



Abundant Land. Bountiful Life.

CITY OF OTHELLO PLANNING COMMISSION

**Regular Meeting
500 E. Main St.
September 17, 2018
6:00 PM**

1. Call to Order- Roll Call
2. August 20, 2018 Minutes Approval
3. Municipal Code Update – Residential Zones – Request for Direction

Next Regular Meeting is Monday October 15, 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.**



Abundant Land. Bountiful Life.

Planning Commission

August 20, 2018

Anne Henning

CALL TO ORDER

Chair Roger Ensz called the meeting to order at 6:00 pm.

ROLL CALL

Commissioners: Chair Roger Ensz, Brian Gentry, Tari Perez

Absent: Chris Dorow, Kevin Gilbert

Staff: Community Development Director Anne Henning

Attendees: City Council member John Lallas; Todd McLaughlin, Avista; Jenn Stevenson, Old Hotel Art

Gallery; Ethan Porter, Varela & Associates; Bob Carlson

Quorum Established.

APPROVAL OF JULY 16, 2018 PLANNING COMMISSION MEETING MINUTES

It was voted to accept the minutes from July 16, 2018 M/S Gentry/Ensz

OCHOA SHORT PLAT DEFERRAL REQUEST – RECOMMENDATION TO CITY COUNCIL

Avista Utilities applied for a 3-lot short plat at the corner of Lee Road and 7th Avenue. Because there will not be any development at this time, Avista has requested to defer the street and utility improvements required as part of the platting process, as allowed by OMC 16.40.

Commissioners were in agreement that the improvements were not necessary now, and that it made sense to build the street as one larger project sometime in the future when the improvements were needed, with the property owner paying their share as guaranteed by a covenant running with the land. The Commission found that the nature of the surrounding area, with incomplete development of abutting streets and utilities, made strict compliance with the improvement requirements of Title 16, Subdivisions, an unusual and unnecessary hardship on the developer. It will be a better outcome for the developer and the public to have the improvements constructed as part of a larger project, rather than half-street improvements now.

Action: Mr. Ensz moved to recommend to City Council to approve the street and utility deferral, with the condition that a covenant be attached guaranteeing the improvements in the future. Seconded by Mr. Gentry. Passed unanimously.

CREATING A LOCAL HISTORIC PROPERTIES LIST – CITIZEN REQUEST

Jenn Stevenson, Director of the Old Hotel Art Gallery, requested that the Planning Commission consider and adopt a local list of historic properties. Ms. Stevenson stated that many grants ask whether the property is on a local historic register. Currently, she has to answer "no" because there is no local list. Being able to check "yes" would improve her chances of acquiring grants for the property. She proposed that it be only a list, that there would not be any conditions, covenants, or restrictions related to being

on the list. Criteria for being on the list would be: More than 50 years old and having significance to the community.

Mr. Gentry asked if an owner could decline to be on the list. Ms. Stevenson said yes, but the owners would need to be notified their property was being considered for the list. Mr. Ensz asked if restrictions on the properties could be added after the list was created. Mrs. Stevenson said yes, but only the Planning Commission or Council could add conditions. Ms. Perez asked what would happen if a building on the list were changed. Ms. Stevenson gave the example of McCain Foods, which has many buildings built at different times. Being on the list only means there is at least one historic building on the site. She also mentioned that being on the State register put conditions on remodeling a property, and being on the national register put even more restrictions, but she didn't want the local register to put any restrictions on the properties. If a building were demolished, it would just be removed from the list. She said many people don't know the history of the various buildings, so it would be nice to have more information available. Eventually, maybe there could be a walking tour that would include some of the local historic buildings.

The Commission determined that each owner should be notified of possible inclusion in the local list. Ms. Stevenson was willing to send a letter to each of them, and will provide the responses received to the Building and Planning Department about once a month.

Mr. Ensz stated that 36 Larch Street, built in 1908, was missing from the list. There was consensus that it should be added. This led to discussion about how to add properties. The Commission determined Ms. Stevenson should come up with a process to add properties to the list.

Action: Mr. Gentry moved to approve the formation of a local list of historic properties, with no restrictions to be applied to properties on the list. Seconded by Mr. Ensz. Motion passed unanimously.

