



CITY OF OTHELLO PLANNING COMMISSION

**Regular Meeting
500 E. Main St.
March 20, 2023
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 February 21, 2023 Minutes p.3
4. Municipal Code Update – Landscaping – OMC 17.74 p.6
5. Municipal Code Update – Fences – OMC 14.36 p.19
6. Rental Housing Licensing Program Report – Year 2 p.26
7. February Building & Planning Department Report p.28
8. Upcoming Projects – Informational
 - a. Othello Housing Authority annexation (south of Taggares Park)
 - b. Ochoa annexation (east of 14th Ave, between Main & Lee)
 - c. Rezone request for R-4 north of Sand Hill Estates & request to include in MFTE area
 - d. **April 17:** Possible public hearings for Landscaping code and Fence code
9. Old Business
 - a. Housing – We should look at further implementation possibilities from the [Housing Action Plan](#) (see attached) p.32
 - b. [Active Transportation Plan](#) – Council adopted 3-13-2023
 - c. Increase Planning Commission membership –Council approved 3-13-23. Candidates should submit letter of interest
 - d. Traffic Safety – Painting curbs at traffic circles: Public Works will schedule painting when time and weather permit
 - e. Columbia Street Local Improvement District (LID) – Nothing to report

- f. Subdivision Update – OMC Title 16 – This should be the next big project for the Commission
- g. Zoning Update – Home Occupations – OMC 17.59 – We will come back to this as time allows

Next Regular Meeting is Monday, April 17, 2023 at 6:00 PM

Remote Meeting Instructions:

Join Zoom Meeting

<https://us06web.zoom.us/j/81894213261?pwd=MjMwZ01Ubmdaai8xdlFua0dvd3dMUT09>

Meeting ID: 818 9421 3261

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City of Othello
Planning Commission
February 21, 2023
Zuleica Morfin

CALL TO ORDER

Chair Chris Dorow called the meeting to order at 6:06 pm.

ROLL CALL

Commissioners Present: Chair Chris Dorow, Kevin Gilbert, Alma Carmona, and Daniela Voorhies (remote)

Absent: Brian Gentry

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

Attendees: Bob Carlson, Councilmember John Lallas, Councilmember Danae Valdez

This was a hybrid meeting with Zoom available for remote attendees.

ELECTION OF CHAIR & VICE CHAIR

Alma Carmona nominated Chris Dorow to continue as Chair, seconded by Kevin Gilbert. No other nominations. Approved unanimously.

Chair Dorow nominated Alma Carmona to continue as Vice Chair, seconded by Kevin Gilbert. No other nominations. Approved unanimously.

MINUTES APPROVAL

January 17, 2023 minutes approved, M/S Carmona/Gilbert.

ACTIVE TRANSPORTATION PLAN – PUBLIC HEARING & RECOMMENDATION TO CITY COUNCIL

Through a planning grant from QuadCo (our Regional Transportation Planning Organization, consisting of Adams, Grant, Lincoln, and Kittitas Counties), the City hired SCJ Alliance as a consultant to prepare an Active Transportation Plan. Having this plan in place to address non-motorized transportation will be beneficial when we apply for grants, as well as provide direction when projects are being done. The plan primarily addresses walking and biking, although it is relevant to other ways to get around, such as wheelchairs, scooters, skateboards, etc. that would use the same facilities. This plan was drafted to fit with other planning documents and ordinances, such as the Parks Plan and Complete Streets ordinance.

The Commission has been reviewing the draft plan as it has taken shape. There have also been several opportunities for public input as the plan has been developed, including a survey with over 200 responses, an in-person event to gather comments, and a mailer with a summary of the draft plan. We are now at the point of holding a public hearing to take any additional input.

Prior to the hearing, 3 comments were received: 1) Debbie Hamm commented in support of active transportation but with concerns about pedestrian hazards from driver behavior and the need for more enforcement. 2) Shirley McCullough commented on the need for sidewalks on the east side of 14th Avenue from Main Street to CBHA. She said she sees many people walking on this side of the street, even though there are sidewalks on the west side. (This is addressed in the plan by designating 14th Avenue as a Priority 1 Pedestrian Route). 3) WA State Department of Transportation (WSDOT) provided extensive comments.

Staff and the consultant prepared a response to the WSDOT comments, including proposed changes to the Plan.

Commissioners discussed the responses to WSDOT. They agreed with staff that none of the proposed facilities are purely recreational or purely transportation, so without a need to classify them one way or the other, the best strategy would be to fit to whatever funding is available in the future.

Commissioners discussed whether the Strava map is more confusing than helpful. They noted there seemed to be a lot of walking in circles around soccer fields. They asked how much data it is based on. Ms. Henning said it was about 400 users in the county as a whole. The data is not broken down finer than that. And it only captures data from people who chose to use that particular app. So it is biased toward where those people happen to live and choose to walk/run/bike. The Commission decided it would be better to just delete the Strava map, since it raises more questions than it answers.

The Commissioners liked the one-page summary of the plan that was sent with utility bills.

Chair Chris Dorow opened the public hearing at 6:44. There was no public testimony, so he closed the testimony portion of the hearing at 6:45.

