



City of Othello
Washington
Ordinance No. 1547

**AN ORDINANCE OF THE CITY OF OTHELLO
AMENDING THE ZONING CODE BY REPEALING CERTAIN EXISTING OTHELLO
MUNICIPAL CODE CHAPTERS IN TITLE 17 “ZONING” AND CREATING NEW
OTHELLO MUNICIPAL CODE CHAPTERS WITHIN TITLE 17 “ZONING”**

**THE CITY COUNCIL OF THE CITY OF OTHELLO, WASHINGTON ORDAINS AS
FOLLOWS:**

Section 1. Repeal. The following Othello Municipal Code sections and chapters are repealed in their entirety:

- Section 17.05.060 titled “Unmentioned uses”
- Section 17.05.080 titled “Duty of Commission”
- Chapter 17.17 titled “R-1 Residential District”
- Chapter 17.19 titled “Residential-Medical District”
- Chapter 17.21 titled “R-2 Residential District”
- Chapter 17.22 titled “R-3 Residential District”
- Chapter 17.23 titled “R-4 Residential District”
- Chapter 17.24 titled “S-1 Suburban Zone”
- Chapter 17.31 titled “C-1 Commercial District”
- Chapter 17.32 titled “C-1B Commercial District”
- Chapter 17.33 titled “C-2 Commercial District”
- Chapter 17.37 titled “C-3 Commercial District”
- Chapter 17.41 titled “I-1 Industrial District”
- Chapter 17.42 titled “I-2 Industrial District”
- Chapter 17.46 titled “Mobile Home Parks”
- Chapter 17.57 titled “Performance Standards”
- Chapter 17.70 titled “Accessory Uses, Buildings, or Structures”
- Chapter 17.75 titled “Landscaping Buffer and Screening Requirements”
- Chapter 17.83 titled “Appeals”

Section 2. Creating. The attached following new Othello Municipal Code chapters are created:

- Chapter 17.20 titled “Residential Zones”
- Chapter 17.30 titled “Commercial Zones”
- Chapter 17.40 titled “Industrial Zones”
- Chapter 17.74 titled “Landscaping and Screening”

Section 3. Creating. A new Othello Municipal Code Chapter 17.20 titled “Residential Zones” is created to provide:

**Chapter 17.20
RESIDENTIAL ZONES**

Sections:

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

17.20.010 Purpose.

- (a) Generally. This chapter provides for residential development of various types and densities. The purpose of this chapter is to provide for:
 - (1) The specific characteristics of residential development that may take place in Othello;
 - (2) A consistent and compatible land use pattern;
 - (3) The residential housing needs of Othello residents;
 - (4) The public safety needs of Othello residents.
- (b) R-1 Residential District. The R-1 Zone is intended as a low-density zone which allows one-family dwellings.
- (c) R-2 Residential District. The R-2 Zone is intended as a low-density zone which allows one- and two-family dwellings.
- (d) R-3 Residential District. The R-3 Zone is intended as a medium-density zone which allow a mix of home types, including triplex and four-plex dwellings.
- (e) R-4 Residential District. The R-4 Zone is intended as the highest-density residential zone, allowing larger multi-family dwellings in addition to one, two, three, and four-family dwellings.
- (f) Residential-Medical Zone. The Residential-Medical Zone is intended to allow the co-existence of medical uses and residential uses, and ensure compatibility between these uses.
- (g) S-1 Suburban Zone. The S-1 Zone is suitable for residential use on land parcels of one to five acres, which is, or will become, a single-family living area. Uses are limited to residential uses. Animals, livestock and crops, primarily for the personal use of occupants of dwellings, are permitted in accordance with the standards relative to the land area required to protect public health and welfare.

17.20.020 Additional Requirements.

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

- (a) OMC 17.05, Interpretation, Purpose, Applicability
- (b) OMC 17.56, General Provisions

- (c) OMC 17.61, Off-Street Parking
- (d) OMC 17.65, Building Permits
- (e) OMC 17.67 Use Review Standards
- (f) OMC 17.74, Landscaping and Screening
- (g) OMC 14.04, Building Codes
- (h) OMC 14.36, Fences, Walls and Hedges
- (i) City of Othello Public Works Design Standards

17.20.030 Uses.

- (a) Table 1: Land Uses in Residential Zones indicates where categories of land uses may be permitted and whether those uses are allowed outright or by conditional use permit. Only residential zones are included in this table. Land uses not listed are prohibited unless allowed through the process specified in (c), below. Further interpretation of these zones may be obtained as specified in OMC 19.03.020. Land uses are also subject to the footnotes following the table.
- (b) The symbols used in the table represent the following:
 - (1) A = Allowed, subject to applicable standards and any footnotes
 - (2) C = Conditionally allowed through the Conditional Use Permit process, subject to applicable standards and any footnotes
 - (3) X = Prohibited use
- (c) Uses similar to those listed may be established as allowed or conditionally allowed through the interpretation process in OMC 19.03.020(b). In determining whether a use should be permitted, the Administrator shall refer to the purpose statement in OMC 17.20.010 and the most recent version of the North American Industry Classification System (NAICS), as used by federal agencies in the classification of business establishments.
- (d) Procedural requirements for permits are described in OMC Title 19, Development Code.

TABLE 1: LAND USES IN RESIDENTIAL ZONES						
USE CATEGORIES	R-1	R-2	R-3	R-4	R-M	S-1
Residential						
One family dwelling (site-built, manufactured, or modular)	A	A	A	A	A	A
Condominium in compliance with OMC 17.54, Planned Development District Overlay	A	A	A	A	A	A
Two-family dwelling	X	A	A	A	X	X
Triplex or fourplex dwelling	X	X	A	A	X	X
Multi-family dwelling larger than 4 units	X	X	C	A	X	X
Rental of an apartment appurtenant to a single-family residence	X	C	C	C	C	X
Commercial¹						
Adult Family Home licensed by the State	A	A	A	A	A	A
Art gallery	X	X	C	A	X	X
Bed and breakfast ²	A	A	A	A	A	A
Boardinghouse, bunk house, hostel, dormitory, resort, timeshare condominium, lodging house	X	X	C	A	X	X

TABLE 1: LAND USES IN RESIDENTIAL ZONES						
USE CATEGORIES	R-1	R-2	R-3	R-4	R-M	S-1
Clinic, including medical, dental, chiropractic, holistic, or physical therapy, and supporting medical facilities	X	X	X	X	A	X
Child day care as a separate facility	X	X	X	X	X	X
Day care for more than 12 children, in the home of the care provider and licensed by the State ³	C	C	C	C	C	C
Family Day Care Home licensed by the State	A	A	A	A	A	A
Home Occupations in compliance with OMC 17.59	A	A	A	A	A	A
Medical-related commercial vendor	X	X	X	X	A	X
Museum	C	C	C	C	C	C
Nursing home, convalescent home, assisted living, or similar residential/medical use and its support facilities	X	X	X	C	A	X
Public and Institutional						
Churches	C	C	C	C	C	C
Municipal buildings or structures	C	C	C	C	C	C
Municipal facilities, such as wells or lift stations	A	A	A	A	A	A
Parks and playgrounds, including park buildings	C	C	C	C	C	C
Public hospital	X	X	X	X	A	X
Schools, public or private	C	C	C	C	C	C
Agricultural						
Gardening or fruit raising on vacant property, when maintained in a neat, orderly, and clean condition such that it does not constitute any sort of nuisance	A	A	A	A	A	A
Keeping of animals and/or livestock	X	X	X	X	X	A ⁴
Keeping of chickens and rabbits	See OMC 6.12					A ⁵
Miscellaneous						
Household pets	See OMC 6.04					

Notes for Table 1:

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

² A Bed and Breakfast facility shall be allowed with the following conditions:

- (a) Must meet the definition of a Bed and Breakfast in OMC 17.09, Definitions;
- (b) The Bed and Breakfast shall be within an owner-occupied residence, and the owner shall reside on site during guest stay;
- (c) At least one hard surface parking space is provided per guest room, in addition to the parking spaces for the residents; and
- (d) Maximum length of stay for any guest shall be 14 consecutive days.

