



*Abundant Land. Bountiful Life.*

## CITY OF OTHELLO PLANNING COMMISSION

**Regular Meeting  
500 E. Main St.  
November 19, 2018  
6:00 PM**

1. Call to Order- Roll Call
2. October 15, 2018 Minutes Approval
3. Municipal Code Update – S-1 Suburban Zone – Request for Direction
4. Municipal Code Update – Landscaping – Request for Direction
5. Municipal Code Update – Residential Zones – Request for Direction
6. Cancel December 17, 2018 meeting

***\*Next Regular Meeting is Tuesday January 22, 2019 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.**



City of Othello  
Planning Commission  
October 15, 2018  
Jackee Carlson

#### **CALL TO ORDER**

Chair Roger Ensz called the meeting to order at 6:02 pm.

#### **ROLL CALL**

Commissioners Present: Chair Roger Ensz, Brian Gentry, Tari Perez, Chris Dorow

Absent: Kevin Gilbert

Staff: Community Development Director Anne Henning & Planning Secretary Jackee Carlson

Attendees: City Council member John Lallas; Ethan Porter Varela & Associates; Bob Carlson, Doug and Vaughn Pegram

Quorum Established.

#### **APPROVAL OF SEPTEMBER 17, 2018 PLANNING COMMISSION MEETING MINUTES**

**Commission Action:** The Commissioners voted to accept the minutes from September 17, 2018 M/S Chris Dorow/Tari Perez

#### **LEE & 14<sup>TH</sup> SHORT PLAT DEFERRAL**

The Othello School District has applied for a 1-lot short plat at the corner of Lee Road and 14<sup>th</sup> Ave, which will be transferred to the city for the proposed reservoir site. The school district has requested to defer frontage improvements until future development of the property. The remaining parcel will be unplatting until they decide to develop it. The city will be responsible for the improvements of their frontage in the future. The deferral allows the improvements to happen after it is platted. The OMC 16.40 sets up a process for deferral of improvements. The Commission is reviewing only the deferral request. The short plat itself is reviewed administratively.

It was noted that Commissioner Perez's husband is the Assistant Superintendent of the school district and she felt there was no conflict with the vote. There was no objection to her participation in the vote by any of the meeting attendees.

**Action:** Motion to recommend to the city council to approve the deferral for Othello School District M/S Roger Ensz / Chris Dorow

#### **DRAFT ZONING MAP – REQUEST FOR DIRECTION**

The Planning Commission discussed the following regarding the Zoning Map:

- The need for more residential land. The only currently available vacant land is a small piece east of CBHA and the land that is currently being developed (Sagestone 8 and Sand Hill Estates)
- Buffering between residential and commercial property, having transitional zoning
- The lack of housing /affordable housing in general
- Reviewed the proposed map with boundaries outside of city limits if it were to be annexed.
- Doug and Vaughn Pegram mentioned that they are considering creating a planned development using a 32-acre parcel they currently own, which would allow work trucks to be parked at residences.

- Commissioner Chris Dorow brought up changing the area west of Kiwanis park to R-3, to promote future development
- Another idea was changing 1 lot depth, north of Olympia Street up to 4<sup>th</sup> Avenue to R-4

**MUNICIPAL CODE UPDATE – RESIDENTIAL ZONES:**

The Commission discussed the following changes:

- Incorporated standards from OMC 17.70, Accessory Buildings.
- Removing the draft stormwater provisions and incorporating them elsewhere in OMC.
- Changing the setbacks for accessory buildings to a minimum of 2'.

**Table 2 – Development Standards in Residential Zones –**

- Maximum Building Height - Primary Building: Updating the number of stories to 3 in R-4.
- Maximum Building Height for Hospitals, Clinics, & Medically Related Buildings – Updating the number of stories to 3 in R-M.
- Minimum Lot Size for Single Family Dwelling – Updated the square footage from 7,000 sf to 10,000 sf in R-1 and from 7,000 sf to 8,000 sf in R-2. This would apply to any new property. Lots platted prior to adoption of new Table would be exempt.

**OTHER BUSINESS:**

**Room Rentals** - Chair Roger Ensz brought up the issue of room rentals within the city. Ms. Henning mentioned it is not addressed in the code. Mr. Ensz stated this is happening quite a bit and he is concerned about the potential effects, for example parking is a major concern. Ms. Henning stated the parking could be addressed with code enforcement because it could be hard to regulate room rental. The Commission would like to see additional code enforcement staff.

**Re-zoning of Property** - The Commission would like to consider rezoning parcels #1529030680398 and #1529030680439 from S-1 to R-1. The S-1 zone may not be needed anymore. The large parcels that are originally zoned S-1 have been reduced in size. The Commissioners would like to invite the property owners to the next meeting. A phone call and letter will be sent out to the owners.

