

# Title 11 DEVELOPMENT CODE

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# Division ~~1~~1. General Provisions

## Chapter 11.05 GENERAL PROVISIONS

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### **11.05.010 Title.**

The provisions of this title and *amendments* to it *shall* be known and may be cited as “The City of Ritzville Unified Development Ordinance, Title ~~11~~11 of the Ritzville City Code.” (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.01.010, 2001).

### **11.05.020 Application.**

This chapter is applicable to all activities set forth and the provisions contained within this title.

### **11.05.030 Purpose.**

A. It is the intent of the city to provide uniform, equitable and reasonable standards to govern the *use* of land and *structures* in the interest of public health, safety, and the general welfare. The purpose of this title is to implement the Ritzville *Comprehensive Plan* and substantiating studies, and to comply with the provisions and objectives of Chapters ~~36.70 and 36.70A~~36.70 and 36.70A RCW as now or hereafter amended.

B. The broad objectives of this title are to:

1. ~~1~~-Regulate the type and intensity of the *use* of land and *structures*;
2. ~~2~~-Regulate the placement of *structures*;
3. ~~3~~-Require basic amenities for satisfactory relationships between land and *building* uses and public requirements; and
4. ~~4~~-Organize the general patterns of land *use* that will be of the greatest benefit to the greatest number of people over a long period of time. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.01.020, 2001).

### **11.05.~~030~~040 Authority.**

This chapter is adopted pursuant to the authority granted to the City of Ritzville by the Washington State Constitution as a second-class city, the provisions of RCW 35.23 et seq., RCW 35.63 et seq., the Planning Act set forth in RCW chapters 36.70 and 36.70A, RCW chapters 36.70B, 36.70C, 58.17 et seq., 35.21, 36.01, and other applicable laws, as these provisions now exist or as hereinafter amended.

### **11.05.050 Scope and Compliance.**

A. In ~~their~~the City of Ritzville's interpretation and application, the provisions of this title *shall* be held to be minimum requirements, adopted for the promotion of the public health, safety, and general welfare. Whenever the requirements of this title differ from the requirements of any of the lawfully adopted rules, regulations, ordinances, or deed restrictions, the most restrictive or that imposing the higher standards to be met prior to a land *use* being permitted *shall* govern.

B. Upon request and as determined necessary, the ~~planning commission~~Planning Commission *shall* interpret the meaning or application of the provisions of this title and issue a written ~~administrative~~ interpretation within 30 days. The written interpretation *shall* concisely identify the issue as well as the reasoning behind the interpretation.

~~C. No~~C. Unless specified elsewhere in these provisions, no structure or lot *shall* be used or occupied, and no building permit for the erection, relocation, *alteration* or expansion of any structure *shall* be granted, unless compliance with the provisions of this title has been satisfied. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.01.030, 2001).

### **11.05.060 Enforcement.**

Enforcement of provisions of this code shall generally be pursuant to the provisions of RCC 1.02.010. In addition to the procedures in Chapter 1.02 RCC, the following enforcement provisions shall apply:

A. It shall be unlawful for any person, firm, corporation or association, or agent thereof, to violate any provision of this code. Any person who violates any of the provisions of this chapter shall be guilty of a civil offense and may be fined a sum not to exceed \$500.00 for each offense as per RCC 1.02.010. After a notice of violation has been given, each day of site work in conjunction with the notice of violation shall constitute a separate offense. The City of Ritzville will stop work on any existing permits and will halt the issuance of any or all future permits or approval for any activity which violates the provisions of this code until all penalties and restorations are made in full.

B. Upon a determination by the Administrator of this code that a violation has occurred, he/she shall issue a notice in writing either by mail or personal service to the person incurring the same. The notice of violation and order shall be served upon each record owner, taxpayer, and occupier and, when applicable, the contractor(s). The notice shall include the amount of the penalty imposed and shall describe the violation with reasonable particularity. In appropriate cases, corrective action shall be identified in the notice, which corrective action shall be taken within a specific and reasonable time.

C. A person receiving a written notice of violation may appeal said notice in accordance with the City grievance procedure, outlined in RCC 11.170.080 and Resolution #2009-09.

D. The city attorney may enforce compliance with this chapter by such injunctive, declaratory, or other actions as deemed necessary to ensure that violations are prevented, ceased, or abated. (Ord. 2143 § 1 (Att. A), 2020).

Any person, partnership, association, firm or corporation who violates or fails to comply with this chapter is guilty of a civil infraction and is subject to the civil penalties and remedies and corrective actions as set forth in Chapter 11.300 RCC, Enforcement, which remedies are cumulative, not alternative remedies, and are in addition to any other remedy to which the city may be entitled by law. Any violation of this chapter is declared to be a public nuisance, subject to abatement or injunctive relief in accordance with the City of Ritzville's ordinances and the laws of the state of Washington. (Ord. 2085 § 9, 2015).

### **11.05.070 Infrastructure Improvements: As-built drawings.**

Upon completion of the installation of all infrastructure improvements, two copies of infrastructure as-built plans shall be filed with the Administrator. The maps shall show information required by the Administrator, but not limited to location of all utilities, sewer Grades, manholes, fire hydrants, storm sewer main size and location, water mains and

catch basin location. The city shall withhold final acceptance of the utility installation until the as-built drawings are filed. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.04.120, 2001).

### **11.05.080 Severability.**

If any portion of this title is found to be invalid or unenforceable for any reason, such finding shall not affect the validity or enforceability of any other section of this title.

## Chapter 11.10 DEFINITIONS

Sections:

~~11.10.010 — General provisions.~~

~~11.10.020 — Definitions.~~

~~11.10.010~~ — **11.10.010 General provisions.**

**11.10.020 Definitions.**

### **11.10.010 General provisions.**

The *following* definitions are provided to aid in the understanding and interpretation of the provisions of this title. Words used in the present tense include the future, words used in the singular number include the plural, and words in the plural number include the singular. The word “*shall*” is always mandatory and not merely directive. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.01.041(A), 2001).

### **11.10.020 Definitions.**

Terms that are not specifically defined below are to be understood according to the common meaning in use in the city, as interpreted by the ~~a~~Administrator.

“*Accessory dwelling*” means ~~an accessory structure primarily used as a separate living dwelling unit (apartment) integrated within, located on the same lot as a single-family dwelling housing unit, duplex, triplex, townhome, or detached garage/structure for the purposes of a caretaker or immediate family use only.~~ other housing unit (RCW 36.70A.696).

“*Accessory use or structure*” means a *building, part of a building, or structure or use* which is subordinate to, and the use of which is common or incidental to that of the *main building, or structure or use* on the same *lot*.

“*Accessory use*” means a use which is subordinate to or incidental to that of the main use on the same lot.

“*Active recreation*” means activities that refresh or restore one’s strength, spirits or vitality through physical movement or action.

“*Adjoining lot*” means a *lot or parcel* of land that shares all or part of a common *lot line* with another *lot or parcel* of land.

“*Administrator*” means the mayor ~~or his designee~~ of the City of Ritzville or designee appointed to administer provisions of this chapter.

“*Affordable housing*” means:

1. Housing renting for a *monthly* rent, including an appropriate *utility* allowance, of not more than thirty (30) percent of the total *monthly* household income of low-income households (defined to be a household earning eighty (80) percent or less of the median annual income, adjusted for household size, as determined

by the United States Department of Housing and Urban Development for the Seattle Metropolitan Statistical Area); or

2. Housing that may be purchased with *monthly* payments including: principal, interest, taxes, insurance, homeowners association fees, and assessments, that do not add up to more than thirty (30) percent of the total *monthly* household income of low-income households (defined to be a household earning eighty (80) percent or less of the median annual income, adjusted for household size, as determined by the United States Department of Housing and Urban Development for the Seattle Metropolitan Statistical Area); or
- 4.3. Housing that is at one hundred (100) percent of the median annual income (such housing may not be eligible for the subsidies that more *affordable housing* can earn).

“*Airport*” means any runway, landing facility, or any other facility including taxiways, aircraft storage and tiedown areas, hangars, and other necessary *buildings* and open areas designed to be used for the landing, taking off and storage of aircraft.

“*Alley*” means a public *right-of-way* not over 30 feet wide which affords, generally, a secondary means of access not intended for general traffic circulation (see Figure 3 in Appendix A).

“*Allowed activity*.” An “*allowed activity*” is a *use* that due to other regulations or previous reviews is unlikely to result in a *critical areas impact*. These activities are subject to review by the city, but do not require a separate *critical area* review or report. Since these activities are not “*exempt*,” the *critical areas* standards continue to apply, and the underlying permit could be conditioned to ensure that the activity complies with *critical areas* protection.

“*Alteration*” means a movement of the components of a *structure* which changes its height, width, or depth, the moving of a *structure* from one location to another, or the moving of internal partitions which could affect the structural integrity of the *building* or more than one-third of a single floor.

“*Amendment*” means a change in the wording, context or substance of this title including any changes to the maps associated with this title.

“*Annexation*” means new areas or territory added to the eCity of Ritzville that will revise and expand the existing corporate limits.

“*Antenna*” means the outdoor portion of receiving equipment used for the reception or transmission of television, radio, or cell waves.

“*Appeal*” means a request for a review of the interpretation of any provision of this title or a request for a *variance*.

~~“*Aquifer*” means a permeable geologic formation that when saturated with ground water is capable of transporting water through the formation.~~

“*Applicant*” means a person who files an application for permit under this chapter and who is either the *owner* of the land on which that proposed activity would be located, a lessee of the land, the person who would actually control and direct the proposed activity or the authorized agent of such a person.

“*Aquifer recharge*” means the process of infiltration and migration of which ground water is replenished.

“*Aquifers*” refers to ground water-bearing geologic formations that contain enough saturated permeable material to yield significant quantities of water to wells.

Area, Sign. “*Sign area*” means, for regularly shaped signs, the simple area of the sign. For irregularly shaped signs, the area *shall* be that of the rectangle, triangle, or circle (whichever is smaller), which will wholly contain the sign. In the case of a wall mural incorporating commercial wording, the sign *area* includes only the portion of the mural which contains the wording circumscribed as set forth in this definition.

Area, Site. “*Site area*” means the total horizontal area within the *property* lines of a *building* site excluding external *streets*.

“*Arterial*” means any *street* which has been designed to carry large volumes of traffic and designated as an *arterial* on the circulation plan of the Ritzville *Comprehensive Plan*.

