CHAPTER 17.03

SUPPLEMENTARY STANDARDS

Sections:

17.03.010	Access, Off-Street Parking, and Loading
17.03.020	Landscaping, Screening, and Property Maintenance
17.03.030	Accessory Structures
17.03.040	Utility Installations
17.03.050	Home Occupations
17.03.060	Exceptions/Projections
17.03.070	Fences
17.03.080	Outdoor Sings
17.03.090	Manufactured/Mobile Home Parks
17.03.100	Recreational Vehicle Parks
17.03.110	Nonconforming Uses and Structures
17.03.120	The Keeping of Rabbits and Chickens
17.03.130	The Keeping of Bees

Section 17.03.010 Access, Off-Street Parking, and Loading

17.03.011 Purpose and Intent

The provision of off-street parking and loading space in accordance with the needs and requirements of particular property uses is necessary to promote traffic safety, minimize congestion, and create harmonious development.

17.03.012 General Provisions

Where the parking requirements for a use are not specifically defined in this chapter, the parking requirements for such use shall be determined by the Administrator, and such determination shall be based upon the requirements for the most comparable use defined in this chapter.

17.03.013 Parking Spaces Required

A. New uses in all districts shall meet the minimum standards below.

B. Whenever a building is enlarged or altered, or whenever the use of a building or property is changed, off-street parking shall be provided for such expansions, enlargement, or change in use in accordance with the requirements of this title. Provided, however, that no additional off-street parking spaces for that portion and/or use of such building existing at the time of passage of this ordinance shall be required.

C. Additional off-street parking does not apply to the area between 4th and 7th Avenue on Meyers Street.

D. Off-street parking shall be provided in accordance with the following:

Land Use	Parking Spaces Required
Dwelling units, including single family, duplex and multiple family	Two (2) spaces for each dwelling unit
Senior housing developments	One (1) space per unit
Mobile home parks	Two (2) spaces for each mobile home site
Auto court, motel, tourist home or boardinghouse	One (1) space for each sleeping unit, guestroom or suite, plus one (1) space per 1,000 square feet of floor area
Hospital, nursing home or institution	One (1) space for each four (4) beds
Theater	One (1) space for each four (4) seats, except one space for each six (6) seats in excess of 800 seats
Church, auditorium, or similar place of assembly	One (1) space for each four (4) seats
Medical or dental clinic	One (1) space for each 250 square feet
Bank, business or professional office with on-site customer service	One (1) space for each 300 square feet
Warehouse, storage or wholesale business	One (1) space for each 1,000 square feet
Food and beverage place with sales and consumption on premises	One (1) space for each four (4) seats plus one for each two employees
Furniture, appliance, hardware, clothing, shoe or personal service store	One (1) space for each 500 square feet of gross floor area
Motor vehicles, machinery, plumbing, heating, ventilating, building supply stores or services	One (1) space for each 1,000 square feet of gross floor area, exclusive of displays and one for each employee
Manufacturing uses and all industries	One (1) space for each two (2) employees based on the maximum employment in any one (1) shift with a minimum of two (2) spaces
Recreational vehicle parks	One (1) space for each recreational vehicle space + one (1) guest space for each three (3) recreational vehicle spaces

E. In a stadium, sports arena, church or other place of assembly, each 20 inches of bench seating shall be counted as one (1) seat for the purpose of determining requirements for off-street parking facilities.

F. For non-residential uses, a maximum of 30% of the required spaces may be compact in size.

17.03.014 - Size and Location of Parking Spaces

A. All parking spaces shall be provided with adequate ingress and egress.

B. For garages or carports, an unobstructed inside dimension of 18 feet in length and nine (9) feet in width for each space shall be maintained.

C. Each off-street parking space shall be a minimum of 20 feet in length and nine (9) feet in width for a standard space and 18 feet in length and 8 feet in width for a compact space.

D. No automobile shall be required to back onto any public street or sidewalk to leave any parking area when such parking area serves more than two (2) dwelling units or any nonresidential use(s).

E. Required parking shall not be located in a required front or required side yard along flanking street on corner lots.

F. Where parking is provided off-site the distance shall be measured from the closest point of the parking area or lot to the closest point of the nearest building that such parking area or lot is required to serve. Off-street parking facilities shall be located in accordance with the following:

1. For single family, duplexes, or motels: on the same lot as the use it serves.

2. For multiple family dwellings or boardinghouse: within 200 feet of the building it serves.

3. For hospital, convalescent facility, or building containing club rooms: within 300 feet of the building it serves.

4. For uses other than those specified above: within 400 feet of the building it serves.

G. Trailers, boats, campers, mobile homes, house trailers and similar vehicles shall not be parked within ten (10) feet of the pavement edge.

17.03.015 - Parking Facilities--Development and Maintenance

A. Where parking required by this chapter equals five (5) or more spaces, the spaces shall be developed and maintained in the following manner:

1. Off-street parking areas shall be paved or surfaced with screened gravel, crushed rock or better, and shall be graded and drained to dispose of all surface water. In no case shall such drainage be allowed across a public sidewalk.

2. Off-street parking areas which adjoin a residential use on adjoining property shall be separated from such property by a sight-obscuring fence or compact landscaping such as a hedge, not less than six (6) feet in height.

17.03.016 - Loading Space Required

A. In all districts, buildings or structures to be built which receive and distribute material and merchandise by truck shall provide and maintain one (1) off-street loading berth for each 20,000 square feet of gross floor area or fraction thereof, which space shall be of sufficient length and width to accommodate the largest vehicle loading or unloading, but in no case less than ten (10) feet in width and 25 feet in length and 14 feet in height.

B. Access to the loading space shall be from alleys when possible.

C. No off-street loading area shall be located in a required front yard.

D. Off-street loading in all districts shall be provided such that no vehicle occupying the space extends onto a public road.

Section 17.03.020 - Landscaping, Screening and Property Maintenance

17.03.021 - Purpose and Intent

The purpose of this section is to establish landscape, screening, and property maintenance standards to enhance the aesthetic appearance of property throughout the City. In addition, the standards are established to protect the health and safety of the residents and users of the properties. A landscape plan and maintenance schedule are required as part of the review process.