Chair Dorow said he had talked to Debbie Hamm about her safety concerns.

Commissioners agreed with staff's responses to WSDOT. Chair Dorow closed the public hearing at 6:50.

Motion approved to recommend the Active Transportation Plan to the City Council with changes as stated to address the WSDOT comments. M/S Carmona/Gilbert.

COLUMBIA STREET LOCAL IMPROVEMENT DISTRICTS - DISCUSSION

At the January meeting, the Commission asked staff to bring information about a possible LID (Local Improvement District) to complete the Columbia Street improvements, in an effort to stimulate development of the area. An LID would create a city construction project, paid for with a bond, that the benefiting property owners would pay back over time.

Ms. Henning explained that she reached out to the owners of the western property, since she has interacted with them in the past as they have considered what to do with their property, but after several emails and attempts to arrange a phone call to discuss, she has concluded that they are not interested at this time.

Commissioner Kevin Gilbert said he knew someone who might be interested in developing in the area.

LANDSCAPING – OMC 17.74 - DISCUSSION

In Summer 2022, the Commission reviewed the street tree requirements of OMC 17.74, especially related to Main Street and commercial remodels, at the direction of the Council. The consensus of the Commission was to require trees but not necessarily along the street, for new non-residential projects, and to not require trees for remodels and additions.

The other aspect of the landscape code the Commission has been discussing is that the current system where landscaping for a single family home can be deferred until a year after the Certificate of Occupancy is not working well, and requires a lot of enforcement follow up to get compliance. The Commission has

previously given direction to draft changes which would require landscaping before the project is finished, which would make single family homes treated the same as other projects under the landscape code.

At the October 3, 2022 Council meeting, there was discussion about discouraging or prohibiting the use of lawns and encouraging more water-wise landscaping/desertscapes. However, the City has been putting in and requiring developers to build a separate system for irrigation water, so that water is available for landscaping without using drinking water, since canal water is readily available. Residential landscaping is beneficial to a neighborhood by providing shade and reducing summertime temperature, as explained in the Oct. 6, 2022 Spokesman-Review article "Where You Live in Spokane Can Mean the Difference Between a Warm Day or an Unbearably Hot One, Gonzaga Study Confirms."

Councilmember John Lallas stated he felt like this issue has been discussed enough and the code should stay the way it is. We have a Code Enforcement Officer to deal with homes that haven't installed landscaping. Chair Dorow pointed out that Council has asked the Commission to provide a recommendation to fix the commercial street tree issue, so while they are doing that, they will also address residential timing, since that has been a persistent issue. He also mentioned that code enforcement has not been very effective for landscaping due to staff workload.

Councilmember Danae Valdez mentioned that a first-time buyer often will not have money for extras, and they don't know how to put in a sprinkler system. Based on her experience as a banker, she agreed that \$5000-8000 more might make some buyers fail to qualify. On the other hand, if they knew they were required to put in landscaping, they might make different choices and opt for landscape installation rather than granite countertops.

Chair Dorow mentioned that new home buyers haven't had a say in the standards, but that developers did. Since that time, several Commissioners have purchased homes and gotten first-hand experience of the process, which has provided new insight to the other Commissioners.

Staff will bring a summary of past discussions to the next meeting.

ACCESSORY DWELLING UNITS (ADUS)

Chair Dorow mentioned that the Council has directed the Planning Commission not to look at revisions to the ADU ordinance at this time. Councilmember John Lallas mentioned that he saw a 2-bedroom AARP ADU in Olympia that was top-of-the-line. It is on wheels and costs about \$150,000. They are being built in Oregon.

TRAFFIC SAFETY

Commissioners mentioned that cars going around the traffic circles tend to veer into the pedestrian area, and also that cars tend to park too close to the intersections. They wondered if seasonal Public Works employees could paint the curbs at the circles. There had also been a church that had been considering volunteering to paint curbs.

PLANNING COMMISSION MEMBERSHIP

Vice-Chair Carmona is going to do a presentation to the Council Feb. 27 about expanding Commission membership from 5 to 7 to allow more voices to be heard.

MULTI-FAMILY TAX EXEMPTION

Commissioners asked for the MFTE flyer to be shared on the City Facebook page, so that they could share it with their networks.

ADJOURNMENT

The meeting was adjourned at 8:00 pm. Next regular meeting is Tuesday, March 20, 2023.

Chris Dorow, Chair

Zuleica Morfin, Building and Planning Secretary

Date: _____

Date: _____

TO: Planning Commission

FROM: Anne Henning, Community Development Director

MEETING: March 20, 2023

SUBJECT: Landscaping – OMC 17.74 - Discussion

Over the course of the May, June, and August 2022 meetings, the Commission reviewed the street tree requirement in OMC 17.74, especially related to Main Street and commercial remodels, at the direction of the Council. The consensus of the Commission was to require trees but not necessarily street trees, for new non-residential projects, and to not require trees for remodels and additions.

The other aspect of the landscape code the Commission discussed is that the current system where landscaping for a single family home can be deferred until a year after the Certificate of Occupancy is not working well, and they gave direction to draft changes which would require landscaping before the project is finished for all projects, including single family residential.