**Open Public Meeting Training** - The Commission requested that the link to online training be sent again.

**ADJOURNMENT**

Having no other business, the meeting was adjourned at 7:56 pm. Next scheduled meeting is November 19, 2018.

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Jackee Carlson, Planning Secretary

TO: Planning Commission

FROM: Anne Henning, Community Development Director

MEETING: November 19, 2018

SUBJECT: Municipal Code Update – S-1 Residential Zone – Request for Direction

In the update of the Residential Districts in the Zoning Code, the Planning Commission has been discussing the S-1 Suburban Zone. The main difference between the S-1 Zone and other Residential Zones is that livestock is allowed in S-1. There are currently only three lots in the city with this zoning designation. The Commission requested that the owners of those three lots be invited to the November 19 meeting to discuss whether the S-1 Zone is still useful and needs to be included in the update.

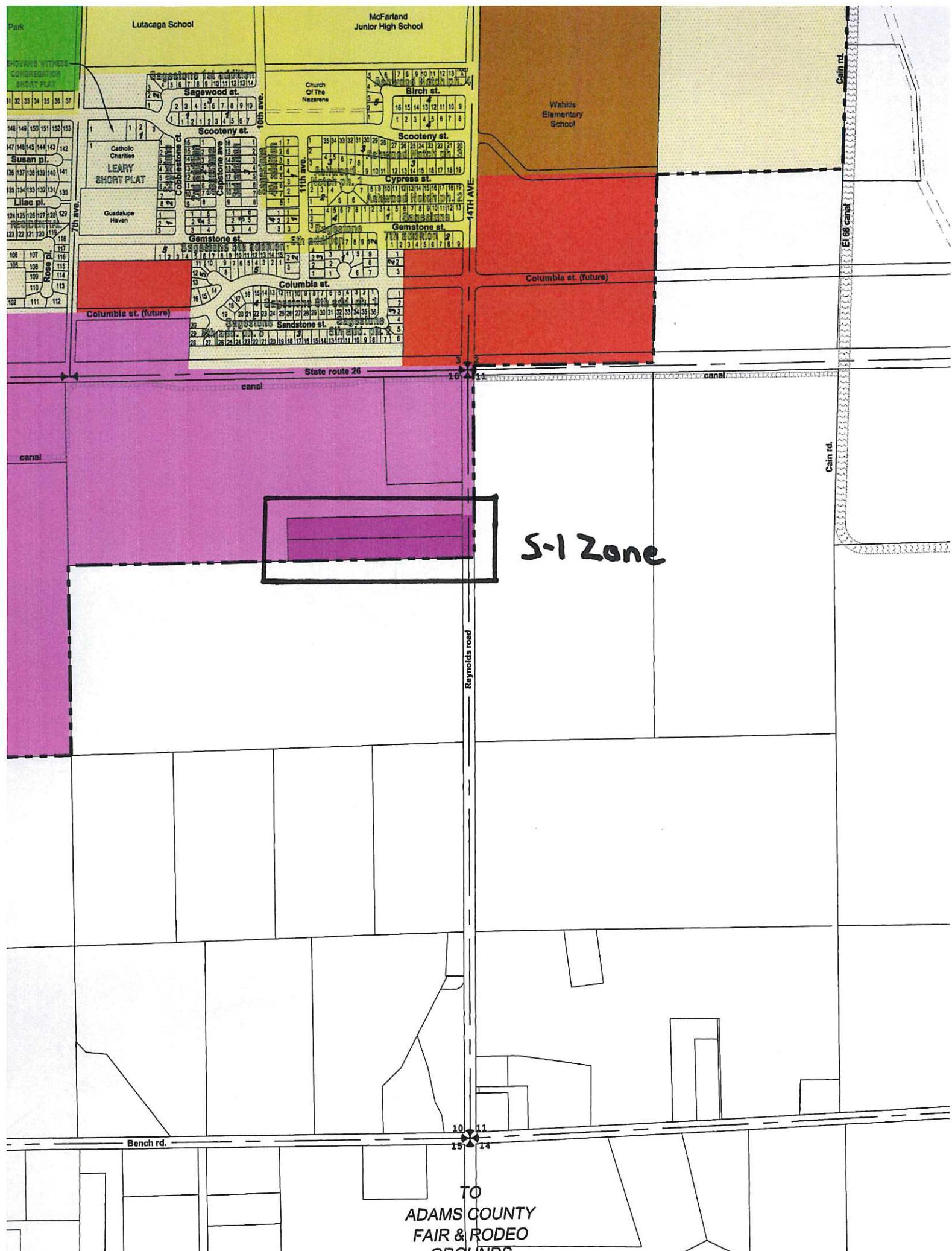
#### **Staff Comments**

1. The current S-1 Suburban Zone, OMC 17.24, allows all uses permitted in R-1 or R-3; fruit raising, agricultural nurseries, agricultural products, and vineyards, provided they are used primarily for the personal use of the occupants of the dwelling; and livestock including up to 15 fowl and/or (it's not clear) one large animal or two small animals per half acre.
2. There are standards that are different from other residential zones, such as a minimum lot size of one acre, maximum of 5 acres, and a minimum dwelling size of 960 square feet.
3. The existing area zoned S-1 consists of two lots of about 1.5 acres each, each one developed with a house and large shop. The remainder of the area zoned S-1 is part of a parcel owned by the Port of Othello.