MUNICIPAL CODE CHANGES

Ms. Henning reported that there were a few minor errors in the Sign regulations, OMC 14.58, so those corrections will be considered by the Council at their next meeting.

Ms. Henning presented the Planning Commission's recommended Off-Street Parking amendments, OMC 17.61, at the last Council meeting. The Council requested some changes, which will be considered at the next Council meeting. Changes included adding a covenant if the parking lot was not required to be paved, not accepting a carport in place of a garage, adding language to address stormwater when the owner was allowed to connect to the City system, and increasing the size of a parking space to 25' when accessed from an alley. Mr. Ensz stated he felt a setback from the alley was more appropriate than increasing the length of a parking space. He suggested a setback of 8' to 10' from an alley.

Accessory Dwelling Units were also proposed to the City Council, but the Council was not in favor so those proposed regulations were not adopted. John Lallas, Councilmember, stated the Council wanted to see better enforcement of the existing non-conforming units before any new ones were allowed. He felt that ADUs were more appropriate in R-3 and R-4, rather than R-2.

RESIDENTIAL ZONE UPDATE

Since it seems likely that residential zoning will soon be a topic for discussion, the Planning Commission is continuing their review of the Municipal Code by addressing the residential zones next. Staff provided a draft with all residential zones in one chapter, to reduce duplication of repeated elements across

zones, and provide better consistency of uses and standards between zones. Currently, there are inconsistencies, conflicts, and illogical differences between the various residential zones. The Commission had the following comments on the draft OMC 17.20 Residential Zones that was provided:

- R-M Residential-Medical and S-1 Suburban have very limited applicability. Maybe these zones can be eliminated to simplify the code.
- The Commissioners proposed that the existing 3 houses along 14th Avenue currently zoned R-M be rezoned to R-1. The remaining medical and care facilities should not be rezoned Commercial, since that would open it up to any commercial use. The Commission will come back to this issue later.
- Ms. Henning will try to find out the history of the S-1 Zone to help in determining whether the S-1 Zone can be deleted.
- The R-3 Zone currently restricts one-family dwellings to no more than one story, although they are allowed to be two-story in R-1, R-2, and R-4. The Commission did not think there should be a difference.
- All zones had a provision allowing “zero lot line construction (two lots, two homes)”. This provision has not been used, and seems unlikely in the near future. If this development pattern becomes useful in the future, it can be added back into the code then.
- R-2 and R-3 currently specify a one-hour fire wall for duplexes, but R-4 doesn’t. This requirement is in the building code (International Residential Code) anyway so doesn’t need to be duplicated in the zoning code.
- Currently, duplex, triplex, four-plex, and multi-family all specify that they shall not be offered for rental on a shorter than month-to-month basis. No one knew the history of the requirement.
- The Commission discussed adopting vacation rental standards in the future.
- Rental of an apartment appurtenant to a single-family residence is currently a conditional use in R-2 and R-4, but unmentioned in R-3. For consistency, it will be added to R-3.
- The R-4 zone currently lists the following under one provision as allowed: boardinghouse, bed and breakfast, group home, bunk house, hostel, dormitory, licensed care facility, resort, timeshare condominium, and lodging house (provided no more than 50% of available accommodations, whether rooms or beds in any of these residential uses shall be occupied on a rental term of monthly or longer at any time). The Commission felt that “licensed care facility” did not fit with the other uses, and is already addressed under the provision for nursing home, convalescent homes, etc.
- The Commission thought that golf courses and mini-golf were no longer appropriate in residential zones. The amount of residential land available is very limited, so it should be conserved for residential uses.
- A library is currently listed as an allowed use in R-4, and therefore a conditional use in R-3. The feeling was that Othello is small enough that there will only be one library, and it is in a commercial zone.
- A museum was felt to be slightly different from other commercial uses, since there might be places or homes with historical significance in the future, such as if someone who later became famous was born in Othello. For that reason, the Commission wanted a museum to be a conditional use in any of the residential zones.
- R-M and R-4 had different statements relating to nursing homes, etc. The R-M statement was more concise so will be used for both.
- The R-4 zone currently allows the office of a physician, dentist, or other licensed health care professional in his or her dwelling. The Commission was not aware of any home medical offices currently existing in Othello, and found it unlikely that there would be in the future. This seems

a dated regulation that will be removed. Ms. Perez brought up licensed massage therapy, which is sometimes run out of the therapist's home. However, massage therapy is specifically allowed in the home occupation chapter, so does not need a line item in the residential zones.