Staff Comments

1. Front yard landscaping has been a continuing issue due to the time that would be needed to follow up and enforce landscape installation. Using a city drone video from Nov. 2022, staff counted 13 of the 60 lots on Mt. Adams did not have landscaped front yards. At that point, all were at least 1 year past C of O, with 1 house at 13 months past, 4 houses at 14-18 months, 5 at 19-24 months, and 3 at more than 25-28 months. A quick drive through on March 16 confirmed that at least 12 still have not been landscaped. Two of these have some amount of curbing or rock, but still mostly bare dirt in the front yard. Both are now 2 years past C of O.
2. Only 5 of the houses on Mt. Baker have had more than a year since C of O, so staff did not spend the time to identify which lots those were and determine whether landscaping had been installed.
3. The attached draft of changes to the landscape chapter is provided for review before scheduling a public hearing. It reflects the Planning Commission direction from summer 2022. This is the same draft that was included for last month's meeting.
4. At the August 2022 meeting, the Commission discussed previous objections to requiring landscaping before Certificate of Occupancy, including:

Objection	Commission Response
Including the cost of landscaping in the cost of the home will add to the size of the mortgage payment.	Chair Dorow stated he had discussed this with a banker, who said the increase in payment would be very small.
Including the landscaping in the cost of the home may keep some borrowers from qualifying for a loan.	The Commission felt people who barely qualify are likely to also have trouble coming up with the funds to install landscaping in their first year as homeowners with all the other new expenses.
There are no businesses in Othello that can do landscape installation.	The Commission felt that if there were a demand for this service, it would create an opportunity for a new business to start.

5. There has been considerable time spent on this issue. Here is a timeline of changes and discussion related to residential landscaping, from initial discussion to present:

Date	Body	Action
1-16-18	PC	Initial discussion of existing ordinances at the time (OMC 14.57, Ord. 1298, adopted 2009; and OMC 17.75, Ord. 948, adopted 1995) and what should be changed. Ordinances were not being followed, were very inflexible, and it was unclear how the two ordinances were supposed to interact.
2-20-18	PC	Reviewed draft of new Landscape ordinance with Beautification Committee representatives.
5-14-18	CC	Agenda memo that there hasn't been a formal follow-up program for single family landscaping since there hadn't been all that many residences constructed in a year, and compliance had previously been pretty good. Recently, there has been more construction, and compliance has been decreasing at the same time. Code Enforcement is a slow and time-consuming process. Proposal that developer be required to install landscaping, and direction requested from Council on what front yard landscaping should entail. Council directed that PC should hold a public hearing to get input on landscaping.
5-21-18	PC	Report that the Council is concerned about residential landscaping. Residences that have had a C of O for a year or longer are supposed to have landscaping. Council would like PC to discuss landscape requirements.
6-18-18	PC	Discussion of parking ordinance, more important to have off-street parking than to have a minimum area of the front yard landscaped.
11-19-18	PC	PC discussion w/Lynette Caruthers of Othello Beautification Committee. Drought-tolerant landscaping encouraged. Discussed not requiring street trees for redevelopment. Discussion of how to assign points for various improvements.
1-22-19	PC	Discussion of draft Landscape ordinance. Staff report and minutes do not reflect any discussion of residential landscape timing.
5-20-19	PC	Review of draft Zoning Update, including new Landscape chapter. The minutes do not note any discussion of timing of single family landscape installation.
6-17-19	PC	Public hearing on Zoning Update. Pete Olsen testified against the requirement to install front yard landscaping before C of O, due to impact on affordable housing. PC changed the proposed code to remove the requirement for single family landscaping before C of O.
7-22-19	CC/PC	Joint study session on Zoning Update.
8-19-19	PC	Review of various aspects of Zoning code update after study session w/CC. There are other cities with the same 1-year requirement. No change (1 year from C of O for single family to install)
8-27-19	PC	Continued review of various aspects of Zoning code update after study session w/CC. Discussed leaving as previously recommended (1 year from C of O for single family to install)
9-9-19	CC/PC	Joint study session. Minutes do not capture the discussion. Packet includes staff summary of issues to be discussed, including that after much discussion, PC recommends keeping current standard of allowing 1 year for single family landscape installation.