³ Day care facilities shall be in compliance with the following requirements:

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

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

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

17.20.040 Prohibited.

The following are prohibited in all Residential Zones:

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

17.20.050 Accessory uses, buildings, and structures

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

(3) Storage buildings for yard maintenance equipment and household goods.

Accessory dwelling units are addressed in OMC 17.63.

- (d) Accessory uses, buildings, and structures, other than fences and retaining walls, are prohibited from locating on a lot prior to a legal principal use.
- (e) No accessory building or structure shall be placed on or over a right-of-way or public easement.
- (f) The accessory building shall be at least five feet from the primary building. Separation between accessory buildings shall be as regulated by the State Building Code.

17.20.060 Development Standards.

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

TABLE 2: DEVELOPMENT STANDARDS IN RESIDENTIAL ZONES						
Development Standards	R-1	R-2	R-3	R-4	R-M	S-1
Maximum building height – primary building	2 stories	2 stories	2 stories	3 stories	3 stories and 60’	2 stories
Maximum building height – residential accessory building	20’	20’	20’	20’	20’	20’
Front street setback ¹ for primary structure	20’	20’	20’	20’	20’	20’
Front setback ¹ for accessory structures	No closer to the street than the dwelling unit					
Side street setback ¹ for a corner lot ²	15’	10’	10’	10’	15’	15’
Setback ¹ to front of garage	20’	20’	20’	20’	20’	20’
Interior Side setback ¹	5’	5’	5’	5’	5’	5’
Interior side setback ¹ - residential accessory building	2’	2’	2’	2’	2’	2’
Rear setback ¹ if no alley	5’	5’	5’	5’	5’	5’
Rear setback ¹ if abutting alley and garage does not open onto alley	5’	5’	5’	5’	5’	5’
Rear setback ¹ if abutting alley and garage opens onto alley	8’	8’	8’	8’	8’	8’

TABLE 2: DEVELOPMENT STANDARDS IN RESIDENTIAL ZONES						
Development Standards	R-1	R-2	R-3	R-4	R-M	S-1
Minimum lot size ²	8,000 square feet	7000 square feet	7000 square feet	6000 square feet	7000 square feet	1 acre
Additional lot area above the minimum needed per dwelling unit if more than 2 dwelling units	n/a	n/a	n/a	900 SF site area + 300 SF landscaping + 400 SF parking	n/a	n/a
Maximum Dwelling Units Per Lot	1	2	4	Dependent on lot size	1	1
Landscape area for residential	See OMC 17.74.			300 SF/dwelling unit	See OMC 17.74.	
Maximum lot area covered by buildings	35%	35%	35%	35%	35% for residential uses. 50% for medical uses.	35%
Minimum roof pitch for main portion of primary structure	3:12	3:12	3:12	3:12	3:12 residential. N/A for medical uses.	3:12
Minimum width of primary structure at the narrowest side of the rectangle formed by the structure as a whole	24'	24'	24'	24'	24'	24'
Minimum number of parking spaces inside a garage for a single family dwelling	2	2	2	2	2	2

Table 2 Notes:

- Setback notes:
Within the setback area shown on Table 2, no building or structure (as defined in OMC 17.09, Definitions) shall be allowed except flagpoles, street furniture, transit shelters, signage, fencing, slope stability structures, and improvements less than 30 inches above grade, including decks, patios, walks, and driveways. Some of these structures and improvements require a permit. The setbacks shown in Table 2 are Zoning setbacks. Larger setbacks may be required by the State Building Code, Fire Code, sight distance requirements, or landscaping requirements.
- The minimum lot size does not apply to lots legally created prior to (*ordinance adoption date*).

17.20.070 Performance Standards.

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

17.20.080 Performance Standards for Residential Structures.

- (a) All dwellings shall be placed on permanent foundations. For manufactured homes, the foundation shall be per the manufacturer's specifications or per the building code, and in addition a continuous perimeter concrete foundation per the building code must be installed, regardless if it is necessary for the structural integrity of the dwelling.
- (b) All dwellings shall be permanently connected to city utilities.
- (c) All dwellings shall be in compliance with the Washington State Energy Code.
- (d) All dwellings shall be in compliance with any regulations on radon detection and abatement.
- (e) All dwellings shall have exterior siding similar in appearance to siding materials commonly used on site-built single family residences.
- (f) All dwellings shall have roof materials of composition or wood shake or shingle, coated metal, or similar.
- (g) Any manufactured home shall be built to the 42 U.S.C. Section 5401-5403 standards (as amended in 2000).
- (h) Any manufactured home shall be previously untitled and shall be a new manufactured home as defined in RCW 35.63.160 as now enacted or hereafter amended.
- (i) Any manufactured home shall have all wheels, towing or moving apparatus removed from the site.
- (j) Any manufactured home shall be inspected and certified by the Washington State Department of Labor and Industries that it meets all applicable electrical, plumbing, and building codes for manufactured homes.

17.20.090 Street Frontage Required.

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

17.20.100 Construction code requirements.

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

17.20.110 Fences and walls.

Residential fences and walls are regulated in OMC 14.36.

Section 4. Creating. A new Othello Municipal Code Chapter 17.30 titled “Commercial Zones” is created to provide:

**Chapter 17.30
COMMERCIAL ZONES**

Sections:

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

17.30.010 Purpose.

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

17.30.020 Additional Requirements.

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

- (a) OMC 17.05, Interpretation, Purpose, Applicability
- (b) OMC 17.56, General Provisions
- (c) OMC 17.61, Off-Street Parking
- (d) OMC 17.65, Building Permits
- (e) OMC 17.74, Landscaping and Screening
- (f) OMC 14.04, Building Codes
- (g) OMC 14.58, Signs
- (h) OMC Title 19, Development Code
- (i) City of Othello Public Works Design Standards

17.30.030 Uses.

- (a) The Commercial Land Use table indicates where categories of land uses may be permitted and whether those uses are allowed outright or by conditional use permit. Only commercial zones are included in this table. Land uses not listed are prohibited unless allowed through the process specified in (c), below. Further interpretation of these zones may be obtained as specified in OMC 19.03.020. Land uses are also subject to the footnotes following the table.
- (b) The symbols used in the table represent the following:
- (1) A = Allowed, subject to applicable standards and any footnotes
 - (2) C = Conditionally allowed through the Conditional Use Permit process, subject to applicable standards and any footnotes
 - (3) X = Prohibited use
- (c) Uses similar to those listed may be established as allowed or conditionally allowed through the interpretation process in OMC 19.03.020(b). In determining whether a use should be permitted, the Administrator shall refer to the purpose statement in OMC 17.30.010 and the most recent version of the North American Industry Classification System (NAICS), as used by federal agencies in the classification of business establishments.

