



CITY OF OTHELLO PLANNING COMMISSION

**Regular Meeting
500 E. Main St.
February 20, 2018
6:00 PM**

1. Call to Order- Roll Call
2. January 16, 2018 Minutes Approval
3. Municipal Code Update – Commercial Zones – Updated Draft
4. Municipal Code Update – Landscaping – Request for Direction

****Next Regular Meeting is Tuesday March 19, 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

January 16, 2018

Terri Phillips

CALL TO ORDER

Chairperson Terry Thompson called the meeting to order at 6:01pm.

ROLL CALL

Commissioners: Chairperson Terry Thompson, Chris Dorow, Brian Gentry and Roger Ensz

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

Attendees: John Lallas, City Councilman; Bob Carlson

Quorum Established.

Deena Vietzke has resigned from the Planning Commission. The Mayor has appointed Kevin Gilbert to this position. Mr. Gilbert is on the agenda to be confirmed at the next City Council meeting, and is expected to be at the February Planning Commission meeting.

APPROVAL OF October 16, 2017 PLANNING COMMISSION MEETING MINUTES

It was voted to accept the minutes from October 16, 2017 M/S Chris Dorow, Brian Gentry

MUNICIPAL CODE UPDATE

Direction on Landscaping: Ms. Henning asked the Commission for direction on what they want to see and where we want to go in the future. We are currently not following the code. Previous permits do not follow the code and trying to follow code now is very inflexible. The Code currently asks for too much. It does have a good purpose statement. Code for Landscaping was adopted in 2009. There is also a list of approved and prohibited trees. Moses Lake uses a point system for different landscaping. The Commission would like to involve the Beautification Committee and try to follow their theme. The Commission likes the idea of a point system for landscaping. Community Director or Building Inspector would enforce this plan. The Commission likes the idea of encouraging landscaping that uses less water, but not if it would result in higher temperatures. Commission would like examples of different ideas for the landscaping code; staff will bring to next meeting.

The Commission discussed the Commercial Zones draft, starting with 17.30.070(i) Treatment of the Corner. No changes were made to this section. In 17.30.070 (j) Service Areas, there was discussion about which streets should be considered "major public streets" where these provisions would apply. The Commission decided it should apply to any named street but not to alleys. Alleys are supposed to supply access to service portion of the buildings if applicable. Loading in the front of the building should be screened from public view. C-3 would have different requirements. No changes were made to (k), Electrical and Mechanical. The Commission agreed these should be screened from public view and should be consistent with the building materials.

(l) Materials – Metal Buildings are discouraged, although it was pointed out that both City Hall and Lep-Re-Kon, two models of good design, are metal. Hard to regulate color but can encourage to follow beautification guidelines. Earth tones are preferred, but since no permit is required for painting, it would be difficult to enforce this.

17.30.080 Design Standards in the C-3 Zone (big box area). The Commission settled on 12,000 square feet as the threshold for design standards. Because Landscaping will be discussed next meeting and a new chapter created, the landscaping provisions at 17.30.080(e) can be deleted or replaced with a reference to the new code. The Commission discussed the proposed requirement to have separated parking areas like CBHA but decided it is impractical so should be deleted. The Commission was in favor of requiring some pedestrian measures within large parking lots in the C-3 zone. 17.30.120 could be referenced or incorporated here, but needs some modifications. Staff will look for examples. The Commission liked the lighting provisions in 17.30.120(e).

After considerable discussion, in 17.30.070(a) – Design Standards, Scope and Applicability, the Commission decided that 50% of value determined by the County Assessor would be the threshold for compliance with the design standards.

Next meeting staff will bring examples for Pedestrian & Landscaping Standards with photos. We will be working on Landscaping, Commercial, and Parking. These sections need to be completed since they affect projects that have been applied for. The Commission discussed having a target time. The proposed drafts could be delivered in portions to Council rather than waiting until the entire Zoning title is ready for review. We will discuss further next meeting. Is there a way to complete this quicker? Pressing items that need to be completed are commercial standards, landscaping and parking. The Commission might consider having a couple of meetings a month or all day Saturday. We will discuss further at the next meeting, Tuesday, February 20, since the Monday is a holiday.