Date	Body	Action
9-23-19	CC	Two Councilmembers absent so deferred discussion to next meeting.
10-7-19	CC	Agenda memo states the timing of landscape installation was one of the unresolved issues remaining on the zoning code update. Minutes do not reflect the outcome. Landscaping issues from the recording, from minute 50 to 56: Dust, adding \$2-3000 to loan may cause failure to qualify, want Othello to look nice, owner may not take care of landscaping even if installed. Only 3 lots out of compliance at this point. Councilmembers present were split 3-3 on whether to require developer to install.
10-21-19	PC	Review of platting standards, specifically street trees. PC agreed to leave landscaping as it is, 1 year from C of O for single family to install.
11-12-19 to 1-27-20	CC	11-12-19, 11-25-19, 12-9-19, 1-6-20, 1-27-20 Continued Public Hearing on Zoning Code Update, City-wide Rezones, Comprehensive Plan. Agenda memo & minutes do not reflect any discussion of landscaping.
2-10-20	CC	Adopted updated Zoning code, including 17.74 Landscaping, which continues the past practice of allowing 1 year from C of O for landscaping.
8-17-20	PC	Discussion of single family landscaping, difficulty in enforcing, triggered by homeowners paving their entire front yard instead of landscaping. Staff provided summary of 24 Eastern WA cities. Discussion of requiring a bond. Neighborhoods are not getting street trees because it is up to the homeowner to plant them.
9-21-20	PC	Discussion of requiring landscaping before C of O for single family. Angel Garza commented that Palos Verdes lots are all landscaped. He follows up with the homeowner at 1 year and reminds them of landscaping if needed. He felt allowing the homeowner to put in the landscaping lets them take pride in it and save money by doing it themselves or by finding deals for each component. He also said that interest rates were low which allowed more people to qualify for loans. He felt adding \$5000 to the loan to pay for landscaping and irrigation would mean fewer people would qualify. He asked for the code to remain the same for another year as a trial. He suggested the city should keep track of the closing date, send a letter to the homeowner at 9 months, and a letter and phone call at one year.
9-23-20	PC	Continued discussion of requiring landscaping before C of O for single family. Builder would likely just install the basics: 5 sprinklers and grass seed, and then owner is unlikely to change it. Discussion of whether there are local businesses who can do the work. Discussion of cost for code enforcement. Discussion of the need to grade the site, since the builder has suitable equipment but a homeowner wouldn't. Some sites don't have topsoil. Tabled so that further thought could be put in.
1-19-21	PC	Commissioners asked to have "old business" section added to the agenda to keep track of issues like landscaping that have been bumped from consideration by more pressing issues.
3-15-21	PC	Discussed Subdivision code. Direction that OMC 16.29.280 Tree Planting should be removed and incorporated into the on-going revisions to the landscape chapter.
6-21-21	PC	Commission considered dropping residential landscape timing from old business but kept it because landscaping has been a problem. PC requested

Date	Body	Action
		an update on the issues.
6-20-22	PC	Mostly a discussion of commercial/street trees, but mention that residential areas should have street trees. Discussion that a new homeowner is unlikely to be able to come up with the money to install landscaping in the first year. Commission asked for info about other cities, and requested input from builders and the Beautification Committee.
8-15-22	PC	Staff provided compilation from 2020 of when other cities require residential landscaping to be installed. Discussion of previous objections from developers: 1. Cost can be included in the home loan. If someone is barely qualifying, they probably won't be able to find the money to install a yard. 2. No local landscaping businesses. PC felt having the requirement would create an opportunity for new businesses. PC felt they have tried it the way developers asked, allowing 1 year after C of O, and it has not worked well. Therefore, they will propose that the developer be required to install the landscaping.
2-21-23	PC	Discussion of Code Enforcement workload, the tradeoffs that a new buyer might choose if they had to budget for landscaping when buying a house, and the lack of input by new homeowners when the current code was adopted.

6. At the May and June 2022 meetings, the Planning Commission expressed a desire to simplify the landscape requirements. So far, we have not really made much progress on simplifying the code, other than to propose loosening the placement of trees and eliminating the single family timing exception. The Commission should consider if the code structure is too complicated and what could be done to reduce the complexity, or if it is sufficient for now with the changes that have been proposed and can maybe be revisited again in a few years.
7. At the October 3, 2022 Council meeting, there was discussion about discouraging or prohibiting the use of lawns and encouraging more water-wise landscaping/desertscapes. However, the City has been putting in and requiring developers to build a separate system for irrigation water, so that water is available for landscaping without using drinking water, since canal water is readily available. Additionally, less landscaping in a neighborhood would raise the summertime temperature by having more hard surfaces and less shade, as was discussed in the Oct. 8, 2022 Spokesman-Review article "Where you live in Spokane can mean the difference between a warm day or an unbearably hot one, Gonzaga study confirms" (See p.54 of the Oct. 17, 2022 Planning Commission [packet](#).)

Attachments:

- OMC 17.74 Landscaping and Screening, with draft changes

Action: The Planning Commission should discuss and provide direction on any further changes to the landscape code, and whether to schedule a public hearing.

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

Type of Landscaping	Subject Property Use				
	Individual Single-Family Houses or Duplexes	Residential Subdivisions	Multifamily Development (Triplex or Larger) and Manufactured Home Parks	Nonresidential Development	Development in Industrial Zones
General	No	No	Yes	Yes	No
Parking Lot	No	No	Yes	Yes	No
Street Trees	No	Yes	Yes	Yes <small>for new development</small> <small>No for remodels and additions</small>	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

Developed Area	Landscaping Points Required
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 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 are encouraged to 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. For non-residential projects, trees are not required to be planted along the street when another location on the lot provides a better site design. Residential subdivisions are required to provide the required trees along the street frontages.
- (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
<u>*Points for a tree are increased by 25% if planted within 10' of a street right-of-way line</u>				
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 perennial >12" tall	1-gallon		1	n/a
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	

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
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).