“*Basement*” means any level below the ground floor of a *building*.

“Best available science” means using the most current, widely accepted scientific data, research, studies, and/or reports in making land use and policy decisions when designating and protecting environmentally sensitive areas. See WAC 365-195-900.

“Best management practices” means conservation practices or systems of practices and management measures that:

1. Control soil loss and reduce water quality degradation caused by nutrients, animal waste, toxins, and sediment; and
2. Minimize adverse impacts to surface water and ground water flow, circulation patterns, and to the chemical, physical and biological characteristics of the natural environment.

“Billboard sign” means a sign which directs attention to a *business*, product, activity, or service which is not conducted, sold, or offered on the premises where the sign is located (off-premises sign).

“Binding site plan” means a drawing to scale depicting *lots* for sale, lease or transfer of *property* and *property* rights from one person, firm or corporation to another as well as a developer agreement. A *binding site plan* identifies and shows the areas and locations of all *streets*, roads, improvements, utilities, open spaces, and any other matters specified by the local regulations. It contains inscriptions or attachments setting forth such appropriate limitations and conditions for the *use* of the land as are established by the city in approving the site plan; and contains provisions making any *development* be in conformity with the site plan.

“Block” means a group of *lots*, tracts or *parcels* within well-defined and fixed boundaries.

“Boardinghouse” means a *building* or portion of a *building* other than a *hotel*, including but not limited to bed and breakfast facilities, where lodging and meals are provided for compensation.

“Bond” means any form of financial security acceptable to the city attorney and in an amount consistent with the provisions of these regulations. All *bonds* shall be approved by the city council whenever a *bond* is provided for by these regulations.

“Buffer” means a horizontal distance measured perpendicularly from a *property* line which is required of a *property* owner to reduce the *impacts* of proposed uses on adjacent *property* or natural features by blocking or reducing noise, glare or other emissions or to maintain privacy.

“Buffer management” means actions and practices conducted for the purpose of protection and enhancement of critical areas by moderating or eliminating adverse impacts from adjacent land(s) or areas to create a buffer from encroachment by urban growth areas.

“Building” means any *structure* for the shelter or enclosure of persons, animals or *property* of any kind.

Building, Main. “Main building” means the primary building or structure on a lot or building site designed to accommodate the primary use on the lot or site.

“Building height” means the vertical distance from the average finished ~~g~~Grade of a *building* site to the highest point of the *structure*, excluding chimneys and steeples.

“Building line” means the line of the face or corner of a *building* nearest the *property* line. A “*building line*” may coincide with a *property* line.

~~“Building, Main. “Main building official” means an official who shall have the principal building or structure on a lot or building site designed authority to accommodate the primary use on the lot or site under interpretations of this code under Type I Review.~~

“Bulk plant” means an establishment where flammable liquids are received by pipeline, tank car or tank vehicle, and are stored or blended in bulk for the purpose of distributing such liquids by pipeline, tank car, tank vehicle or container, to users or distributors.

“Business” or “commerce” means the purchase, sale, offering for sale or any other transaction involving the handling, disposition of any article, service, substance or commodity for livelihood or profit.



“*Camper*” means a *structure* designed to be mounted on a truck chassis for use as a *temporary* dwelling for travel, recreational and vacation uses.

“*Candidate species*” means a *native species* under review for possible listing as endangered, threatened, or sensitive. A species will be considered for candidate designation if sufficient scientific evidence suggests that its status may meet criteria defined for “endangered,” “threatened” or “sensitive.” Currently listed *state* threatened or *state sensitive species* may also be designated as *state candidate species* if their status is in question.

“*Cargo container*” means a metal unit originally or specifically used or designed to store goods or merchandise for shipping or hauling by vehicle, including but not limited to rail cars of any kind, truck trailers or multimodal shipping containers.

“*Cemetery*” means land used or intended to be used for the burial of the human dead.

“*Church*” means a *structure* intended for the use as a place for religious worship and containing spaces incidental to this use including residential uses for nuns and clergy but excluding training facilities for religious orders.

“*City engineer*” means professional engineer designated by the city City of Ritzville to assist the city City of Ritzville in the design, construction, operation, and maintenance of the city’s infrastructure.

~~“*City superintendent*” means person responsible for the design, operation, and maintenance of water and other utilities.~~

“*Clear view area*” means a triangular area on the corner of all *lots* surrounding the intersection of two *streets* where, for safety reasons, landscaping and *structures* must be designed and maintained to permit clear vision of approaching traffic.

“*Clinic*” means a *building* or portion of a *building* containing offices designed and used for providing dental, medical, psychiatric, or surgical diagnosis and/or treatment services for outpatients only.

“*Clustering*” means a form of land development in which principal buildings and structures are grouped together on a site, thus saving the remaining land area for common open space, conservation, agriculture, recreation, and public and semipublic uses.

“*Code*” means the Ritzville City Code and/or ordinances.

“*Commission*” means the Ritzville city *planning commission*.

“*Community and cultural services*” means facilities primarily engaged in the provision of services that are strongly associated with community, social, or public importance.

“*Comprehensive plan*” means the city’s City of Ritzville’s document which establishes policies and goals for the use of land and other resources of the city, and any *amendments* or supplements adopted pursuant to Chapter- ~~36.70A- 36.70A~~ RCW.

“*Conditional use*” means a *use* in one or more classifications of this title which, because of peculiar characteristics attendant to that *use*, require the issuance of a *conditional use* permit to ensure that adjacent uses are not subject to extraordinary impacts. See RCC 11.95.040 for detail.

“*Conditional use permit*” means a permit which may be granted by the city for uses which are of similar character, would not be detrimental to the public health, safety, morals, and general welfare, and are not specifically mentioned elsewhere in this title.

“*Conforming use*” means any *use* which is permitted within the *zone* in which it is established.

“*Contributing property*” means a *property* within a *Historic district* listed on the Ritzville *Historic district* or National Register of Historic Places, which is included in the district *building inventory* as “contributing” as adopted by the *planning/historic commission* or by the National Park Service.

“*Convalescent, nursing or rest home*” means any *building* or premises in and on which two or more sick, injured, or infirm persons are housed, for a period in excess of 24 consecutive hours, and furnished with meals and nursing care for hire.

“Council” means the Ritzville city council.

“County” means the county of Adams.

“Critical aquifer recharge areas” are areas with a critical recharging effect on Aquifers used for potable water, including areas where an Aquifer that is a source of drinking water is vulnerable to contamination that would affect the potability of the water; or is susceptible to reduced recharge.

“Critical area buffer” means an area that surrounds and protects a *critical area* from adverse *impacts* to the *functions and values* of the resource.

“Critical areas” includes the following areas and ecosystems:

~~(1) wetlands and~~ (2) Frequently flooded areas;

2. Areas with a critical recharging effect on Aquifers used for potable water, referred to in this chapter as critical Aquifer recharge areas;

3. Geologically hazardous areas;

4. Fish and wildlife habitat conservation areas; and

5. Wetlands.

“Day care facility” means any facility offering day or after school care for children including nurseries, nursery schools, or private kindergartens.

“Dedication” means a deliberate appropriation of land or rights in land by an *owner* for any general and public *use(s)*, reserving no other rights than such as are compatible with the full exercise and enjoyment of the public uses to which the *property* has been devoted. The intention to dedicate *shall* be evidenced by the *owner* presenting for filing a plat showing the *dedication* thereon; and the acceptance by the public *shall* be evidenced by the approval of such plat.

“Designated provider” means a person who is 21 years of age or older and:

1.

a. Is the parent or guardian of a qualifying patient who is under the age of 18 and beginning July 1, 2016, holds a recognition card; or

b. Has been designated in writing by a qualifying patient to serve as the designated provider for that patient;

2.

a. Has an authorization from the qualifying patient’s health care professional; or

b. Beginning July 1, 2016:

i. Has been entered into the medical marijuana authorization database as being the designated provider to a qualifying patient; and

ii. Has been provided a recognition card;

3. Is prohibited from consuming marijuana obtained for the personal, medical use of the qualifying patient for whom the individual is acting as designated provider;

4. Provides marijuana to only the qualifying patient that has designated him or her;

5. Is in compliance with the terms and conditions of this chapter; and

6. Is the designated provider to only one patient at any one time.

"Development" means any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

"Drive-thru businesses" means service-related businesses primarily designed to serve customers seated in their vehicles.

Dwelling, Duplex. "Duplex dwelling" means a structure containing two dwelling units.

Dwelling, ~~Multiple-Family~~. "~~Multiple-family~~Multifamily. "Multifamily dwelling" means a structure containing three or more dwelling units.

Dwelling, ~~Single-Family~~. "Single-family dwelling" means a structure containing one dwelling unit.

"Dwelling unit" means one or more rooms, designed, occupied or intended for occupancy as a separate living quarter, with cooking, sleeping, and bathroom facilities for use by a family or household.

"Easement" means authorization by a property owner for another to use the owner's property for a specified purpose.

"EIS" means an environmental impact statement; a detailed document which analyzes the significant impacts of a particular project or proposal, possible alternatives, mitigation measures and unavoidable environmental impacts.

"Electric sign" means any sign containing electric wiring. This does not include signs illuminated by an exterior floodlight source.

"Emergency maintenance" means relief of an imminent and severe threat to public safety or property, including power lines, caused by the condition of a public tree or private tree.

"Endangered species" means a Native species that is seriously threatened with extinction throughout all or a significant portion of its range.

"Erosion hazard areas" are those areas containing soils which, according to the United States Department of Agriculture Natural Resources Conservation Service Soil Survey Program, may experience significant erosion. Erosion hazard areas also include coastal erosion-prone areas and channel migration zones.

"Exotic species" means any introduced species of plant or animal occurring in Washington, not found historically in the state.

"Existing manufactured housing community" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the regulations.

"Expansion to an ~~e~~Existing manufactured housing community or subdivision" means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

"Family" means a group of individuals not necessarily related by blood, marriage or legal custody, living together in a dwelling unit as a single housekeeping unit under a common housekeeping management plan based on an intentionally structured relationship providing organization and stability.

"Fence" means a wall or barrier for the purpose of enclosing space or separating parcels of land.