ADJOURNMENT

Having no other business at hand a motion was made to adjourn the meeting at 7:35 pm M/S
Chris Dorow/Roger Ensz

The next meeting is scheduled for February 20, 2018.

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: February 20, 2018

SUBJECT: Municipal Code Update - Commercial Zones – Updated Draft

The Planning Commission has been reviewing a draft Municipal Code section which combines all Commercial Zones into one chapter and adds commercial design standards. The intent is to make the Zoning Code easier to understand while adding standards to protect community appearance.

Staff Comments

1. Staff added the changes that were discussed at the last meeting (January 16, 2018), including limited views of service areas from named street and using alleys to access these areas instead, eliminating the prohibition on metal as an exterior building material, setting a building size threshold of 12,000 square feet for compliance with design standards in the C-3 Zone, eliminating specific landscape requirements from the design standards since they would be included in the new landscape chapter to be worked on in the near future, and eliminating the proposed requirement to break up parking areas into smaller areas since the Planning Commission didn't like how that seems to be working at the new CBHA.
2. In the discussion about building color, the Commission suggested that the work of the Othello Beautification Committee should be followed; however, staff was not able to find documentation that the Beautification Committee addressed color.
3. The Commission requested more work on the Pedestrian Standards, 14.30.120. Please see the draft for an updated proposal.
4. The Commission should review the conditions for placement of a cargo container for storage, Footnote 4 to the Land Use Table, and conditions for truck parking, Footnote 5, on page 4. These conditions are slight modifications of the existing conditions in OMC 17.33.010(u) and 17.33.015(a).
5. Remaining items to address:
 - a. P.5, Table 2: Should outside storage be allowed in C-2?
 - b. P.7, 17.30.070(3): Should design standards apply to the whole building if there is an addition?
 - c. P.8, 17.30.070(f)(2)(A): What is a "multi-story building"? Should there be a number of stories or total height specified?

Attachments

- 2-20-18 Draft OMC 17.30, Commercial Zones

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

Chapter 17.30 COMMERCIAL ZONES

Sections:

- 17.30.010 Purpose.
- 17.30.020 Additional Requirements.
- 17.30.030 Uses.
- 17.30.040 Prohibited.
- 17.30.050 Development Standards.
- 17.30.060 Performance Standards.
- 17.30.070 Design Standards in C-1 and C-2 Zones.
- 17.30.080 Design Standards in C-3 Zone.
- 17.30.090 Construction Code Requirements.
- 17.30.100 Fences and Walls.
- 17.30.110 Stormwater and Drainage.
- 17.30.120 Pedestrian Standards.

17.30.010 Purpose.

- (a) Generally. This chapter provides for a well-distributed system of retail and service uses with appropriate standards to create an attractive, economically thriving commercial base for the community.
- (b) C-1 Traditional Commercial Zone. The C-1 Zone retains the traditional downtown development pattern of buildings directly abutting the sidewalk with limited to no onsite parking. This is a compact area with traditional building styles.
- (c) C-2 Central Commercial Zone. The C-2 Zone caters to both pedestrian and vehicle traffic. Onsite parking is required but customers may choose to park once and visit several businesses by walking. Design standards ensure buildings create a lively and attractive environment.
- (d) C-3 Large-Scale Commercial Zone. The C-3 Zone is intended for “big box” stores and other businesses that generally attract customers in vehicles. While walking between businesses is an option, it is less likely in this zone with its larger buildings and extensive parking lots. Buildings are pleasing to the eye but design standards are less stringent than in the other commercial zones.

17.30.020 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 17.75, Landscaping Buffer and Screening Requirements, and OMC 14.57, Landscaping [*need to reference new chapter when adopted*]
- (f) OMC 14.58, Signs
- (g) OMC Title 19, Development Code
- (h) City of Othello Public Works Standards

17.30.030 Uses.

(a) The Commercial 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 commercial 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 17.30.010 and the most recent version of the North American Industry Classification System (NAICS), as used by federal agencies in the classification of business establishments.