TABLE 1: LAND USES IN COMMERCIAL ZONES			
USE CATEGORIES	C-1	C-2	C-3
Retail			
Retail use (other than those listed below)	A ¹	A	A
Contractor supply and sales, lumberyard	X	A	A
Daily outdoor merchandise display	A	A	A
Drive thru for a permitted use	A	A	A
Eating and drinking places	A	A	A
Farm and landscaping equipment sales, supplies, and service	X	A	A
Fuel stations	X	A	A
Manufactured home sales	X	A	A
Marijuana sales	X	X	X
Open sales lots in conjunction with a principal use which must be in an enclosed adjoining building	X	X	A
Vehicle sales lots (can include RVs, boats, trailers, and campers) (can include light service), in compliance with the development standards in OMC 17.61.060	X	X	A
Warehouse sales	X	X	A
Wholesale			
Wholesale use when not associated with a retail use	X	X	A
Services			
Service uses (other than those listed below)	A ²	A	A
Adult entertainment and cabarets (in compliance with OMC 4.28) ³	X	X	A
Banking and financial services	A	A	A
Clubs, lodges, assembly halls	X	A	A
Cultural, recreational, and entertainment uses	X	A	A
Daily care providers (child care, elder care)	A	A	X
Dance hall	X	X	A
Drive thru for a permitted use	A	A	A
Family day care home in an existing residence	A	A	A
Health care providers	A	A	A

TABLE 1: LAND USES IN COMMERCIAL ZONES			
USE CATEGORIES	C-1	C-2	C-3
Hospitals	X	X	A
Lodging (Hotels & motels subject to review under OMC 17.67)	X	A	A
Kennels, animal boarding, pet care	X	X	A
Personal service shops	A	A	A
Professional offices	A	A	A
Recreational vehicle park (in compliance with OMC 17.44)	X	X	C
Rental of vehicles, trailers, and machinery	X	X	A
Repair and maintenance, including vehicles, small engines, and appliances	X	X	A
Theater	X	A	A
Truck stops, sales, and light repairs	X	X	A
Veterinarian	X	X	A
Transportation, Communication, and Utilities			
Passenger transportation facilities, public or private	X	X	A
Personal wireless telecommunications facilities (in compliance with OMC 16.68)	X	A	A
Utility facilities (such as well house, electrical substation, etc.)	A	A	A
Industrial and Storage			
Cargo containers used for storage ⁴	X	A	A
Light manufacturing when subordinate to a retail sales outlet and contained in a building	A	A	A
Outside storage in conjunction with a principal use which is in an enclosed adjoining building	X	X ⁵	A
Self-storage, mini-storage, RV storage	X	X	A
Storage, warehousing, and distribution, not associated with a retail business	X	X	A
Truck parking ⁶	X	X	A
Wrecking yard, salvage yard, junk yard	X	X	X
Public and Institutional			
Churches	X	A	A
Libraries	A	A	A
Municipal and governmental facilities, shops, and yards	X	A	A
Outdoor recreational, entertainment, or amusement facilities	X	X	A
Park, playground, athletic field, other non-commercial recreation	A	A	A
Schools, public or private	X	A	A
Residential			
Adult family home in an existing residence	A	A	A
Assisted living facility	X	A	A
Manufactured or mobile home park	X	X	X
Multi-family residential use not in conjunction with a commercial structure	X	A ⁷	X
Residential use in a basement or upper story ⁸	A	A	A

Notes for Table 1:

¹Limited to buildings under 2000 square feet.

²Limited to buildings under 2000 square feet.

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

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

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

⁵ Existing outside storage as of the date of initial adoption of this ordinance may continue. No new outside storage uses may be established.

⁶ Any parcel of land used as a public or private truck/trailer truck parking area shall be developed, used, and maintained in the following manner:

- (a) The lot shall have access directly off an improved truck route as established in OMC 9.36;
- (b) All vehicles shall be within three hundred feet of a fire hydrant;
- (c) The driveway shall have a surfaced apron no less than thirty feet wide by thirty feet long and shall be permitted by the public works director per OMC 11.20;
- (d) Vehicles shall not drive over curbs and/or sidewalks to access the parking area;
- (e) The lot shall have sidewalks along all curbs as prescribed in OM 11.16.
- (f) The parcel or lot area shall be graded to contain one inch of stormwater on site, or enter into a city stormwater contract if applicable;
- (g) The parking and maneuvering area shall be graded and graveled sufficiently to control dust and mud and to provide access to fire trucks;
- (h) All trucks/trailers shall be licensed operating vehicles. There shall be no non-operating, damaged, parting, hulks, or pieces of vehicles allowed to be stored under this conditional use;
- (i) No truck parking lot shall be used for truck repair, painting, or freight transfer;
- (j) A water service shall not be provided to an unplatted lot. A conditional use permit for a truck parking lot does not require platting of the parcel involved but further development or different uses may require platting;
- (k) Any person parking a truck or trailer on a lot which has not be approved for such parking shall be deemed to have committed a civil infraction and shall be punished by a C-6 penalty. Any person permitting the

parking of trucks or trailers on a parcel or lot without having obtained a conditional use permit to do so shall be deemed to have committed a civil infraction and shall be punished by a C-3 penalty.

⁷ Residential uses without street frontage commercial uses are allowed, subject to the following provisions:

- (a) Not to be located within 140' (a half block) of Main Street or Highway 26.
- (b) Minimum of 3 dwelling units per building.
- (c) Buildings are subject to Commercial Zone design standards.
- (d) Parking shall be in compliance with OMC 17.61.

⁸ Accessory residential uses are allowed, subject to the following provisions:

- (a) Parking for the residential use shall be provided in compliance with OMC 17.61.

17.30.040 Prohibited.

The following are prohibited in all Commercial Zones:

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

17.30.050 Development Standards.

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

TABLE 2: DEVELOPMENT STANDARDS IN COMMERCIAL ZONES			
Development Standards	C-1	C-2	C-3
Maximum building height ¹	4 stories or 62'	4 stories or 62'	4 stories or 62'
Minimum front yard setback	NR	15'	15'
Maximum front yard setback	0' ²	NR	NR
Side setback	NR	NR	NR
Side setback, corner lot	NR	15'	15'
Rear setback	NR	NR	NR

¹ All structures over 35' high and which have a base that is less than 50% of the height shall be set back from the property line equal to the portion of the structure over 35' in height. Additional fire protection measures may be required at the discretion of the Fire Chief and Building Official.