17.03.022 - Landscape Screening

A. Screening shall provide a filtered, but not blocked view and may be provided by existing vegetation, landscaped areas, including the use of hedges, berms, fencing or a combination thereof. The use of vegetation (trees and columnar shrubs) is encouraged.

B. Perimeter Screening shall be provided as follows:

1. An all season visual separation and wind break shall be provided between commercial uses when adjacent to a residential use or district. Perimeter landscaping shall be provided along the side and rear property lines and shall shield the views of industrial or commercial land uses, including outdoor storage, service, parking and loading areas, from roads and adjacent uses. If, however, the rear of the site is adjacent to an agricultural use, no rear yard perimeter screening is required.

2. A 50-foot wide minimum vegetative buffer strip shall be provided between an industrial use and a residential district. The vegetative buffer shall consist of trees that attain a minimum of seven (7) feet in height. Additional screening may be required between dissimilar land uses, at the discretion of the City Council.

3. If a parking lot is located adjacent to a street, a perimeter screening minimum of ten (10) feet in width shall be provided between the street and the parking lot.

4. Trees and columnar shrubs shall be a minimum of four (4) feet in height at the time of planting and shall grow to a minimum of eight (8) feet within five (5) years.

5. Screening requirements may be relaxed if warranted by the use of clustering or shared access, at the discretion of the City Council.

C. Interior screening shall be required for parking areas according to the following minimum requirements:

1. Landscaping shall be provided at a minimum of 10 percent of the parking area.

2. One (1) tree for every 10/20 (single/double) row parking spaces shall be provided, for summer shade.

3. Minimum tree size at planting shall be two (2) inch caliper.

4. Trees shall be planted a minimum three (3) feet from curbs and sidewalks.

5. Screening shall include shrubs suitable to be maintained at a height of three (3) feet.

6. Avoid obstructing views of crosswalks, intersections, and streetlights.

17.03.023 - Landscape Materials and Design Requirements

A. The use of plant materials to achieve a variety of heights, shapes and/or textures upon maturity is encouraged.

B. A combination of evergreen and deciduous trees, shrubs and groundcover shall be used.

C. The use of drought-tolerant plant materials is encouraged.

D. The retention of existing trees is encouraged.

E. Fencing materials shall be attractive, durable, and complement or blend with the natural colors of the surrounding environment.

17.03.024 - Maintenance

A. Provisions shall be made for the on-going maintenance, including irrigation as necessary, of required landscape areas.

1. Trees and shrubs in required landscaped areas which die within 12 months of planting shall be replaced by the property owner.

B. All yards shall be maintained such that there will be no accumulation of silt, mud or standing water causing unsightly or hazardous conditions either within the yard or on adjacent properties.

C. All yards and buildings shall be maintained in a neat, tidy manner, including trimming and upkeep of all landscaped areas, and the removal of debris and unsightly objects.

D. All undeveloped land areas shall be maintained in permanent vegetative cover, or alternatively be landscaped with an approved combination of materials to control runoff.

E. All yards shall be maintained free of noxious weeds consistent with the regulations of the Stevens County Weed Board.

Section 17.03.030 - Accessory Structures

A. Accessory structures, whether attached or detached, shall occupy no more than 15 percent of the lot area, unless a variance is obtained from the city. (Ord. 1570 §1, 1998)

B. An accessory structure shall comply with the front and side yards setbacks required in the district in which the structure is located.

C. An accessory structure may be located in a required rear yard, but shall be at least five (5) feet from any lot line.

17.03.031 - Accessory Dwelling Unit, Attached

An attached Accessory Dwelling Unit requires a Conditional Use Permit, and must meet all of the following standards:

1. One (1) off-street parking space shall be required for the dwelling unit, in addition to the off-street parking required for the main residence.

2. The accessory unit shall be a complete, separate housekeeping unit that is within or attached to the principal unit with a common wall(s).

3. Only one (1) accessory unit shall be created within or attached to the principal unit.

4. An attached accessory dwelling unit shall not be allowed on lots containing a detached accessory dwelling unit, duplex or multi-family dwelling.

5. The accessory unit shall be designed in a manner so that the appearance of the building remains that of a single-family residence. Separate entrances shall be located on the side or in the rear of the building, or in such a manner as to be unobtrusive in appearance when viewed from the front of the building.

6. The total livable floor area of the principal and accessory units combined shall not be less than 1,200 square feet.

7. The accessory unit shall clearly be a subordinate part of the principal unit. In no case shall it be more than 35% of the principal building's total livable floor area, nor more than 800 square feet, whichever is less.

8. The accessory dwelling unit shall not have more than 2 bedrooms.

9. Site plans must be provided, including the following:
   a. Location and dimensions of the lot(s)
   b. Existing topography and natural features
   c. Existing layout of the primary/principal residence
   d. Proposed modifications to the primary/principal residence and layout of the accessory dwelling unit
   e. Existing and proposed off-street parking facilities
   f. Existing and proposed locations of all utilities provided to the site
   g. Any additional information deemed necessary by the Administrator.

Section 17.03.032 - Accessory Dwelling Unit, Detached

A detached Accessory Dwelling Unit requires a Conditional Use Permit and must meet all of the following standards:

1. One (1) off-street parking space shall be required for the dwelling unit, in addition to the off-street parking required for the main residence.

2. The accessory dwelling unit shall contain no more than 2 bedrooms and square footage shall be the lesser of 800 square feet or sixty percent (60%) of that of the principal/primary residence.

3. Only one (1) accessory dwelling unit shall be allowed per lot with an existing single-family residence. A detached accessory dwelling unit shall not be allowed on lots containing a duplex, multi-family dwelling unit, or an attached accessory dwelling unit.

4. Home professions shall be allowed only within the principal dwelling unit.

5. No part of the detached accessory dwelling shall exceed the lesser of (1) 2-1/2 stories, or 35 feet in height; or (2) 10 feet higher than the apex of the principal structure.

6. An accessory dwelling unit shall not be allowed on lots with less than 7,000 square feet and must meet all development standards for the zoning district in which it is placed or intended to be sited.