TABLE 1: LAND USES IN COMMERCIAL ZONES			
USE CATEGORIES	C-1	C-2	C-3
Retail			
Retail use (other than those listed below)	A ¹	A	A
Contractor supply and sales, lumberyard	X	A	A
Daily outdoor merchandise display	A	A	A
Drive thru for a permitted use	A	A	A
Eating and drinking places	A	A	A
Farm and landscaping equipment sales, supplies, and service	X	A	A
Fuel stations	X	A	A
Manufactured home sales	X	A	A
Marijuana sales	X	X	X
Open sales lots	X	X	A
Vehicle sales lots (can include RVs, boats, trailers, and campers) (can include light service)	X	X	A
Warehouse sales	X	X	A
Wholesale			
Wholesale use when not associated with a retail use	X	X	A
Services			
Service uses (other than those listed below)	A ²	A	A
Adult entertainment and cabarets (in compliance with OMC 4.28) ³	X	X	A
Banking and financial services	A	A	A
Clubs, lodges, assembly halls	X	A	A

¹ Limited to buildings under 2000 square feet.

² Limited to buildings under 2000 square feet.

³ An adult entertainment business must be at least 700' from any park, school, preschool, youth club, bus stop, day care center, or another adult entertainment business

TABLE 1: LAND USES IN COMMERCIAL ZONES			
USE CATEGORIES	C-1	C-2	C-3
Cultural, recreational, and entertainment uses	X	A	A
Daily care providers (child care, elder care)	A	A	X
Dance hall	X	X	A
Drive thru for a permitted use	A	A	A
Family day care home in an existing residence	A	A	A
Health care providers	A	A	A
Hospitals	X	X	A
Lodging (Hotels & motels subject to review under OMC 17.67)	X	A	A
Kennels, animal boarding, pet care	X	X	A
Personal service shops	A	A	A
Professional offices	A	A	A
Recreational vehicle park (in compliance with OMC 17.44)	X	X	A
Rental of vehicles, trailers, and machinery	X	X	A
Repair and maintenance, including vehicles, small engines, and appliances	X	X	A
Theater	X	A	A
Truck stops, sales, and light repairs	X	X	A
Veterinarian	X	X	A
Transportation, Communication, and Utilities			
Passenger transportation facilities, public or private	X	X	A
Personal wireless telecommunications facilities (in compliance with OMC 16.68)	X	A	A
Utility facilities (such as well house, electrical substation, etc.)	A	A	A
Industrial and Storage			
Cargo containers used for storage ⁴	X	A	A
Light manufacturing when subordinate to a retail sales outlet and contained in a building	A	A	A
Outside storage in conjunction with a principal use which is in an enclosed adjoining building	X	X	A
Self-storage, mini-storage, RV storage	X	X	A
Storage, warehousing, and distribution, not associated with a retail business	X	X	A
Truck parking ⁵	X	X	A
Wrecking yard, salvage yard, junk yard	X	X	X
Public and Institutional			
Churches	X	A	A
Libraries	A	A	A
Municipal and governmental facilities, shops, and yards	X	A	A
Outdoor recreational, entertainment, or amusement facilities	X	X	A
Park, playground, athletic field, other non-commercial recreation	A	A	A
Schools, public or private	X	A	A
Residential			
Adult family home in an existing residence	A	A	A
Assisted living facility	X?	A	A
Manufactured or mobile home park	X	X	X
Multi-family residential use not in conjunction with a commercial structure	X	X	X
Residential use in a basement or upper story	A	A	A

⁴ The following are required for any cargo containers used for storage:

- (a) The container must be placed adjacent to a site-built structure, with separation as required by the International Building Code and International Fire Code;
- (b) The container shall be inconspicuous from public streets. It shall be located behind the building or screened with sight-obscuring fencing, walls, or landscaping;
- (c) Only one container is allowed per development site;
- (d) The container shall be placed and blocked to prevent harboring of animals under the container or between the container and other structures;
- (e) The container shall not be connected to water or occupied in any way;
- (f) The container shall have only factory-installed doors. No windows or other openings shall be allowed;
- (g) The access route to the end doors cannot be on a public right-of-way, including alleys;
- (h) The container shall not be rented out or used for storage by anyone except the occupant of the associated building;
- (i) The container shall be painted to be compatible with the adjacent building;
- (j) The container shall be removed prior to the sale of the land or change of tenant;
- (k) An annual permit from the city shall be required, with a fee of \$50, to verify compliance with this code. Said yearly permit is renewable no more than two times.