² Portions of the building may be set back further than the maximum setback to allow for features that encourage pedestrian use and activity along the street, such as building modulation, pedestrian plazas or courtyards, covered or recessed entryways, commercial uses or displays (such as vendor, newsstands, or cafes), public art (including sculptures and water features), or seating or planter areas. In addition, buildings on corner lots need to be positioned so as to not create a sight distance hazard for traffic.

TABLE 2: DEVELOPMENT STANDARDS IN COMMERCIAL ZONES			
Development Standards	C-1	C-2	C-3
Landscaping required (OM 17.74)	New parking lots only	Yes	Yes
Parking required (OMC 17.61)	Residential only	Yes	Yes
Pedestrian requirements	NR	OMC 17.30.120	OMC 17.30.120
Design standards	OMC 17.30.070	OMC 17.30.070	OMC 17.30.080

Setback notes:

Within the setback area shown on Table 2, no building or structure (as defined in Sections 17.09.140 and 17.09.836) shall be allowed except flagpoles, street furniture, transit shelters, signage, fencing, slope stability structures, and improvements less than 30 inches above grade, including decks, patios, walks, and driveways. Some of these structures and improvements require a permit.

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

17.30.060 Performance Standards.

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

- (a) Air Quality. Emissions from combustion and incineration, emissions from sources emitting hazardous air pollutants, and emissions of suspended particles or fugitive dust shall not exceed the standards set forth in Washington Administrative Code 173-400, General Regulations for Air Pollution. Where such emissions could be produced as a result of accident or equipment malfunction, safeguards standard for safe operation in the industry shall be taken. Polluted air streams shall be treated with the best available control technology.
- (b) Heat, Glare, and Humidity (Steam). Any activity producing humidity in the form of steam or moist air, or producing heat or glare shall be carried on in such a manner that the heat, glare, or humidity is not perceptible at or beyond the property line. Artificial lighting shall be hooded or shaded so that direct light of high intensity lamps will not result in objectionable glare.
- (c) Odors. Any use producing odors shall be carried on in such a manner that offensive or obnoxious odors shall not be perceptible at or beyond the property line.
- (d) Vibration. Every use shall be so operated that the ground vibration inherently and recurrently generated from equipment other than vehicles is not perceptible without instruments at any point beyond the property line.
- (e) Electromagnetic Interference. Electric fields and magnetic fields shall not be created that adversely affect the public health, safety, and welfare, including but not limited to interference with the normal operation of equipment or instruments or normal radio, telephone, or television reception from off the premises where the activity is conducted. This section does not apply to telecommunication facilities which are regulated by the FCC under the Federal Telecommunication Act of 1996 or its successor.
- (f) Noise. Noise within the commercial zones must not exceed the maximum permissible noise levels set forth in this chapter and WAC 173-60, Maximum Environmental Noise Levels, as measured at the property line of the noise source.

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

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

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

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

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

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

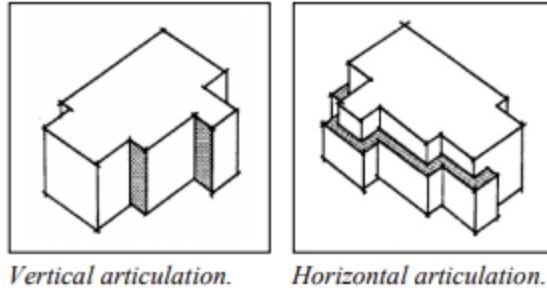
17.30.070 Design Standards in the C-1 and C-2 Zones.

- (a) Scope and Applicability. These standards are applicable to all buildings in the C-1 and C-2 Commercial Zones, regardless of use. Design standards apply to all of the following:
- (1) New buildings and new developments;
 - (2) Remodeled buildings where the cost of remodeling is more than 50% of the current assessed value of the building as determined by the Adams County Assessor. Design standards shall apply to the whole building, not just the part that was remodeled.
 - (3) Building additions when the gross floor area is being increased by 50% or where the cost of the addition is more than 50% of the current assessed value of the building as determined by the Adams County Assessor. Design standards shall apply to the whole building, not just the addition.
- (b) Departures from Standards. These standards are not intended to prohibit creative design and development solutions by professional designers/developers that may create a better quality development. Therefore, certain departures from the design standards may be permitted. In order for a departure from the standards to be allowed, the development proposal must demonstrate that the departure would result in a development that better meets the intent, objectives, and design principles of the design standards. The Community Development Director shall have the final authority to resolve any conflicts in the standards in order to protect the City's objectives and goals.
- (c) Objectives:
- (1) Promote economic vitality.
 - (2) Promote a good business environment and destination marketing.
 - (3) Provide simplicity and clarity of regulation.
 - (4) Promote quality and creativity in design.
 - (5) Offer flexibility and options.
- (d) Design Principles:
- (1) Safety and vitality, with a livable, pedestrian-friendly commercial environment.
 - (2) Compatibility with the positive attributes of Othello.
 - (3) Efficiency in the delivery of public infrastructure.

(4) Variety and creativity in design.

(e) Definitions:

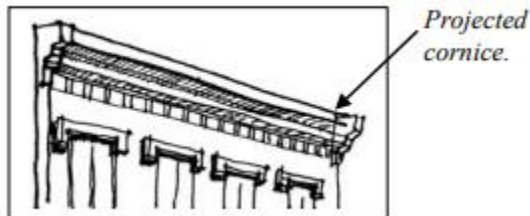
(1) Articulation: Shifts in the plane of walls, setbacks, step-backs, overhangs, and details in order to create variation in a building façade and divide large buildings into smaller identifiable pieces.



(2) Blank walls: Walls without windows, plantings, or architectural elements, such as modulation.

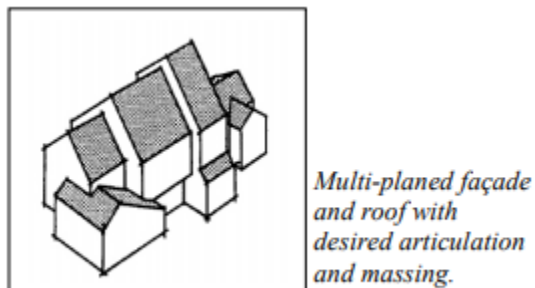
(3) Building Mass: Height, width, and depth of a building structure.

(4) Cornice: The horizontal projection, molded or otherwise decorated, that crowns the top of a building.



(5) Façade: The exterior wall of a building exposed to public view or that wall viewed by persons not within the building.

(6) Massing: How the three-dimensional building forms are grouped to create the general shape and form of the building.



(7) Modulation: Variation in the building mass through the use of step-backs, setbacks, diminishing upper floor areas, and/or projecting roof overhangs.