#### **Attachments**

- Zoning Map
- Aerial photo from Adams County Map Sifter

**Action:** The Planning Commission should discuss the S-1 Zone and provide direction on whether to include it among the residential zones in the Municipal Code update.





TO: Planning Commission

FROM: Anne Henning, Community Development Director

MEETING: November 19, 2018

SUBJECT: Municipal Code Update – Landscaping – Request for Direction

The Planning Commission has been working on a draft of updated Landscaping regulations. The most recent draft is attached. Lynette Caruthers of the Beautification Committee will also present information about landscaping at the November 19 meeting.

**Staff Comments**

1. The Commission worked on the Landscaping code in January and February, and then had to put it aside for some more urgent topics. The attached draft was prepared for the March meeting but has not been discussed yet.

**Attachments**

- March 19, 2018 Draft OMC 17.74, Landscaping and Screening

**Action:** The Planning Commission should discuss the Landscape draft and provide direction on how to proceed.

## Chapter 17.74

### LANDSCAPING AND SCREENING

Sections:

- 17.74.010 Purpose and intent.
- 17.74.020 Applicability.
- 17.74.030 General landscaping.
- 17.74.040 Parking lot landscaping.
- 17.74.050 Street trees.
- 17.74.060 Property line screening.
- 17.74.070 Trash enclosure screening.
- 17.74.080 Blank façade landscaping.
- 17.74.090 Residential landscaping.
- 17.74.100 Landscape point values.
- 17.74.110 Approved, discouraged and prohibited trees.
- 17.74.120 Landscape plan requirements.
- 17.74.130 Modifications.
- 17.74.140 Installation, maintenance, and enforcement.
- 17.74.150 Approval of landscape plan and installation of landscaping.
- 17.74.160 Variances.

**17.74.010 Purpose and intent.**

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

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

**17.74.020 Applicability.**

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

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

(b) Exceptions.

- (1) This chapter does not apply to any use or development in the C-1 zone, other than parking lots and trash enclosure screening.
- (2) Partially-developed lots. When only a portion of a lot is being developed, the Community Development Director may grant a deferral of the landscaping requirements for the undeveloped remainder of the lot.

(c) Landscaping Required.

Specific types of landscaping are required for the following categories of projects:

| Type of Landscaping       | Subject Property Use                        |                                       |  |                             |                                 |
|---------------------------|---|---------------------------------------|--|-----------------------------|---------------------------------|
|                           | Individual Single Family Houses or Duplexes | Residential Subdivisions              | Multi-Family Development (Triplex or larger) and Manufactured Home Parks | Non-Residential Development | Development in Industrial Zones |
| General                   | No  | No                                    | Yes  | Yes                         | No                              |
| Parking Lot               | No  | No                                    | Yes  | Yes                         | No                              |
| Street Trees              | No  | Yes                                   | Yes  | Yes                         | No                              |
| Property Line Screening   | No  | At time of construction of each house | Yes  | Yes                         | Yes                             |
| Trash Enclosure Screening | No  | No                                    | Yes  | Yes                         | No                              |
| Blank Façade              | No  | No                                    | Yes  | Yes                         | No                              |
| Residential               | Yes   | At time of construction of each house | Yes  | No                          | No                              |

**17.74.030 General landscaping.**

Multi-family and non-residential projects, except when located in an Industrial Zone, shall provide the following landscaping points on the site, in addition to other required landscaping:

| Table 2           |  |
|-------------------|--|
| Developed Area    | Landscaping Points Required                              |
| 500-2500 sq. ft.  | 25   |
| 2501-5000 sq. ft. | 50   |
| Over 5000 sq. ft. | 50 plus one point for each 200 sq. ft. of area over 5000 |

Developed area shall be calculated as the area of the building and amenities including patios, sidewalks, and common areas. Parking area is not included in the Developed Area calculation and is instead addressed in OMC 17.74.040.

**17.74.040 Parking Lot Landscaping.**

(a) Applicability. Parking lot landscaping is required for multi-family and non-residential projects, except for the following:

- (1) Projects located in an Industrial Zone.
- (2) Display areas for automotive and equipment sales and rental.

(b) Landscaping point requirements. Parking lots with more than 10 required spaces shall provide two landscaping points for each required parking space, plus one point for each additional parking space.

(c) Location.