7. Site plans must be provided, including the following:
   a. Location and dimensions of the lot(s)
   b. Existing topography and natural features
   c. Existing layout of the primary/principal residence
   d. Proposed modifications to the primary/principal residence and layout of the accessory dwelling unit
   e. Existing and proposed off-street parking facilities
   f. Existing and proposed locations of all utilities provided to the site
   g. Any additional information deemed necessary by the Administrator. (Ord. 1646, 2005)

Section 17.03.040 - Utility Installations

17.03.041 - Purpose and Intent

In order to maintain a safe and efficient public or quasi-public utility or municipal service system which benefits the public good, it is necessary at times to install utilities. The purpose of this section is to provide standards for the installation of such needed facilities to improve compatibility with surrounding uses.

17.03.042 - Standards

A. Whenever the lot on which the utility use is located is in or adjoins a residential district, it shall be suitably landscaped so as to screen it from view from properties in the vicinity. Such landscaping shall be continually maintained by the utility provider.

B. Safety fencing, a minimum of six (6) feet in height, shall be erected and maintained around utility installations and structures in which there is any safety hazard whatsoever for children. All structures shall be located such that the safety fence does not encroach on any yard requirements in the district in which the use is located.

C. The utility station shall not be used for offices, servicing of trucks, storage of equipment, or such similar uses unless it is a use permitted outright in the district.

D. Lighting shall be directed away from adjacent properties, streets, and sidewalks to eliminate glare to surrounding properties, pedestrians, and drivers.

E. No objectionable odor is permitted.

Section 17.03.050 - Home Occupation

17.03.051 - Purpose and Intent

Home occupations are businesses conducted in a residence, where the occupation is secondary to the use of the dwelling for living purposes and the residential character of the dwelling is maintained. The provision for home occupations allows for the gainful employment in the home so long as the enterprise does not disrupt or reduce the surrounding residents' enjoyment of their neighborhood.

17.03.052 - Standards

A. Home occupations may be conducted in any zoning district provided that the home occupation complies with the following standards:

1. The home occupation shall be conducted entirely within the residence or lawfully erected and maintained accessory structure(s);

2. No more than 25 percent of the floor area of the main floor within a dwelling or 500 square feet, whichever is less, shall be devoted to the business;

3. No alteration to the appearance of the dwelling unit shall be made which is non residential in nature;

4. The home occupation shall not employ persons other than residents of the dwelling;

5. The home occupation shall not generate vehicular traffic which will interfere with residential traffic circulation nor shall it cause more than four vehicles including vehicles used by customers, vendors or delivery services to visit the premises per day;

6. The home occupation shall not create or cause hazards or nuisances due to noise, dust, vibration, odors, smoke, glare, electrical interference, or other adverse impacts; and

7. The home occupation shall not involve the use or storage of explosive, toxic, combustible or flammable materials in a quantity that exceeds the amounts incidental to normal residential use.

B. The number of home occupations at any one address is not limited, except that the cumulative impact of all such businesses shall not exceed the standards in this section.

Section 17.03.060 - Exceptions/Projections

A. Eaves, cornices, awnings and permitted signs may project not more than two (2) feet into a required yard.

B. Steps, terraces, platforms and porches having no roof coverings, provided that they do not exceed 42 inches in height above the finished grade, may occupy the front or side yard.

C. Smokestacks, chimneys, and flagpoles may exceed the height limit for the district in which it is located.

Section 17.03.070 - Fences

A. No fence over four (4) feet in height above the finished ground level May be erected within the required front yard of any lot. (Ord. 1570 §1, 1998)

B. No fence shall exceed a height of six (6) feet in the side or rear Yards. A side yard fence may extend to the front yard setback line.

C. No fencing or other sight obstruction which constitutes a hazard to the traveling public within the area designated as the "Clear View Triangle" shall be allowed on a corner lot. The Clear View Triangle is determined by measuring ten (10) feet from the point of two intersecting streets along the property lines and then connecting the two end points with a straight line forming the hypotenuse of the Clear View Triangle (see Figure 4 in Appendix A). Branches on trees within the Triangle shall be removed at the trunk up to a minimum level of seven (7) feet above finished ground level. Shrubs shall be maintained no higher than three (3) feet above finished ground level within the Triangle.

D. Within one (1) year after development of the first business in an area zoned for industrial uses, a fence or wall shall be installed along the side of any part of the property adjoining an R or C-2 District. The fence shall not exceed six (6) feet in height and shall be of decorative material.

E. No electrical or barbed wire fences are permitted.

Section 17.03.080 - Outdoor Signs

The purposes of outdoor sign regulations are:

- To encourage the effective use of signs as a means of communication in the city;
- To maintain and enhance the aesthetic environment and promote the city's ability to attract sources of economic development and growth;
- To improve pedestrian and traffic safety;
- To minimize the possible adverse effect of signs on nearby public and private property; and
- To enable the fair and consistent enforcement of sign restrictions.

This sign ordinance is adopted under the zoning authority of the city in furtherance of the more general purposes set forth in the Unified Development Ordinance.

17.03.081 Definitions

For the purpose of interpretation of this chapter, the following definitions shall apply:

A. *"Permanent type sign"* means any sign which is affixed to the ground or a permanent structure or building in such manner that it cannot be moved or transported with ease and which is intended to remain in one location and position for an extended period of time.

B. *"Portable type sign"* means any sign which is not permanently affixed to the ground or a permanent building or structure and which may be moved or transported with ease.

C. *"Sign"* means any medium, including its structural and component parts, which is used or intended to be used out of doors to attract attention to its subject matter, for advertising or any other purpose, other than solely for the surface of a building. In computing the area of an allowed sign, only one side of a double-sided sign shall be counted for allowable sign computation. Historical lettering 50 years old or older as of date of passage of this ordinance on the surface of a permanent building or structure shall not be considered a sign.

D. *"Temporary type Sign"* means any sign that is to be displayed for a limited period of time only. A temporary sign may be of rigid or non-rigid construction.

