the street, or three feet above the sidewalk, must be unobstructed. Neither residential, commercial or industrial fencing, nor any sight obstruction including vegetation, which constitutes a hazard to the traveling public shall be permitted on any corner lot in any zone within the area designated as the "clearview triangle". You can find the requirements in the [SVMC](#) 22.70.020.

Please contact the Permit Center by phone or email for more information. We are available Monday through Friday from 8:00 a.m. to 5:00 p.m. We can be reached at (509) 720-5240 or email at [permitcenter@spokanevalley.org](mailto:permitcenter@spokanevalley.org).



I. Electric fences shall only be allowed to enclose outdoor storage areas in nonresidential zoning districts or to confine animals in residential zoning districts. Electric fences shall not be allowed for any other purpose. Electric fences shall:

1. Not exceed 10 feet in height when used for outdoor storage or eight feet in height when used to confine animals;
2. Be clearly marked with warning signs at least 24 square inches in area located every 60 feet;
3. Be surrounded by a non-electrical fence located within 12 inches of the electrical fence;
4. Have an energizer driven by a commercial storage battery that does not exceed 12 volts DC; and
5. Not produce a charge upon contact that exceeds the energizer characteristics set forth in paragraph 22.108 and depicted in Figure 102 of International Electrotechnical Commission (IEC) Standard 60335-2-76.

J. Fences and all sight obstructions including vegetation shall be located outside of the clearview triangle pursuant to SVMC [22.70.030](#) and shall not block the view of fire protection equipment. (Ord. 17-004 § 3, 2017; Ord. 16-018 § 6 (Att. B), 2016).

### 22.70.030 Clearview triangle.

A. A sight distance is the length of roadway visible to a driver. The clearview triangle is the triangular area calculated at the intersection of two streets or the intersection of an alley, private street or driveway, and a street to provide the required sight distance and provide unobstructed vision to motorists and pedestrians.

1. For commercial approaches and controlled intersections, the clearview triangle shall be calculated pursuant to Table 22.70-1 and Figure 22.70-1.

**Table 22.70-1 – Clearview Triangle Calculation for Controlled Intersections**

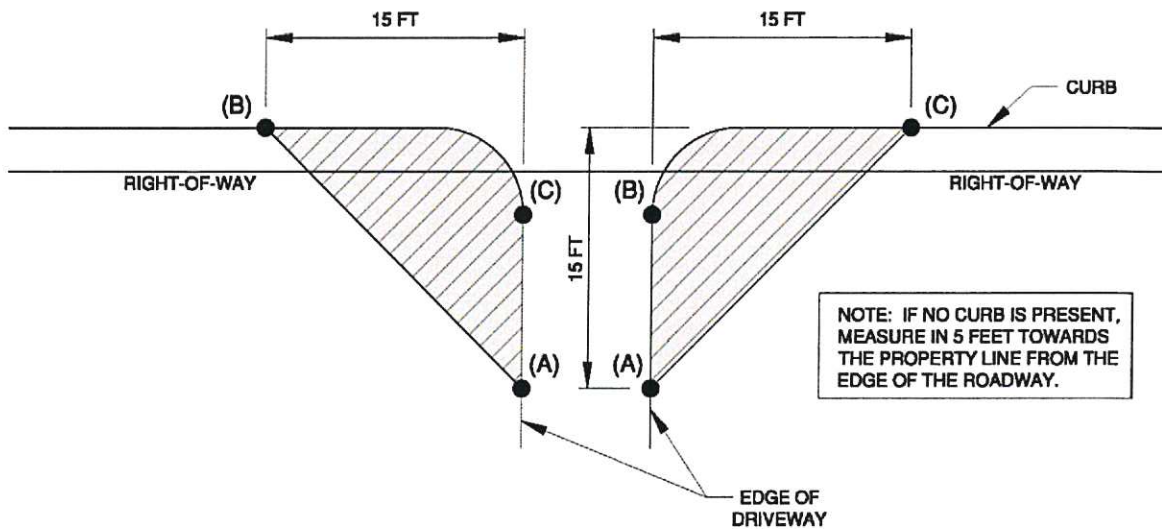
Case Type	Through Street Speed Limit (mph) <sup>1</sup>	Distance to Point A in Feet	Required Sight Distance <sup>1,2,3</sup> (BC) in Feet
Commercial approaches and stop sign controlled intersections <sup>2</sup>	25	15	280
	30		335
	35		390
Signal controlled intersection, yield controlled or all-way stop sign controlled		Per AASHTO Green Book	