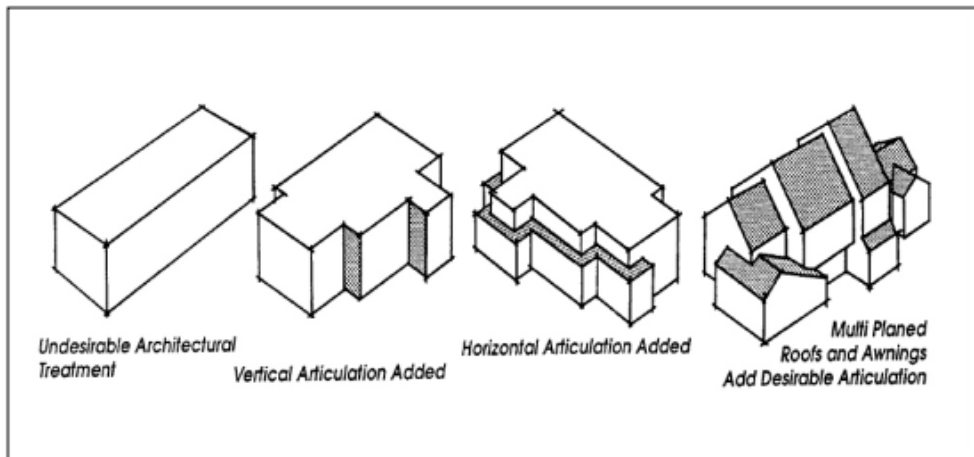
- (8) Outdoor Display Area: Areas outside the building structure where merchandise is displayed for customers.
- (9) Outdoor Storage Area: Outdoor areas where merchandise is kept for temporary storage purposes but not for display; or the keeping in an unroofed area of any goods, junk, material, merchandise,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



- (15) Scale: The relationships of a development and/or its elements in terms of size, height, bulk, intensity, and aesthetics, to one another and to the surroundings. “Human scale” would identify the relationship of the building to human beings.

(f) Massing and Architectural Features:

- (1) Intent: To reduce the bulk of the buildings by breaking down the mass into human scale, in order to offer variety and consistency along the street face.
- (2) Mandatory Standards:
 - (A) Buildings of two or more stories or with a total height of 20 feet or more must display the proportion of a “Base”, “Middle”, and “Top” in massing. “Top” can be expressed by using sloped, gabled, or flat roofs. Flat roofs shall have cornices, parapets, or similar special features to act as the top of the building. Step-backs of the buildings at the upper floors can also be used as a method to express base, middle, and top.



- (B) A street-facing façade more than 50' long shall include the following treatments:
- (1) Change in the roof or wall plane (4 foot minimum)
 - (2) Projecting or recessed elements
 - (3) Varying rooflines at 4 foot minimum



- (C) Solid blank facades must be avoided on the front and all street-facing sides of the building. These facades must be treated with windows, entrances, canopies, cornices, and by articulating the façade and/or screening with landscaping.



- (D) For slope roof structures, the slope of the roof must not be less than 4:12 except when a specific design is approved by the Community Development Director.

(3) Recommended Standards:

- (A) Building height should be compatible with the surrounding building heights and character of the area.
- (B) Buildings should use elements such as canopies, awnings, trellises, pergolas, and arcades to provide human scale.



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

(g) Prominent Entrance:

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

(2) Mandatory Standards:

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



- (B) Primary pedestrian entrances must face public streets, open spaces, or plazas whenever available.
- (C) Light poles, signage, and similar accessories shall be coordinated so that the view and accessibility to the entrance are not obstructed.

(3) Recommended Standards:

- (A) Special paving is encouraged at the entrance to the building.
- (B) Special architectural treatment that signifies the entrance without destroying the architectural character is encouraged. Examples include using different materials such as brick, stone, or glass at the entrance, or locating the entrance at the junction of two building masses.
- (C) For multi-story buildings, the building entrance should be scaled down to relate to human scale.

(h) Façade Transparency:

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

(2) Mandatory Standards:

- (A) Solid blank walls shall be avoided except for service areas where it shall be screened from public view (see Service Areas).
- (B) Facades facing public streets or public open spaces must be treated with a combination of prominent primary or secondary entrance, display windows, transparent facades, façade modulation, canopies, and/or awnings.
- (C) For retail buildings: Facades facing public streets or public open spaces or plazas shall have at least 40% of the façade area comprised of transparent glass at the ground level unless a specific alternative design is approved by the Community Development Director.
- (D) For office buildings: Facades facing public streets or public open spaces or plazas shall have at least 25% of the façade area comprised of transparent glass unless a specific alternative design is approved by the Community Development Director.
- (E) Transparent glass for façade transparency at ground level means between 2 feet and 12 feet from the ground level.
- (F) Display windows along public streets shall express the type of business by displaying products sold or other displays that relate to the business. Signage on windows shall not be considered as part of the display window.

DO NOT



Lack of adequate façade transparency fails to create an indoor-outdoor relationship.



Solid blank wall facing the street.

(3) Recommended Standards:

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

(i) Treatment of the Corner:

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

(2) Mandatory Standards:

- (A) Buildings located at the corner of street intersections shall have at least one of the following:
 - (1) A primary pedestrian entrance complying with the “Prominent Entrance” standard (see 17.30.070(g)) and accessible from the corner street sidewalks.
 - (2) Distinctive massing and roof form of the building to mark the intersection as a landmark.
 - (3) Other architectural features such as porches, canopies, and display windows at the corner.
- (B) Signage and accessory structures must not obstruct the view of the building at the corner.
- (C) Corner treatments shall not obstruct safe sight distance at corners.

(3) Recommended Standards:

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

(j) Service Areas and Backs of Buildings:

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

(2) Mandatory Standards:

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

DO NOT



No screening on the backside facing public street.

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

(3) Recommended Standards:

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

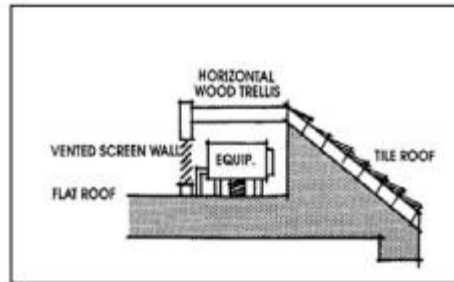
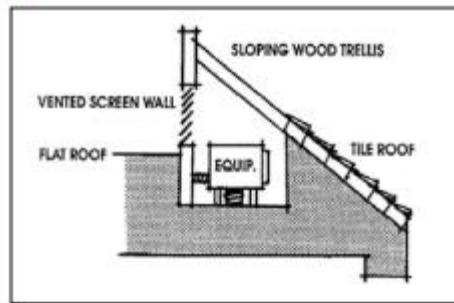
(k) Screening of Electrical and Mechanical Equipment:

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

(2) Mandatory Standards

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

DO



Screening rooftop equipments.

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

(3) Recommended Standards:

- (A) Increased parapet height can be accepted when used for screening the equipment from view.
- (B) Screening of equipment should be consistent with the overall building design style, building materials, and architectural features.

(l) Material:

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

(2) Mandatory Standards:

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



(3) Recommended Standards:

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

17.30.080 Design Standards in the C-3 Zone.

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

(a) Entrance:

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

(2) Standards:

- (A) The principal entry to the building should be made prominent with canopies, overhangs, protruding or recessed masses.
- (B) The building entrance should offer some degree of weather protection and act as a transition between indoor and outdoor environments.