- Currently, churches, schools, and municipal buildings are listed as allowed uses, rather than conditional uses, but require a public hearing and approval by the Planning Commission and Council. The Commission agreed that conditional use made the most sense for these uses.
- Parks and playgrounds were listed in some zones as allowed, in some as conditional, and were not mentioned in other zones. The Commission felt they should be conditional uses in all residential zones.
- The Commission had some concerns about the agricultural uses allowed in the S-1 Zone. They will review these, especially the livestock provisions, in their later review of this new chapter.
- Although nurseries and greenhouses are specifically prohibited in the current R-4 Zone, the Commission felt it did not need to be a line item on the use table.
- The Commission felt that the current provision allowing "private clubs and facilities, not including those that furnish alcohol nor those whose chief activity is a service customarily carried on as a business" seemed dated and inapplicable.
- Rather than prohibiting all signage, the Commission thought a small amount of signage should be allowed for day care facilities for more than 12 children were being operated out of homes. The Commission wondered how many such facilities currently exist. Staff will research.
- The Commission will review the rest of the chapter, starting with Table 2: Development Standards, next time.

PARKING STANDARDS

Jenn Stevenson asked about the changes for parking for a high school. She stated that it would not be appropriate to require an increase based on both the size of an auditorium and the number of students, since non-school activities in the auditorium would only be after school. There would not be an overlap, so there wouldn't need to be parking for both uses at the same time. She also asked what level of improvement to a building would trigger improvement of a parking lot. Staff will try to clarify this in the regulations going to Council next week.

ADJOURNMENT

Having no other business, the meeting was adjourned at 8:10 pm. Next scheduled meeting is September 17, 2018.

By: _____ Date: _____
Anne Henning, Community Development Director

TO: Planning Commission

FROM: Anne Henning, Community Development Director

MEETING: September 17, 2018

SUBJECT: Municipal Code Update - Residential Zones – Request for Direction

At the last meeting, the Planning Commission started a review of the Residential Zones. The goal is to update the code to modern standards, reduce duplication, and make the code easier to use.

Staff Comments

1. The draft has been updated with the changes discussed last month. The review stopped at Table 2: Development Standards.

Attachments

- September 17, 2018 Draft OMC 17.20, Residential Zones

Action: The Planning Commission should review the attached draft and provide direction to staff.

Chapter 17.20 RESIDENTIAL ZONES

Sections:

- 17.20.010 Purpose.
- 17.20.020 Additional Requirements.
- 17.20.030 Uses.
- 17.20.040 Prohibited.
- 17.20.050 Development Standards.
- 17.20.060 Performance Standards.
- 17.20.070 Performance Standards for Residential Structures.
- 17.20.080 Street Frontage Required.
- 17.20.090 Construction Code Requirements.
- 17.20.100 Fences and Walls.
- 17.20.110 Stormwater and Drainage.

17.20.010 Purpose.

- (a) Generally. This chapter provides for ...
- (b) R-1 Residential Zone. The R-1 Zone...
- (c) R-2 Zone. The R-2 Zone ...
- (d) R-3 Zone. The R-3 Zone ...
- (e) R-4 Zone. The R-4 Zone...
- (f) Residential-Medical Zone...
- (g) S-1 Suburban Zone. The S-1 Zone is suitable for residential use on land parcels of one to five acres, which is, or will become, a single-family living area. Uses are limited to residential uses. Animals, livestock and crops, primarily for the personal use of occupants of dwellings are permitted in accordance with the standards relative to the land area required to protect public health and welfare. *[Need to review history to see if this zone needs to be retained]*

17.20.020 Additional Requirements.

Additional requirements are found in other chapters of the Municipal Code and other adopted City regulations, included but not limited to the following:

- (a) OMC 17.05, Interpretation, Purpose, Applicability
- (b) OMC 17.56, General Provisions
- (c) OMC 17.61, Off-Street Parking
- (d) OMC 17.65, Building Permits
- (e) OMC 14.57, Landscaping
- (f) City of Othello Public Works Standards
- (g) Others? Home Occupations, Accessory buildings, Fences, 17.67 Use Review Standards

17.20.030 Uses.

- (a) The Residential Land Use table indicates where categories of land uses may be permitted and whether those uses are allowed outright or by conditional use permit. Only residential zones are included in this table. Land uses not listed are prohibited unless allowed through the process specified in (c), below. Further

interpretation of these zones may be obtained as specified in OMC 19.03.020. Land uses are also subject to the footnotes following the table.