⁵ Any parcel of land used as a public or private truck/trailer truck parking area shall be developed, used, and maintained in the following manner:

- (a) The lot shall have access directly off an improved truck route as established in OMC 9.36;
- (b) All vehicles shall be within three hundred feet of a fire hydrant;
- (c) The driveway shall have a surfaced apron no less than thirty feet wide by thirty feet long and shall be permitted by the public works director per OMC 11.20;
- (d) Vehicles shall not drive over curbs and/or sidewalks to access the parking area;
- (e) The lot shall have sidewalks along all curbs as prescribed in OM 11.16.
- (f) The parcel or lot area shall be graded to contain one inch of stormwater on site, or enter into a city stormwater contract if applicable;
- (g) The parking and maneuvering area shall be graded and graveled sufficiently to control dust and mud and to provide access to fire trucks;
- (h) All trucks/trailers shall be licensed operating vehicles. There shall be no non-operating, damaged, parting, hulks, or pieces of vehicles allowed to be stored under this conditional use;
- (i) No truck parking lot shall be used for truck repair, painting, or freight transfer;
- (j) A water service shall not be provided to an unplatted lot. A conditional use permit for a truck parking lot does not require platting of the parcel involved but further development or different uses may require platting;
- (k) Parcels in the C-2 Zone that were used for truck parking as of January 1, 2003, were allowed sixty months to obtain a conditional use permit and comply with the conditions;
- (l) Any person parking a truck or trailer on a lot which has not be approved for such parking shall be deemed to have committed a civil infraction and shall be punished by a C-6 penalty. Any person permitting the parking of trucks or trailers on a parcel or lot without having obtained a conditional use permit to do so shall be deemed to have committed a civil infraction and shall be punished by a C-3 penalty.

17.30.040 Prohibited.

The following are prohibited in all Commercial Zones:

- (a) Outside storage, collection, or dumping of dismantled, partly dismantled, or wrecked vehicles, trailers, machinery, or parts;
- (b) Outside storage or collection of any junk, scrap, unsightly material or debris visible from a public street;
- (c) Abandoned structures or buildings in a state of disrepair or not approved for use;
- (d) Removal of soil or other natural materials for the purpose of sale or use as fill material, except that excavation for the purpose of construction or landscaping is permitted;
- (e) Using any trailers, railroad cars, semi-trailers, car, truck, or van bodies for storage facilities.

17.30.050 Development Standards.

- (a) Purpose. This section established the development standards and site requirements for uses in the Commercial Zones. The standards and rules are established to provide flexibility in project design, prevent fire danger, provide adequate access and circulation, reduce incompatibilities, and prevent overloading of infrastructure due to the impacts of development.
- (b) Explanation of Table. Development standards are listed down the left column of the table and the Commercial Zones are identified across the top row. The matrix cells contain the requirements of each zone. The footnotes identify particular requirements applicable to a specific use, standard, or zone. "NR" stands for "No Requirement".

TABLE 2: DEVELOPMENT STANDARDS IN COMMERCIAL ZONES			
Development Standards	C-1	C-2	C-3
Maximum building height ⁴	4 stories or 62'	4 stories or 62'	4 stories or 62'
Minimum front yard setback	NR	15'	15'
Maximum front yard setback	0' ⁵	NR	NR
Side setback	NR	NR	NR
Side setback, corner lot	NR	15'	15'
Rear setback	NR	NR	NR
Landscaping required (<i>reference new OMC Landscape chapter</i>)	New parking lots only	Yes	Yes
Outside storage allowed	No	??	Yes
Parking required (OMC 17.61)	Residential only	Yes	Yes
Pedestrian requirements	NR	OMC 17.30.160	OMC 17.30.160
Design standards	OMC 17.30.070	OMC 17.30.070	OMC 17.30.080

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.

17.30.060 Performance Standards.

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

- (a) Air Quality. Emissions from combustion and incineration, emissions from sources emitting hazardous air pollutants, and emissions of suspended particles or fugitive dust shall not exceed the standards set forth in Washington Administrative Code 173-400, General Regulations for Air Pollution. Where such emissions could be produced as a result of accident or equipment malfunction, safeguards standard for safe operation

⁴ All structures over 35' high and which have a base that is less than 50% of the height shall be set back from the property line equal to the portion of the structure over 35' in height. Additional fire protection measures may be required at the discretion of the Fire Chief and Building Official.