"Fish and wildlife habitat conservation areas" (also referred to as Habitat conservation areas) are areas that serve a critical role in sustaining needed habitats and species for the functional integrity of the ecosystem, and which, if altered, may reduce the likelihood that the species will persist over the long term. These areas may include, but are not limited to:

1. Areas with which endangered, threatened and sensitive species have primary association;
2. Important habitat areas that may also include species of local importance

3. Naturally occurring ponds under 20 acres and their submerged aquatic beds that provide fish and wildlife habitat;

4. Waters of the state;

5. Lakes, ponds, streams, and rivers planted with game fish by a governmental or tribal entity;

6. State natural area preserves and natural resource conservation areas.

“Flag lot” means a *property* with a narrow access stem connecting the bulk of the *lot* next to the *street*.

“Flat wall sign” means a sign affixed directly to or painted on or otherwise inscribed on an exterior wall and confined within the limits thereof, of any *building*, and which projects from that surface less than 12 inches at all points.

“Flood” means a general and *temporary* condition of partial or complete inundation of normally dry land areas from the overflow of inland or tidal waters and/or the unusual and rapid accumulation of runoff of surface waters from any source.

“Flood damage” means harmful inundation, water erosion of soil, stream banks and beds, stream channel shifting and changes, harmful deposition by water of eroded and shifted soils and debris upon *property* or in the beds of streams or other bodies of water, damage by high water to public roads, *streets*, highways, bridges, utilities, *structures*, and to works built for protection against *flood* or inundation, the interruption by floods of travel, communication and *commerce*, and all other high water influences which injuriously affect the public health and the safety of *property*.

“Flood hazard district” means that area identified by the U.S. Army Corps of Engineers, the U.S. Department of Housing and Urban *Development*, or the Natural Resources Conservation Service which encompasses the area of the floodplain and has special *flood* hazards and is divided into the *floodway* and the *floodway fringe*.

Flood, 100-Year. “One-hundred-year flood” means the highest level of *flooding* that, on the average, is likely to occur once every 100 years.

“Floodproofing” means any combination of structural and nonstructural additions, changes, or adjustments to *property* and *structures* which reduce or eliminate *flood damage* to lands, water and sanitary facilities, *structures* or contents of *buildings*.

“Floodway” means the regular stream channel plus that portion of the floodplain which would contain deep or fast-flowing water during a 100-year *flood* and is required to carry and discharge the floodwaters.

“Floodway fringe” means that portion of the floodplain which would be inundated by the 100-year *flood* but would not contain deep or fast-moving water and would not be required to carry or discharge floodwaters.

“Floor area ratio (FAR)” means the ratio of the gross floor area of all *buildings* on a *lot* divided by the *lot* area.

“Footprint” means a measurement which represents the total area a building covers to the outer edge of its foundation and structural supports, measured at ground level.

“Frequently flooded areas” include lands in the floodplain subject to a one percent or greater chance of flooding in any given year. These areas include, but are not limited to, streams, rivers, lakes, coastal areas, wetlands and other natural water sources.

“Functions and values” means the beneficial roles served by wetlands, including but not limited to water quality protection and enhancement; fish and wildlife habitat; food chain support; flood storage, conveyance and attenuation; ground water recharge; erosion control; historical, archaeological and aesthetic value protection and recreation. (These beneficial roles are not listed by priority or in order.)

Garage, Private. “Private garage” means an accessory *building* or an accessory portion of a *main building* designed for the shelter or storage of vehicles owned or operated by the *occupants* of the *main building* or *buildings*.

Garage, Public. “Public garage” means a *building* used for the care, repair, or storage of vehicles or where such vehicles are kept for remuneration, hire or sale.

“Geologically hazardous area” means an area not suited to commercial, residential or industrial development because of its susceptibility to erosion, sliding, earthquakes or other geological events hazardous to public health and safety.

“Grade” means the lowest point of elevation of the finished surface of the ground, paving or sidewalk within the area between the *building* and the *property* line, or when the *property* line is more than five feet from the *building*, between the *building* and a line five feet from the *building*.

“Ground water management program” means a comprehensive program designed to protect ground water quality, to assure ground water quantity, and to provide for efficient management of water resources while recognizing existing ground water rights and meeting future needs consistent with local and state objectives, policies and authorities within a designated ground water management area or subarea developed pursuant to Chapter 173-100 WAC.

“Habitat conservation area” includes (1) areas with which species designated as endangered, threatened, and sensitive under Section 7 of the Endangered Species Act have primary association; (2) habitats and species of local importance; (3) naturally occurring ponds under 20 acres and their submerged aquatic beds that provide wildlife habitat; (4) waters of the state; and (5) state natural area preserves and natural resource conservation areas.

“Hazardous tree” means a tree that poses a severe threat to public safety or property, but the threat is not imminent enough to constitute an emergency.

~~“Habitat conservation area” includes (1) areas with which species designated as endangered, threatened, and sensitive under Section 7 of the Endangered Species Act have primary association; (2) habitats and species of local importance; (3) naturally occurring ponds under 20 acres and their submerged aquatic beds that provide wildlife habitat; (4) waters of the state; and (5) state natural area preserves and natural resource conservation areas.~~

“Hazardous waste” means all dangerous and extremely ~~h~~Hazardous waste as defined in RCW-70.105.010( ~~70.105.010~~(15), except for moderate-risk waste as set forth in RCW-70.105.010( ~~70.105.010~~(17).

“Hazardous waste storage” means the holding of ~~h~~Hazardous waste for a temporary period. Accumulation of ~~h~~Hazardous waste by the generator on the site of generation is not storage as long as the generator complies with the applicable requirements of WAC ~~173-303-200 and 173-303-201.~~ 173-303-200 and 173-303-201.

“Hazardous waste treatment” means the physical, chemical or biological processing of ~~h~~Hazardous waste to make such waste nondangerous or less dangerous, safer for transport, amenable for energy or material resource recovery, amenable for storage, or reduced in volume.

~~Hazardous W~~waste Treatment and Storage Facility, Off-Site. “Off-site ~~h~~Hazardous waste treatment and storage facility” means treatment and storage facilities for ~~h~~Hazardous wastes generated on properties other than those on which the facility is located. This use is always the *primary use* of the *property*.

~~Hazardous W~~waste Treatment and Storage Facility, On-Site. “On-site ~~h~~Hazardous waste treatment and storage facility” means treatment and storage facilities for ~~h~~Hazardous wastes generated on the same *property*, incidental to a primary activity on the *property*.

“Historic district” means an overlay zone with a concentration of historic resources that has been found to meet the criteria for designation as a historic overlay district under the provisions of Chapter 11.70 RCC and has been so designated by the city council, or a district which has been added to the National Register of Historic Places by the National Park Service.

“Historic property” means any building or structure that is listed on either the Ritzville Historic district or the National Register of Historic Places, or is a contributing property within a historic overlay zone or a National Register Historic district.

“Home occupation” means a lawful occupation carried out as a clearly *accessory use* within a residential *dwelling unit* or *accessory structure* by the *occupants* of the dwelling.

“Hospital” means an institution which provides medical treatment on a short-term basis for people who are ill, injured, or pregnant.

"Hotel" means a *building* containing five or more rooms in which lodging is provided and offered to the public for compensation and which is open to transient guests. A ~~h~~Hotel may or may not include a restaurant. Rooms are generally only accessible from the interior.

"Household pet" means dogs and cats, not to exceed three, permitted in the house or yard and kept for company or pleasure.

"Identity sign" means any sign which carries only the name of the firm, the major enterprise or the ~~principal~~primary product offered for sale on the premises, or a combination of these.

"Impacts" means adverse effects of one thing upon another.

"Important habitat areas" include seasonal ranges and/or habitat elements with which species of local importance have primary association and which, if altered, may reduce the likelihood that the species will maintain and reproduce over the long term. Included would be areas of high relative population density or species diversity, breeding habitat, winter range and movement corridors. They would also include habitats that are of limited availability or high vulnerability to alteration such as cliffs, talus, wetlands, and riparian zones

"Indoors" means within a fully enclosed and secure structure that complies with the International Building Code as adopted by the City of Ritzville that has a complete roof enclosure supported by connecting walls extending from the ground to the roof, and a foundation slab or equivalent base to which the floor is securely attached. The structure must be secure against unauthorized entry, accessible only through two or more lockable doors, and constructed of solid materials that cannot be easily broken through. Plastic sheeting, regardless of gauge, or similar products do not satisfy this requirement.

"Junkyard (salvage yard)" means a place where waste or discarded or salvaged materials are bought, sold, exchanged, stored, baled, cleaned, packed, disassembled, or handled, including auto wrecking yards, used lumber yards, and yards for use of salvaged house wrecking and structural steel materials and equipment.

"Kenne" means a commercial establishment in which four or more dogs or domesticated animals which are five months old or older are housed, groomed, bred, boarded, trained, or sold, all for a fee or compensation.

"Kitchen" means any room or rooms or portions thereof used or intended to be used for the cooking or preparation of food.

"Large tree" means any mature tree which would exceed a height of 49 feet and spread of 34 feet.

"Livestock" means horses, bovine animals, sheep, goats, swine, donkeys, and mules.

"Loading space" means a space on the site of use designed to provide for the temporary parking of vehicles while loading or unloading merchandise, materials, or passengers.

"Location, sign." "Sign location" means a lot, premises, building, wall, or any place whatsoever upon which the sign is located.

"Long-term commercial significance" means the capacity, productivity and soil composition of land for long-term commercial production, in consideration with the land's proximity to population areas, and the possibility of more intense uses of the land.

"Lot" means a parcel of land under one ownership used or capable of being used under the regulations of this title, including both the building site and all required yards and other open spaces. In the case of division of land (Division IV of this title), "lot" shall mean a fractional part of subdivided lands having fixed boundaries being of sufficient area and dimension to meet minimum zoning requirements for width and area. The term shall include tracts or parcels (see Figure 3 in Appendix A).

"Lot area" means the total horizontal area within the boundary lines of a lot.

Lot, Corner. "Corner lot" means a lot situated at the intersection of two or more streets, ~~the street frontages of which form an angle not greater than 128 degrees, and not less than 45 degrees.~~

"Lot coverage" means the percentage of the total lot area covered by structures, including all projections except eaves.

“*Lot depth*” means the horizontal distance between the front and rear *lot* lines measured by connecting the midpoints of the front and rear *lot* lines (see Figure 3 in Appendix A).