17.03.082 Exemptions

The following are exempted from this ordinance:

A. Any public notice or warning required by applicable federal, state, or local law, regulation, or ordinance;

B. Any sign inside a building, not attached to a window or door, that is not visible from a distance from more than three (3) feet beyond the lot line of the parcel on which such sign is located;

C. Works of art that do not include/contain a commercial message;

D. Holiday or special event lights and decorations with no commercial message;

E. Traffic control signs on private property, such as Stop, Yield, and similar signs, the face of which meet Washington State Department of Transportation standards and which contain no commercial message of any sort.

F. Any sign installed or erected by the City for community identification.

17.03.083 Compliance

No outdoor signs of any kind shall be erected, installed, or maintained within the city except as authorized in this chapter.

17.03.084 Permit Required

A. Except as provided in KFMC 17.03.086, it is unlawful to place, erect, construct, reconstruct or alter any sign within the city without first obtaining a written building permit from the City. The applicant shall file a signed, written application indicating the precise location of the proposed sign, including plans and specifications for materials and design.

B. Upon receipt of the application, the Mayor or his/her appointed designee shall make such investigation as deemed necessary to determine compliance with the provisions of this chapter, and the permit shall be issued only in the event such compliance is established to the satisfaction of the Mayor or his/her appointed designee.

C. Any permit issued hereunder shall be valid and remain in full force and effect so long as the permittee remains in compliance with the terms of the permit.

D. The fee for any permit authorized hereunder shall be as the City may establish by resolution, and shall be paid in full before issuance of the permit.

17.03.085 Non-Residential Districts Permitted Signs

In the C-1, C-2, C-3, I, and HI Zoning Districts, each business establishment located therein shall be allowed to erect and maintain permanent type signs for the advertising of its service or products, and the sign may be either attached to the principal building in which the business is situated, or be freestanding. Business establishments that face on two streets shall be allowed one such sign for advertising on each street. The signs shall be subject to the following restrictions:

A. The accumulated total area (total combined size) of all permanent type signs erected by a business establishment shall be no more than 100 square feet in the C-1 zone and no more than 200 square feet in the C-2, C-3, I, and HI Zoning Districts.
B. A sign panel with advertising on both sides thereof shall be considered one sign.
C. In no event shall any portion of any sign extend to a height of more than 35 feet above the surface of the ground.
D. Any sign incidental to a business shall be erected only upon the parcel, tract, lot or site upon which the business establishment is located.
E. Two (2) portable type signs, each of a size no larger than 12 square feet and extending to a height of not more than four feet above the surface of the ground, may be displayed by a business establishment during regular business hours solely upon its privately owned property.

17.03.086 Temporary Signs

A. Temporary Sign Standards. Any temporary sign authorized by this section, including temporary portable signs, shall comply with the sign location standards of KFMC 17.03.089.
B. Temporary Signs Allowed. Temporary signs of the type described herein shall be allowed in all zones within the city, subject to the following standards:
   1. Real Estate Signs. One (1) non-illuminated Afor sale@ or Afor rent@ sign, not exceeding an area of 18 inches by 24 inches, along with name strip sign(s) located either above or below the real estate sign, which name strip shall also not exceed an area larger than 12 inches by 24 inches, shall be allowed on the premises for the sole purpose of advertising a premises for sale or rent. Boxes may be fastened to the temporary sign to hold fliers describing the real estate, but such boxes may be no larger than reasonably required to hold 8.5-inch by 11-inch sheets of paper. Real estate signs shall be removed from the premises no later than five days after transfer of possession or ownership. An additional real estate sign meeting the above criteria may be placed in the public right of way when the property advertised for sale does not front on a right of way and the premises is not visible from a public right of way. As well, the additional real estate sign may be placed on other private property with the permission of the owner;
   2. Open House Signs. Portable, non-illuminated real estate open house signs may be used in connection with open house events, but only during those hours when the owner or representative is on the open house premises. Signs must be of the board or sandwich type, and shall be no larger than two (2), 24-inch by 24-inch panels. Up to four (4) off-premises portable signs may be used to advertise or provide directions to the open house event;

3. Political Signs. Political signs [e.g. those addressing an issue or candidate for adoption or election] may be posted on private property by the owner or possessor of the property. Political signs may be posted in the city right-of-way, subject to the restrictions set forth in KFMC 17.03.089. All political signs shall be removed no later than five days after the election date;
4. Garage Sale Signs. A maximum of six (6) signs may be used to advertise a garage sale, which signs shall not exceed four square feet in size. Such signs shall be removed within five days after the date of the garage sale. Notice of garage sales may also be posted in the city kiosk; provided, that the text of the garage sale notice is given to the city clerk and the notice is not larger than 8.5 inches by 11 inches, subject to space availability.
5. Construction Site Signs. One sign, not to exceed four square feet in size, shall be permitted on a property for which a valid building permit has been issued and construction has began. The sign shall be removed no later than five (5) days after completion of the work;
6. Miscellaneous Signs. Noncommercial signs which:
   i. are not otherwise prohibited by law or this chapter;
   ii. do not exceed three square feet in size; and
   iii. If advertising an event, are posted not longer than five days after the event, are allowed in all zones within the city. Governmental agencies may display banners larger than the size described in this subsection for the purpose of publicizing civic events, public right-of-way, upon prior approval by the city for conformance with KFMC 17.03.089(A).
   iv. Any temporary sign or signs that are placed on non-right-of-way city property in violation of this section may be removed by the city without notice to the sign owner. After such removal by the city, the city shall make a good faith attempt to identify the owner of the sign and shall provide said identifiable owner with a minimum of five days written notice prior to discarding or destroying the sign(s).
7. Platted Areas Advertising signs.
   i. In a plat with three or more lots for sale, one sign may be erected at each public entrance to the area for the purpose of advertising for sale the lots contained within the plat.
   ii. The developer shall obtain a permit from the Mayor or his/her designee for the erection of the signs. The permit shall authorize the sign to remain in place for period not to exceed six months from the date of city council approval of the plat, or planning commission approval of the short plat, except that if the signs are satisfactorily maintained, the permit may be reissued for a maximum of two additional six-month periods.
   iii. The signs shall be of dimensions no larger than four feet by eight feet. The signs may be in addition to those signs for the sale or rental of individual lots within the plat as authorized in subsection (B)(2) herein.