⁵ Portions of the building may be set back further than the maximum setback to allow for features that encourage pedestrian use and activity along the street, such as building modulation, pedestrian plazas or courtyards, covered or recessed entryways, commercial uses or displays (such as vendor, newsstands, or cafes), public art (including sculptures and water features), or seating or planter areas. In addition, buildings on corner lots need to be positioned so as to not create a sight distance hazard for traffic.

in the industry shall be taken. Polluted air streams shall be treated with the best available control technology.

- (b) Heat, Glare, and Humidity (Steam). Any activity producing humidity in the form of steam or moist air, or producing heat or glare shall be carried on in such a manner that the heat, glare, or humidity is not perceptible at or beyond the property line. Artificial lighting shall be hooded or shaded so that direct light of high intensity lamps will not result in objectionable glare.
- (c) Odors. Any use producing odors shall be carried on in such a manner that offensive or obnoxious odors shall not be perceptible at or beyond the property line.
- (d) Vibration. Every use shall be so operated that the ground vibration inherently and recurrently generated from equipment other than vehicles is not perceptible without instruments at any point beyond the property line.
- (e) Electromagnetic Interference. Electric fields and magnetic fields shall not be created that adversely affect the public health, safety, and welfare, including but not limited to interference with the normal operation of equipment or instruments or normal radio, telephone, or television reception from off the premises where the activity is conducted. This section does not apply to telecommunication facilities which are regulated by the FCC under the Federal Telecommunication Act of 1996 or its successor.
- (f) Noise. Noise within the commercial zones must not exceed the maximum permissible noise levels set forth in this chapter and WAC 173-60, Maximum Environmental Noise Levels, as measured at the property line of the noise source.

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

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

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

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

Exemptions to the maximum permissible noise level cited in this chapter shall be as enumerated in WAC 173-60-050, Maximum Environmental Noise Levels Exemptions.

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

17.30.070 Design Standards in the C-1 and C-2 Zones.

- (a) Scope and Applicability. These standards are applicable to all buildings in the C-1 and C-2 Commercial Zones, regardless of use. Design standards apply to all of the following:
 - (1) New buildings and new developments;

- (2) Remodeled buildings where the cost of remodeling is more than 50% of the current assessed value of the building as determined by the Adams County Assessor. Design standards shall apply to the whole building, not just the part that was remodeled.
 - (3) Building additions when the gross floor area is being increased by 50% or where the cost of the addition is more than 50% of the current assessed value of the building as determined by the Adams County Assessor. *[Should design standards apply to the whole building?]*
- (b) Departures from Standards. These standards are not intended to prohibit creative design and development solutions by professional designers/developers that may create a better quality development. Therefore, certain departures from the design standards may be permitted. In order for a departure from the standards to be allowed, the development proposal must demonstrate that the departure would result in a development that better meets the intent, objectives, and design principles of the design standards. The Community Development Director shall have the final authority to resolve any conflicts in the standards in order to protect the City's objectives and goals.
- (c) Objectives:
- (1) Promote economic vitality.
 - (2) Promote a good business environment and destination marketing.
 - (3) Provide simplicity and clarity of regulation.
 - (4) Promote quality and creativity in design.
 - (5) Offer flexibility and options.
- (d) Design Principles:
- (1) Safety and vitality, with a livable, pedestrian-friendly commercial environment.
 - (2) Compatibility with the positive attributes of Othello.
 - (3) Efficiency in the delivery of public infrastructure.
 - (4) Variety and creativity in design.
- (e) Definitions:
- (1) Articulation: Shifts in the plane of walls, setbacks, step-backs, overhangs, and details in order to create variation in a building façade and divide large buildings into smaller identifiable pieces.
 - (2) Blank walls: Walls without windows, plantings, or architectural elements, such as modulation.
 - (3) Building Mass: Height, width, and depth of a building structure.
 - (4) Cornice: The horizontal projection, molded or otherwise decorated, that crowns the top of a building.
 - (5) Façade: The exterior wall of a building exposed to public view or that wall viewed by persons not within the building.
 - (6) Massing: How the three-dimensional building forms are grouped to create the general shape and form of the building.
 - (7) Modulation: Variation in the building mass through the use of step-backs, setbacks, diminishing upper floor areas, and/or projecting roof overhangs.