<sup>1</sup> Required sight distance shall be adjusted for grades three percent or greater, more than two lanes, skewed intersections, sharp curves, posted speeds in excess of 35 miles per hour (mph), or for vehicles other than passenger cars pursuant to the street standards as adopted pursuant to SVMC [22.130.040](#).

<sup>2</sup> For stop sign controlled intersections and commercial approaches, use Figure 22.70-1 to determine required sight distance and location of Point A.

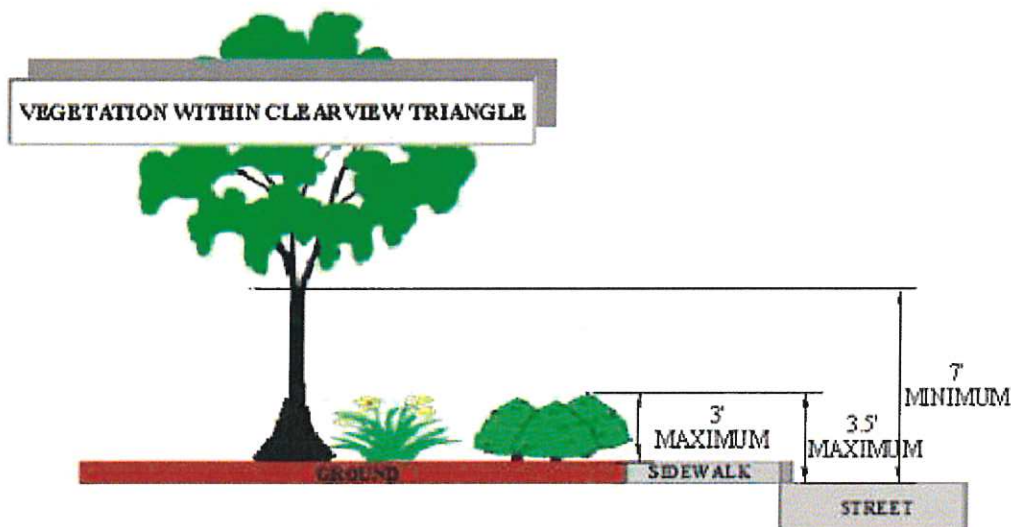
<sup>3</sup> To determine the clearview triangle, locate points A and C, determine the required distance (BC/CB) using Table 22.70-1, locate point B and connect points A, B, and C. The area enclosed by points A, B, C and the right-of-way is the clearview triangle, hatched area in Figure 22.70-1.





B. Within the clearview triangle, the space between three and one-half feet and seven feet above the street, or three feet and six and one-half feet above the sidewalk, shall be unobstructed from vegetation, structures, signs, and other view obstructions in the manner shown pursuant to Figure 22.70-4.

**Figure 22.70-4 – Clearview Triangle Vertical Clearance Requirements**



C. Exemptions. Clearview triangle requirements shall not apply to:

1. Public utility poles;
2. Trees, so long as they are not planted in the form of a hedge and the shortest branches are trimmed to a height of at least seven feet above the street surface;
3. Properties where the natural ground contour penetrates the clearview triangle; or
4. Traffic control devices installed by the City. (Ord. 16-018 § 6 (Att. B), 2016).