- (1) All landscaping shall be located intermittently between parking stalls, at the end of parking columns, or between stalls and the property line. The design should strive to have all parking spaces within 50 feet of the trunk of a shade tree with a 15' minimum canopy at maturity.
- (2) When parking islands are provided, trees shall be planted a minimum of two feet away from the edge of the parking island, to prevent damage to trees from vehicle overhang or opening doors.
- (3) Landscaping shall be protected from vehicle damage by permanent curbs or structural barriers. Curbing or barriers may have openings to facilitate stormwater drainage.

**17.74.050 Street trees.**

- (a) Applicability. The provisions of this section shall apply to multi-family development, residential subdivisions, and non-residential projects except when located in Industrial Zones.
- (b) Developments adjacent to public streets shall provide one medium or large tree for each 75 lineal feet, or fraction thereof, of street frontage abutting the property.
- (c) Trees shall be approximately evenly spaced. Tree spacing may be modified for conflicts such as utilities, site topography, and visual safety at intersections and driveways.
- (d) Trees should be planted within 10 feet of the edge of right-of-way but shall not be planted within right-of-way without approval of the Public Works Director.
- (e) Street trees shall be chosen from the Approved list in OMC 17.74.110. Street trees not on this list must be approved by the Community Development Director and Public Works Director.
- (f) Street trees near a side property line shall be planted clearly on one side of the line or the other, to make clear which owner is responsible for maintaining the tree.

**17.74.060 Property line screening.**

- (a) Applicability. Property line screening is required for subdivisions, multi-family development, manufactured home parks, and non-residential projects in all zones except Industrial zones.
- (b) Visual screening shall be installed along the adjoining property line in the following situations:
  - (1) A non-residential project abuts a multi-family project; or
  - (2) A residential subdivision has lots that back to an arterial street.
- (c) Full screening shall be installed along the adjoining property line in the following situations:
  - (1) A multi-family or non-residential project abuts a one or two family dwelling or vacant land zoned R-1 or R-2;
  - (2) The project is a manufactured home park;
  - (3) A project in an Industrial Zone abuts a different zoning district; or
  - (4) An industrial use has the potential to substantially impact adjacent properties with noise, nuisance, or vibration, as determined by the City Administrator or designee.
- (d) Visual screening shall consist of one or a combination of (1) through (4) below. Full screening shall consist of (1) plus at least one of (2) through (4) below.
  - (1) A sight-obscuring fence, which may consist of wood, ornamental iron, aluminum, brick, masonry, architectural panels, chain link with slats, or other permanent materials that are typically used for fencing;
  - (2) A maintained, landscaped earthen berm at least five feet wide with a minimum of 10 points of landscaping for every 25 lineal feet of property line frontage; or
  - (3) A five-foot-wide landscape screen that shall consist of:
    - A) A mixture of evergreen and deciduous trees, planted no less than 35 feet on center, with a maximum of 75% of the trees being deciduous;
    - B) Evergreen shrubs shall comprise at least 50% of the plantings;
    - C) A minimum of 18 landscape points for every 25 lineal feet of property line being screened.

(e) Height of screening

- (1) Visual or full screening shall be a minimum of six feet high measured from finished grade, except where shorter screening is needed for safety, such as within front setbacks and at street corners and driveways.
- (2) Where the elevation of the finished grade within six feet of the screen differs from one side of the screen to the other (as when a fence is placed on top of a slope or retaining wall), the height shall be measured from the side with the lowest finished grade elevation.

**17.74.070 Trash enclosure screening.**

- (a) Applicability. Trash enclosure screening is required for multi-family projects larger than \_\_\_ dwelling units and non-residential projects utilizing trash containers larger than \_\_\_, except that trash enclosure screening is not required within Industrial zones.
- (b) Trash receptacles larger than \_\_\_ shall be enclosed on all 4 sides by a 6-foot-high, 100% sight-obscuring barrier. Three sides of the enclosure shall be block wall or similar.

**17.74.080 Blank façade landscaping.**

Blank building facades more than twenty feet in height or fifty feet in width or length shall be landscaped with trees, trellises, and plantings to provide visual relief and soften the effect of the new building on the surrounding area. A blank façade within twenty feet of another building or otherwise not visible from a public street is not required to be screened.

**17.74.090 Residential Landscaping.**

- (a) Front Yard Setback. The required front yard setback of all residential uses shall be landscaped within one year of occupancy and maintained. For the purposes of this section, "landscaping" shall be defined as the addition of lawn, trees, plants, shrubs, and other natural and decorative features. At least 50% of the front yard area shall be landscaped. Driveways and parking areas may be located in the remaining 50% that is not required to be landscaped.
- (b) Multifamily Structures. Multifamily residential uses shall also landscape the required open space areas so that they are usable for outdoor recreation.
- (c) Manufactured Home Parks. All areas within the boundaries of the manufactured home park shall be landscaped. All lawns, trees, landscaping, occupied and unoccupied manufactured home spaces, recreation areas, and open space areas shall be continually maintained. A permanent irrigation system shall be installed and maintained for planted common areas.