TO: Planning Commission

FROM: Anne Henning, Community Development Director

MEETING: March 20, 2023

SUBJECT: Municipal Code Update - Fences – OMC 14.36, 17.30.100, 17.40.090 17.56.040

As discussed at the August and October 2022 Planning Commission meetings, the residential fence code dates to 1979 and 2003, with a minor addition in the 2020 Zoning update to address location along alleys. Also in 2020, fencing provisions were added for Commercial and Industrial Zones. Organizational changes caused us to look at our fence permit regulations and start the process to update the code.

Staff Comments

1. The attached version of OMC 14.36 has proposed changes based on the discussion of the August draft at the October 2022 meeting:
 - a. Following past practice in Othello as well as in the majority of cities reviewed, to not allow fences within right-of-way. 14.36.030(c)
 - b. Deviations to the standards will continue to be reviewed by the Planning Commission, to avoid having to charge \$1000 for Hearing Examiner review, but a fee of \$225 is proposed to cover the cost of obtaining legal advice from the City Attorney when necessary.
 - c. Several changes were added after discussion of the comments of the Code Enforcement Officer:
 - i. A simple inspection to verify that the fence was generally built as proposed, with no protrusions, etc. but not verifying the property lines. (
 - ii. A fee should be set by Council, to cover staff time for review and inspection.
 - iii. Change infractions from \$1000 per day to just one ticket since it is not feasible to write daily tickets. A \$1000 ticket is sufficient to get action on addressing the violation.
 - iv. Clarification that “wire fence” means chain link and should not be allowed in residential neighborhoods.
 - v. The language in 14.36.100 was problematic where it appeared to deem all existing fences as public nuisances. The draft adds some language to clarify that it only applies to existing fences that don’t comply.
2. Commissioners liked the examples from the Ellensburg Municipal Code (15.32.120) which included photos of examples of what they did and didn’t want to see for fence design. Do we want to try to incorporate local pictures of good examples, or is fencing simple enough that photos are not necessary?
3. Most of the language discussed from Moses Lake Municipal Code 12.28 was related to fences in right-of-way, which the Commission decided not to allow, but the draft does include additional statements about the installer being responsible for locating property lines, inspired by Moses Lake Municipal Code 12.28.020 Fence Locations.
4. Since fences will not be allowed within right-of-way, sight distance standards are of less concern than when this topic was previously discussed. A reference to the sight distance standards of OMC 17.56.040 has been added.
5. The few changes proposed to the fence provisions in Commercial and Industrial Zones were discussed without concern in August:

Attachments

- Draft update to OMC 14.36 Fences, Walls, and Hedges
- Sketch showing where a fence taller than 3' is not allowed
- Other relevant code sections:
 - OMC 17.30.100 Fences and Walls (Commercial Zones), with suggested changes
 - OMC 17.40.090 Fences and Walls (Industrial Zones), with suggested changes
 - OMC 17.56.040 Vision Clearance at Intersections

Action: The Planning Commission should discuss and provide direction on any further changes to the fence code, and whether to schedule a public hearing.

Chapter 14.36

FENCES, WALLS AND HEDGES

Sections:

- 14.36.010 Definitions.
- 14.36.020 Applicability.
- 14.36.025 Inspection**
- 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, wrought iron 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.

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

(b) A fence permit is required prior to construction of a fence. A permit application, site plan, and fee of \$ [REDACTED] shall be submitted to the Building & Planning Department for review and approval.

(c) A hedge must comply with the height limitations in relation to streets and alleys but does not require a permit.

14.36.025 Inspection.

(a) The permit requires a final inspection to verify that the fence was constructed generally as approved.

(b) The City shall not be responsible for verifying location of property lines. It is the responsibility of the person installing the fence or wall, or planting the hedge, to locate the property lines and ensure the fence, wall, or hedge is on the applicant's property.

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 and side street property lines (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. ~~Fences shall not be allowed within 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 fencee shall be considered a public nuisance.~~

(d) Driver Visibility. Sight distance standards in OMC 17.56.040 must be met for all fences, walls, and hedges. 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 similar in appearance, or grown as hedges. All construction is to be done in such manner as to leave no sharp or protruding ends, barbs or projections. Chain link or wire fencing shall not be allowed. 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). (Swimming pool fences are regulated by the International Pool and Spa Code, and are addressed through the required building permit for the pool).~~

14.36.080 Rear yard access.

Every fence built along or near 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 property owner shall submit written request addressing the criteria

below, along with a fee of \$225. 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.

