



## CITY OF OTHELLO PLANNING COMMISSION

### **Regular Meeting 500 E. Main St. June 20, 2022 6:00 PM**

*For those who would like to attend remotely, see virtual instructions at the end of the agenda*

1. Call to Order - Roll Call
2. Public Input
3. Approval of May 16 Minutes p.3
4. Active Transportation Public Engagement - Update p.6
5. Municipal Code Update – Fences – OMC 14.36 - Introduction p.7
6. Zoning Update – Landscaping/Street Trees – OMC 17.74 – Discussion p.11
7. May Building & Planning Department Report p.25
8. Old Business
  - a. Zoning Update – Home Occupations – OMC 17.59 – We will come back to this soon as time allows
  - b. Subdivision Update – OMC Title 16 – This should be the next big project for the Commission
  - c. Housing Action Plan
    - A) When time allows, the Commission should discuss whether there are further recommendations the Commission wants to consider implementing.
    - B) City has just received the formal paperwork for a grant to explore the Multi-Family Tax Exemption program. Next step will be Council acceptance of the grant and then hiring a consultant.
  - d. Residential Landscaping Installation Timing

***Next Regular Meeting is Monday, July 18, 2022 at 6:00 PM***

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City of Othello  
Planning Commission  
May 16, 2022  
Zuleica Morfin

### **CALL TO ORDER**

Chair Chris Dorow called the meeting to order at 6:03pm.

### **ROLL CALL**

**Commissioners Present:** Chair Chris Dorow, Alma Carmona, Daniela Voorhies, and Kevin Gilbert

**Absent:** Brian Gentry

**Staff:** Community Development Director Anne Henning, Building and Planning Secretary Zuleica Morfin

**Attendees:** Jake Mendez

### **PUBLIC INPUT**

Chair Chris Dorow asked if there was any input from the public and directed his question to Jake Mendez, who was the only attendee. Hearing none, Chair Chris Dorow told Jake Mendez he had missed Jake's comments at the city council, but his wife had told him he had some points on graffiti prevention and some of the park information. Chair Dorow stated some of those issues have been addressed in the park plan, and he asked Community Development Director Anne Henning if Jake had been forwarded the park plan. Ms. Henning responded that she hadn't but the plan is available on the city website.

### **MINUTES APPROVAL**

March 21, 2022 and April 18, 2022 minutes were approved as written. M/S Carmona/Voorhies

### **ACTIVE TRANSPORTATION PUBLIC ENGAGEMENT**

Othello has never had an active transportation plan (bicycle/pedestrian/non-motorized transportation) to specifically plan for these facilities. The City has received a planning grant through QuadCo RTPO (Quad County Regional Transportation Organization) to hire a consultant to prepare an active transportation plan. Based on the proposals received, the city hired SCJ Alliance. As part of the planning process, it is time to get some public input on the work so far to determine the direction to go from here.

Commissioner Alma Carmona said her biggest comment on this was how much the public would utilize public transportation and its necessity. Ms. Henning stated that a purpose of the plan is how to prioritize funding on facilities.

Chair Chris Dorow commented that on page thirteen of the maps provided in the packet it didn't show any sidewalks along Broadway and there were quite a few sidewalks between Columbia Street, Main Street and E Broadway. Chair Dorow stated that Bob Carlson couldn't make the meeting but had sent this item over to him. Ms. Henning said that the sidewalk gap map wasn't intended to show where all the sidewalks are located, only those on priority routes. This map probably needs a better title or more information about what it is intended to show.

Chair Dorow noted that Juniper Street needs more protection for pedestrians. It needs sidewalks. For public input, he would want to know how people prioritize travel when they walk or bike. Why do they choose that mode and where do they go?

Commissioner Kevin Gilbert mentioned that there is a difference between recreational walking/biking and travel to get groceries, for instance. Chair Dorow agreed there are different priorities for recreational use versus commuting.

Jake Mendez mentioned that the Food Bank is an important destination 4 days a week.

There was some discussion on the irrigation rights-of-way. If these facilities were piped, it would be easier to use the land for trails. There was interest in connecting the recreational paths and adding shade.

Commissioner Carmona would like to see the city do a survey before diving in to in-person events.