17.03.087 Identification Signs

A. Churches and schools may be identified by two permanent signs erected with a maximum combined square footage of one hundred (100) square feet, and maintained at or in the vicinity of each entrance to such area. Any such sign must:

1. Be attractive in appearance;
2. Be of such construction and design as is in keeping with the general character of the surrounding neighborhood;
3. Be maintained in high quality condition at all times;
4. Be located within a landscaped area which is continuously maintained;
5. Be situated so as not to cause any interference with visibility of persons driving vehicles upon streets adjacent to or in the vicinity of the area in which it is situated;
6. Contain only the name of the church, school, etc., involved;
7. Not exceed four feet in total height above the finished grade; or
8. If a wall sign, does not protrude beyond the roof line of the structure to which it is affixed.

17.03.088 Residential Identification Signs

In addition to address numbers on a residence, one sign up to four (4) square feet in size containing only the name and address of the owner of tenant of the residence/dwelling shall be allowed. For the purposes of this section, an approved accessory dwelling unit shall be considered a separate residence/dwelling.

Home Occupation signs not exceeding four (4) square feet in area and affixed to the primary dwelling as a wall sign shall be allowed for each Home Occupation with a valid and current city business license associated with the primary dwelling.

17.03.089 Prohibited Sign Locations

A. No sign shall be placed on the public right-of-way in such a manner as to interfere with traffic or driver vision, impede pedestrian traffic or otherwise present a safety hazard. Furthermore, no sign shall be placed on the public right-of-way in such a manner as to damage or interfere with landscaping or irrigation systems. No sign otherwise permitted under this chapter shall be attached to any utility pole, light pole, trees, municipal or other public agency sign posts, nor to any building or structure. This subsection does not apply to banners authorized under 17.03.086(B)(6).

B. Signs attached to or placed on a vehicle or trailer parked on public or private property; provided, however, this provision shall not be construed as prohibiting the identification of a firm or its products on a vehicle operating during the normal course of business. Buses and taxis are exempt from this provision.

C. Remote or off-premises signs except as otherwise authorized herein.

17.03.0891 Prohibited Permanent Sign Types

The following signs are specifically prohibited as a permanent sign in all zones:

A. Beacons.

B. Pennants.

C. Strings of lights not permanently mounted to a rigid background, except those exempt under KFMC 17.03.089.

D. Inflatable signs and tethered balloons.

E. Signs that are, or include such items as, banners, pennants, ribbons, balloons, kites, flags, streamers or similar devices. These devices, when not part of any sign, are also prohibited.
F. Thematic Flag.
G. Signs that flash, blink, move, oscillate or revolve, with the exception that barber poles shall be permitted to revolve.
H. All signs which project above the roof or parapet of a structure.
I. Signs with lighting than may be hazardous to pedestrians or motorists.
J. Signs which obscure designated view corridors, vista of landscape, or vision of motorist entering or leaving a street.
K. Signs obstructing the vision of public access to a road, street or alley.
L. Signs which by coloring, shape, language or location resemble or conflict with traffic-control signs or devices.
M. Billboards.

The determination of whether a sign is prohibited by this section shall be in the sole discretion of the city and is not subject to appeal. Any sign(s) placed in violation of this section may be removed by the city without notice to the owner. After such removal by the city, the city shall attempt, in good faith, to identify the owner of the sign and shall provide said identifiable owner with a minimum of five days= written notice prior to discarding or destroying the sign(s). In addition to other remedies hereunder, the city shall have the right to recover from the owner or person placing such a sign the full costs of removal and disposal of the sign.

17.03.0892 Time of Compliance: Nonconforming Signs and Signs Without Permits

Except as otherwise provided herein, the owner of any premises upon which a sign that does not conform with the requirements of this ordinance is situate or for which there is a sign with no current and valid sign permit, shall be obligated to remove such sign or bring it into conformity with the requirements of this ordinance, unless authorized to continue as hereafter set forth.

A. Signs Existing on Effective Date. For any sign existing in the city as of date of passage of this ordinance, an inventory will be conducted to establish a master sign database. So long as a sign was lawfully permitted at the time of its erection or construction and prior to passage of this ordinance, it will be provided a Nonconforming Sign Permit by administrative action and be exempt from the initial fees adopted under the authority of this ordinance. For any sign on property later annexed to the City, an application for a sign permit shall be submitted within three (3) months of the effective date of the annexation, or within such sooner period as may be established in an annexation agreement between the city and the landowner. Applications received after the applicable date shall not be entitled to the protection of subsection (B), herein:
B. Lapse of Nonconforming Sign Permit. A Nonconforming Sign Permit shall lapse and become void when the owner voluntarily removes the sign from its location, or changes the sign in any way which creates or increases a non-conforming feature of the sign beyond that originally authorized by the Nonconforming Sign Permit.
C. Sign Removal Required. A sign that was originally constructed painted, installed, erected or maintained in conformance with a permit under this ordinance, but for which the permit has lapsed or for which the time allowed for the continuance of a nonconforming sign has expired, shall be forthwith removed without notice or action from the city.

17.03.0893 Violations

Any of the following shall constitute a violation of this ordinance:

A. To install, create, erect, or maintain any sign in a manner inconsistent with any plan or permit governing such sign, or the zoning requirements for the property on which the sign is located;
B. To install, create, erect, or maintain any sign requiring a permit without a valid permit;
C. To fail to remove any sign that is installed, created, erected, or maintained in violation of this ordinance, or for which the sign permit has lapsed; or
D. To continue any such violation. Each such day of a continued violation shall be considered a separate violation when applying the enforcement and remedies portion of this ordinance.

Each sign installed, created, erected, or maintained in violation of this ordinance shall be considered a separate violation when applying the penalty portions of this ordinance.