#### **22.70.040 General landscaping.**

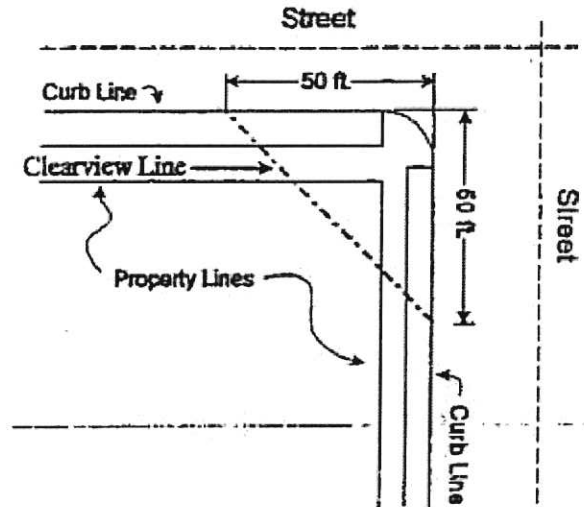
A. Applicability. The provisions of SVMC [22.70.040](#) shall apply to nonresidential projects, multifamily projects and subdivisions. They shall not apply to projects located in an industrial zoning district.

B. Multifamily and nonresidential projects, except when located in an industrial zoning district, shall provide the required landscaping points pursuant to Table 22.70-2.



**20.114.020 Clearview triangle dimensions.**

A. Uncontrolled Intersections. At uncontrolled intersections, the Clearview Triangle shall be formed by measuring from the intersection of the extended curbline or the traveled right-of-way (if no curbs exist) of the adjacent street to a distance of fifty (50) feet from the corner point. The third side of the triangle is the straight line connecting the two (2) fifty (50) foot sides. See Figure 20.114-1, Uncontrolled Intersection.



**Figure 20.114-1 Uncontrolled Intersection**

B. Controlled Intersections. At two-way stop and yield controlled right angle intersections (signalized and all-way stop controlled are specifically excluded), the stop or yield controlled street side of the Clearview Triangle shall be a distance of fifteen (15) feet measured from the intersection of the extended curbline or the traveled right-of-way (if no curb exists). The major street side of the triangle shall be a factor of the posted speed of the major street as noted in Table 20.114-1 measured along the extended curbline or the traveled right-of-way (if not curb exists.) The third side of the triangle is the straight line connecting the above defined lines. (Refer to Figure 20.114-2, Controlled Intersection.) Where the intersection of the two streets forms an angle other than a right angle, the sight distance measurement along the major street shall be determined by the City Engineer based upon a traffic study. In no case will the acute angle sight distance be less than those shown in Table 20.114-1.