Commissioners discussed areas where they could survey the public for their input. Chair Dorow stated he would like to see many diverse opinions. Suggested areas for surveying were the 4<sup>th</sup> Of July event in Lions Park, CBHA, Walmart, Food Bank, library, and McDonalds. Commissioner Carmona would like to know what modes of transportation people use now, and what they would like to use. Chair Dorow mentioned it would be different for various kinds of trips, such as getting kids to school, groceries, visiting parks, health care appointments. Commissioner Gilbert noted that answers might be seasonal. Jake Mendez mentioned that not everyone has a vehicle or a drivers license: age, health, and vision can all affect this.

Commissioners felt the Water/Sewer/Streets Council Committee should be involved in developing the Active Transportation Plan.

#### **Zoning Update – Landscaping/Street Trees – OMC 17.74 – Discussion**

Cow Path Bakery made a presentation to council on placement of trees on their property because they didn't have the room along Main St, so they wanted the trees to be placed alongside their building. This brought up a conversation about the requirements for landscaping/street trees. The Council asked the Planning Commission to review the street tree requirement. Commissioners discussed the street tree requirement and how it has been in the code for a while but not necessarily enforced consistently in the past.

Commissioner Kevin Gilbert thought the code isn't unreasonable, but irrigation can be difficult. Commissioner Alma Carmona suggested including the trees in the point system so that it would encourage business to put the trees but not require them, maybe by increasing the point value of trees along the street. Commissioner Daniela Voorhies is in favor of street trees. Chair Chris Dorow said he thought the code provided more freedom. He likes the landscaping at Dollar Tree on Main Street. Commissioner Gilbert asked how many variances have been granted. Commissioner Carmona stated she doesn't like being told what to do, so the code may be too restrictive.

The Commission agreed to discuss this issue further next meeting.

#### **Zoning Update – Home Occupations – OMC 17.59 – Discussion**

Chair Dorow suggested reviewing the minutes from the April meeting where Home Occupations were discussed. This will be a topic for a future meeting.

**April Building & Planning Department Report**

Chair Dorow noted that the underground utility ordinance could be removed from Old Business since the City Attorney is working with the Council on it.

**ADJOURNMENT**

Having no further business, the meeting was adjourned at 7:22pm. Next regular meeting is Monday, June 20, 2022.

\_\_\_\_\_ Date: \_\_\_\_\_  
Chris Dorow, Chair

\_\_\_\_\_ Date: \_\_\_\_\_  
Zuleica Morfin, Building and Planning Secretary

TO: Planning Commission

FROM: Anne Henning, Community Development Director

MEETING: June 20, 2022

SUBJECT: Active Transportation Plan – Public Engagement – Update

Our consultants, SCJ Alliance, are continuing to work on Othello's active transportation plan (bicycle/pedestrian/non-motorized transportation) through a planning grant from QuadCo. Before going any further in the draft plan, they would like some community input on the direction of the plan. They are working on a survey that can be distributed online, in hard copy, and possibly with utility bills. They are also working on an in-person event to collect input, likely outside Walmart. As they develop questions and plans for engagement, these will be shared with the Planning Commission. If schedules allow, it would be beneficial to have a Commissioner or two at the in-person event.

**Action:** No action needed. Informational only.

TO: Planning Commission

FROM: Anne Henning, Community Development Director

MEETING: June 20, 2022

SUBJECT: Municipal Code Update - Fences – OMC 14.36—Introduction

The fence code dates to 1979 and 2003, with a few updates in the 2020 Zoning update. Fence permits have traditionally been handled by the Public Works Department, but are more typically reviewed through Building & Planning. Recent staff changes have caused us to look at our fence permit process and determine it needs to be evaluated and the existing ordinance updated.

**Staff Comments**

1. Staff will provide more information for the next meeting.

**Attachments**

- OMC 14.36 Fences, Walls, and Hedges

**Action:** This item is intended as an introduction to the topic. The Planning Commission could provide direction to staff, or wait for more information at a future meeting.