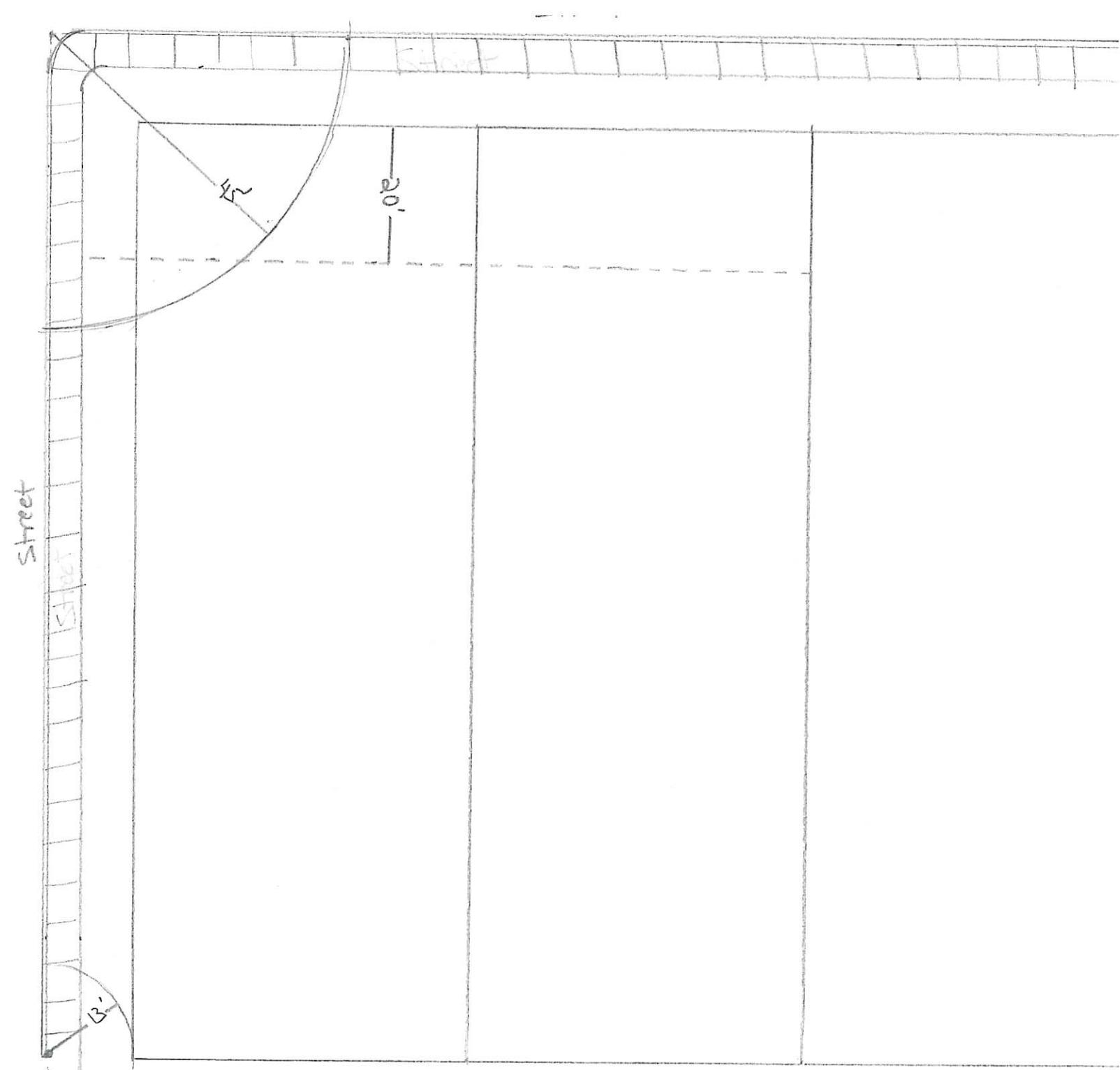
All existing fences that do not comply with the provisions of this chapter and new fences hereafter erected in violation of the provisions of this chapter are public nuisances. Such fences are subject to being abated by any means permitted by this code or state law. (Ord. 1152 § 1 (part), 2003; Ord. 586 § 11, 1979).

14.36.110 Nuisance—Abatement.

Whenever any fence has become a public nuisance, as herein defined, the code enforcement officer or 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 alteration 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 code enforcement officer or 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 code enforcement officer or 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).



Alley

OMC 17.30 Commercial Zones

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. Prior to construction or installation, all fences and walls will require a fence permit ~~to be issued by public works~~ and/or a building permit issued by the building and planning department. 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. A fence enclosing property may be required to have a gate with an approved lock box or lock installed for emergency vehicle access (Ord. 1547 § 4 (part), 2020).

OMC 17.40 Industrial Zones

17.40.090 Fences and walls.

Fences and walls not exceeding eight feet in height may be permitted subject to the requirements of this section. Prior to construction or installation, all fences and walls will require a fence permit ~~to be issued by public works~~ and/or a building permit issued by the building and planning department. 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. A fence enclosing property may be required to have a gate with an approved lock box or lock installed for emergency vehicle access (Ord. 1547 § 5 (part), 2020).

OMC 17.56 General Provisions

17.56.040 Vision clearance at intersections.

In all residentially zoned areas, no fence, wall, structure of any kind, bush or foliage, shall be erected or placed or be allowed to grow or to be maintained at a height of over three and one-half feet above the established top of any curb grade on any public or privately owned land within an area having a direct base line as follows:

- (a) Street Intersections. Intersecting two street lines at points twenty-five feet from the intersection of such street lines or such street lines produced;
- (b) Alley Entrances. Intersecting the street and alley line at points twenty feet from the intersection of such street and alley lines or such street and alley lines produced. (Ord. 948 § 2 (part), 1995).