**17.74.100 Landscape point values.**

Where this chapter specifies landscape points, the points shall be calculated per the following table. Where xeriscape plantings and techniques are used, point values may be increased by twenty percent.

Table 3

| Type of plant material | Minimum size (at time of planting)  |                                     | Point Value    |                      |
|------------------------|-------------------------------------|-------------------------------------|----------------|----------------------|
|                        | Deciduous Trees (in caliper inches) | Evergreen Trees (In feet of height) | New Vegetation | Preserved Vegetation |
| Large Tree             | Over 25" caliper                    | >41'                                |                | 58                   |
|                        | 20.1 to 25"                         | 37-40'                              |                | 46                   |
|                        | 15.1 to 20"                         | 33-36'                              |                | 40                   |
|                        | 10.1 to 15"                         | 29-32'                              |                | 35                   |
|                        | 8 to 10"                            | 22-28'                              | 26             | 30                   |
|                        | 7"                                  | 19-21'                              | 24             | 28                   |
|                        | 6"                                  | 16-18'                              | 22             | 25                   |
|                        | 5"                                  | 13-15'                              | 20             | 23                   |

| Type of plant material | Minimum size (at time of planting)  |                                     | Point Value               |                      |
|------------------------|-------------------------------------|-------------------------------------|---------------------------|----------------------|
|                        | Deciduous Trees (in caliper inches) | Evergreen Trees (In feet of height) | New Vegetation            | Preserved Vegetation |
|                        | 4"                                  | 11-12'                              | 18                        | 21                   |
| Medium Tree            | 3"                                  | 9-10'                               | 15                        | 17                   |
| Medium Tree            | 2"                                  | 7-8'                                | 12                        | 14                   |
| Medium Tree            | 1.5"                                | 6-7'                                | 10                        | 12                   |
| Small Tree             | 1"                                  | 5-6'                                | 9                         | 10                   |
| Large Shrub            | 5 gallon, 24" height at planting    |                                     | 3                         | 4                    |
| Medium Shrub           | 3 gallon, 12" height at planting    |                                     | 2                         | 3                    |
| Small Shrub            | 2 gallon, 8" height at planting     |                                     | 1                         | n/a                  |
| Ornamental grass       | 1 gallon                            |                                     | ½ (need to increase)      | n/a                  |
| Groundcover            | 1 gallon                            |                                     | ½                         | n/a                  |
|                        | 4" pot                              |                                     | ¼ (need to decrease)      | n/a                  |
| Landscaped berm        | 30" height, 10' length, 3:1 slope   |                                     | 1 point per 5 lineal feet | n/a                  |
| Turf grass             | n/a                                 |                                     | ¼ per square yard         | n/a                  |
| Basalt column          |                                     |                                     |                           |                      |
| Boulder (size?)        |                                     |                                     |                           |                      |
| Red planter pot        |                                     |                                     |                           |                      |
| Barrel with plants     |                                     |                                     |                           |                      |
| Bench                  |                                     |                                     |                           |                      |
| Decorative light pole  |                                     |                                     |                           |                      |
| Curbing (length?)      |                                     |                                     |                           |                      |
| Perennial              |                                     |                                     |                           |                      |
| Sculpture (size?)      |                                     |                                     |                           |                      |
|                        |                                     |                                     |                           |                      |
|                        |                                     |                                     |                           |                      |
|                        |                                     |                                     |                           |                      |

**17.74.110 Approved, discouraged and prohibited plants.**

(a) General

- (1) Any plant listed by the Adams County Weed District as a noxious weed is prohibited from being planted or allowed to exist anywhere within the city limits of the city.

(b) Trees

- (1) Approved trees are preapproved, specific trees that the city of Othello has approved to be planted as park trees and city planted public trees in the right-of-way. This list is also advisable to use for private landscaping outside the city right-of-way on private property: flame maple, trident maple, tatarian maple, common hornbeam, zelkova, tree lilac, red sunset maple, Kwanzan flowering cherry, chanticleer flowering pear, white ash, red maple and spring snow crabapple.
- (2) Discouraged trees have particular negative attributes that should be considered for sustainability for the specific location prior to planting in Othello. Research these trees carefully: box elder maple, hickory nuts, autumn brilliance service berry, imperial honeylocust, kousa dogwood, redbud, black pine, Chinese chestnut, catalpa, hackberry, hawthorn, black walnut, aspens, elms, fruit bearing trees, fruit bearing crabapple, and any tree within seven feet of a building or four feet of concrete.
- (3) Prohibited trees have a clear and definitive reason not to plant anywhere in Othello: tree of heaven, silver maple, box elder, poplar, black cottonwood, pin oak, willows, Russian olive, Siberian elm, sycamore, sweetgum, sequoia, four oak, Norway maple, and black locust. Said trees are only prohibited from being planted by any person within city rights-of-way and/or easements, or within one hundred feet of a public sewer.