*Lot, Front Line.* “Front *lot* line” means a line separating the *lot* from the *street right-of-way* by width.

*Lot, Interior.* “Interior *lot*” means a *lot* other than a corner *lot*.

*Lot, Rear Line.* “Rear *lot* line” means a *lot* line(s) which is opposite and most distant from the *lot* front line.

“*Lot width*” means the horizontal distance between side *lot* lines measured at the front *yard building line* (see Figure 3 in Appendix A).

“Major pruning” means cutting back of limbs larger than one and one-half inches in diameter on *street trees*.

“Manufacture” means the converting of raw materials or finished products, or any or either of them, into an article or articles or substance of a different character, or for *use* for a different purpose.

“Manufactured home” means a *single-family* dwelling constructed after June 15, 1976, and in accordance with the U.S. Department of Housing and Urban *Development* (HUD) requirements.

“Marijuana” or “marihuana” means all parts of the plant cannabis, whether growing or not, with a THC concentration greater than 0.3 percent on a dry weight basis; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. The term does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil or cake, or the sterilized seed of the plant which is incapable of germination.

“Marijuana-infused products” means products that contain marijuana or marijuana extracts, are intended for human use, are derived from marijuana as defined above, and have a THC concentration no greater than 10 percent. The term “marijuana-infused products” does not include either usable marijuana or marijuana concentrates.

“Marijuana processor” means a person licensed by the State Liquor and Cannabis Board to process marijuana into marijuana concentrates, usable marijuana and marijuana-infused products, package and label concentrates, usable marijuana and marijuana-infused products for the sale in retail outlets, and sell concentrates, usable marijuana and marijuana-infused products at wholesale to marijuana retailers.

“Marijuana producer” means a person licensed by the State Liquor and Cannabis Board to produce and sell marijuana at wholesale to marijuana processors and other licensed marijuana producers.

Marijuana Production, Processing and Retail Sales. As used in this chapter any reference to marijuana production, processing and retail sales shall refer to both recreational and medical marijuana production, processing and retail sales.

“Marijuana retailer” means a person licensed by the State Liquor and Cannabis Board to sell marijuana concentrates, usable marijuana and marijuana-infused products in a retail outlet.

“Marquee” means a canopy or covering *structure* projecting from and attached to a *building*.

“Mature tree” means trees that have reached at least 75 percent of their final height and spread.

“May” is permissive.

“Medium tree” means any mature tree which would reach a maximum height of 25 to 49 feet with a maximum spread of 34 feet.

“Micro winery/brewery/~~distillery~~” means a *business* to produce and sell small quantities of wine ~~and~~, beer, and spirits and produce no more than 300 cases per year.

“Middle Housing” means *buildings* that are compatible in scale, form, and character with *single-family* houses and contain two or more attached, stacked, or clustered homes including *duplexes, triplexes, fourplexes, fiveplexes, sixplexes, townhouses, stacked flats, courtyard apartments, and cottage housing*.

“Minor modification” means a minor deviation in the *property development* standards or minor addition to or *alteration* of an existing *building* or *structure* affecting or equaling no more than 10 percent of the area of that *structure* or *building*.

~~“Mitigation” means compensating for project impacts such that no overall net loss in either size or function occurs.~~

“Mitigation” means actions which avoid, minimize, rectify, reduce, eliminate, compensate or correct otherwise probable significant adverse environmental impacts (WAC 197-11-768).

“Mixed use building” or “mixed use structure” means a building or structure which contains two (2) or more separate and distinct uses permitted in the zoning district where such building or structure is located.

“Mixed use development” means a development in which two (2) or more permitted uses or conditional uses developed in conjunction with one another on the same site.

“Mobile home” means a factory-built dwelling fabricated prior to June 15, 1976, to standards other than the Housing and Urban *Development* (HUD) *Code*, and acceptable under applicable *state codes* in effect at the time of construction or introduction of the home into the *state*. Mobile homes have not been built since the introduction of the HUD Manufactured Home Construction and Safety Standards Act.

“Modular home” means a *dwelling unit* assembled off-site in one or more sections which complies with all local *building codes* (for on-site construction) when transported to and mounted on a permanent foundation.

“Month” means a calendar month.

“Motel” means a group of attached or detached *buildings* containing individual sleeping units where a majority of such units open individually and directly to the outside and are available to the public for rental. *Motels* may have cooking facilities within each unit and a manager may or may not live on site.

~~“Multiple-family apartment” means any building housing more than two families, unless otherwise defined by this title.~~

“Must” and “shall” are each mandatory.

“Native species” means plant or animal species naturally occurring in Washington, excluding introduced species not found historically in the state.

“Neglected historic property” means a historic property which has been found to exhibit one or more of the conditions listed in this chapter.

“Nonconforming lot” means a *lot* of record, which was lawfully established, existing and maintained at the effective date of the provisions of this title but which, because of the application of this title to it, no longer conforms to the regulations prescribed in this title for the district in which it is located.

“Nonconforming use or structure” means a *building*, *structure*, or *land use* which was lawfully established, existing and maintained at the effective date of the provisions of this title but which, because of the application of this title to it, no longer conforms to the regulations prescribed in this title for the district in which it is located.

“Oath” includes an affirmation or declaration in all cases in which, by law, an affirmation may be substituted for an oath, and in such cases the words “swear” and “sworn” shall be equivalent to the words “affirm” and “affirmed.”

“Off-street parking space” means a permanently surfaced area either within a *structure* or in the open for the parking of a motor vehicle that is not located on a public *street* or *right-of-way*.

“Outdoors” means any location that is not “indoors” within a fully enclosed and secure structure as defined herein.

“Owner” means any person, including any natural person, joint venture, partnership, association, club, company, corporation, business trust, government entity, or organization, or the manager, lessee, agent, officer, or employee of any of them, having any interest in the real estate in question as indicated in the records of the office of the Adams County assessor, or who establishes, under this chapter, his or her ownership interest therein. (Ord. 2109 § 1 (Exh. A), 2017).



"Parcel" means a tract or plat of land of any size which may or may not be subdivided or improved.

~~Parking Lot, Private. "Private parking lot"~~ "Park trees" means an open area trees, shrubs, bushes, and all other than a street, alley, or other woody vegetation in public property limited to the parking of automobiles.

~~Parking Lot, Public. "Public parking lot" means an open area other than a street or alley, whether publicly or privately parks having individual names, and all areas owned, by the city, or to which is used for parking of more than four automobiles and available for the public use has free access.~~

Park (Active). "Park (active)" or "active park" means a park which includes structured activity and facilities. Active parks typically require specialized development and management.

Park (Passive). "Park (passive) or "passive park" means a minimally-developed park which requires little specialized management.

"Permitted use" means a use which is specifically permitted in a zone and does not require a conditional use permit, or temporary use permit.

"Person" means any individual, corporation, association, firm, partnership, and the like, singular or plural.

"Personal property" includes money, goods, chattels, things in action and evidences of debt.

"Planning commission" means the Ritzville planning commission.

"Plat" means a map or representation of a land division showing the division of a tract or parcel of land into lots, blocks, streets and alleys or other divisions and dedications.

Plat, Final. "Final plat" means final drawing of a subdivision and dedication prepared for filing for record with the county auditor and containing all elements and requirements of this title and Chapter ~~58.17~~ 58.17 RCW.

Plat, Preliminary. "Preliminary plat" means a neat and accurate drawing of a proposed subdivision or short plat, showing the layout of streets and alleys, lots, blocks, restrictive covenants and similar elements, in accordance with this title, submitted for review by the city. The preliminary plat shall be the basis for the approval or disapproval of the general layout of a subdivision.

"Potable water" means water, because of its quality, which is fit to drink and for human consumption.

"Preceding" and "following" means next before and next after, respectively.

"Primary association" means key habitat components that are critical to the life cycle of native wildlife species, i.e., nesting sites, wintering areas, and migration corridors. Loss of these values will result in fragmentation into subpopulations or extinction of populations from local areas.

~~Principal~~ "Primary use" means the primary principal or predominant use to which the property is or may be devoted, and to which all other uses on the premises are accessory.

~~"Principal uses permitted outright" means those uses allowed as a matter of right within certain land use districts without public hearing, zoning permit, or conditional use permit; provided, that such use is in accordance with requirements of the particular district and general conditions stated elsewhere in this title.~~

~~"Professional type service" means activities or services such as those offered by a physician, surgeon, dentist, lawyer, architect, engineer, or accountant.~~

"Priority habitats and species program" means Washington Department of Wildlife's system of classifying habitats and associated species that are of specific concern due to population status and/or sensitivity to habitat manipulation.

"Production" includes the planting, growing, harvesting, drying, or processing of marijuana plants or any part thereof.

"Professional land surveyor" means a person who, by reason of his or her special knowledge of the mathematical and physical sciences and principles and practices of land surveying, which is acquired by professional education and

practical experience, is qualified to practice land surveying and as attested to by his or her legal registration as a professional land surveyor.

“Projecting sign” means a sign, other than a wall sign, which projects from and is supported by a wall of a *building* or *structure*.

“Projection” means a portion of a *building* that extends into the yards, but is not part of the bearing members of the *structure*, and is not essential to the creation of usable space.

“Property” includes real and personal property.

“Public utility” means a private *business* organization such as a public service corporation performing some public service and subject to special governmental regulations, or a governmental agency performing similar public services, the services by either of which are paid for directly by the recipients thereof including, but not limited to, water supply, electric power, gas and transportation of persons and freight.

~~“Reclassification of a use” means the assignment by amendment of this title of use to a different classification other than that in which it was originally permitted.~~

“Publicly owned property” means property within the city of Ritzville and owned by the city in a fee simple absolute; or implied or expressly dedicated to the public for present or future use for purposes of vehicular or pedestrian traffic, park and open spaces or public easements.

“Qualifying patient” means a person who:

1.

a. Is a patient of a health care professional;

b. Has been diagnosed by that health care professional as having a terminal or debilitating medical condition;

c. Is a resident of the state of Washington at the time of such diagnosis;

d. Has been advised by that health care professional about the risks and benefits of the medical use of marijuana;

e. Has been advised by that health care professional that they may benefit from the medical use of marijuana;

f. Has an authorization from his or her health care professional; or

i. Beginning July 1, 2016, has been entered into the medical marijuana authorization database and has been provided a recognition card; and

g. Is otherwise in compliance with the terms and conditions established in this chapter.