City of Othello
Building and Planning Department
Annual Rental Licensing & Inspection Report
March 2022-February 2023

The Rental Housing Safety Inspection Program was adopted by the City Council on Feb. 8, 2021 (Ord. 1562) and codified as OMC 4.40. We have just completed the second full year of the program.

Rental License & Applications				
	As of Feb. 28, 2023		As of Feb. 28, 2022	
Status	Locations	Total units	Locations	Total units
Fully approved	78	134	28	51
Active applications (corrections needed)	76	168	44	119
Total applications	154	302	72	170

Inspections:

- In the second year of the program, we documented 130 inspections. We had the Permit Trax system for the whole year, so were better able to track inspections than in the first year, where we formally documented 83 rental inspections.
- Very few units pass on the first inspection. Many units need only simple corrections like smoke alarms, GFIC outlets next to sinks, seismic straps for water heaters, etc. While these corrections are simple, they are also easy for a landlord to put off if it weren't for the requirement of an inspection. We are working to improve our system to get better follow-up.
- More difficult issues that have been successfully addressed in the past year include a ceiling leak and multiple sites with mold. One unit was lacking a cooking range.

Enforcement:

- In March 2022, we re-notified 29 known landlords to get their licenses. After several rounds of letters, a total of 17 of these complied and 2 were identified as no longer owning rentals. The remaining 10 landlords will be notified of the next steps of tickets and fines.
- In July 2022, we sent letters to 20 landlords who had applied for rental licenses but had not scheduled inspections yet, or who failed the initial inspection and hadn't called for reinspection. We were able to get many of these completed in July and August 2022.

- In late January 2023, we again sent letters to landlords who needed to follow up with inspections, 28 in this batch. All but 7 are making progress toward completing their corrections and getting licensed. These 7 landlords own 24 sites with 54 units. We will take the next enforcement step with them soon.
- We have started to compile another list of landlords who have not applied, as we notice rentals that are not in the system. We will do another round of notice letters soon.

City of Othello
Building and Planning Department
February 2023

Building Permits			
	Applied	Issued	Final
Residential	8 ¹	8 ⁴	7 ⁷
Commercial	7 ²	4 ⁵	2 ⁸
Industrial	0	0	1 ⁹
Total	15	12	10

¹ 2 single family, 2 additions, 1 remodel, 2 reroof, 1 replace furnace
² Othello Hospital Ambulance Station, demo of ambulance shelter, remodel concession stand/announcer booth at Lions Park, addition to equipment shelter at TeePee Septic, 2 boiler replacements (Othello High School & Othello Hospital), replace drain at Lep-Re-Kon

⁴ 3 single family, 1 interior remodel, 1 addition (bed/bath), 2 reroof, 1 replace furnace
⁵ Emmanuel Church remodel dining hall & kitchen, 2 boiler replacements (Othello High School & Othello Hospital), replace drain at Lep-Re-Kon

⁷ 6 single family, 1 remodel dentist office into 2 apartments
⁸ HVAC at TeePee Septic, replace drain at Lep-Re-Kon
⁹ Replace roof & floor, remodel for bean shipping & receiving at 1205 S. Broadway

Inspections

- The Inspector completed 131 inspections in February, including 25 rental inspection.

Land Use Permits		
Project	Actions in February	Status as of February 28
Active Transportation Plan	Planning Commission & Council public hearings	Consultant making updates based on comments received.
Ambulance Facility SEPA review	Application submitted. Notice of Incomplete issued. Additional information received. Notice of Complete issued. Notice of application routed & posted	Comment period ends March 14.
Charan Short Plat	Nothing new (Prelim plat approved in June, owner put on hold in Sept, heard from potential new contractor in Jan)	Next steps will be sidewalk and final plat.
M. Gomez Boundary Line Adjustment (Matching lines with businesses at 724-728-740 E. Main St)	No change (BLA approved in April 2022)	Waiting for copy of recorded BLA
Ochoa Annexation (E of 14 th , Main to Lee)	Notice of Intent submitted but not complete.	Consultant working on clearing up legal description.

Land Use Permits		
Project	Actions in February	Status as of February 28
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 Final Plat	Recorded mylars received.	Project completed.
Sand Hill Estates #5 preliminary plat	No change (Preliminary plat approved Jan. 2023)	Waiting for street and utility improvements plans to be submitted to Engineering for review
Story Rentals Final Plat (Ace Hardware)	Applicant asked status, so re-sent the Notice of Incomplete from January. Most of the remaining documents received in February.	Waiting for one last item to make the application complete.
Wahitis Short Plat	No change (Received notice from School District Jan 2023 that USBR has formally released the easement that has been holding up this project.)	Need to schedule a meeting to discuss the next steps. Street improvements must be completed or guaranteed before accepting mylars for recording.