(b) The symbols used in the table represent the following:

- (1) A = Allowed, subject to applicable standards and any footnotes
- (2) C = Conditionally allowed through the Conditional Use Permit process, subject to applicable standards and any footnotes
- (3) X = Prohibited use

(c) Uses similar to those listed may be established as allowed or conditionally allowed through the interpretation process in OMC 19.03.020(b). In determining whether a use should be permitted, the Administrator shall refer to the purpose statement in OMC 17.20.010 and the most recent version of the North American Industry Classification System (NAICS), as used by federal agencies in the classification of business establishments.

(d) Procedural requirements for permits are described in OMC Title 19, Development Code.

TABLE 1: LAND USES IN RESIDENTIAL ZONES

USE CATEGORIES	R-1	R-2	R-3	R-4	R-M	S-1
Residential						
One family dwelling (site-built, manufactured, or modular) (one dwelling per lot)	A	A	A	A	A	A
Condominium in compliance with OMC 17.54, Planned Development District Overlay	A	A	A	A	A	A
Two-family dwellings which shall not be offered for rental on a shorter than month-to-month basis)	X	A	A	A	X	A
Triplex or fourplex dwellings which shall not be offered for rental on a shorter than month-to-month basis	X	X	A	A	X	A
Multi-family dwellings larger than 4 units, which shall not be offered for rental on shorter than a month-to-month basis	X	X	C	A	X	X
Rental of an apartment appurtenant to a single-family residence	X	C	C	C		
Commercial¹						
Adult Family Home licensed by the State	A	A	A	A	A	A
Art gallery	X	X	C	A		
Boardinghouse, bed and breakfast, group home, bunk house, hostel, dormitory, resort, timeshare condominium, lodging house (Provided no more than 50% of available accommodations, whether rooms or beds, in any of these residential uses shall be occupied on a rental term of monthly or longer at any time)			C	A		
Clinic, including medical, dental, chiropractic, holistic, or physical therapy, and supporting medical facilities	X	X	X	X	A	X
Day care for more than 12 children, in the home of the care provider and licensed by the State ²	C	C	C	C	C	C
Family Day Care Home licensed by the State ³	A	A	A	A	A	A
Home Occupations in compliance with OMC 17.59	A	A	A	A	A	A

TABLE 1: LAND USES IN RESIDENTIAL ZONES						
USE CATEGORIES	R-1	R-2	R-3	R-4	R-M	S-1
Medical-related commercial vendor	X	X	X	X	A	X
Museum	C	C	C	C	C	C
Nursing home, convalescent home, rest home, or similar residential/medical use and its support facilities				C	A	
Public and Institutional						
Churches	C	C	C	C	C	C
Municipal buildings or structures	C	C	C	C	C	C
Parks and playgrounds, including park buildings	C	C	C	C	C	C
Public hospital	X	X	X	X	A	X
Schools, public or private	C	C	C	C	C	C
Agricultural						
Fruit raising, agricultural nurseries, agricultural products, and vineyards, primarily for personal use of the occupants of the dwelling						A
Gardening or fruit raising on vacant property, when maintained in a neat, orderly, and clean condition such that it does not constitute any sort of nuisance	A	A	A	A	A	A
Keeping of animals and/or livestock ⁵						A
Keeping of chickens and rabbits	See OMC 6.12					
Miscellaneous						

Notes for Table 1:

¹ All commercial uses shall require a city business license and any applicable state licenses.

² Day care facilities shall be in compliance with the following requirements:

- (a) Outdoor play areas shall not be located in the front yard.
- (b) One on-site parking space is required for each employee, in addition to required resident parking.
- (c) An on-site, off-street loading and unloading area shall be provided.
- (d) Signage shall not be allowed. [PC felt some signage should be allowed?]
- (e) No structural or decorative alteration which would alter the character or be incompatible with the surrounding residences shall be allowed.
- (f) The structure shall be in compliance with zoning and building code requirements.
- (g) Adjacent property owners shall be notified of an application for a day care facility prior to obtaining a license from the State.
- (h) The Hearing Examiner may impose conditions to mitigate any potential adverse impacts on the surrounding area.