2. “Qualifying patient” does not include a person who is actively being supervised for a criminal conviction by a corrections agency or department that has determined that the terms of this chapter are inconsistent with and contrary to his or her supervision and all related processes and procedures related to that supervision.

“Recreational vehicle” means a vehicular-type portable structure without permanent foundation or built on a single chassis; and 400 square feet or less when measured at the largest horizontal projection. It is designed to be self-propelled or towable by a light-duty truck; and designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

“Real property” includes lands, tenements, and hereditaments.

“Recognition card” means a card issued to qualifying patients and designated providers by a marijuana retailer with a medical marijuana endorsement that has entered them into the medical marijuana authorization database.

“Recreational vehicle” means a vehicular-type portable structure without permanent foundation or built on a single chassis; and 400 square feet or less when measured at the largest horizontal projection. It is designed to be self-

propelled or towable by a light-duty truck; and designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

*“Recreational vehicle park”* means a *lot* or portion of a *lot* designed for exclusive occupancy by *recreational vehicles*.

*“Residence”* means a *building* or *structure*, or portion thereof, which is designed for and used to provide shelter for people.

*“Residential density”* means a measurement which represents the number of dwelling units per acre.

*“Restoration”* means actions performed to reestablish wetland functional characteristics and processes which have been lost by alterations, activities or catastrophic events within an area which no longer meets the definition of a wetland.

*“Right-of-way”* means a strip of land occupied or intended to be occupied by a *street*, road, *alley*, crosswalk, railroad, utility line, *street trees*, or other similar use, established as a separate *lot* or *parcel* and dedicated to public use by the maker of the subdivision or *short plat* on which the strip is established.

*“Riparian”* means of, on, or pertaining to the bank of a natural course of water.

*“Roofline”* means either the edge of the roof or the top of the parapet, whichever forms the top line of the *building* silhouette, and, where a *building* has several roof levels, this roof or parapet *shall* be the one belonging to that portion of the *building* on whose wall the sign is located.

~~*“Roof sign”* means sign located on or above the roof of any building.~~

~~*“Satellite receiving stations”* means electronic equipment used for the reception of television waves.~~

*“Screen”* means a vertical barrier located in a limited space intended to provide a *buffering* effect to reduce noise or create visual separation and made of existing or planted vegetation, hedges, walls, earth berms or similar techniques.

*“Sensitive species”* means a native species that is vulnerable or declining and is likely to become endangered or threatened in a significant portion of its range without cooperative management or removal of threats.

*“Service station”* means a retail establishment for the sale on the premises of motor vehicle fuel and other petroleum products and automobile accessories, and for the washing, lubrication, and minor repair of automobile vehicles.

*“Setback”* means the horizontal distance in feet as measured from a *lot* line or *right-of-way* to the nearest vertical point of a *structure*.

*“Shared access”* means a development where one or more of the lots within the development do not front on a public or private street, where access to the lots within the development is provided via a shared access area.

*“Short plat”* means a map or representation of a short subdivision, showing the division of a tract or *parcel* of land into *lots*, *blocks*, *streets* and *alleys* or other divisions and *dedications*.

*“Short subdivision”* means the division or redivision of land into four or fewer *lots*, tracts, *parcels*, sites, or divisions for the purpose of sale, lease, or transfer of *ownership*.

*“Sidewalk”* means that portion of a street between the curb line and the adjacent property line intended for the use of pedestrians.

*“Sign”* means any letters, figures, design, symbol, trademark, or any illuminating device intended to attract attention to any place, subject, person, firm, corporation, public performance, article, machine, or merchandise whatsoever and painted, printed, or constructed and displayed in any manner whatsoever out of doors for recognized advertising purposes. However, this *shall* not include any official court or public notices nor the flag, emblem, or insignia of a government, school, or religious group when displayed for official purposes. Interior signs, if located on a window or within a distance equal to the greatest dimension of the window and if obviously intended for viewing from the exterior, *shall* be considered an exterior sign for purposes of this sign code (see Figure 5 in Appendix A).

Sign, *Temporary*. *“Temporary sign”* means a banner, pennant, poster, or advertising display constructed of cloth, canvas, plastic sheet, cardboard, wallboard, or other like materials and intended to be displayed for a limited period of time.

“Significant tree” means an existing deciduous or coniferous tree six inches or more in diameter measured four feet six inches above the adjacent grade, of any species suitable for inclusion as permanent landscaping in a project. This also includes unusual, historic heritage or rare trees.

“*Small grain-mill*” means a *business* that produces and sells small quantities of milled products and produces no more than eight tons per year.

“*Small trees*” means any mature tree which would reach a maximum height of 24 feet with a maximum spread of 24 feet.

“*Sole source Aquifer*” means an *aquifer* designated by EPA as the sole or principal source of drinking water for a given *Aquifer service area*; this is an *aquifer* which is needed to supply 50 percent or more of the drinking water for that area and for which there are no reasonably available alternative sources should the *aquifer* become contaminated.

“*Species of local importance*” are those species that are of local concern due to their population status or their sensitivity to habitat *alteration* or that are game species.

“*Start of construction*” means either the first placement of permanent construction of a *structure* on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of *streets* and/or walkways; nor does it include excavation for a *basement*, footings, piers, or foundations or the erection of *temporary* forms; nor does it include the installation on the *property* of accessory *buildings*, such as garages or sheds not occupied as *dwelling units* or not part of the main *structure*. For a *substantial improvement*, the “actual start of construction” means the first *alteration* of any wall, ceiling, floor, or other structural part of a *building*, whether or not that *alteration* affects the external dimensions of the *building*.

“*State*” means the state of Washington.

“State-listed monitor species” means native species that:

1. Were at one time classified as endangered, threatened, or sensitive;
2. Require habitat that has limited availability during some portion of its life cycle;
3. Are indicators of environmental quality;
4. Require further field investigations to determine population status;
5. Have unresolved taxonomy which may bear upon their status classification;
6. May be competing with and having *impacts* on other species of concern; or
7. Have significant popular *appeal*.

“*Story*” means that portion of a *building* included between the surface of any floor and the surface of the floor next above or, if there is no floor above it, the space between the floor and the ceiling next above.

“*Street*” means a public or recorded private thoroughfare which affords primary access to abutting *property*.

“*Street line*” means the boundary between the *street* and the abutting *property*.

“*Street trees*” means trees, shrubs, bushes, vines, and all other woody vegetation on *publicly owned property* or on *private land* that is an obstruction within the public rights-of-way within the city.

“*Structural alteration*” means any change in structural integrity of a *building* or a *structure*.

“*Structure*” means anything constructed in the ground, anything erected which requires location on the ground or water or is attached to something having location on the ground, but not including *fences* less than six feet in height or paved areas.

“*Studio*” means an apartment without any traditional bedrooms, generally one room with a *kitchen* and bathroom.

“Stumps” means the lower portion of the tree up to a maximum height of four feet, which remains after the foliage, limbs, branches, and the upper part of the trunk have been cut off.

“Substantial improvement” means any repair, reconstruction, or improvement of a *structure*, the cost of which equals or exceeds 50 percent of the ~~actual cash~~ market value of the *structure* either before the improvement is started or if the *structure* has been damaged and is being restored, before the damage occurred.

“Temporary” or “temporary use” means a use established for a fixed time, with the intent to discontinue the use upon expiration of the time period.

“Tenant” and “occupant,” applied to a building or land, include any person who occupies the whole or a part of such building or land, whether alone or with others.

“Threatened species” means a native species that is likely to become endangered within the foreseeable future throughout all or a significant portion of its range without cooperative management or removal of threats.

“Trade or business school” means a school conducted as a commercial enterprise for teaching instrumental and vocal music, dancing, barbering or hairdressing, or for teaching skills in which machinery is employed as a means of instruction.

“Tree board” means the named advisory board which reports to the city council and acts in an advisory capacity on the community forestry program.

“Tree owner” means the owner of the real property on which 51 percent or more of the trunk is located at ground level.

“Tree topping” shall be herein defined as the severe cutting back of limbs to stubs larger than three inches in diameter within the tree’s crown to such a degree so as to remove the normal canopy and disfigure the tree. (Ord. 2085 § 3, 2015).

“Type I review” means the review and administrative process involving an application that is subject to clear, objective and nondiscretionary standard or standards that require the exercise of professional judgment about technical issues.

“Type II review” means the review and quasi-judicial process involving an application that is subject to objective and subjective standards that require the exercise of substantial discretion and about which there may be a broad public interest.

“Type III review” means the review and legislative process involving the creation, implementation or amendment of policy or law by ordinance. The subject of a Type III process applies to a relatively large geographic area. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.06.020(A), (B), 2001).

“Usable marijuana” means dried marijuana flowers. The term “usable marijuana” does not include marijuana-infused products or marijuana concentrates. (Ord. 2105 § 1, 2017).

“Use” means the nature of the occupancy, the type of activity, or the character and form of improvements to which land is devoted or may be devoted.

“Utility” means a public service or quasi-public service operated to provide the necessary functions for the whole community. The term “utility” includes water, sewer, gas, electric, telephone, and cable TV facilities.

“Variance” means an adjustment, which requires review by the *planning commission*, in the specific regulations of this title regarding a piece of *property* where the strict application of the *development* standards would cause undue hardship to the *owner* as a result of existing physical constraints on the *property*.

Vehicles, Sign. “Sign vehicles” means automobiles, trucks, trailers, railroad cars, construction equipment, and other such mobile equipment whose major purpose is other than the display of advertising.

“Vernal pools” are precipitation-based, seasonal wetlands. For the purposes of this code, vernal pools shall only include scab rock and rain pool vernal as described in the Eastern Washington Wetland Rating System. The following is from page 80 of the manual:

To be classified as a vernal pool the wetland should be less than 4000 sq. feet, and meet at least two of the following criteria:

1. Its only source of water is rainfall or snowmelt from a small contributing basin and has no groundwater input. The *wetland* will typically lie in areas where the basalt has been exposed by the ice age floods. It has formed in a small surface depression in the basalt and does not have an outlet.
2. *Wetland* plants are typically present only in the spring; the summer vegetation is typically upland annuals. The water is present in the *wetland* for only short periods of time, usually less than 120 days. *Wetland* plants will be found only during the time of standing water or immediately afterwards. NOTE: If you find perennial, "obligate," *wetland* plants, **the *wetland* is probably NOT a vernal pool.**
3. The soils in the *wetland* are *shallow* (< 30 cm or 1 ft deep) and are underlain by an impermeable layer such as basalt or clay. You can determine the depth of the soil by digging a small hole with a tile spade. Determining if the impermeable layer is basalt should be easy (can't dig any further) but identifying a clay layer is harder. You may have to take some of the soil between your fingers, add water, and feel if it is "greasy" and smooth (without grit). If in doubt, *use* the "ribbon test" for clay.
- 4.4. Surface water is present for less than 120 days during the "wet" season. Estimating the duration of surface water in a vernal pool *wetland* is difficult unless one visits the *wetland* several times and notes the time at which the *wetland* fills and the time it dries out. Information about the drying and wetting cycles in the *wetland* may sometimes be obtained from local residents or frequent visitors to the *wetland*.