(c) Other plants

- (1) Barberry and other thorny plants are discouraged since they tend to catch wind-blown trash.
- (2) Yucca is discouraged because \_\_\_\_\_

#### **17.74.120 Landscape plan requirements**

- (a) Landscape plans shall be to a standard scale and shall include the size and type of landscaping materials and vegetation, the dimensions of the lot, the developed area, parking areas, and point calculations showing compliance with this chapter.
- (b) A landscape plan shall be prepared by a person experienced in the selection and installation of plants.

#### **17.74.130 Modifications**

The City Administrator or designee may approve modifications to the landscaping requirements of this chapter when the applicant demonstrates that:

- (a) Required landscaping directly interferes with the operation or maintenance of existing stormwater facilities or natural drainage systems; or
- (b) Existing development, improvements, utilities, or easements directly preclude installation of the required landscaping.

#### **17.74.140 Installation, maintenance, and enforcement.**

- (a) Landscaping shall be primarily vegetative and consist of trees, shrubs, and groundcover. Non-living natural features may also be incorporated. At least 80% of the ground area required to be landscaped shall be covered by living plant materials.
- (b) All plant material shall be in a healthy condition at the time of planting and shall meet quality standards set forth by the American Standard for Nursery Stock.
- (c) All newly planted trees and shrubs shall be mulched and maintained in healthy conditions and to give a clean and weed-free appearance.
- (d) Maintenance of required landscaping shall be the responsibility of the property owner. All unhealthy or dead plant materials shall be replaced within the next planting season, not to exceed one hundred eighty days from the date of loss. Planted areas shall be maintained free of trash and weeds.
- (e) The type and location of vegetation shall not interfere with utilities and the safe and efficient flow of street traffic. Approval by the appropriate City departments and utility providers shall be required.
- (f) Turf grass shall be planted, seeded, watered, and maintained in such a manner as to completely cover all exposed areas of soil after one full growing season.
- (g) Disturbed ground shall not be left exposed. Grass and other approved ground covers or mulch shall cover all unpaved and undisturbed areas.
- (h) Landscaping may be included within stormwater facilities, provided it does not conflict with the operation of the stormwater facility and complies with state and local stormwater regulations.
- (i) Irrigation. All portions of any irrigation system shall be maintained in order to perform its original function. Uncontrolled emission of water from any pipe, valve, head, emitter or other irrigation device shall be considered evidence of lack of maintenance and a violation of this chapter.
- (j) Hardscape. Maintenance of all landscape areas shall also include the painting, repairing, reconstruction, and restoration of landscape structures such as fences, walls, trellises, etc.

**17.74.150 Approval of landscape plan and installation of landscaping.**

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

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

(1) The required landscaping is installed.

(2) A bond or some other form of cash surety acceptable to the city is submitted at a value of one hundred twenty percent of the estimated cost to complete the landscaping according to the approved landscape plan. Upon completion of the landscape installation, the city shall promptly release the surety.

**17.74.160 Variances.**

A variance from the regulations of this chapter may be obtained through the hearing examiner in compliance with the provisions of Chapter 2.16 entitled "Hearing Examiner."

TO: Planning Commission

FROM: Anne Henning, Community Development Director

MEETING: November 19, 2018

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

At the last meeting, the Planning Commission continued 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.
2. Most blanks in Tables 1 and 2 have been filled in, so the Commission should review the uses and standards in each zone to be sure they reflect the Commission's intent.
3. Items that still need review:
  - a. 17.20.010: What should be the purpose statement for each zone?
  - b. Table 1: Should the existing language requiring rental to be longer than 1 month be retained?
  - c. Table 1: Should the language requiring less than 50% of available accommodations to be monthly or longer be retained?
  - d. Table 1: Provisions related to fruit raising, etc. for the personal use of the occupants is proposed to not be included, since there seems little to distinguish this from gardening.
  - e. Table 1, Footnote 2: Should signage be allowed for an in-home daycare provider if more than 12 children?
  - f. Table 1, Footnote 3: Should a Family Day Care provider be required to notify the neighbors?
  - g. 17.20.050(g): The standards for accessory buildings larger than 120 square feet were taken directly from the existing 17.70 Accessory Uses, Buildings, or Structures chapter. Should these standards be adopted as written?
  - h. Table 2: If the minimum lot size in R-2 for a single family dwelling is increased to 8000 SF, should the minimum lot size in R-2 for a duplex remain at 7000 SF or also be increased to 8000 SF?
  - i. A line in Table 2 was added for Maximum Dwelling Units Per Lot. Please review. The intention is to make clear that not more than 1 single family home, 1 duplex, or 1 triplex/4-plex is allowed per lot.
  - j. Table 2: If the standard is the same in every zone, should it be moved from the table to a different section such as 17.20.080 Performance Standards, or should the table cells just be merged?