17.03.0894 Enforcement and Remedies

A. In the event the Mayor or his/her designee determines that a violation of this ordinance may exist and a remedy for such violation is not otherwise expressly provided for herein, she/he shall notify the permittee of the violation by certified mail at the address provided in the permit and require that the permittee remediate the violation within ten (10) days of the date of the notice. If, in the judgment of the Mayor or designee, compliance is not made within that time frame, the Mayor or designee shall thereafter issue a notice of revocation of sign permit to the permittee, and the right of the permittee to maintain the sign shall be terminated.
B. Any person aggrieved by the decision of the Mayor or designee to revoke a sign permit may appeal the revocation of the permit to City Council, consistent with the provisions of KFMC 17.06.072. The reason(s) for the appeal must be in writing, signed by the appellant and personally delivered to the City Clerk within ten (10) days of the date of mailing of the Notice of Revocation. The City Council shall thereafter hear the appeal at its next scheduled meeting.
C. In addition to the foregoing, and not by way of limitation, additional remedies for a violation of this ordinance may include the following:
   1. Issuing a stop-work order for any and all work on any signs;
   2. Seeking an injunction or other order of restraint or abatement that requires the removal of the sign(s) or the correction of the nonconformity;
   3. Seeking the imposition of penalties provided at KFMC 17.06.070; and
   4. In the case of a sign that poses an immediate danger to the public health or safety, taking such measures as are available to the city under the applicable provisions of the zoning ordinance and building code. (Ord. 1647, 2005)

Section 17.03.090 - Manufactured/Mobile Home Parks

17.03.091 - Purpose and Intent

The purpose of this section is to provide minimum standards for mobile home parks, as defined, including authority for the administration of state requirements for mobile home parks. The standards in this section are intended to be consistent with and supplement the state law and local regulations controlling the operation and parking of mobile homes.

17.03.092 - Permit Required

A valid permit issued by the Building Department is required before a mobile home may be set up and a certificate of occupancy is required before a mobile home may be occupied in any mobile home park.

17.03.093 - Development Standards

A. A mobile home park shall be located on a lot that is a minimum of five (5) acres but not more than 50 acres in size, unless it is demonstrated to the City Council that the use would be compatible with the surrounding property and its use, that adequate public facilities and services can be provided, and that such variation is in the interest of the public health, safety, and general welfare.

B. The site shall have primary direct access to a public road with a minimum of 60 foot right-of-way.

C. The site shall comply with existing or proposed future patterns of development, and shall provide for extensions of future traffic patterns as required by the Comprehensive Plan.

D. A manufactured/mobile home park shall have a recreational area that is a contiguous, improved area, and is suitably maintained for recreational purposes. The amount of land to be established for a recreational area shall be determined by dividing the number of dwelling units into the gross development area as follows:

1. Dwelling Units per Gross Acre	Recreational Area Required: (percent)
• 2 - 6	1%
• 7 - 9	3%
• 10 - 11	5%
• 12 or more	8%

E. No manufactured/mobile home space shall be less than 3,000 square feet or three (3) times the area of the manufactured home situated on the space, whichever is greater.

F. No manufactured home or accessory structure shall be located closer than 25 feet to the right-of-way of any public road, or closer than ten (10) feet to any property line.

G. No manufactured home shall be located closer than 15 feet to an internal park street or five (5) feet to a common parking area or common walkway.

H. A minimum of ten (10) feet shall be maintained from one (1) manufactured home to another mobile home or building in the mobile home park.

I. A park street shall connect each mobile home site to a public street or road. All streets in the park shall comply with adopted City standards for streets of the same classification.

J. Private park streets shall be paved and shall consist of crushed rock base and asphalt or concrete surfacing, as approved by the City Engineer.

K. Walkways of not less than three (3) feet in width shall be provided from each home site to any service building, recreation area, and parking area.

L. A minimum of 240 cubic feet of detached, enclosed storage space shall be provided for each unit.

M. All manufactured homes occupied for a period of more than 90 days shall be skirted on the lower perimeter by fire-resistant and weather-resistant siding that is architecturally compatible with the home.

N. Manufactured and mobile homes shall be installed per the manufacturer's installation manual. Additionally, where specific installation instructions and specifications are not provided by the manufacturer, engineer, or architect, the manufactured/mobile home shall comply with the installation requirements set out in WAC 296-150B-225 through 296-150B-255. The Uniform Building Code is used as a guide where the item is not specified by the MHCSS federal regulations (HUD part 3280). The manufacturer's instructions or the Washington State set-up law (WAC 296-150B) generally apply to items such as footings, skirting, ventilation, etc. Skirting may be used in a mobile home park but a manufactured home not located in a mobile home park must be on a permanent foundation as specified for any other home in the Uniform Building Code.

O. Landscaping in compliance with Section 17.03.020 shall be provided within the front and side yard setback areas, and in all open areas in the manufactured/mobile home park not otherwise used.

P. Structures located on a manufactured home site, in addition to the mobile home, shall be limited to accessory structures normally associated with a mobile home. No other structural addition shall be built on to or become part of any mobile home, and no mobile home shall support any building in any manner.

Q. Dwelling units in the manufactured/mobile home park shall comply with the following:

1. have a minimum width of 14 feet excluding expandable units;

2. meet all the requirements of the federal and state codes for manufactured homes;

3. have a minimum floor area of 700 square feet; and

4. have perimeter skirting or a foundation completely around the unit.

5. have permanent steps, landings, porches or decks (constructed per Uniform Building Code) at mobile home entrance/exit doors.

Section 17.03.100 - Recreational Vehicle Parks

17.03.101 - Purpose and Intent

Recreational vehicle parks provide commercial transient housing to allow people to enjoy the outdoors. The purpose of this section is to provide standards for recreational vehicle parks, including campgrounds to ensure that such operations are compatible with the surrounding uses.

17.03.102 - Development Standards

A. The minimum size of a recreational vehicle park shall be 27,200 square feet.(Ord. 1697, §1, 2010).

B. The maximum gross density shall be one (1) recreational vehicle per each 1,000 square feet of land area.

C. No less than eight (8) percent of the total site area shall be provided as defined recreational space. The recreational vehicle space shall be easily accessible and shall be improved and maintained in such a manner so as to provide adequate recreational facilities for the users of the recreational vehicle park. The City Council may waive this requirement if the Council determines that recreational facilities located adjacent or in close proximity to the site will be sufficient to satisfy the recreational needs of users of the park.