"*Wellhead protection area*" means the surface and subsurface area surrounding a well or well field that supplies a public water system through which contaminants are likely to pass and eventually reach the water well or well field, as has been designated pursuant to Chapter ~~246-290~~ 246-290 WAC.

"*Wetland*" or "*Wetlands*" means areas that are inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. *Wetlands* generally include swamps, marshes, bogs, and similar areas. *Wetlands* do not include those artificial *wetlands* intentionally created from nonwetland sites, including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities. *Wetlands* include artificial *wetlands* intentionally created from nonwetland areas to mitigate conversion of *wetland*.

"*Written*" includes printed, typewritten, mimeographed, multigraphed or otherwise reproduced in permanent visible form.

"*Yard*" means an open space on a *lot* unoccupied and unobstructed from the ground upward, except as otherwise provided in this title (see Figure 3 in Appendix A).

*Yard, Front.* "*Front yard*" means a space extending the full width of the *lot* between any *building* and the front *lot* line, and measured perpendicular to the *building*, exclusive of steps, at the closest point to the front *lot* line.

*Yard, Rear.* "*Rear yard*" means a space extending the full width of the *lot* between any *building* and the rear *lot* line, and measured perpendicular to the *building* at the closest point to the rear *lot* line.

*Yard, Side.* "*Side yard*" means a space extending the full depth of the *lot* between any *building* and the side *lot* line, and measured perpendicular to the *building* at the closest point to the side *lot* line.

"*Year*" means a calendar year.

"*Zone*" means area accurately defined as to boundaries and location on an official map and within which area only certain types of land uses are permitted. (Ord. 2116 § 1, 2018; Ord. 2041 § 1 (Exh. A), 2010; Ord. 1077 § 1, 2004; Ord. 1029 § 3, 2001; Ord. 1024 § 11.01.041(B), 2001).

~~Division~~ Chapter 11.11  
DEVELOPMENT REVIEW PROCESS

Sections:

- 11.11.010 Title.
- 11.11.020 Application.
- 11.11.030 Purpose.
- 11.11.040 Authority.
- 11.11.050 Review Authorities.
- 11.11.060 Pre-application.
- 11.11.070 Application and fee.
- 11.11.080 Review for completeness.
- 11.11.090 Technical review.
- 11.11.100 Notice of application.
- 11.11.110 Type I, administrative review process.
- 11.11.120 Type II, quasi-judicial review process.
- 11.11.130 Type III, legislative review process.
- 11.11.140 Final decision.
- 11.11.150 Notice of decision.
- 11.11.160 Reinitiation of hearings.
- Appendix A: Figures
- Appendix B: Procedural Flow Chart

11.11.010 Title.

This chapter shall be called “Development Review Process.”

11.11.020 Application.

This chapter shall apply to applications and processes involved in all land use matters including the appeal of the same.

11.11.030 Purpose

The purpose of this chapter is to set forth a clear and consistent review process for land use applications in conformance with applicable state and local laws.

11.11.040 Authority.

This chapter is adopted pursuant to the authority granted to the City of Ritzville by the Washington State Constitution as a second-class city, the provisions of RCW 35.23 et seq., RCW 35.63 et seq., the Planning Act set forth in RCW chapters 36.70 and 36.70A, RCW chapters 36.70B, 36.70C, 58.17 et seq., 35.21, 36.01, and other applicable laws, as these provisions now exist or as hereinafter amended.

11.11.050 Review authorities.

The following are the roles and responsibilities for each of the three review processes:

- A. The administrator shall review and act on administrative actions and Type I (administrative) applications.
- B. The planning commission shall review and make recommendations on Type II (quasi-judicial) and review and make recommendations on Type III (legislative) applications. The planning commission shall hold a public hearing on a Type II (quasi-judicial) prior to a decision being

made by the city council. Only one public hearing shall be held on a Type II (quasi-judicial) application.

- C. The city council shall act on Type II (quasi-judicial) matters after review and recommendation from the planning commission. The city council shall act on Type III (legislative) applications after review and recommendation by the planning commission. In addition, the city council shall review and act on appeals of Type I (administrative). (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.06.031, 2001).. subject to the provisions of RCC 11.170.

(Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.06.031, 2001).

#### **11.11.060 Pre-application.**

Applicants for all development permits are encouraged to contact the Administrator prior to submitting an application to discuss the nature of the proposed development, applicable development standards, design alternatives, required permits and the review process. The Administrator may arrange to have representatives of other review agencies attend any pre-application conference(s). (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.06.032, 2001).

#### **11.11.070 Application and fee.**

Any person, firm, or corporation may make an application. A completed application with applicable submittal materials and fees as established in the City of Ritzville's most recent fee schedule shall be submitted to the Administrator. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.06.033, 2001).

#### **11.11.080 Review for completeness.**

- A. Within 28 days of receiving a date-stamped application, the Administrator shall review the application for completeness, and provide the Applicant with a written determination that the application is complete or incomplete. If the application is found to be incomplete, the city Administrator shall identify the specific information or requirements that are necessary to make the application complete.
- B. A complete application must include the following:
1. A completed original application form signed by the owner(s) of the property subject to the application. If a representative for the Applicant signs the final application, the representative must be authorized to do so by written instrument executed by the owner(s) and filed with the application;
  2. Information necessary to demonstrate compliance with the standards specified in the applicable section(s) of this Title;
  3. A completed State Environmental Policy Act (SEPA) checklist, including all supporting materials. If the Applicant claims the project is exempt from SEPA requirements, the Applicant must submit a Statement explaining why the project should be considered exempt under WAC 197-11-800;
  4. Suggested findings of fact supporting the proposed project and relating to each required finding in this title;
  5. Payment in full of all applicable fee(s) according to the City of Ritzville's most recently adopted fee schedule.)

(Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.06.034, 2001).

#### **11.11.090 Technical review.**

After the application is deemed complete under RCC 11.11.080, the Administrator shall review the application for compliance with the provisions of this Title, the Ritzville Comprehensive plan, the State Environmental Policy Act (SEPA), and/or any other applicable regulations. The Administrator may seek the input and advice of other City of Ritzville departments and/or other State or federal agencies in performing this review.

The Administrator shall make a threshold determination pursuant to SEPA, if the application Type requires such a determination. The Administrator may require the Applicant to furnish additional information as reasonably necessary to fully and properly evaluate the application.



(Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.06.035, 2001).

#### **11.11.100 Notice of application.**

Within 14 days after making a determination that an application is technically complete, the *Administrator shall* publish a notice of application for all Type II and Type III projects and those Type I projects that are determined to require review under SEPA, in accordance with the requirements of Chapter RCC 11.160 (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.06.036, 2001).

If an application requires a public hearing, the notice of application shall be provided at least fifteen days prior to the public hearing (RCW 36.70B.110(3) ).

#### **11.11.110 Type I - Administrative review process.**

- A. The *Administrator may* approve, approve with conditions, or deny Type I applications, subject to all notice and appeal requirements of this Title.
- B. Within 14 days of the Notice of a complete application, or a Notice of application for those Type I projects requiring SEPA review, a notice of decision *shall* be published in accordance with RCC 11.160. Decisions under this section *shall* become final if no *appeal* is submitted per RCC 11.11.050(C) within 14 days of publication of the notice of decision. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.06.037, 2001).

#### **11.11.120 Type II - Quasi-judicial review process.**

- A. The *planning commission shall* review and take action on Type II applications. All Type II applications *shall* require a public hearing before *planning commission*.
- B. The *Administrator shall* prepare a staff report addressed to the *planning commission* on the proposed application, summarizing any comments and/or recommendations of City of Ritzville departments, affected agencies, and special districts. The staff report *shall* also evaluate the application's consistency with the requirements of this title, the Ritzville *Comprehensive Plan*, and other applicable *laws* and regulations. The staff report *shall* include findings, conclusions, and a proposed staff recommendation for action to be taken on the application.
- C. The *planning commission shall* hold a public hearing on a Type II application. Only one public hearing *shall* be held on a Type II (quasi-judicial) application, unless the *planning commission* deems it necessary, by a simple majority motion, to hold subsequent hearings.
- D. The *Administrator shall* schedule a public hearing before the *planning commission* within 45 days after a determination is made that a completed application requires a Type II review. The date, time, and location of the public hearing *shall* be included in the notice of application. If the public hearing date is not established at the time of the notice of application, a separate notice, in accordance with Chapter RCC 11.160, *shall* be provided.
- E. At the time and in the place appointed, the *planning commission shall* conduct a public hearing for the purpose of reviewing the application, reviewing the staff report, taking testimony, hearing evidence, considering the facts germane to the proposal, and evaluating the proposal for consistency with the requirements of this title and other applicable plans and regulations. The *planning commission shall* make a motion after the public hearing has ended whether to approve, approve with conditions, or deny the application, or hold additional hearings for a date certain.
- F. Within 14 days of the *Planning commission's* final decision, a notice of decision *shall* be published in accordance with Chapter RCC 11.160.
- G. Decisions on Type II applications *shall* become final 10 days after publication of the notice of decision unless an *appeal* is filed with the Adams County Superior court in accordance with this Title. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.06.038, 2001).