- (8) **Outdoor Display Area:** Areas outside the building structure where merchandise is displayed for customers.
- (9) **Outdoor Storage Area:** Outdoor areas where merchandise is kept for temporary storage purposes but not for display; or the keeping in an unroofed area of any goods, junk, material, merchandise, supplies, or vehicles in the same place for more than 24 hours.
- (10) **Parapet:** The vertical extension of the main walls of a building above the roofline.
- (11) **Pedestrian-Oriented Commercial Use:** A commercial enterprise whose customers may likely arrive by foot, which may include restaurants, retail shops, personal service businesses, financial institutions (except drive thru windows), and other similar establishments that generally benefit from pedestrian activity.
- (12) **Proportion:** The ratio of building elements, including height, mass, and depth. Good proportion is a harmonious arrangement or relation of parts or elements within a whole.
- (13) **Roofline:** The outer edge of the roof that provides visual terminus to the top of the building.
- (14) **Roofline Variation:** The roofline articulated through a variation or step in roof height or detail, such as pitched roof, projecting cornice, articulated parapet, or terraced roof.
- (15) **Scale:** The relationships of a development and/or its elements in terms of size, height, bulk, intensity, and aesthetics, to one another and to the surroundings. "Human scale" would identify the relationship of the building to human beings.

(f) **Massing and Architectural Features:**

- (1) **Intent:** To reduce the bulk of the buildings by breaking down the mass into human scale, in order to offer variety and consistency along the street face.

(2) **Mandatory Standards:**

- (A) **Multi-story buildings** must display the proportion of a "Base", "Middle", and "Top" in massing. "Top" can be expressed by using sloped, gabled, or flat roofs. Flat roofs shall have cornices, parapets, or similar special features to act as the top of the building. Step-backs of the buildings at the upper floors can also be used as a method to express base, middle, and top.
- (B) A street-facing façade more than 50' long shall include the following treatments:
 - (1) Change in the roof or wall plane (4 foot minimum)
 - (2) Projecting or recessed elements
 - (3) Varying rooflines at 4 foot minimum
- (C) Solid blank facades must be avoided on the front and all street-facing sides of the building. These facades must be treated with windows, entrances, canopies, cornices, and by articulating the façade and/or screening with landscaping
- (D) For slope roof structures, the slope of the roof must not be less than 4:12 except when a specific design is approved by the Community Development Director.

(3) **Recommended Standards:**

- (A) Building height should be compatible with the surrounding building heights and character of the area.

(B) Buildings should use elements such as canopies, awnings, trellises, pergolas, and arcades to provide human scale.

(C) Solid blank facades when unavoidable should be treated with modulation, canopies, wall-mounted lighting, artwork, and landscaping trellises.

(g) Prominent Entrance:

(1) Intent: To ensure visible, attractive, inviting, and efficient entrances to buildings.

(2) Mandatory Standards:

(A) Entrance to the building must be made visible and prominent by using large entry doors, porches, protruding, or recessed entrances.

(B) Primary pedestrian entrances must face public streets, open spaces, or plazas whenever available.

(C) Light poles, signage, and similar accessories shall be coordinated so that the view and accessibility to the entrance are not obstructed.

(3) Recommended Standards:

(A) Special paving is encouraged at the entrance to the building.

(B) Special architectural treatment that signifies the entrance without destroying the architectural character is encouraged. Examples include using different materials such as brick, stone, or glass at the entrance, or locating the entrance at the junction of two building masses.

(C) For multi-story buildings, the building entrance should be scaled down to relate to human scale.

(h) Façade Transparency:

(1) Intent: To create a visual connection between the indoor and outdoor environment in order to make businesses more attractive.

(2) Mandatory Standards:

(A) Solid blank walls shall be avoided except for service areas where it shall be screened from public view (see Service Areas).

(B) Facades facing public streets or public open spaces must be treated with a combination of prominent primary or secondary entrance, display windows, transparent facades, façade modulation, canopies, and/or awnings.

(C) For retail buildings: Facades facing public streets or public open spaces or plazas shall have at least 40% of the façade area comprised of transparent glass at the ground level unless a specific alternative design is approved by the Community Development Director.