(b) Massing:

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

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

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



(c) Façade Treatment:

- (1) Intent: To break the monotony of continuous building facades.
- (2) Standards:
 - (A) Modulate and articulate the façade.
 - (B) Treat the solid wall with landscaping, trellises, canopies, inserted lighting, modulation, and articulation.
 - (C) Provide more window/visibility/indoor-outdoor relationships.
 - (D) Select color and material to add variety.



(d) Outdoor Storage and Display Areas:

- (1) Intent: To reduce the negative impact of service areas
- (2) Standards:
 - (A) All non-enclosed storage areas must be located at the rear, or non-street side of the building.
 - (B) If such areas need to be covered, the covering shall be consistent with the overall building design.

17.30.090 Construction code requirements.

All uses in the commercial zones must be in compliance with the applicable requirements of the building code, the fire code, the mechanical code, and the plumbing code except as may be provided in this chapter. All uses must be associated with a principal use which must be in an enclosed adjoining building.

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.

17.30.110 Stormwater and drainage.

- (a) Each use shall provide for approved on-site or off-site detention or control of excess stormwater runoff or drainage resulting from the use. No use shall cause downstream property owners to receive stormwater runoff at a higher peak flow than would have resulted from the same event had the use or improvement not been present.
- (b) Stormwater runoff or drainage shall be controlled and contained on site except where adequate off-site storm drainage systems are available. Stormwater runoff and/or drainage resulting from a use must be controlled so that water will not flow on to a public sidewalk or onto adjacent property. Drainage into city storm sewer or onto a city street must be approved by the public works director.

17.30.120 Pedestrian standards.

- (a) Purpose. The pedestrian standards encourage a safe, attractive, and usable pedestrian circulation system. They ensure a direct pedestrian connection between the street and buildings on the site.
- (b) Applicability. The standards of this section apply to all development in the C-2 and C-3 zone with parking lots containing more than 100 parking spaces.
- (c) Required Connections.
 - (1) Between the public right-of-way and building entrances.
 - (2) Between parking lots and building entrances.
- (d) Width. Pedestrian connections shall be no less than five feet wide.
- (e) Materials. Striping may be used to delineate walkways from the nearest edge of the parking lot to the building entrance. All other pedestrian connections shall be clearly defined by at least two of the following:
 - (1) Six-inch vertical curb.
 - (2) Textured paving, including across vehicular lanes.
 - (3) A continuous landscape area at a minimum of three feet wide on at least one side of the walkway. This landscaping can be counted toward the required parking lot landscaping.
 - (4) Trellis
 - (5) Special railing.
 - (6) Bollards.
 - (7) Special paving.
 - (8) Low seat wall and/or other architectural features.

- (f) Lighting. The on-site pedestrian circulation system shall be lighted to an intensity where the system can be used at night by employees, residents, and customers. Lighting should be at a height appropriate for a pedestrian pathway system.

Section 5. Creating. A new Othello Municipal Code Chapter 17.40 titled “Industrial Zones” is created to provide:

**Chapter 17.40
INDUSTRIAL ZONES**

Sections:

- 17.40.010 Purpose.
- 17.40.020 Additional Requirements.
- 17.40.030 Uses.
- 17.40.040 Prohibited.
- 17.40.050 Development Standards.
- 17.40.060 Performance Standards.
- 17.40.070 Storage Areas
- 17.40.080 Construction Code Requirements.
- 17.40.090 Fences and Walls.
- 17.40.100 Stormwater and Drainage.

17.40.010 Purpose.

- (a) Generally. This chapter provides areas for manufacturing, processing, and other industrial uses with appropriate standards to create and maintain an economically thriving industrial base for the community.
- (b) I-1 Light Industrial Zone. The I-1 Zone is intended to preserve land for and accommodate light industrial uses such as manufacturing, warehousing, distribution, processing, and fabricating. Lot are generally smaller than in the I-2 Heavy Industrial Zone.
- (c) I-2 Heavy Industrial Zone. The I-2 Zone is intended to preserve land for and accommodate heavy industrial uses needing large areas of land and with less restrictive performance standards than the I-1 Zone with its proximity to commercial uses.

17.40.020 Additional Requirements.

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

- (a) OMC 17.05, Interpretation, Purpose, Applicability
- (b) OMC 17.56, General Provisions
- (c) OMC 17.61, Off-Street Parking
- (d) OMC 17.65, Building Permits
- (e) OMC 17.74, Landscaping and Screening
- (f) OMC 14.04, Building Codes
- (g) OMC 14.58, Signs
- (h) OMC Title 19, Development Code
- (i) City of Othello Public Works Design Standards

17.40.030 Uses.

- (a) The Industrial Land Use table indicates where categories of land uses may be permitted and whether those uses are allowed outright or by conditional use permit. Only industrial zones are included in this table. Land uses not listed are prohibited unless allowed through the process specified in (d), below. Further interpretation of these zones may be obtained as specified in OMC 19.03.020. Land uses are also subject to the footnotes following the table.

- (b) Uses are arranged in three categories:
- (1) Primary uses, which are those which Industrial Zones were designed to accommodate;
 - (2) Accessory uses, which support primary uses; and
 - (3) Other uses, which are compatible with primary uses or are not appropriate in other zones because of impacts such as noise.
- (c) The symbols used in the table represent the following:
- (1) A = Allowed, subject to applicable standards and any footnotes
 - (2) C = Conditionally allowed through the Conditional Use Permit process, subject to applicable standards and any footnotes
 - (3) X = Prohibited use
- (d) Uses similar to those listed may be established as allowed or conditionally allowed through the interpretation process in OMC 19.03.020(b). In determining whether a use should be permitted, the Administrator shall refer to the purpose statement in OMC 17.40.010 and the most recent version of the North American Industry Classification System (NAICS), as used by federal agencies in the classification of business establishments.

TABLE 1: LAND USES IN INDUSTRIAL ZONES		
USE CATEGORIES	I-1	I-2
Primary Uses		
Agriculture-related uses, such as feed & seed stores, farm equipment repair and sales, irrigation supply, and agricultural services such as soil preparation services, lawn care services, potato curing, seed cleaning, cold storage, and sorting, grading, packing, and packaging of fruits and vegetables	A	A
Assembly of parts	A	A
Fabrication and welding	A	A ¹
Junk yards, salvage yards, or wrecking yards	A	C
Machine shop	A	A ¹
Manufacturing, processing, or packaging of products, including food products but excluding meat, seafood, distilling, fermenting, canning, slaughtering, rendering, curing, and tanning.	A	A
Manufacturing, processing, or packaging of food products, including meat, seafood, distilling, fermenting, and canning, slaughtering, rendering, curing, and tanning	C	A
Outside storage as a primary use ²	A	X
Printing, publishing, and allied products manufacturing including processes such as lithography, etching, engraving, binding, and blueprinting	A	A ¹
Recycling collection site and recycling facilities	A	A ¹
Solid waste processing facilities	X	X
Storage, warehousing, and distribution facilities	A	A ¹
Technological uses such as scientific research, testing, and experimental development laboratories	A	C
Transportation services such as bus barns and maintenance facilities, freight consolidation, shipping documents preparation, rental of railroad cars, packing and crating	A	A
Accessory Uses		
Accessory use appurtenant to any primary use and not otherwise prohibited	A	A
Child care, primarily for children of on-site employees or customers	A	A
Dwelling unit for on-site security or maintenance personnel and family ³	A	C