Rental Licensing & Inspection Program

- No new rental applications were submitted in February.
- 9 sites with a total of 16 units were approved in February.
- There were 25 rental inspections in February. Due to a combination of letters and phone calls in February, we were able to get a lot of inspections scheduled in February, with additional upcoming in March.
- 79 locations with a total of 134 units have been fully approved so far.
- There are currently 76 active applications for a total of 168 units in various stages of inspection and correction. These 76 sites are owned by a total of 28 landlords, with 21 actively moving toward compliance and 7 nonresponsive to the Jan. 27 enforcement letter.
- The Rental Housing and Safety Inspection Program requires the landlord to notify the tenants about the inspection. We created a simple form as a courtesy last year, for the landlords to use if they want. This month, we looked at the form again. Deputy City Clerk Yvonne Hernandez provided a number of suggestions to improve and simplify the [form](#), then translated into Spanish.

Development Projects

- Provided information to development team working on land being purchased from the Port south of Hwy 26.
- Tried to coordinate with the owners of the property between Hwy 26 and Columbia Street, about possible Local Improvement District and to try to learn what other barriers to development they are encountering. Set up several calls but unable to connect.
- Adams County evidence building (at Sheriff's office) pre-application meeting about the proposed short plat. Right-of-way dedication is complicated due to the location, and with new development proposed to the east, that changes the evaluation of how soon street and utility improvements will be needed.

- City Engineer and Community Development Director attended pre-application meeting with Othello Housing Authority, Office of Rural & Farmworker Housing, Adams County Water District #1, Adams County Public Works, Adams County Building & Planning, and the architectural/engineering team about a proposed apartment complex. The site is currently outside city limits but will be asking for city water and services. Since it abuts city limits (at Taggares Park), it must annex, per Resolution 2010-34. Annexation form provided.

Municipal Code

- Planning Commission discussed proposed changes they had been working on to OMC 17.74, Landscaping, related to Street Trees and timing of installation of landscaping for single family homes. They will continue to discuss this at their March meeting.

Housing

- With consultant's help, finalized the forms we will need for the Multi-Family Tax Exemption program.
- Worked with consultant to create [MFTE flyer](#). Front office staff helped make it simpler and more understandable. [Translation](#) by Deputy Clerk Yvonne Hernandez.
- Commerce is holding quarterly Zoom meetings with MFTE administrators to provide news and share successful implementation measures. The first meeting was this month.

Transportation

- Planning Commission and City Council held public hearings on the Active Transportation Plan.
- WSDOT sent extensive comments on the Active Transportation Plan. Staff and consultant prepared responses, which were reviewed by the Planning Commission. Some changes to Plan needed. WSDOT stated all their concerns were addressed by city's comments.
- With City Engineer and consultant's help, drafted Title VI (non-discrimination) and ADA statements to include in the Plan. Deputy Clerk Yvonne Hernandez translated.
- Consultant will update the Plan as stated in the response to WSDOT, for final adoption in March.
- Planning Commission recommended adoption of the plan with the changes as proposed. Council did not direct any changes other than those addressing the WSDOT comments.

Website

- Posted summary flyer (in English & Spanish) on the [MFTE webpage](#).

Training

- Building Inspector attended the annual International Code Conference 5-day training. He said his most challenging course was Structural Engineering.
- Attended a Zoom meeting of a Youth in Planning Task Force, to get some ideas for the visit by the OHS seniors as well as learn more about how to involve youth in planning for the city's future, especially the upcoming update of the Comprehensive Plan.
- Webinar: Addressing Rural Housing and Homelessness.

Other

- Participated in staff discussion about upcoming grants to apply for.
- 5 seniors from Othello High School visited City Hall and spent about half an hour with each Department Head learning about their department.
- Participated in discussions of personnel policies, based on the work department heads did on revising the policies last year.
- Participated in interview panel for Public Works Sewer Lead.

Exhibit 5. Matrix of Strategies and Relationship to Housing Objectives

		Housing Action Plan Objectives			
Strategy		1. Make it Easier to Build Affordable Ownership and Rental Housing	2. Increase Housing Variety and Choice	3. Ensure Opportunities for Families with Children	4. Promote Housing for Agricultural Workers
1. Revising Zoning and Building Standards					
1.1	Coordinate future upzoning in areas likely to experience redevelopment	✓	✓	✓	✓
1.2	Modify setback, lot coverage, and landscaping standards for site design	✓	✓	✓	
1.3	Require minimum residential densities for development	✓		✓	
1.4	Add provisions for ADUs or smaller lot homes in some residential zones	Partial	✓	✓	✓
1.5	Adopt design standards or guidelines		✓		
1.6	Remove extra lot area requirements in the R-4 zone	Completed	✓	✓	✓
1.7	Continue with long-term planning for annexation and infrastructure extension	✓	✓	✓	✓
2. Parking and Transportation Standards					
2.1	Review off-street parking requirements	✓	✓		✓
2.2	Encourage or require alley-accessed, rear, or shared parking	✓	✓		
2.3	Reduce neighborhood street width requirements	Partial	✓	✓	
3. Affordable Housing Incentives or Investments					
3.1	Offer density bonuses for affordable housing	✓	✓	✓	✓
3.2	Offer alternative development standards for affordable housing	✓	✓	✓	✓
3.3	Offer fee waivers for affordable housing	✓	✓	✓	✓
3.4	Explore the use of a Multifamily Tax Exemption (MFTEx) program for affordable housing.	Completed	✓	✓	✓
4. Process Improvements					
4.1	Streamline permit review	✓	✓	✓	