(D) For office buildings: Facades facing public streets or public open spaces or plazas shall have at least 25% of the façade area comprised of transparent glass unless a specific alternative design is approved by the Community Development Director.

(E) Transparent glass for façade transparency at ground level means between 2 feet and 12 feet from the ground level.

- (F) Display windows along public streets shall express the type of business by displaying products sold or other displays that relate to the business. Signage on windows shall not be considered as part of the display window.

(3) Recommended Standards:

- (A) Tinted or reflecting glass is discouraged at the ground level where it prevents visual connection between indoor and outdoor environments.

(i) Treatment of the Corner:

- (1) Intent: To ensure that businesses at street intersections can serve as landmarks and be integrated with the pedestrian realm.

(2) Mandatory Standards:

- (A) Buildings located at the corner of street intersections shall have at least one of the following:

- (1) A primary pedestrian entrance complying with the "Prominent Entrance" standard (see 17.30.070(g)) and accessible from the corner street sidewalks.
- (2) Distinctive massing and roof form of the building to mark the intersection as a landmark.
- (3) Other architectural features such as porches, canopies, and display windows at the corner.

- (B) Signage and accessory structures must not obstruct the view of the building at the corner.

- (C) Corner treatments shall not obstruct safe sight distance at corners.

(3) Recommended Standards:

- (A) The corner of the building should be coordinated with the overall site design.

(j) Service Areas and Backs of Buildings:

- (1) Intent: To reduce the negative impacts of the backs of buildings and of service areas.

(2) Mandatory Standards:

- (A) Loading and service areas shall be located in less visible areas of the site.

- (B) Service areas and backs of buildings shall not be located facing a public street. Alleys should be used for access to service areas where available. In cases where there are no other options, the street and site layout, service areas, and building back facing public streets must be screened from public view with solid screen landscaping, grading, and/or fencing.

- (C) The back of a building shall be consistent with the front of the building, in terms of design style, building materials, and architectural features.

(3) Recommended Standards:

- (A) Solid blank facades should be treated with some combination of façade modulation, canopies, lighting, artwork, and landscaping trellises.

(k) Screening of Electrical and Mechanical Equipment:

(1) Intent: To minimize negative visual impacts of service equipment on the business and the adjacent area.

(2) Mandatory Standards

(A) Electrical and mechanical equipment when placed on the rooftop shall be obscured from view, such as by using parapets.

(B) Electrical and mechanical equipment when placed on the ground shall comply with the Service Areas standards (17.30.070(j)).

(3) Recommended Standards:

(A) Increased parapet height can be accepted when used for screening the equipment from view.

(B) Screening of equipment should be consistent with the overall building design style, building materials, and architectural features.

(l) Material:

(1) Intent: To enhance the character of the building and the area in order to make the business more attractive to customers, areas residents, and visitors.

(2) Mandatory Standards:

(A) Exterior building materials should be selected for suitability and high degree of performance. The building façade should be a combination of materials to add variation to the façade design. Preferred materials include masonry, stone, stucco, wood, or similar materials.

(B) A combination of materials should be used to add variation to the design.

(3) Recommended Standards:

(A) Color. Neutral and earth tones are preferred. Buildings should fit in to the area.

17.30.080 Design Standards in the C-3 Zone.

For buildings over (12,000) square feet in the C-3 Zone, the following standards apply:

(a) Entrance:

(1) Intent: To ensure that building entrances are clearly visible and identifiable to pedestrians.

(2) Standards:

(A) The principal entry to the building should be made prominent with canopies, overhangs, protruding or recessed masses.

(B) The building entrance should offer some degree of weather protection and act as a transition between indoor and outdoor environments.

(b) Massing:

(1) Intent: To reduce the impact of the large bulk of the building

- (2) Standards: For street-facing facades more than 100' long, break down the building mass with the following:

- (A) Change in the roof or wall plane (4' minimum every 100'). This does not need to be at regular intervals if approved by the Community Development Director as a design feature.
- (B) Use projecting or recessed elements in the façade.
- (C) Vary the building rooflines.

(c) Façade Treatment:

- (1) Intent: To break the monotony of continuous building facades.

(2) Standards:

- (A) Modulate and articulate the façade.
- (B) Treat the solid wall with landscaping, trellises, canopies, inserted lighting, modulation, and articulation.
- (C) Provide more window/visibility/indoor-outdoor relationships.
- (D) Select color and material to add variety.