#### **11.11.130 Type III - Legislative review process.**

- A. The *planning commission* shall review and make recommendations to the city council on Type III applications. Type III applications shall require a public hearing before city council.
- B. The *Administrator* shall prepare a staff report addressed to the *planning commission* on the proposed application, summarizing any comments and/or recommendations of City departments, affected agencies, and special districts. The staff report shall also evaluate the application's consistency with the requirements of this title, the *Ritzville Comprehensive plan*, and other applicable laws and regulations. The staff report shall include findings, conclusions, and a proposed staff recommendation for action to be taken on the application.
- C. The *planning commission* shall review the Type III application at a regularly scheduled meeting. The *planning commission* shall make a recommendation to city council of a proposed action to take on the Type III application.
- D. The *Administrator* (RCC 11.11.050) shall schedule a public hearing before the city council within 45 days after the *planning commission* has reviewed the application and staff report and made a recommendation to city council. The date, time, and location of the public hearing shall be included in the notice of application, in accordance with RCC 11.160. A separate notice of public hearing shall be provided if the hearing date is not known at the time of the notice of application.
- E. At the time and in the place appointed, the *city council* shall conduct a public hearing for the purpose of reviewing the application, reviewing the staff report, taking testimony, hearing evidence, considering the facts germane to the proposal, and evaluating the proposal for consistency with the requirements of this title and other applicable plans and regulations. The city council shall make a motion after the public hearing has ended whether to approve, approve with conditions, or deny the application, or hold additional hearings for a date certain.
- A.F. If a proposed *amendment* to this Title, the City of Ritzville's *comprehensive plan*, the City Zoning Districts Map, or any ordinance implementing the City of Ritzville's *comprehensive plan*, is considered by the *planning commission*, the *Commission* shall prepare findings of fact and basis for its action and transmit such findings to the *city council* with its recommendation on the *amendment*. A recommendation to the city council shall be by the affirmative vote of at least a majority of the total members of the *planning commission*. The *planning commission's* recommendation shall be recorded by vote, which shall incorporate the findings of fact and basis for its recommendation and shall specify the proposed *amendment*.
- G. Upon receipt of a resolution from the *planning commission* with a recommendation of an ordinance, *amendment* to an existing ordinance, or an *amendment* to the City of Ritzville's *Comprehensive plan*, the *council* shall conduct a public hearing for the purpose of taking testimony, hearing evidence, and considering the facts relevant to the resolution. The *council's* decision on any such resolution shall be based on the record established at the public hearing and the *planning commission's* resolution. If the *council* acts to modify or reject the *planning commission's* resolution, the *council* shall adopt its own findings of fact in a *Statement* setting forth the factors considered, and the *council's* analysis of findings considered by it to be controlling.
- H. Before taking action to modify this Title, amending or modifying any duly adopted City planning document, or modifying the City of Ritzville's zoning code or map, the *council* shall make findings of fact in support of the *council's* action and specifying the basis for the action.
- I. In the event of initiation of an *amendment* by the *council*, it shall refer the proposed *amendment* to the *planning commission* for consideration and recommendation prior to taking action. Only one public hearing (before the city council) shall be held prior to *council* action.
- J. Action by the city council under Type III shall be final within 21 days from the date of publication of the notice of decision, unless the original *Applicant* or a party adversely affected by the decision makes proper appeal to a court of competent jurisdiction. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.06.039, 2001).

#### **11.11.140 Final decision.**

- A. The proper review authority shall approve or deny a *development* application within the following timeframes, calculated from the date of the letter of completeness as required herein:
  1. One hundred twenty days for *development* applications, such as *conditional use permits*, *variances*, and *site plan review*;
  2. One hundred days for preliminary subdivision *plat* applications;
  3. Sixty days for *short plat* applications;
  4. For *development* applications not identified in this section or subsection (B) of this section, the 120-day time frame shall apply.

B. Exceptions to this include:

1. Amendments to the comprehensive plan or development code;
2. Any time required to correct plans, perform studies, or provide additional information; provided, that within 14 days of receiving the requested additional information, the Review Authority (RCC 11.11.050) shall determine whether the information is adequate to resume the project review;
3. Substantial project revisions made or requested by an Applicant, in which case the 120 days will be calculated from the time that the City of Ritzville determines the revised application to be complete;
4. All time required for the preparation and review of an Environmental Impact Statement, if required under SEPA;
5. Projects involving the siting of an essential public facility;
6. An extension of time mutually agreed upon by the City of Ritzville and the Applicant;
7. Any remand to the hearing body;
8. All time required for an appeal of a determination of significance. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.06.040, 2001).

**11.11.150 Notice of decision.**

A. After a decision is made by the review authority, the Administrator shall prepare a notice of decision that contains the following:

1. A description of the project or requested action and the location of the property;
2. A Statement of any SEPA threshold determination;
3. A Statement of the action taken by the review authority;
4. A Statement that the action is final unless an appeal is submitted within the appeal period set by this title. The final appeal date shall be provided;
5. A Statement describing the procedure for an appeal;
6. A Statement that affected property owners may request a change in valuation for property tax purposes notwithstanding any program of revaluation.

B. The notice of decision shall be distributed as follows:

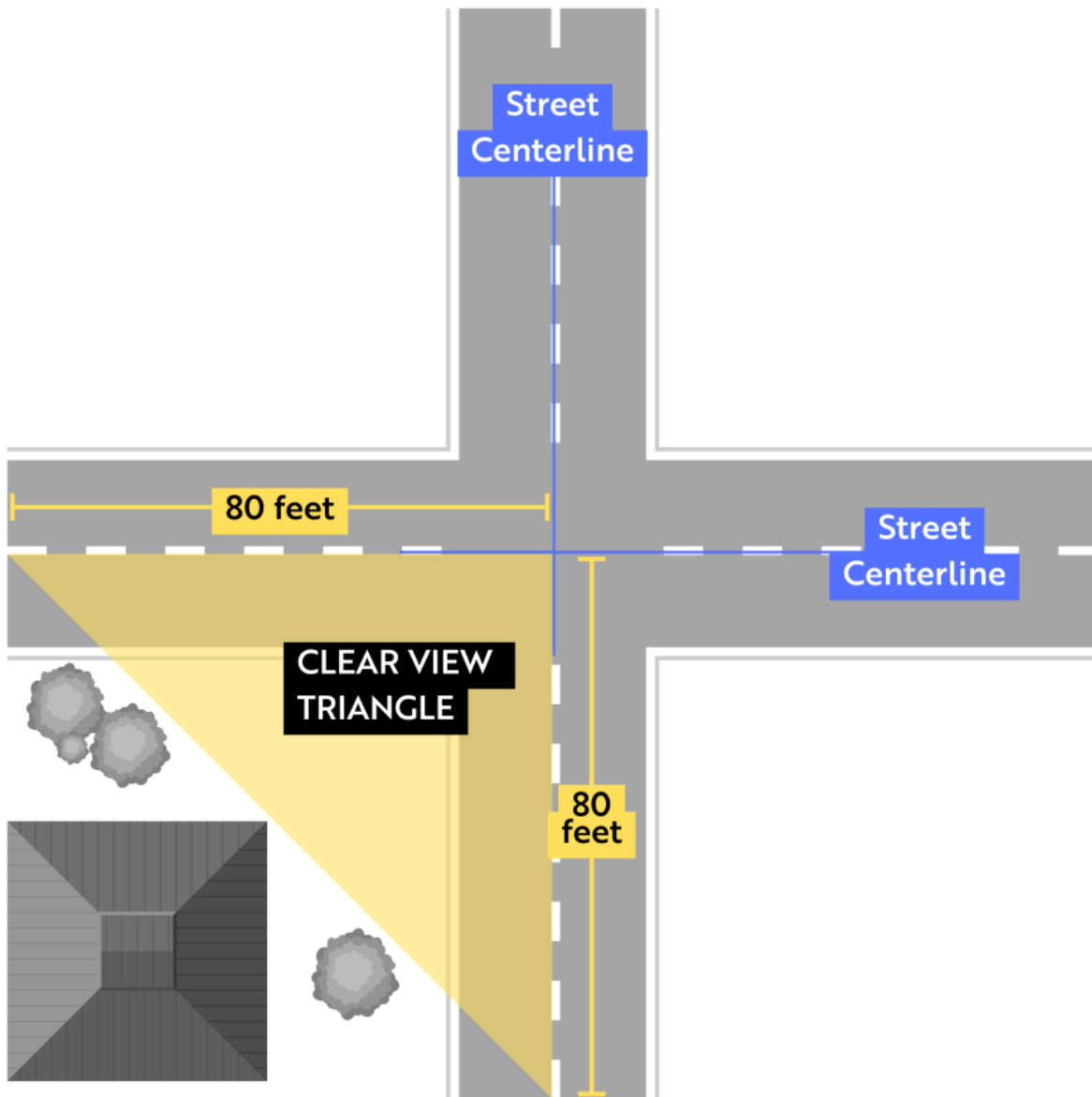
1. Publication of the notice in the official city newspaper of general circulation;
2. Mailing of the notice to the Applicant or Applicant's representative and to any person who, prior to the rendering of the decision, requested notice of the decision or submitted comments on the application;
3. Mailing of the notice to the county assessor's office. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.06.041, 2001).

**11.11.160 Reinitiating hearings.**

No person, except the planning commission or city council, shall reapply or reinitiate a petition for a zone change or conditional use for which a public hearing was held, and said request was denied or withdrawn, within one year after action by the city council. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.06.042, 2001).