TABLE 1: LAND USES IN INDUSTRIAL ZONES		
USE CATEGORIES	I-1	I-2
Offices related to permitted uses conducted on the same site	A	A
Sales (retail or wholesale) of goods or products manufactured on site, or utilized in manufacturing, repairing, or servicing activities which are permitted in the zone	A	A
Storage in cargo containers, on the site of the business using the storage	A	A
Support business for a primary allowed use	A	A
Other Allowed Uses		
Agriculture	A	A
Animal shelter, kennel, or veterinary clinic with outdoor boarding of animals or care of livestock	A	X
Building materials or lumber yard, retail or wholesale	A	X
Contractor establishments, including offices, shops, and storage yards	A	A ¹
Industrial laundry or dry-cleaning plant	A	X
Mini-storage	A	X
Nurseries and greenhouses for the growing and sale of plants	A	X
Power generating facilities, including solar farms	X	A
Public facilities compatible with the intent of the zone, such as maintenance shops, substations, well houses, lift stations, local and regional utilities	A	A
Repair and service of consumer vehicles and equipment	A	X
Repair and service of agricultural/commercial/industrial vehicles and equipment	A	A ¹
Towing services and vehicle impound yards	A	X
Wireless communication facilities, in compliance with OMC 16.68	A	A

Notes for Table 1:

1. To preserve land in the I-2 Zone for uses which most need it, this use is limited to businesses with an annual gross income in excess of \$5 million per year.
2. See OMC 17.40.070, Storage Areas, for requirements..
3. The sole purpose of the dwelling is to furnish housing for an employee, including family, engaged in on-site security or maintenance. Only one such residence is allowed per site.

17.40.040 Prohibited.

The following are prohibited in all Industrial Zones:

- (a) Any use which does not or is not capable of conforming with the purpose and requirements of this chapter;
- (b) Any use determined by the City Administrator to pose excessive hazard to the public health, safety, and general welfare;
- (c) Abandoned structures or buildings in a state of disrepair or not approved for use;
- (d) Surfacing mining, including extraction from deposits of rock, gravel, sand, earth, and minerals;
- (e) Rock crushing.

17.40.050 Development Standards.

- (a) Purpose. This section established the development standards and site requirements for uses in the Industrial Zones. The standards and rules are established to provide flexibility in project design, prevent fire danger, provide adequate access and circulation, reduce incompatibilities, and prevent overloading of infrastructure due to the impacts of development.
- (b) Explanation of Table. Development standards are listed down the left column of the table and the Industrial Zones are identified across the top row. The matrix cells contain the requirements of each zone. The

footnotes identify particular requirements applicable to a specific use, standard, or zone. “NR” stands for “No Requirement”.

TABLE 2: DEVELOPMENT STANDARDS IN INDUSTRIAL ZONES		
Development Standards	I-1	I-2
Front and flanking street setback ¹	NR	NR
Side setback ¹ if adjacent property is not zoned Residential	NR	NR
Side setback ¹ if adjacent property is zoned Residential	5'	20'
Rear setback ¹ if adjacent property is not zoned Residential	NR	NR
Rear setback ¹ if adjacent property is zoned Residential	10'	20'
Maximum building height	NR	NR
Minimum lot size for new lots	NR	NR
Landscaping requirements	OMC 17.74	
Signage	OMC 14.58	
Parking requirements	OMC 17.61	

(1) Setback notes:

Within the setback area shown on Table 2, no building or structure (as defined in Chapter 17.09) shall be allowed except flagpoles, street furniture, transit shelters, signage, fencing, slope stability structures, and improvements less than 30 inches above grade, including decks, patios, walks, and driveways. Some of these structures and improvements require a permit.

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

17.40.060 Performance Standards.

The maximum permissible limits of the Performance Standards for the industrial zones shall be as designated below.

TABLE 3: PERFORMANCE STANDARDS IN INDUSTRIAL ZONES		
Performance Standards	I-1	I-2
Air Quality	Emissions from combustion and incineration, emissions from sources emitting hazardous air pollutants, and emissions of suspended particles or fugitive dust shall not exceed the standards set forth in Washington Administrative Code 173-400, General Regulations for Air Pollution. Where such emissions could be produced as a result of accident or equipment malfunction, safeguards standard for safe operation in the industry shall be taken. Polluted air streams shall be treated with the best available control technology.	
Electromagnetic Interference	Electric fields and magnetic fields shall not be created that adversely affect the public health, safety, and welfare, including but not limited to interference with the normal operation of equipment or instruments or normal radio, telephone, or television reception from off the premises where the activity is conducted. This section does not apply to telecommunication facilities which are regulated by the FCC under the Federal Telecommunication Act of 1996 or its successor.	
Fire and Explosive Hazard	The manufacture, use, processing, or storage of flammable liquids, gases, or solids shall be in compliance with the State Fire Code, the State Building Code, National Fire Protection Association standards, and any other state or nationally recognized standards that may apply to the particular use, building, or process.	
Glare	Any activity producing excessive or uncontrolled bright light shall be carried on in such a manner that the glare is not perceptible at or beyond the property line. Artificial lighting shall be hooded or shaded so that direct light of high intensity lamps will not result in objectionable glare.	
Hazardous Materials	The manufacture, use, processing, or storage of hazardous materials shall be permitted in accordance with the regulations of the State Building Code, State Fire Code, the National	

TABLE 3: PERFORMANCE STANDARDS IN INDUSTRIAL ZONES																		
Performance Standards	I-1		I-2															
	Fire Protection Association Standards, and any other state or nationally recognized standards that may apply to the particular use, building, or process.																	
Heat and Humidity (Steam)	Any activity producing humidity in the form of steam or moist air, or producing heat, shall be carried on in such a manner that the heat or humidity is not perceptible at or beyond the property line.																	
Industrial Wastes	The storage, processing, or disposal of dangerous waste shall be subject to the regulations of the Washington State Department of Ecology.																	
Noise	<p>Noise within the industrial zones shall not exceed the maximum permissible noise levels set forth in this chapter and WAC 173-60, Maximum Environmental Noise Levels, as measured at the property line of the noise source.</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th colspan="4">Maximum Permissible Environmental Noise Levels From Industrial Uses</th> </tr> <tr> <th rowspan="2">Noise Source</th> <th colspan="3">Property Receiving Noise by Zone</th> </tr> <tr> <th>Residential</th> <th>Commercial</th> <th>Industrial</th> </tr> </thead> <tbody> <tr> <td>Industrial Zone</td> <td>60 dBA*</td> <td>65 dBA</td> <td>70 dBA</td> </tr> </tbody> </table> <p>* Between the hours of ten p.m. and seven a.m., the noise limitations of the foregoing table shall be reduced by ten dBA for residential receiving property.</p> <p>At any time of the day or night the applicable noise limitations may be exceeded for any receiving property by no more than:</p> <ul style="list-style-type: none"> (4) Five dBA for a total of fifteen minutes in any one-hour period. (5) Ten dBA for a total of five minutes in any one-hour period. (6) Fifteen dBA for a total of one and one-half minutes in any one-hour period. <p>Exemptions to the maximum permissible noise level cited in this chapter shall be as enumerated in WAC 173-60-050, Maximum Environmental Noise Levels Exemptions.</p>			Maximum Permissible Environmental Noise Levels From Industrial Uses				Noise Source	Property Receiving Noise by Zone			Residential	Commercial	Industrial	Industrial Zone	60 dBA*	65 dBA	70 dBA
Maximum Permissible Environmental Noise Levels From Industrial Uses																		
Noise Source	Property Receiving Noise by Zone																	
	Residential	Commercial	Industrial															
Industrial Zone	60 dBA*	65 dBA	70 dBA															
Odors	Any use producing odors shall be carried on in such a manner that offensive or obnoxious odors shall not be perceptible at or beyond the zone boundary.	Any use producing odors shall implement best management practices and use best available technology so that offensive or obnoxious odors shall not be perceptible to a person of normal sensitivity in a residential or commercial zone on a day with normal wind patterns and wind speed.																
Vibration	Every use shall be so operated that the ground vibration inherently and recurrently generated from equipment other than vehicles is not perceptible without instruments at any point beyond the zone boundary.																	