**Table 20.114-1 Controlled Intersection Major Street Distances**

Posted Speeds (MPH)	Distance along Curbline
25	85 feet
30	110 feet
35	130 feet

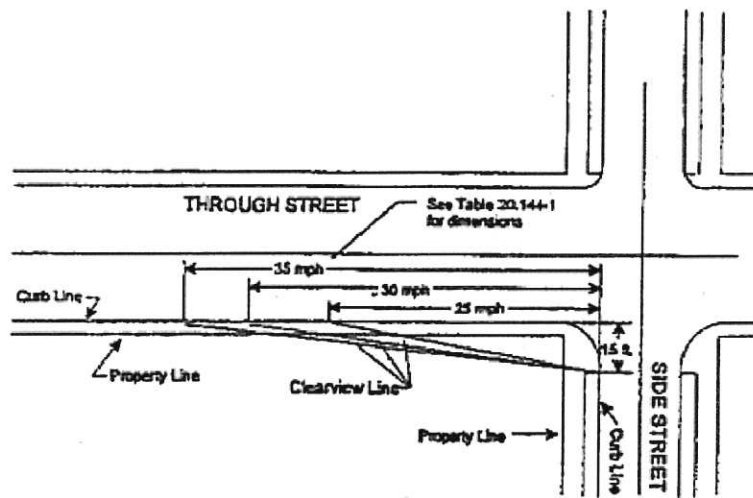


Figure 20.114-2, Controlled Intersection

C. Alley and Driveway Intersections with Public Right-of-Way.

1. All lots which abut alleys and all private driveways shall maintain a Clearview Triangle. The sides of the triangle forming the corner angle shall be fifteen (15) feet measured along the extended curblines (or the traveled right-of-way if no curbs exist) and along the edge of the driveway or alley. The third side of the triangle is the straight line connecting the two (2) fifteen (15) foot sides.
2. The area between the triangle and the edge of the traveled right-of-way of the street shall also be kept clear of visual obstructions as outlined in Section 20.114.030.
3. Figure 20.114-3, Alley or Driveway Intersection, illustrates the requirements of this Section.

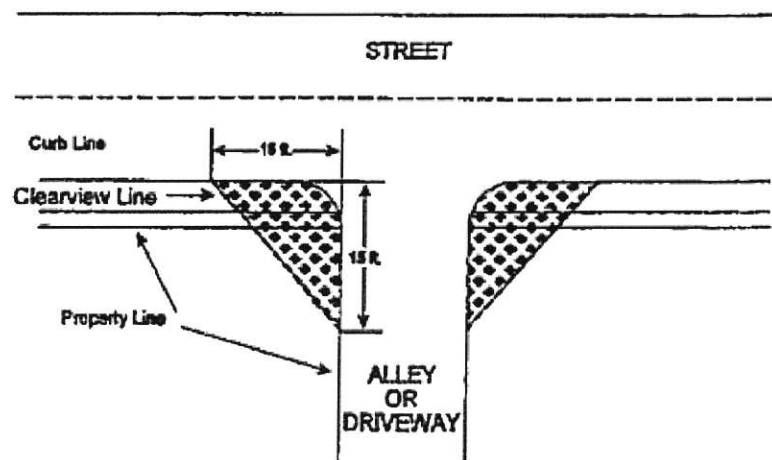


Figure 20.114-3, Alley or Driveway Intersection

**20.114.030 General requirements.**

On property located within any clearview triangle, there shall be located no structure, fence, wall, hedge, natural growth, tree, sign, or other visual obstruction in excess of ten inches in diameter or which materially impairs vision between a height of two and one-half feet and ten feet above the grade street centerline, or curb top if one is present. See Figure 20.114-4, Clearview Triangle Perspective.