D. Each recreational vehicle space shall have a minimum width of 20 feet and a minimum depth of 50 feet (1,000 square feet). (Ord. 1697, §1, 2010).
E. There shall be a minimum side-to-side dimension of eight (8) feet between units and a minimum of end-to-end dimension of ten (10) feet between units.

F. Vehicle spaces shall be sited so that the following minimum setbacks shall be maintained:
1. 25 feet from a public right-of-way;
2. Five (5) feet from an interior private street; and
3. 15 feet from adjacent properties.

G. Five (5) foot wide pedestrian walkways shall be provided from the recreational vehicle spaces to all service buildings and facilities, and refuse collection areas. The walkways shall be hard surfaced, well drained, and well lighted.

H. All interior streets shall comply with adopted City standards for streets of that class. One-Way streets with a minimum width of 30' and a minimum pavement of 15' shall be allowed. Paving on park streets shall consist of crushed rock base and asphalt or concrete surfacing, as approved by the City Engineer. (Ord. 1697, §1, 2010).

I. A recreational vehicle must contain at least one internal toilet and at least one internal shower, and if that requirement is not met, a recreational vehicle park must provide toilets and showers. (Ord. 1697, §1, 2010)

J. Solid waste shall be collected, stored, and disposed of regularly to prevent health hazards, rodent infestation, breeding insects, or accident or fire hazards. Individual or grouped refuse containers must be screened from view except on collection day.

K. All utilities shall be constructed and maintained in accordance with all applicable state and local codes and regulations. The following requirements for utilities shall apply:

1. A water supply system shall be provided for each space and shall be connected to a public water supply system.

2. Each recreational vehicle park shall be provided with one (1) or more easily accessible water supply outlets for filling recreational vehicle water storage tanks.

3. An adequate and safe sewage disposal system shall be provided for each space and shall be connected to a public sewerage system.

4. Each recreational vehicle park shall be provided with sanitary dumping stations in the ratio of one (1) for every 100 spaces or fractional part thereof. Sanitary stations shall consist of at least a trapped four-(4) inch sewer riser pipe connected to the sewage disposal system and surrounded at the inlet end by a concrete apron sloped to the drain and provided with a suitable hinged cover; and, a water outlet, with the necessary appurtenances connected to the water supply system to permit periodic washdown of the immediate adjacent areas. A sign shall be posted near the water outlet indicating that the water is for flushing and cleaning purposes only. Sanitary stations shall be screened from other activities by a visual barrier such as fences, walls, or natural growth and shall be located a minimum of 50 feet from any recreational vehicle space.

5. Each space shall be provided with an underground electrical system.

L. All recreational vehicle parks shall comply with rules and regulations of the Washington State Board of Health.

M. All recreational vehicle spaces shall be well marked and numbered.

N. All RV parks must have a primary access to a public street. (Ord. 1697, §1, 2010).

O. The minimum spaces allowed per primary access is 20 units. Each additional 20 units shall require an additional primary access point. (Ord. 1967, §1, 2010).

Section 17.03.110 - Nonconforming Uses and Structures

17.03.111 - Purpose and Intent.

The purpose of this section is to define the conditions under which a lawfully constructed building or the lawful use of any building or lot existing at the time of passage of this ordinance may be continued, although such building or use does not conform to the provisions of this title.

17.03.112 - Nonconforming Uses.

If a nonconforming use is discontinued for a period of six (6) months or more, future use of the land or building shall be in conformity with the uses permitted in the district in which the property is located.

17.03.113 - Expansion of Nonconforming Uses of Land.

Nonconforming uses of land shall not be enlarged or increased, nor extended to occupy a greater area of land than was occupied at the effective date of adoption of this chapter, unless such use is authorized under conditional use provisions of the applicable district and a Conditional Use Permit has been issued.

17.03.114 - Nonconforming Structures.

A. Nonconforming buildings and structures shall not be enlarged or altered in a way which increases the nonconformity without the issuance of a Variance accordance with Section 17.05.040 of this title.

B. In the event that a nonconforming structure is destroyed by any means to an extent of more than 50% if its actual value based on the assessed valuation placed upon it at the time of its destruction, the use of the structure and the lot upon which it is located shall thereafter conform to all requirements of the use district within which it is located. Any building sought to be repaired or restored after being damaged by fire, shall be restored and repaired within six (6) months in order to be entitled to the provisions of this section.

SECTION 17.03.120 - THE KEEPING OF RABBITS AND CHICKENS

A. The keeping of rabbits and female chickens is permitted in the Single Family Residential (SFR) zone as an accessory use to any principal use subject to the standards of this section.

Section 17.03.121 - Permit Required.

A. An annual permit is required for the keeping of rabbits and chickens in the City of Kettle Falls. The fee for an annual permit is ten dollars ($10.00). The permit may be issued after a satisfactory inspection by the City of Kettle Falls that the following standards have been met.

Section 17.03.122 - Number and Type of Animals Allowed.

A. The combined maximum number of rabbits and chickens allowed is five (5) per household.

B. Only female chickens are allowed - no roosters. There is no restriction on rabbit or chicken species.

C. Chickens must have one (1) wing clipped to prevent flight.

Section 17.03.123 - Enclosures.

A. Rabbits and chickens must be kept in an enclosure or fenced area at all times. During daylight hours, rabbits and chickens may be allowed outside of their pens in a securely fenced yard if supervised. Rabbits and chickens shall be secured within their hutch/coop during non-daylight hours.

B. Enclosures must be clean, dry, and odor free, kept in a neat and sanitary condition at all times, in a manner that will not disturb the use or enjoyment of neighboring lots due to noise, odor or other adverse impact.

C. The hutch/coop must provide adequate ventilation and adequate sun and shade and must be impermeable to rodents, wild birds, and predators, including dogs and cats. It shall be designed to provide a safe and healthy living condition while minimizing adverse impacts to other residents in the neighborhood.

D. The structure shall be enclosed on all sides and shall have a roof and doors. Access doors must be able to be shut and locked at night. Open windows and vents must be covered with a predator-and bird-proof wire less than one (1) inch openings. Pens must be covered with wire, aviary netting, or solid roofing.