17.40.070 Storage Areas.

All storage shall be on hard surface or gravel and kept free of weeds. All storage shall be kept in a manner so that it will not create a fire hazard or a nuisance. In the case of open storage of combustible material, a roadway shall be provided and maintained to permit Fire Department access at all times.

17.40.080 Construction code requirements.

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

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.

17.40.100 Stormwater and drainage.

- (a) Each use shall provide for approved on-site or off-site detention or control of excess stormwater runoff or drainage resulting from the use. No use shall cause downstream property owners to receive stormwater runoff at a higher peak flow than would have resulted from the same event had the use or improvement not been present.
- (b) Stormwater runoff or drainage shall be controlled and contained on site except where adequate off-site storm drainage systems are available. Stormwater runoff and/or drainage resulting from a use must be controlled so that water will not flow on to a public sidewalk or onto adjacent property. Drainage into city storm sewer or onto a city street must be approved by the public works director.

Section 6. Creating. A new Othello Municipal Code Chapter 17.74 titled “Landscaping and Screening” is created to provide:

Chapter 17.74

LANDSCAPING AND SCREENING

Sections:

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

17.74.010 Purpose and intent.

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

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

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	Multi-Family Development (Triplex or larger) and Manufactured Home Parks	Non-Residential Development	Development in Industrial Zones
General	No	No	Yes	Yes	No
Parking Lot	No	No	Yes	Yes	No
Street Trees	No	Yes	Yes	Yes	No
Property Line Screening	No	At time of construction of each house	Yes	Yes	Yes
Trash Enclosure Screening	No	No	Yes	Yes	No
Blank Façade	No	No	Yes	Yes	No
Residential	Yes	At time of construction of each house	Yes	No	No

17.74.030 General landscaping.

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

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

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

17.74.040 Parking Lot Landscaping.

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

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

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

(c) Location.

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

- (3) Landscaping shall be protected from vehicle damage by permanent curbs or structural barriers. Curbing or barriers may have openings to facilitate stormwater drainage.

17.74.050 Street trees.

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

17.74.060 Property line screening.

- (a) Applicability. Property line screening is required for subdivisions, multi-family development, manufactured home parks, and non-residential projects in all zones.
- (b) Visual screening shall be installed along the adjoining property line in the following situations:
 - (1) A non-residential project abuts a multi-family project; or
 - (2) A residential subdivision has lots that back to an arterial street.
- (c) Full screening shall be installed along the adjoining property line in the following situations:
 - (1) A multi-family or non-residential project abuts a one or two family dwelling or vacant land zoned R-1 or R-2;
 - (2) The project is a manufactured home park;
 - (3) A project in an Industrial Zone abuts a different zoning district; or
 - (4) An industrial use has the potential to substantially impact adjacent properties with noise, nuisance, or vibration, as determined by the City Administrator or designee.
- (d) Visual screening shall consist of one or a combination of (1) through (4) below. Full screening shall consist of (1) plus at least one of (2) through (4) below.
 - (1) A sight-obscuring fence, which may consist of wood, ornamental iron, aluminum, brick, masonry, architectural panels, chain link with slats, or other permanent materials that are typically used for fencing;
 - (2) A maintained, landscaped earthen berm at least five feet wide with a minimum of 10 points of landscaping for every 25 lineal feet of property line frontage; or
 - (3) A five-foot-wide landscape screen that shall consist of:

- A) A mixture of evergreen and deciduous trees, planted no less than 35 feet on center, with a maximum of 75% of the trees being deciduous;
- B) Evergreen shrubs shall comprise at least 50% of the plantings;
- C) A minimum of 18 landscape points for every 25 lineal feet of property line being screened.

(e) Height of screening

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

17.74.070 Trash enclosure screening.

- (a) Applicability. Trash enclosure screening is required for multi-family projects larger than 4 dwelling units and non-residential projects utilizing trash containers larger than 96 gallons, except that trash enclosure screening is not required within Industrial zones.
- (b) Trash receptacles larger than 96 gallons shall be enclosed on all 4 sides by a 6-foot-high, 100% sight-obscuring barrier. Three sides of the enclosure shall be block wall or similar.

17.74.080 Blank façade landscaping.

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

17.74.090 Residential Landscaping.

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

17.74.100 Landscape point values.

Where this chapter specifies landscape points, the points shall be calculated per the following table. Where drought-tolerant plantings and techniques are used, point values may be increase 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
	Over 25” caliper	>41’		58
	20.1 to 25”	37-40’		46

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')	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 perennial >12" tall	1 gallon		1	n/a
Groundcover plant	1 gallon		½	n/a
	4" pot		¼	n/a
Landscaped berm	30" height, 10' length, 3:1 slope		1 point per 5 lineal feet	n/a
Turf grass	n/a		¼ per square yard	n/a
Basalt column			½ per cubic foot	
Boulder			½ per cubic foot	
Beautification Committee approved red planter pot			Small = 15 pts. 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 yard	

17.74.110 Approved, discouraged and prohibited plants.

(a) General

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

(b) Trees

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

- (2) Discouraged trees have particular negative attributes that should be considered for sustainability for the specific location prior to planting in Othello. Research these trees carefully: box elder maple, hickory, 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.

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.

17.74.130 Modifications

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

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

17.74.140 Installation, maintenance, and enforcement.

- (a) Landscaping shall be primarily vegetative and consist of trees, shrubs, and groundcover. Non-living natural features may also be incorporated.
- (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.

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.

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."

Section 7. Effective Date. This ordinance shall take effect and be in full force five (5) days after this ordinance or a summary thereof consisting of the title is published.

PASSED by the City Council of Othello, Washington this ____ day of _____, 2020.

By: _____
Shawn Logan, Mayor

ATTEST:

By: _____
Tania Morelos, City Clerk

APPROVED AS TO FORM:

By: _____
Kelly E. Konkright, City Attorney

PASSED the ____ day of _____, 2020
APPROVED the ____ day of _____, 2020
PUBLISHED the ____ day of _____, 2020