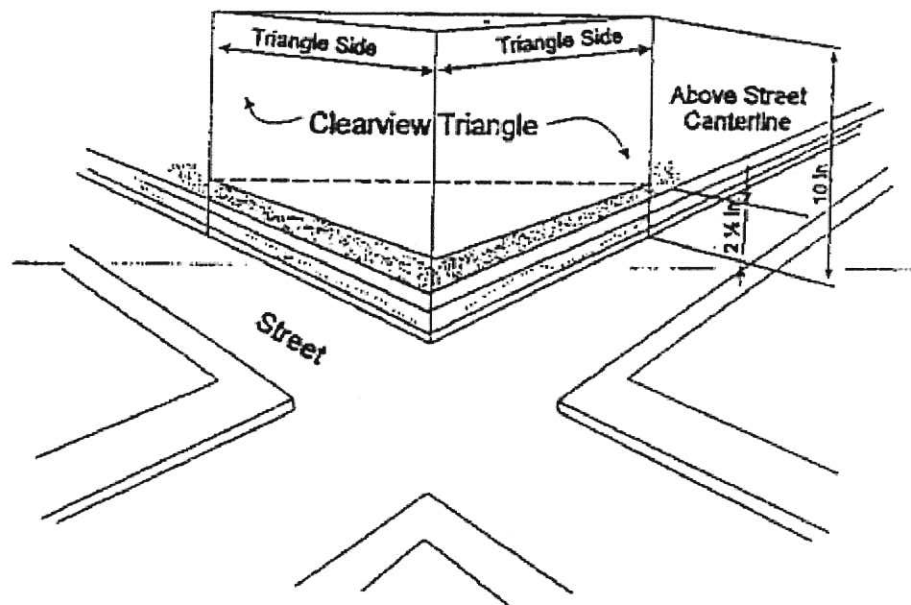


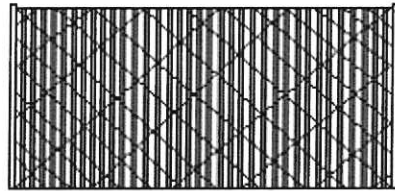
Figure 20.114-4, Clearview Triangle Perspective



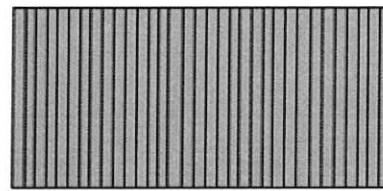
- Fences may be constructed on the property line provided they meet the above-mentioned requirements and the underlying zone does not prohibit them.
- Chain link fences and barb wire or razor wire are prohibited in Residential Zones.
- Walls and fences required as a condition of development approval shall be maintained in good condition, or otherwise replaced by the owner.

**Fencing, partially sight-obscuring** - A fence which provides partial visual separation.

**Fencing, fully sight-obscuring** - A fence which provides complete visual separation.



Partially Sight Obscuring Fence

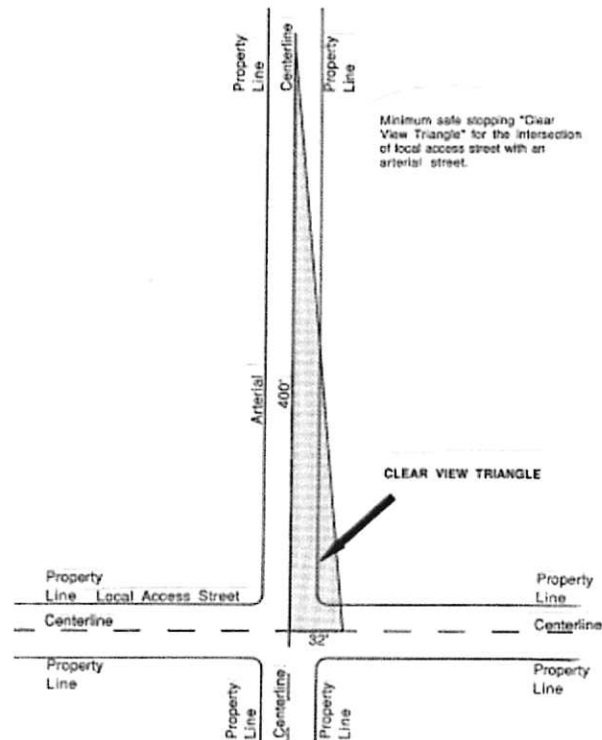
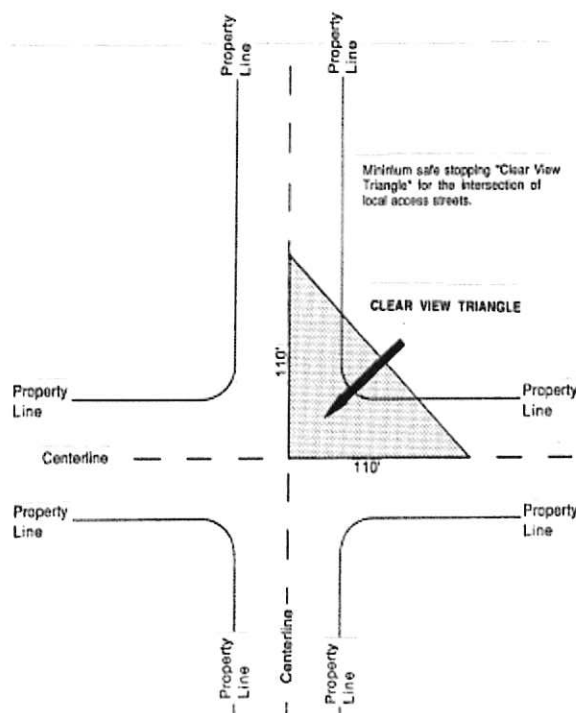