## **Chapter 14.36**

### **FENCES, WALLS AND HEDGES**

#### Sections:

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

#### **14.36.010 Definitions.**

As used in this chapter:

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

#### **14.36.020 Applicability.**

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

#### **14.36.030 Restrictions.**

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

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



- (b) Interior Lot. A maximum of six feet in height anywhere on an interior lot, provided a maximum of three feet in height where closer than twenty feet from the front property line.
- (c) Public Right-of-Way. Property owners constructing or reconstructing a fence on public right-of-way shall provide a public sidewalk parallel to the curb for the full length of the lot side per the public works design standards. Wood and chain link fences on public right-of-way shall be considered licensed by the city with the building permit. Masonry and/or decorative metal fences shall obtain a standard public right-of-way license approved by council. Fences on public right-of-way will be removed at the adjacent landowner's expense within sixty days of terminating said license. Upon request of removal, the fence shall be considered a public nuisance.
- (d) Driver Visibility. Property owners shall not allow a hedge to grow such that a visibility hazard is created for a driver of a vehicle on or entering onto public right-of-way.
- (e) Fences along alleys shall be located completely on private property and at least ten feet from the alley centerline. (Ord. 1544 § 1, 2020; Ord. 1152 § 1 (part), 2003; Ord. 586 § 3, 1979).

**14.36.040 Construction.**

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

**14.36.050 Barbed wire fences.**

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

**14.36.060 Electric fences.**

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

**14.36.070 Swimming pool fences.**

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

**14.36.080 Rear yard access.**

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

**14.36.090 Deviations.**

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

- (a) Special circumstances applicable to the property in question or to the intended use that do not apply generally to other properties or classes of use in the same vicinity and zoning classifications;
- (b) A deviation is necessary for the preservation and enjoyment of a substantial property right or use possessed by other property in the same vicinity and in zoning classification which because of special circumstances is denied to the property in question;
- (c) The granting of a deviation will not be materially detrimental to the public welfare or injurious to other property improvements in such vicinity and zoning classification in which the subject property is located;
- (d) That the granting of a deviation will not conflict with the general intent of this chapter. (Ord. 1152 § 1 (part), 2003; Ord. 586 § 9, 1979).

**14.36.100 Nuisance—Declaration.**

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

**14.36.110 Nuisance—Abatement.**

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

**14.36.120 Violation—Penalty.**

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

TO: Planning Commission

FROM: Anne Henning, Community Development Director

MEETING: June 20, 2022

SUBJECT: Street Trees – OMC 17.74 - Discussion

As discussed at the May meeting, the requirement in OMC 17.74, Landscaping and Screening, for trees along the street frontage, has come up recently, especially related to remodels of buildings along Main Street. The Council has asked the Planning Commission to review the street tree requirement.

### Staff Comments

1. At the May meeting, the Planning Commission expressed a desire to simplify the landscape requirements, and also that the current code is not what they thought it would be. The Commission should discuss the end results they want from projects, then we can try to craft a code that gets us those results. We can make changes to the existing code, or start over with a new chapter.
2. For reference, here is the code language. OMC 17.74.020 OMC requires landscaping for new projects, with thresholds for additions and remodels.

#### ***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.*

3. Table 1 in 17.74.020 lays out which types of landscaping are required for each kind of project. These requirements are further explained in 17.74.030 through 090. Here is a summary of requirements for a typical commercial development:

<b>Requirement</b>	<b>Required Amount</b>								
<p><i>General landscaping</i> OMC 17.74.030</p>	<p><i>“Developed area” is buildings and amenities like patios, walkways, and common areas, but not parking.</i></p> <table> <tr> <th><i>Developed Area</i></th><th><i>Landscaping Points Required</i></th></tr> <tr> <td><i>500—2,500 sq. ft.</i></td><td><i>25</i></td></tr> <tr> <td><i>2,501—5,000 sq. ft.</i></td><td><i>50</i></td></tr> <tr> <td><i>Over 5,000 sq. ft.</i></td><td><i>50 + 1 point/200 sq. ft. of area over 5,000</i></td></tr> </table> <p><i>This is in addition to other required landscaping.</i></p>	<i>Developed Area</i>	<i>Landscaping Points Required</i>	<i>500—2,500 sq. ft.</i>	<i>25</i>	<i>2,501—5,000 sq. ft.</i>	<i>50</i>	<i>Over 5,000 sq. ft.</i>	<i>50 + 1 point/200 sq. ft. of area over 5,000</i>
<i>Developed Area</i>	<i>Landscaping Points Required</i>								
<i>500—2,500 sq. ft.</i>	<i>25</i>								
<i>2,501—5,000 sq. ft.</i>	<i>50</i>								
<i>Over 5,000 sq. ft.</i>	<i>50 + 1 point/200 sq. ft. of area over 5,000</i>								
<p><i>Parking lot landscaping</i> OMC 17.74.040</p>	<p><i>Required when more than 10 required parking spaces. 2 points per required parking space, 1 point for each additional space</i></p>								
<p><i>Street trees</i> OMC 17.74.050</p>	<p><i>1 medium or large tree (Mature height more than 25’) for each 75’ of street frontage. Street trees may be counted toward the landscape points needed for the site. May not be planted in ROW without Public Works Director permission.</i></p>								
<p><i>Property line screening</i> OMC 17.74.060(d)</p>	<p><i>When commercial abuts multi-family, requirements is choice of sight-obscuring fence, berm w/landscaping, or a landscape screen of trees and shrubs.</i></p> <p><i>When commercial abuts house or duplex, the requirement is a sight-obscuring fence plus either a berm with landscaping or a landscape screen of trees and shrubs.</i></p>								
<p><i>Trash enclosure screening for containers larger than 96 gallons</i> OMC 17.74.070</p>	<p><i>6’-high, 100% sight-obscuring barrier, block wall or similar on 3 sides.</i></p>								
<p><i>Blank façade landscaping</i> OMC 17.74.080</p>	<p><i>Blank facades more than 20’ in height or 50’ in width must be landscaped with trees, trellises, and plantings to provide visual relief. Not required if blank façade is within 20’ of another building or otherwise not visible from the street.</i></p>								