(d) Outdoor Storage and Display Areas:

- (1) Intent: To reduce the negative impact of service areas

(2) Standards:

- (A) All non-enclosed storage areas must be located at the rear, or non-street side of the building.
- (B) If such areas need to be covered, the covering shall be consistent with the overall building design.

17.30.090 Construction code requirements.

All uses in the commercial zones must be in compliance with the applicable requirements of the building code, the fire code, the mechanical code, and the plumbing code except as may be provided in this chapter.

17.30.100 Fences and walls.

Fences and walls not exceeding eight feet in height may be permitted subject to the requirements of this section. All fences and walls will require a fence permit to be issued by the building official prior to construction or installation. Electric and barbed wire fences are prohibited, except that security fences containing barbed wire may be permitted subject to review by the building official regarding the safety of such a fence. All applications for permits to construct or install fences or walls shall be reviewed by the building official and city engineer for vehicular and pedestrian safety.

17.30.110 Stormwater and drainage.

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

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

14.30.120 Pedestrian standards.

- (a) Purpose. The pedestrian standards encourage a safe, attractive, and usable pedestrian circulation system. They ensure a direct pedestrian connection between the street and buildings on the site.
- (b) Applicability. The standards of this section apply to all development in the C-2 and C-3 zone with parking lots containing more than 30 parking spaces.
- (c) Required Connections.
 - (1) Between the public right-of-way and building entrances.
 - (2) Between parking lots and building entrances.
- (d) Width. Pedestrian connections shall be no less than five feet wide.
- (e) Materials. Striping may be used to delineate walkways from the nearest edge of the parking lot to the building entrance. All other pedestrian connections shall be clearly defined by at least two of the following:
 - (1) Six-inch vertical curb.
 - (2) Textured paving, including across vehicular lanes.
 - (3) A continuous landscape area at a minimum of three feet wide on at least one side of the walkway. This landscaping can be counted toward the required parking lot landscaping.
 - (4) Trellis
 - (5) Special railing.
 - (6) Bollards.
 - (7) Special paving.
 - (8) Low seat wall and/or other architectural features.
- (f) Lighting. The on-site pedestrian circulation system shall be lighted to an intensity where the system can be used at night by employees, residents, and customers. Lighting should be at a height appropriate for a pedestrian pathway system.

TO: Planning Commission

FROM: Anne Henning, Community Development Director

MEETING: February 20, 2018

SUBJECT: Municipal Code Update –Landscaping – Request for Direction

As directed at the last meeting, staff has been reviewing landscaping provisions to try to find simple and flexible regulations that provide adequate beautification for the city.

Staff Comments

1. Based on the discussion at the last meeting, staff looked for codes that used point values rather than specifying exact types of landscaping to use. The best examples were Moses Lake and Spokane Valley. The Moses Lake code has a lot of similarities to the current Othello code, but would need some modification to make it work better. The Spokane Valley code had previously been used as the model for Moses Lake's, but has since been simplified. I contacted Spokane Valley for information about how their code is working and any history on the changes. I learned that their code is working well, is easy to administer, and gets them the end result of an attractive city. The simplification process preceded the knowledge of the person I spoke to.
2. The draft presented is based on a combination of the existing OMC 14.57 and the examples from other cities. In addition to reviewing the draft, the Commission should review the existing Othello code to see if anything else should be retained.
3. The proposed chapter would replace OMC 14.57 and 17.75. After the Commission is satisfied with the landscaping draft, we will need to review the various other places in the OMC that reference landscaping to make sure they don't conflict, and to combine with the new chapter if possible.

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

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. (existing)
- (5) Expansion of a parking lot by more than 20 parking spaces shall require compliance with the parking lot landscaping requirements for the entire parking lot. (ML)

(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:

Table 1					
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	Yes	Yes	Yes	No
Parking Lot	No	No	Yes	Yes	No
Street Trees	Yes	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 increase 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
	4"	11-12'	18	21
	3"	9-10'	15	17
Medium Tree	2"	7-8'	12	14
	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	n/a
Groundcover	1 gallon		½	n/a
	4" pot		¼	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

17.74.110 Approved, discouraged and prohibited trees.

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

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

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

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

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."