³ Before approval of a Family Day Care Home, the operator must provide written proof that prior to state licensing, written notification was provided to the immediately adjacent property owners of the intent to locate and maintain such a facility.

⁴ Placeholder

⁵ Animals and/or livestock are allowed in the S-1 Zone as follows:

- (a) Not to exceed 15 fowl and not to exceed 15 rabbits or guinea pigs. Guinea fowl or pea fowl are not permitted; provided, that no such livestock shall be maintained closer than 25' to any dwelling now existing or hereafter erected;
- (b) Not to exceed 1 horse, 1 mule, 1 cow, 2 goats, or 2 sheep for every 21,780 square feet of area of the parcel of land upon which the same are kept; provided, that no such livestock shall be maintained closer than 100' to any dwelling now existing or hereafter erected;
- (c) Not to exceed 3 cats or dogs or similar household pets, exclusive of animals under 6 months of age.

⁶ placeholder

⁷ placeholder

17.20.040 Prohibited.

The following are prohibited in all Residential Zones:

- (a) Mobile homes, defined as factory built residential structures constructed prior to June 15, 1976 and not in compliance with the National Manufactured Housing Construction and Safety Standards Act of 1974;
- (b) Commercial activities not otherwise specifically permitted;
- (c) Garages or other accessory structures on a lot without a residence.

17.20.050 Development Standards.

- (a) Purpose. This section established the development standards and site requirements for uses in the Residential 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 Residential 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. "NR" stands for "No Requirement".

TABLE 2: DEVELOPMENT STANDARDS IN RESIDENTIAL ZONES						
Development Standards	R-1	R-2	R-3	R-4	R-M	S-1
Maximum building height	28' or 2 stories (municipal bldgs may exceed)	28' or 2 stories (municipal bldgs may exceed)	28' or 2 stories (municipal bldgs may exceed)	28' or 2 stories (municipal bldgs may exceed)	28' or 2 stories	28' or 2 stories (municipal bldgs may exceed)
Maximum building height for hospitals, clinics, and medically-related buildings	n/a	n/a	n/a	n/a	60' or 3 stories	n/a
Front street setback for primary structure	20' (or more if 25% of developed lots in the block on that side of the street have a larger setback)	20' (or more if 25% of developed lots in the block on that side of the street have a larger setback)	20' (or more if 25% of developed lots in the block on that side of the street have a larger setback)	20'	20' (or more if 25% of developed lots in the block on that side of the street have a larger setback)	20' (or more if 25% of developed lots in the block on that side of the street have a larger setback)
Front setback for accessory structures	60'		60'			No closer to the street than the dwelling unit
Side street setback for a corner lot	20'	20' if house faces the front street. 15' if house faces the side street (see 17.21.030)	? ("side yard requirements same as R-1, 10' total w/5' minimum")	20'		20'
Interior Side setback (not applicable to zero lot line construction)	5' and not less than 1/5 the height of the building	5' and not less than 1/5 the height of the building	5' ("same as R-1, 10' total with 5' minimum")	5' and not less than 1/5 the height of the building		5' and not less than 1/5 the height of the building
Side street setback for accessory structures	20'					20'
Rear setback	5', except no setback required if there is an alley unless the garage opens onto the alley	5', except no setback required if there is an alley unless the garage opens onto the alley	5', except no setback required if there is an alley unless the garage opens onto the alley	5', except no setback required if there is an alley unless the garage opens onto the alley		5', except no setback required if there is an alley unless the garage opens onto the