4. 17.74 Landscaping and Screening was adopted in February 2020. This chapter was developed through discussions by the Planning Commission in 2018 (Jan. 16, Feb. 20, May 18, & Nov. 19) and 2019 (Jan. 23, May 20, & Aug. 19).
5. OMC 17.74 replaced previous landscaping requirement scattered among several OMC chapters, including 14.57 Landscaping (adopted 2009), which required Type III Street Frontage Landscaping with 1 tree and 4 shrubs for every 25' of street frontage for commercial developments, including remodels where the cost exceeded 25% of assessed value. At the time, we were trying to simplify and reduce conflicts, without necessarily making big changes to the actual requirements. With a few years of using the ordinance, it is appropriate to examine how well it is working and improve on it if possible.

**Attachments:**

- OMC 17.74 Landscaping and Screening

**Action:** The Planning Commission should provide direction to staff on street trees and landscaping.

## 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 facade landscaping.](#)

[17.74.090 Residential landscaping.](#)

[17.74.100 Landscape point values.](#)

[17.74.110 Approved, discouraged and prohibited plants.](#)

[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.
- (f) Reduce environmental impact. (Ord. 1547 § 6 (part), 2020).

#### **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:

**Table 1**

<b>Type of Landscaping</b>	<b>Subject Property Use</b>				
	<b>Individual Single-Family Houses or Duplexes</b>	<b>Residential Subdivisions</b>	<b>Multifamily Development (Triplex or Larger) and Manufactured Home Parks</b>	<b>Nonresidential Development</b>	<b>Development in Industrial Zones</b>
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 Facade	No	No	Yes	Yes	No
Residential	Yes	At time of construction of each house	Yes	No	No

(Ord. 1547 § 6 (part), 2020).

#### **17.74.030 General landscaping.**

Multifamily and nonresidential 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**

<b>Developed Area</b>	<b>Landscaping Points Required</b>
500—2,500 sq. ft.	25
2,501—5,000 sq. ft.	50
Over 5,000 sq. ft.	50 plus one point for each 200 sq. ft. of area over 5,000

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 Section [17.74.040](#). (Ord. 1547 § 6 (part), 2020).

#### **17.74.040 Parking lot landscaping.**

(a) Applicability. Parking lot landscaping is required for multifamily and nonresidential 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 ten 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 fifty feet of the trunk of a shade tree with a fifteen-foot 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. (Ord. 1547 § 6 (part), 2020).

**17.74.050 Street trees.**

- (a) Applicability. The provisions of this section shall apply to new developments, including multifamily development, residential subdivisions, and nonresidential projects except when located in industrial zones.
- (b) Developments adjacent to public streets shall provide one medium or large tree for each seventy-five 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 ten 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 Section [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.

- (g) Street trees may be counted toward the landscape points needed for a site. (Ord. 1547 § 6 (part), 2020).