#### **Attachments**

- November 19, 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 Accessory Uses, Buildings, and Structures.
- 17.20.050 Prohibited.
- 17.20.060 Development Standards.
- 17.20.070 Performance Standards.
- 17.20.080 Performance Standards for Residential Structures.
- 17.20.090 Street Frontage Required.
- 17.20.100 Construction Code Requirements.
- 17.20.110 Fences and Walls.

**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 to see if this zone should 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 17.67 Use Review Standards
- (f) OMC 14.36, Fences, Walls and Hedges
- (g) OMC 14.57, Landscaping
- (h) City of Othello Public Works Standards
- (i) Others?

**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 |
|--|-----|-----|-----|-----|-----|-----|
| <b>Residential</b>   |     |     |     |     |     |     |
| 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   | C   | C   |
| <b>Commercial<sup>1</sup></b>  |     |     |     |     |     |     |
| Adult Family Home licensed by the State  | A   | A   | A   | A   | A   | A   |
| Art gallery  | X   | X   | C   | A   | X   | X   |
| Boardinghouse, bed and breakfast, 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) | X   | X   | C   | A   | X   | C   |
| 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  | C   | C   | C   | C   | C   | C   |

| <b>TABLE 1: LAND USES IN RESIDENTIAL ZONES</b>   |              |            |            |            |            |                |
|--|--------------|------------|------------|------------|------------|----------------|
| <b>USE CATEGORIES</b>  | <b>R-1</b>   | <b>R-2</b> | <b>R-3</b> | <b>R-4</b> | <b>R-M</b> | <b>S-1</b>     |
| of the care provider and licensed by the State <sup>2</sup>  |              |            |            |            |            |                |
| Family Day Care Home licensed by the State <sup>3</sup>  | A            | A          | A          | A          | A          | A              |
| Home Occupations in compliance with OMC 17.59  | A            | A          | A          | A          | A          | A              |
| 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  | X            | X          | X          | C          | A          | X              |
| <b>Public and Institutional</b>  |              |            |            |            |            |                |
| 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              |
| <b>Agricultural</b>  |              |            |            |            |            |                |
| 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 <sup>4</sup>   | X            | X          | X          | X          | X          | A              |
| Keeping of chickens and rabbits  | See OMC 6.12 |            |            |            |            | A <sup>5</sup> |
| <b>Miscellaneous</b>   |              |            |            |            |            |                |
| Household pets   | See OMC 6.04 |            |            |            |            |                |

Notes for Table 1:

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

<sup>2</sup> 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.

<sup>3</sup> 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.

<sup>4</sup> Animals and/or livestock are allowed in the S-1 Zone as follows: Not to exceed 1 horse, 1 mule, 1 cow, 2 goats, or 2 sheep for every 21,780 square feet of area of lot area. No such livestock shall be maintained closer than 100' to any dwelling.

<sup>5</sup> Chickens, rabbits, and guinea pigs are allowed in the S-1 Zone as follows: Not to exceed 15 fowl and not to exceed 15 rabbits or guinea pigs. Guinea fowl or pea fowl are not permitted. No such livestock shall be maintained closer than 25' to any dwelling.

<sup>6</sup> placeholder

<sup>7</sup> 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 Accessory uses, buildings, and structures**

- (a) All accessory uses, buildings, and structures must be customarily incidental and subordinate to the principal building or use of the lot on which they are located.
- (b) Where there is a question regarding a particular accessory use, the Community Development Director shall have the authority to make the final determination. The determination shall be based on the general standards of this section and on an analysis of the compatibility of the use or structure within the surrounding area and the permitted principal uses in the zone.
- (c) The following structures are customarily incidental and accessory to residential uses:
  - (1) Carports or garages for the storage of motor vehicles, boats, and/or recreational vehicles
  - (2) Greenhouses, private and non-commercial

- (3) Storage buildings for yard maintenance equipment and household goods.
- (d) Accessory uses, buildings, and structures, other than fences and retaining walls, are prohibited from locating on a lot prior to a legal principal use.
- (e) No accessory building or structure shall be placed on or over a right-of-way or public easement.
- (f) The accessory building shall be at least five feet from the primary building. Separation between accessory buildings shall be as regulated by the State Building Code.
- (g) For structures accessory to residential uses in the R-1, R-2, and R-3 Zones, the total ground area of accessory structures may not exceed 120 square feet unless all of the following conditions are met:
  - (1) The total area of all detached structures does not exceed the ground floor area of the primary structure.
  - (2) Roof pitch shall be at least 3:12.
  - (3) The exterior siding and roofing material shall be similar in appearance and color to that of the primary dwelling unit.