TABLE 2: DEVELOPMENT STANDARDS IN RESIDENTIAL ZONES						
Development Standards	R-1	R-2	R-3	R-4	R-M	S-1
Rear setback if no alley	5'	5'	5'	5'		alley 5'
Rear setback if alley and garage does not open onto alley	0'	0'	0'	0'		0'
Rear setback if alley and garage opens onto alley	?	?	?	?		?
Minimum lot size for single family dwelling (unless the lot was a legally-created lot prior to July 20, 1995)	7200 square feet	7200 square feet	7200 square feet	6000 square feet	7200 sq ft New lots shall be no less than 40,000 sq ft	1 acre
Minimum lot size for two-family dwelling	n/a	7000 square feet	7200 square feet ("same as R-1, 7200 SF")	6000 square feet		
Minimum lot size for 3 or 4- family dwelling	n/a	n/a	7200 square feet	Per family: 900 SF site area + 300 SF landscaping + parking		
Maximum lot size						5 acres
Maximum lot area covered by buildings	35%	35%	35%	35%	50% for medical uses. Not specified for Single Family. 17.19.050(b)	35%
Minimum roof pitch	3:12					
Minimum width at the narrowest side of the rectangle formed by the structure as a whole	24'					
Minimum number of parking spaces inside a garage	2	2 ("All dwellings...shall provide at least 2 covered parking spaces inside a garage" 17.21.010(d)(9))		2/dwelling? (See 17.23.010 (d)(9))		
Minimum dwelling unit size	1000 sq ft					960 sq ft

Setback notes:

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 30 inches above grade, including decks, patios, walks, and driveways. Some of these structures and improvements require a permit.

The setbacks shown in Table 2 are Zoning setbacks. Larger setbacks may be required by the State Building Code, Fire Code, sight distance requirements, or landscaping requirements.

In the R-M Zone, setbacks for hospitals, medical clinics, nursing homes, etc. shall be as approved by the Planning Commission. Buffering. See 19.19.040.

17.20.060 Performance Standards.

Uses within the Residential zones shall not inflict upon adjacent property smoke, dust, dirt, glare, odors, steam, vibration, electrical interference, or excessive hazard. Noise in the residential zones shall not exceed the standards set forth in OMC 5.38.

17.20.070 Performance Standards for Residential Structures.

- (a) All dwellings shall be placed on a permanent foundation. For manufactured homes, the foundation shall be per the manufacturer's specifications or per the building code, and in addition a continuous perimeter concrete foundation per the building code must be installed, regardless if it is necessary for the structural integrity of the dwelling.
- (b) All dwellings shall be permanently connected to city utilities.
- (c) All dwellings shall be in compliance with the Washington State Energy Code.
- (d) All dwellings shall be in compliance with any regulations on radon detection and abatement.
- (e) All dwellings shall have exterior siding similar in appearance to siding materials commonly used on site-built single family residences.
- (f) All dwellings shall have roof materials of composition or wood shake or shingle, coated metal, or similar, with a pitch of not less than 3:12.
- (g) A residential structure shall not be less than 24' in width, measured at the narrowest side of the rectangle formed by the structure as a whole.
- (h) No home structure shall be placed upon any property unless the ownership of the real estate and the structures placed thereon are in the same person and the owner requests, in writing, the Adams County Assessor to place the improvements on the tax rolls and assessed as a portion of the real estate.
- (i) Any manufactured home shall be built to the 42 U.S.C. Section 5401-5403 standards (as amended in 2000).
- (j) Any manufactured home shall be previously untitled and shall be a new manufactured home as defined in RCW 35.63.160 as now enacted or hereafter amended.
- (k) Any manufactured home shall have all wheels, towing or moving apparatus removed from the site.
- (l) Any manufactured home shall be inspected and certified by the Washington State Department of Labor and Industries that it meets all applicable electrical, plumbing, and building codes for manufactured homes.
- (m) Any manufactured home removed from its existing site shall be removed from within the city within 30 days, or relocated to a new site and ready for occupancy within 30 days, in compliance with any and all other applicable regulations in effect at that time.

17.20.080 Street Frontage Required.

- (a) Every single-family dwelling shall front upon a street dedicated for public use and accepted by the city council as a public street, without any other building intervening between such dwelling and the street upon which it fronts.
- (b) Two family dwellings may, by special permission of the commission, face upon a court which fronts upon an accepted public street.

17.20.090 Construction code requirements.

All uses in the residential zones must be in compliance with the applicable requirements of the State building code, which includes the fire code, mechanical code, plumbing code, energy code, among others.

17.20.100 Fences and walls.

Fences and walls are regulated in OMC 14.36.

17.20.110 Stormwater and drainage.

- (a) Other than one and two-family dwellings, 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.