**17.74.060 Property line screening.**

- (a) Applicability. Property line screening is required for subdivisions, multifamily development, manufactured home parks, and nonresidential projects in all zones.
- (b) Visual screening shall be installed along the adjoining property line in the following situations:
- (1) A nonresidential project abuts a multifamily 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 multifamily or nonresidential 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 subsections (d)(1) through (3) of this section. Full screening shall consist of subsection (d)(1) of this section plus at least one of subsections (d)(2) through (3) of this section.
- (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 ten points of landscaping for every twenty-five 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 thirty-five feet on center, with a maximum of seventy-five percent of the trees being deciduous;
    - (B) Evergreen shrubs shall comprise at least fifty percent of the plantings;
    - (C) A minimum of eighteen landscape points for every twenty-five 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. (Ord. 1547 § 6 (part), 2020).

**17.74.070 Trash enclosure screening.**

(a) Applicability. Trash enclosure screening is required for multifamily projects larger than four dwelling units and nonresidential projects utilizing trash containers larger than ninety-six gallons, except that trash enclosure screening is not required within industrial zones.

(b) Trash receptacles larger than ninety-six gallons shall be enclosed on all four sides by a six-foot-high, one hundred percent sight-obscuring barrier. Three sides of the enclosure shall be block wall or similar. (Ord. 1547 § 6 (part), 2020).

**17.74.080 Blank facade 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 building on the surrounding area. A blank facade within twenty feet of another building or otherwise not visible from a public street is not required to be screened. (Ord. 1547 § 6 (part), 2020).

**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 fifty percent of the front yard area shall be landscaped. Driveways and parking areas may be located in the remaining fifty percent 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. (Ord. 1547 § 6 (part), 2020).

**17.74.100 Landscape point values.**

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

**Table 3: Landscape Point Values**

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 (mature height > 60')	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 (mature height 25—60')	2"	7—8'	12	14
	1.5"	6—7'	10	12
Small tree (mature height <25')	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 or	1-gallon		1	n/a

perennial >12" tall			
Groundcover plant	1-gallon	1/2	n/a
	4" pot	1/4	n/a
Landscaped berm	30" height, 10' length, 3:1 slope	1 point per 5 lineal feet	n/a
Turf grass	n/a	1/4 per square yard	n/a
Basalt column		1/2 per cubic foot	
Boulder		1/2 per cubic foot	
Beautification committee approved red planter pot		Small = 15 points. 18 points with plants Medium = 19 points. 22 points with plants Large = 23 points. 26 points with plants	
Barrel with plants	2' minimum diameter	5	
Curbing		1 point per 10 lineal feet	
Original artwork/sculpture		1/10 per cubic foot	
Decorative rock groundcover		1 per 10 square yards	

(Ord. 1547 § 6 (part), 2020).

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

(a) General. 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, 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) Plants Discouraged from Use.

(1) Thorny plants in locations that tend to catch wind-blown trash, such as barberry.

(2) Plants that need significant maintenance to retain an attractive appearance, and are difficult to remove once established, such as yucca.

(3) Plants that are very large and hard to control, such as pampas grass. (Ord. 1547 § 6 (part), 2020).

**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, point calculations showing compliance with this chapter, and an irrigation plan detailing types of irrigation delivery and controller.

(b) A landscape plan shall be prepared by a person experienced in the selection and installation of plants. (Ord. 1547 § 6 (part), 2020).

**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. (Ord. 1547 § 6 (part), 2020).

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

- (a) Landscaping shall be primarily vegetative and consist of trees, shrubs, and groundcover. Nonliving natural features may also be incorporated.
- (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) Where turf grass is used, it 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. Mulch or vegetative ground covers 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. (Ord. 1547 § 6 (part), 2020).

**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) Other than for single-family homes, 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. (Ord. 1547 § 6 (part), 2020).

**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." (Ord. 1547 § 6 (part), 2020).



City of Othello  
Building and Planning Department  
May 2022

Building Permits			
	Applied	Issued	Final
Residential	14 <sup>1</sup>	11 <sup>4</sup>	13 <sup>7</sup>
Commercial	3 <sup>2</sup>	2 <sup>5</sup>	1 <sup>8</sup>
Industrial	0	2 <sup>6</sup>	0
Total	17	15	14

<sup>1</sup> 2 new residences, 1 residential foundation-only permit, 1 bedroom addition, 1 remodel, 6 reroof, 2 patio cover, 1 furnace replacement.  
<sup>2</sup> New pool at Othello Inn & Suites, remodel/addition carwash (251 E. Main), reroof First Baptist Church.  
<sup>4</sup> 2 new residences, 2 residential foundation-only permits, 3 reroof, 1 HVAC, 2 patio cover, 1 bedroom addition.  
<sup>5</sup> OSD food service container placement, ADA access ramp at The Lighthouse  
<sup>6</sup> SVZ building entryway, furnace change out 1246 S. Broadway  
<sup>7</sup> 7 new residences, 2 residence foundation-only permit, 1 HVAC, 3 roof,  
<sup>8</sup> Cow Path Bakery exhaust hood

#### Inspections

- The Inspector completed 134 inspections in May, including 7 rental inspections.