**17.20.060 Development Standards.**

- (h) 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.
- (i) 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 – primary building               | 2 stories                                      | 2 stories                                      | 2 stories                                      | 3 stories                                      | 3 stories and 60'                              | 2 stories                                      |
| Maximum building height – residential accessory building | 20'  | 20'  | 20'  | 20'  | 20'  | 20'  |
| Front street setback for primary structure               | 20'  | 20'  | 20'  | 20'  | 20'  | 20'  |
| Front setback for accessory structures                   | No closer to the street than the dwelling unit | No closer to the street than the dwelling unit | No closer to the street than the dwelling unit | No closer to the street than the dwelling unit | No closer to the street than the dwelling unit | No closer to the street than the dwelling unit |
| Side street setback for a corner lot                     | 15'  | 15'  | 15'  | 15'  | 15'  | 15'  |
| Setback to front of garage                               | 20'  | 20'  | 20'  | 20'  | 20'  | 20'  |
| Interior Side setback                                    | 5'   | 5'   | 5'   | 5'   | 5'   | 5'   |
| Interior side setback - residential accessory            | 2'   | 2'   | 2'   | 2'   | 2'   | 2'   |

| TABLE 2: DEVELOPMENT STANDARDS IN RESIDENTIAL ZONES  |                    |                   |                  |  |   |        |
|--|--------------------|-------------------|------------------|--|---|--------|
| Development Standards  | R-1                | R-2               | R-3              | R-4  | R-M   | S-1    |
| building   |                    |                   |                  |  |   |        |
| Rear setback if no alley   | 5'                 | 5'                | 5'               | 5'   | 5'  | 5'     |
| Rear setback if abutting alley and garage does not open onto alley   | 0'                 | 0'                | 0'               | 0'   | 0'  | 0'     |
| Rear setback if abutting alley and garage opens onto alley   | 8'                 | 8'                | 8'               | 8'   | 8'  | 8'     |
| Minimum lot size for single family dwelling<br>(unless the lot was a legally-created lot prior to <i>ordinance adoption date</i> ) | 10,000 square feet | 8000 square feet  | 7000 square feet | 6000 square feet   | 7000 square feet                                      | 1 acre |
| Minimum lot size for two-family dwelling   | n/a                | 8000? square feet | 7000 square feet | 6000 square feet   | n/a   | 1 acre |
| Additional lot area above the minimum needed per dwelling unit if more than 2 dwelling units                                       | n/a                | n/a               | n/a              | 900 SF site area<br>+ 300 SF landscaping<br>+ 400 SF parking | n/a   | n/a    |
| Maximum Dwelling Units Per Lot   | 1                  | 2                 | 4?               | Dependent on lot size  | 1   | 4?     |
| Landscape area for residential   |                    |                   |                  | 300 SF/ dwelling unit  |   |        |
| Maximum lot area covered by buildings  | 35%                | 35%               | 35%              | 35%  | 35% for residential uses.<br>50% for medical uses.    | 35%    |
| Minimum roof pitch for main portion of primary structure   | 3:12               | 3:12              | 3:12             | 3:12   | 3:12 residential.<br>No requirement for medical uses. | 3:12   |
| Minimum width of primary structure at the narrowest side of the rectangle formed by the structure as a whole                       | 24'                | 24'               | 24'              | 24'  | 24'   | 24'    |
| Minimum number of parking spaces inside a garage for a single  | 2                  | 2                 | 2                | 2  | 2   | 2      |

| <b>TABLE 2: DEVELOPMENT STANDARDS IN RESIDENTIAL ZONES</b> |            |            |            |            |            |            |
|--|------------|------------|------------|------------|------------|------------|
| <b>Development Standards</b>                               | <b>R-1</b> | <b>R-2</b> | <b>R-3</b> | <b>R-4</b> | <b>R-M</b> | <b>S-1</b> |
| family dwelling  |            |            |            |            |            |            |

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.

#### **17.20.070 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.

#### **17.20.080 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.
- (g) Any manufactured home shall be built to the 42 U.S.C. Section 5401-5403 standards (as amended in 2000).
- (h) 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.
- (i) Any manufactured home shall have all wheels, towing or moving apparatus removed from the site.
- (j) 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.

#### **17.20.090 Street Frontage Required.**

- (a) Every lot in a residential zone shall front upon a street dedicated for public use and accepted by the city council as a public street, unless otherwise approved through the Planned Development process, OMC 17.54.

#### **17.20.100 Construction code requirements.**

All uses in the residential zones must be in compliance with the applicable requirements of the State building code, including but not limited to the fire code, mechanical code, plumbing code, and energy code.

#### **17.20.110 Fences and walls.**

Fences and walls are regulated in OMC 14.36.