Fully Sight Obscuring Fence

*Liberty Lake*

## CLEAR VIEW TRIANGLE

No signs or structures, or vegetation in excess of three feet in height shall be placed in "vision clearance areas" or "clear view triangle", as described and shown below. The minimum vision clearance area may be increased by the Community Development Director upon finding that more sight distance is required (i.e., due to traffic speeds, roadway alignment, etc.). Vision clearance standards shall be based on the American Association of State Highway and Transportation Officials (AASHTO) standards. The following examples are based on a typical single family home situation.



## **Chapter 18.90 CLEARVIEW TRIANGLE**

### Sections:

<u>18.90.010</u>	Purpose.
<u>18.90.015</u>	Definitions.
<u>18.90.020</u>	Clearview triangle dimensions.
<u>18.90.030</u>	General requirements.
<u>18.90.040</u>	Exemptions.
<u>18.90.050</u>	Clearview triangles – Increase by site plan review committee.
<u>18.90.060</u>	Adjustments.
<u>18.90.070</u>	Violations, deemed nuisance.
<u>18.90.080</u>	Abatement required.

### **18.90.010 Purpose.**

The purpose of this Chapter is to establish Clearview Triangle requirements to help maintain pedestrian and vehicular safety. Clearview requirements apply to all zones, except Urban Center, and apply to public streets, private streets intersecting with public streets, alleys, railroad crossings, driveways, and curb cuts.

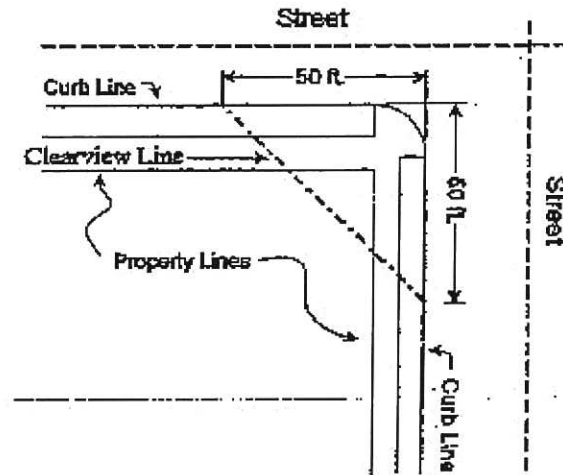
### **18.90.015 Definitions.**

For the purpose of this Chapter, certain abbreviations, terms, phrases, words and derivatives shall be construed as follows:

- A. All-way Stop Controlled. This is the same as a 4-way Stop, except that it applies equally to intersections with three, four, five or more intersecting streets. It means that all vehicles must come to a complete stop before entering the intersection and that they yield to other vehicles that have the right of way.
- B. Four-way Stop controlled. This is the traditional four leg intersection where traffic on all four legs come to a complete stop before entering the intersection and that they yield to other vehicles that have the right of way.
- C. Two-way Stop controlled. This is the traditional intersection of at least two streets where the traffic on one street is required to stop while traffic on the other does not stop.
- D. Uncontrolled Intersection. This is the typical neighborhood street intersection, where traffic volumes are low and traffic on neither is given the right of way over the other. The basic rule of driving governs traffic entering the intersection.

### **18.90.020 Clearview triangle dimensions.**

- A. Uncontrolled Intersections. At uncontrolled intersections, the Clearview Triangle shall be formed by measuring from the intersection of the extended curb line or the traveled right-of-way (if no curbs exist) of the adjacent street to a distance of fifty (50) feet from the corner point. The third side of the triangle is the straight line connecting the two (2) fifty (50) foot sides. See Figure 18.90-1, Uncontrolled Intersection.