Land Use Permits		
Project	Actions in May	Status as of May 31
1 <sup>st</sup> Ave Filling Station SEPA review	Reviewed for completeness and content, issued Notice of Complete. Routed Notice of Application with optional MDNS, including developing list of mitigating conditions). Issued MDNS.	Appeal period for MDNS ends June 8.
Charan Short Plat	Reviewed for completeness, issued Notice of Complete. Routed Notice of Application. Reviewed for compliance with OMC.	Need to resolve alley dedication issue.
M. Gomez Boundary Line Adjustment (Matching lines with businesses at 724-728-740 E. Main St)	(BLA approved in April.) Answered questions from the application about the recording process.	Waiting for copy of recorded BLA
Ochoa Short Plat	No change (Deferrals heard at Aug. 2021 Planning Commission meeting.)	Waiting for proposed covenant language from applicant's attorney, as specified in PC recommendation.
Sand Hill Estates #4	Cultural Resources report received.	Street and utility construction must be completed or bonded for before final plat can be accepted for review.

Land Use Permits		
Project	Actions in May	Status as of May 31
	Coordinated with Dept of Archaeology & Historic Preservation and Colville Confederated Tribes.	
Story Rentals Short Plat (Ace Hardware)	Applicant is preparing for sidewalk construction.	Waiting for sidewalk improvements to be accepted and then final plat submittal.
Wahitis Short Plat	(History: May 2019 Plat approved. Dec. 2019 Scootney street/utility improvement plans approved by City. 5/26/20 USBR notified School District that it will be about a year before they have time to review it. Dec. 2021 OSD received paperwork releasing the USBR easement, but it had some errors that will need to be corrected by USBR.)	No change: Street improvements must be completed or bonded before accepting mylars for recording. USBR issues must be resolved before street improvements can proceed.

#### Rental Licensing & Inspection Program

- 1 new rental application for 1 unit was received in May.
- 7 sites with a total of 12 units were inspected in May.
- 1 site with 2 units was approved in May, 2 other sites with 4 units total are almost finished.
- 34 locations with a total of 56 units have been fully approved so far.
- There are currently 78 active applications for a total of 178 units in various stages of inspection and correction.
- In mid-May, we sent certified letters to 18 known landlords, giving them 30 days to get their licenses. These landlords have been notified several times, so the next steps will be tickets and fines through Code Enforcement.

#### Development Projects

- Cow Path Bakery landscape modifications reviewed by Council.

#### Housing

- Issued several permits for patio covers that increased total lot coverage to 37-38%. These covers were 10 or 12' deep by the width of the house. They would not have been allowed before last year's changes that increased lot coverage from the previous limit of 35%.

#### Municipal Code

- Provided comments to City Attorney on update to underground utility ordinance. Prepared agenda memo for Council.
- Discussed street trees as required by OMC 17.74 with Planning Commission, based on Council discussion related to Cow Path Bakery landscaping.

**Parks/Recreation**

- Reviewed staff's draft applications for Kiwanis spray park/lighting/trails and futsal, provided comments.
- Community Development Director has been appointed to the advisory committee for RCO Local Parks grants. Started review of the 65 applications in preparation for technical review in June.

**Transportation**

- Coordinated with Active Transportation Plan consultant on public engagement, discussed with Planning Commission.

**Training**

- Webinars: Dept of Commerce "Getting Started Implementing Your Housing Action Plan", "Tiny Homes and Appendix Q"

**Other**

- Gathered information for the recording of the deed for Tract A, Ashwood Notch Phase 4 (irrigation system).
- Attended Adams County virtual Planning Commission meeting. They are continuing discussions of updating their Industrial code, and are trying to keep it consistent with the requirements inside the city, for an easier transition as areas are annexed.
- Othello has been asked to participate in an EPA Climate Resiliency Pilot Project. Community Development Director and City Engineer had a virtual meeting with EPA and consultants.