E. The structure shall be well maintained.

F. The combined size of the hutch/coop/run/structure shall not exceed 200 square feet in size.

G. The hitch/coop/run/structure shall not be placed in the front yard and shall be a minimum of ten (10) feet from all property lines.

Section 17.03.124 - Odor and Noise Impacts.

A. Odors from rabbits, chickens, manure, or other animal related substances shall not be perceptible at the property boundaries.

Section 17.03.125 - Application for Permit.

A. Complete and file an application on a form prescribed by the City of Kettle Falls.

B. The City of Kettle Falls shall deny a permit if the applicant has not demonstrated compliance with all the provisions of this code.

C. A permit to keep rabbits or chickens may be suspended or revoked by the City of Kettle Falls where there is risk of public health or safety or for any violation of or failure to comply with any of the provisions of this section or with the provisions of any other applicable ordinance or law.

D. Any denial, revocation or suspension of a permit shall be in writing and shall include notification of the right to and procedure for appeal.

Section 17.03.126 - Appeal.

A. A person appealing the denial, suspension or revocation of a permit by the City of Kettle Falls may appeal to the City Council within thirty (30) days of the decision being appealed.

Section 17.03.127 - Penalty.

A. In addition to any other enforcement action which the city may take, violation of any provision of this section shall be a civil violation and a fine not exceeding one-hundred ($100) may be imposed. Each day the violation continues will be treated as a separate offense.

Section 17.03.128 - Removal of Rabbits and Chickens.

A. In addition to the penalty, the violation of the provisions of this section or of the permit shall be grounds for an order from the City of Kettle Falls to remove the rabbits or chickens and the related structures.

B. If a chicken dies, it must be disposed or promptly in a sanitary manner.

C. Owners have 90 days to remove offspring.

Section 17.03.129 - Severability.

A. In the event that any section, subsection of portion of this article shall be declared by any competent court to be invalid for any reason, such decision shall not be deemed to affect the validity of any other section, subsection or portion of this article. (Ord. 1705, 2011)

SECTION 17.03.130 - THE KEEPING Of BEES

A. The keeping of bees is permitted in the Single Family Residential (SFR) zone as an accessory use to any principal use subject to the standards of this section.

Section 17.03.131 - Permit Required

A. An annual permit is required for the keeping of bees in the City of Kettle Falls. The fee for an annual permit is ten dollars ($10.00). The permit may be issued after a satisfactory inspection by the City of Kettle Falls that the following standards have been met.

Section 17.03.132 - Standards Applicable to Beekeeping

A. Location, Density and Maintenance of Colonies.

1. The minimum lot size where colonies may be kept is six thousand square feet. The number of colonies is limited to two colonies per six thousand square feet of lot area, up to a maximum of six colonies on lots of twelve thousand square feet of larger.
   a. The beekeeper establishes and maintains a flyway barrier at least six feet in height consisting of a solid wall, solid fencing material, dense vegetation or combination thereof that is parallel to the property line and extends ten feet beyond the colony in each direction so that all bees are forced to fly at an elevation of at least six feet above ground level over the property lines in the vicinity of the colony, or
   b. The colony is situated ten feet or more above the grade of the nearest adjoining property line.
   c. Colonies shall be maintained in movable-frame hives with adequate space and management techniques to prevent overcrowding and swarming.
   d. In any instance in which a colony exhibits aggressive or swarming behavior, the beekeeper must ensure that the colony is re-queened. Aggressive behavior is any instance in which unusual aggressive characteristics such as stinging or attacking without provocation occurs.
   e. Every beekeeper shall maintain an adequate supply of water for bees located close to each colony.

f. An apiary (for beekeeping) shall be identified by placing a sign so it is visible to passers-by.
g. Registrations and Training.

2. All colonies shall be registered with the director of the State Department of Agriculture pursuant to RCW 15.60.021 no later than April 1st of each year. Copies of the registration must be submitted to the city annually for proof of compliance.

B. The beekeeper shall be currently enrolled in or have completed the requirements for apprenticeship level of the Washington State Beekeeper's Association master beekeeper certification program and submit proof of compliance to the city.

C. The beekeeper shall maintain membership with the Inland Empire Beekeepers Association or other comparable organization. Demonstration of continuous membership must be submitted to the city for proof of compliance.

1. There will be an annual application and annual permit fee to inspect site for compliance with these standards.
2. Violations of these standards are subject to a monetary penalty of up to $100. If a violation is validated and the situation is not brought into compliance to the satisfaction of the City of Kettle Falls, then the permit will be revoked. The colonies must be removed. Any approved reinstallation of colonies will be subject to a one-year probationary period. If violations continue to occur, future applications may be denied.

D. Application for permit must also include signed concurrence letters from adjacent property owners agreeing to the keeping of bees.

Section 17.03.135 - Application for Permit

A. Complete and file an application on a form prescribed by the City of Kettle Falls.
B. The City of Kettle Falls shall deny a permit if the applicant has not demonstrated compliance with all the provisions of this code.
C. A permit to keep bees may be suspended or revoked by the City of Kettle Falls where there is risk of public health or safety or for any violation of or failure to comply with any of the provisions of this section or with the provisions of any other applicable ordinance or law.
D. Any denial, revocation or suspension of a permit shall be in writing and shall include notification of the right to and procedure for appeal.

Section 17.03.136 - Appeal

A. A person appealing the denial, suspension or revocation of a permit by the City of Kettle Falls may appeal to the City Council within thirty (30) days of the decision being appealed.

Section 17.03.137 - Penalty

A. In addition to any other enforcement action which the city may take, violation of any provision of this section shall be a civil violation and a fine not exceeding one-hundred ($100) may be imposed. Each day the violation continues will be treated as a separate offense.

Section 17.03.138 - Removal of Bees

A. In addition to the penalty, any violation of the provisions of this section or of the permit shall be grounds for an order from the City of Kettle Falls to remove the Bees and the related structures.

Section 17.03.139 - Severability

A. In the event that any section, subsection or portion of this article shall be declared by any competent court to be invalid for any reason, such decision shall not be deemed to affect the validity of any other section, subsection or portion of this article. (Ord. 1745, 2015)