**Figure 18.90-1 Uncontrolled Intersection**

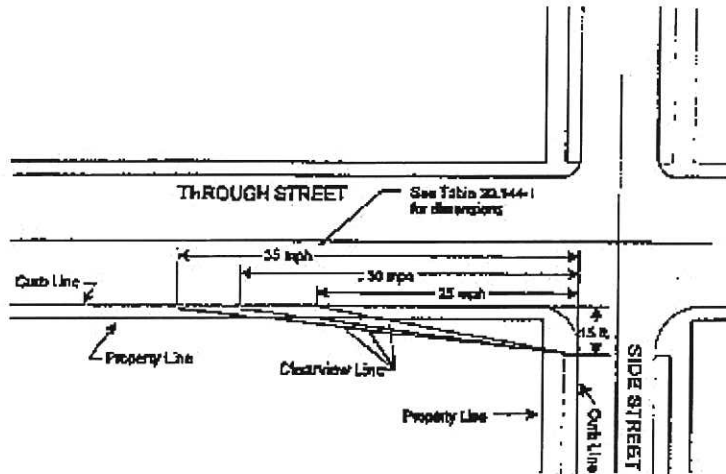
- B. Controlled Intersections. At two-way stop and yield controlled right angle intersections (signalized and all-way stop controlled are specifically excluded), the stop or yield controlled street side of the Clearview Triangle shall be a distance of fifteen (15) feet measured from the intersection of the extended curb line or the traveled right-of-way (if no curb exists). The major street side of the triangle shall be a factor of the posted speed of the major street as noted in Table 18.90-1 measured along the extended curb line or the traveled right-of-way (if not curb exists.) The third side of the triangle is the straight line connecting the above defined lines. (Refer to Figure 18.90-2, Controlled Intersection.) Where the intersection of the two streets forms an angle other than a right angle, the sight distance measurement along the major street shall be determined by the City Engineer based upon a traffic study. In no case will the acute angle sight distance be less than those shown in Table 18.90-1.



**Table 18.90-1 Controlled Intersection  
Major Street Distances**

**Posted Speeds Distance along Curb line  
(MPH)**

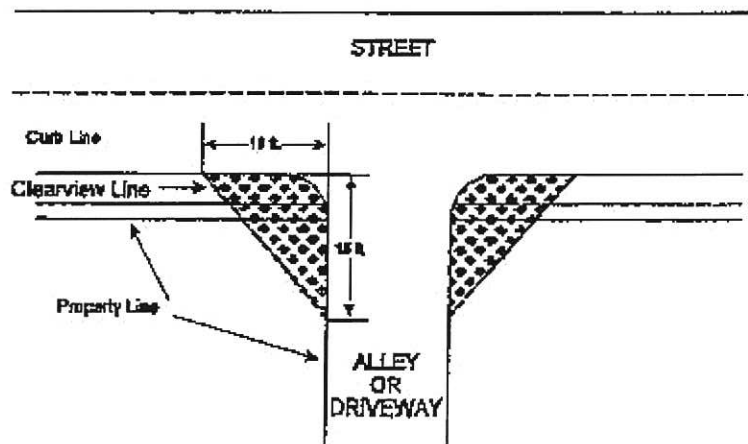
25	85 feet
30	110 feet
35	130 feet



**Figure 18.90-2, Controlled Intersection**

**C. Alley and Driveway Intersections with Public Right-of-Way.**

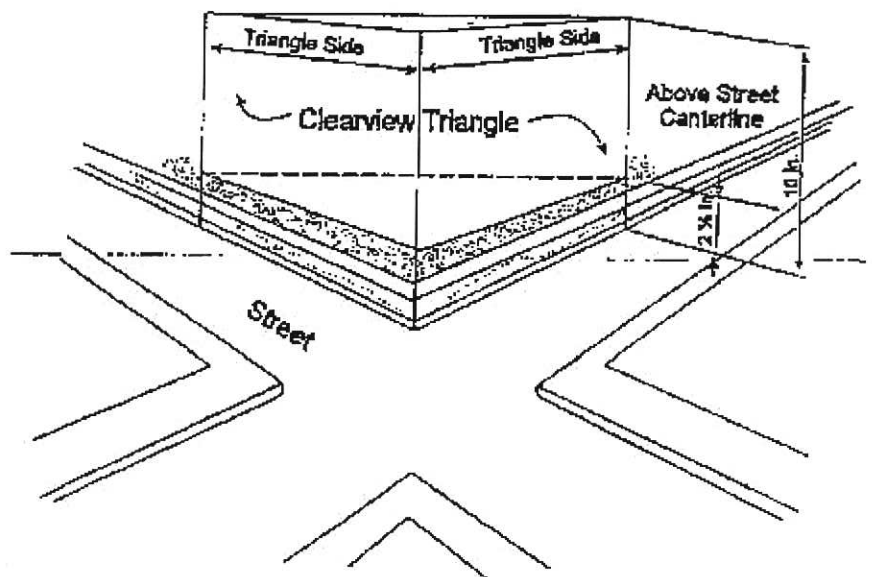
1. All lots which abut alleys and all private driveways shall maintain a Clearview Triangle. The sides of the triangle forming the corner angle shall be fifteen (15) feet measured along the extended curb line (or the traveled right-of-way if no curbs exist) and along the edge of the driveway or alley. The third side of the triangle is the straight line connecting the two (2) fifteen (15) foot sides.
2. The area between the triangle and the edge of the traveled right-of-way of the street shall also be kept clear of visual obstructions as outlined in Section 18.90.030.
3. Figure 18.90-3, Alley or Driveway Intersection, illustrates the requirements of this Section.



**Figure 18.90-3, Alley or Driveway Intersection**

**18.90.030 General requirements.**

On property located within any Clearview Triangle, there shall be located no structure, fence, wall, hedge, natural growth, tree, sign, or other visual obstruction in excess of ten (10) inches in diameter or which materially impairs vision between a height of two and one-half (2-1/2) feet and ten (10) feet above the grade street centerline, or curb top if one is present. See Figure 18.90-4, Clearview Triangle Perspective.



**Figure 18.90-4, Clearview Triangle Perspective**

#### **18.90.040 Exemptions.**

Clearview Triangle regulations of this Chapter shall not apply to:

- A. Buildings which were existing prior to passage of the ordinance codified in this Code;
- B. Public utility poles;
- C. Trees, so long as they are not planted in the form of a hedge and are trimmed to the trunk to a height of at least ten (10) feet above the grade level of the centerline of the intersection so as to leave, in all seasons, a clear and unobstructed cross view;
- D. Official warning signs or signals;
- E. Properties where the existing contour of the ground penetrates above the maximum two and one-half (2-1/2) feet height limitation noted in Section 18.90.030;
- F. Properties located in the Urban Center zone as established in Chapter 18.58 of this Code and delineated on the official zoning map of the City;
- G. Woven wire-chain link fences provided that there is no other landscaping or visual obstruction.

#### **18.90.050 Clearview triangles – Increase by site plan review committee.**

The clearview requirement may be increased by the Site Plan Review Committee in areas of unusual circumstances. For example, streets permitting high speed travel or with excessive curves may require a larger field of vision.

#### **18.90.060 Adjustments.**

In the event street improvements change the width of the traveled way, or locations of curbs, Clearview Triangles shall be adjusted to meet the requirements of this Chapter.

#### **18.90.070 Violations, deemed nuisance.**

Any structure, fence, wall, hedge, natural growth, tree, sign, or other object erected or placed in violation of the clearview triangle requirements of this Chapter, is declared to be a public nuisance.

#### **18.90.080 Abatement required.**

Abatement shall be as set forth in Sultan Municipal Code Chapter 18.46, Violations and Enforcement, and SMC Chapter 8.04.