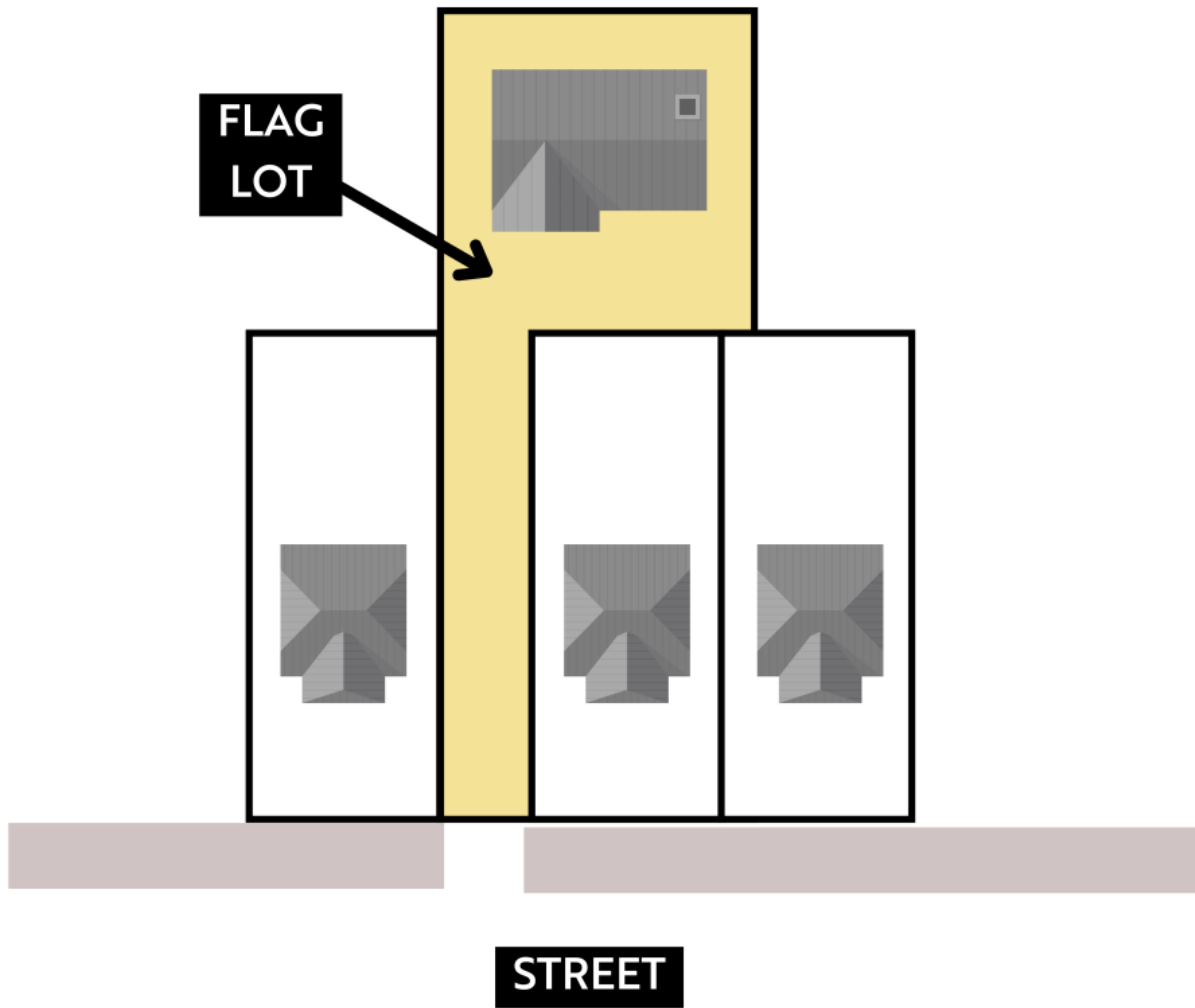
## APPENDIX A: FIGURES

*Figure 1 – Clear view area:*

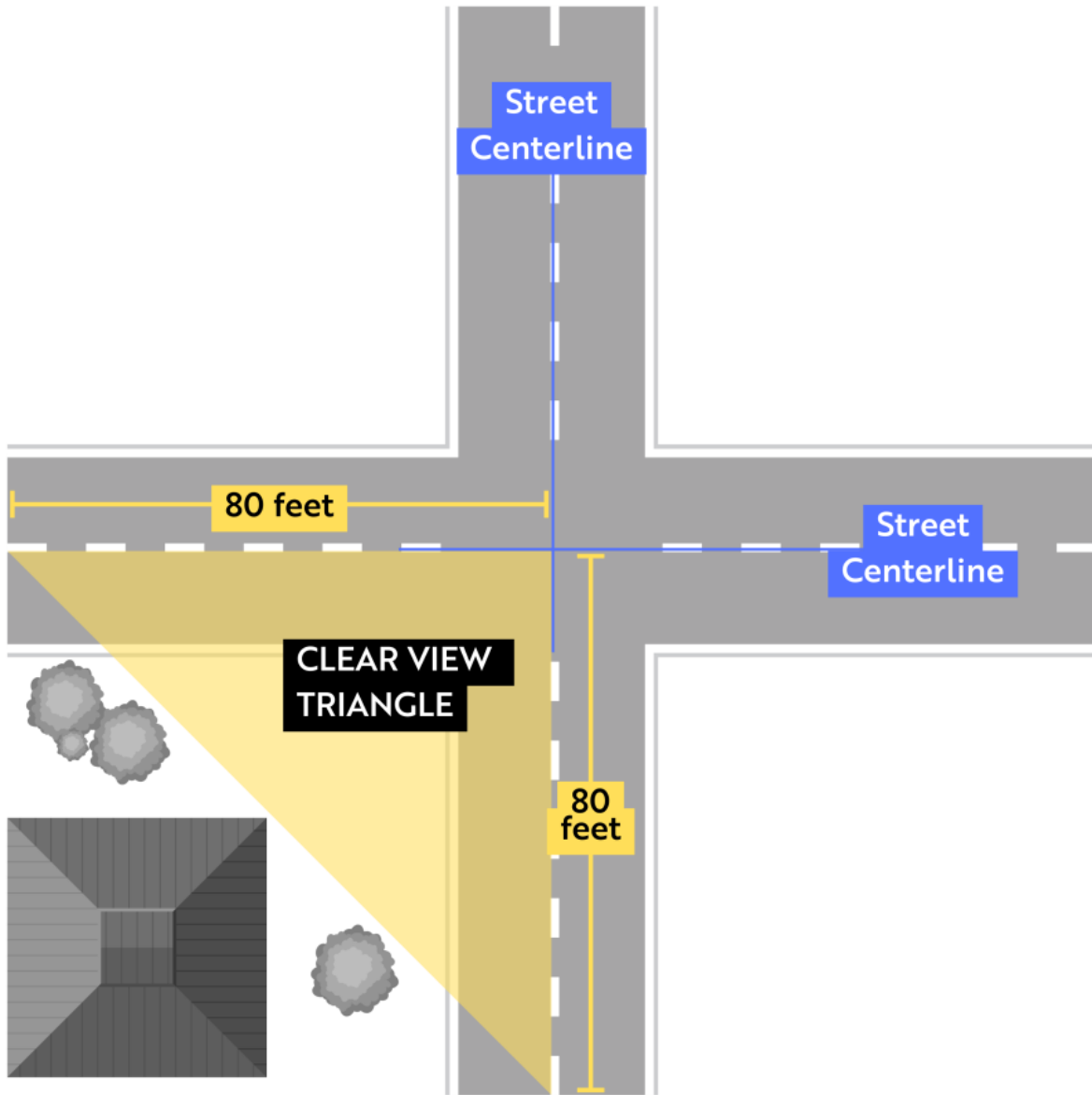


A triangular area on the corner of all lots surrounding the intersection of two streets where, for safety reasons, landscaping and structures must be designed and maintained to permit clear vision of approaching traffic.

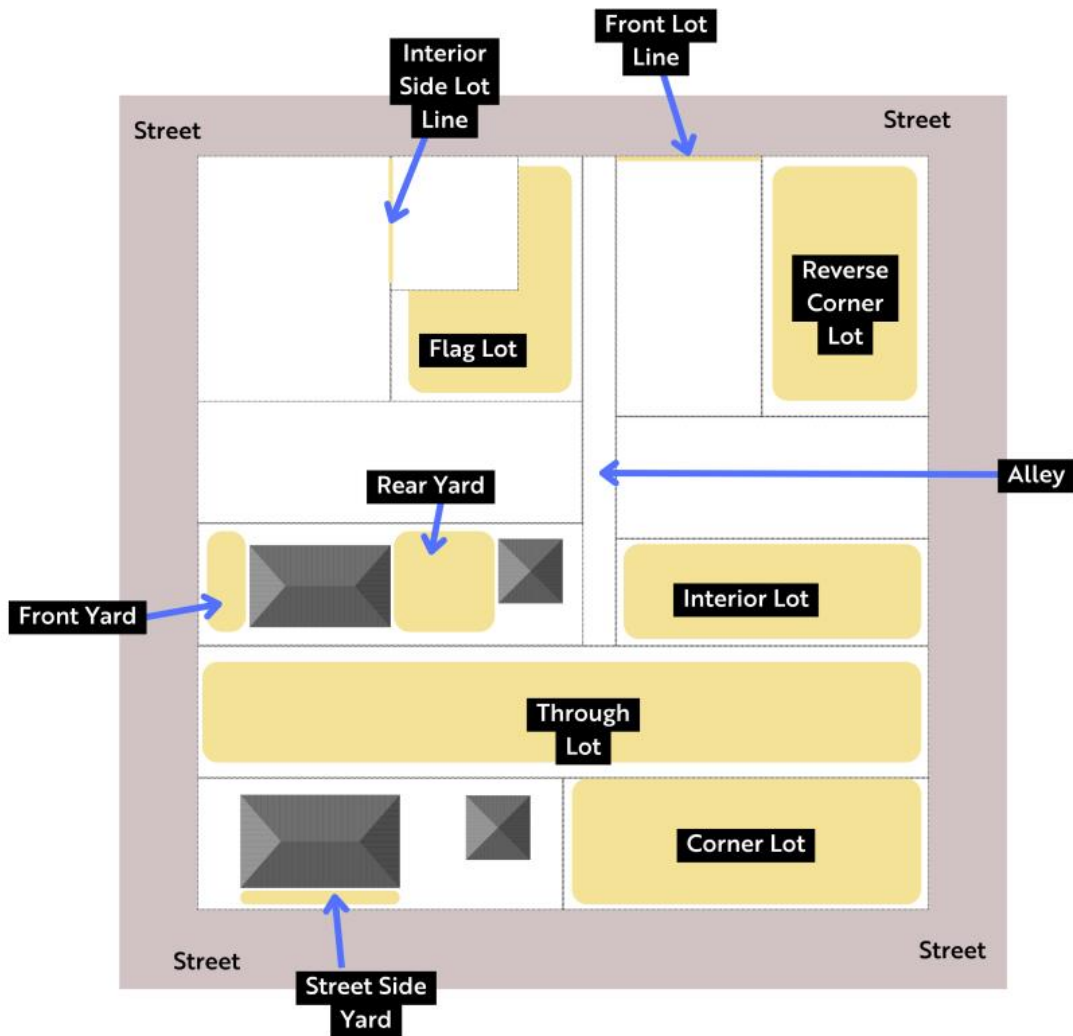
*Figure 2 – Flag lot:*



A property with a narrow access stem connecting the bulk of the lot to the street.

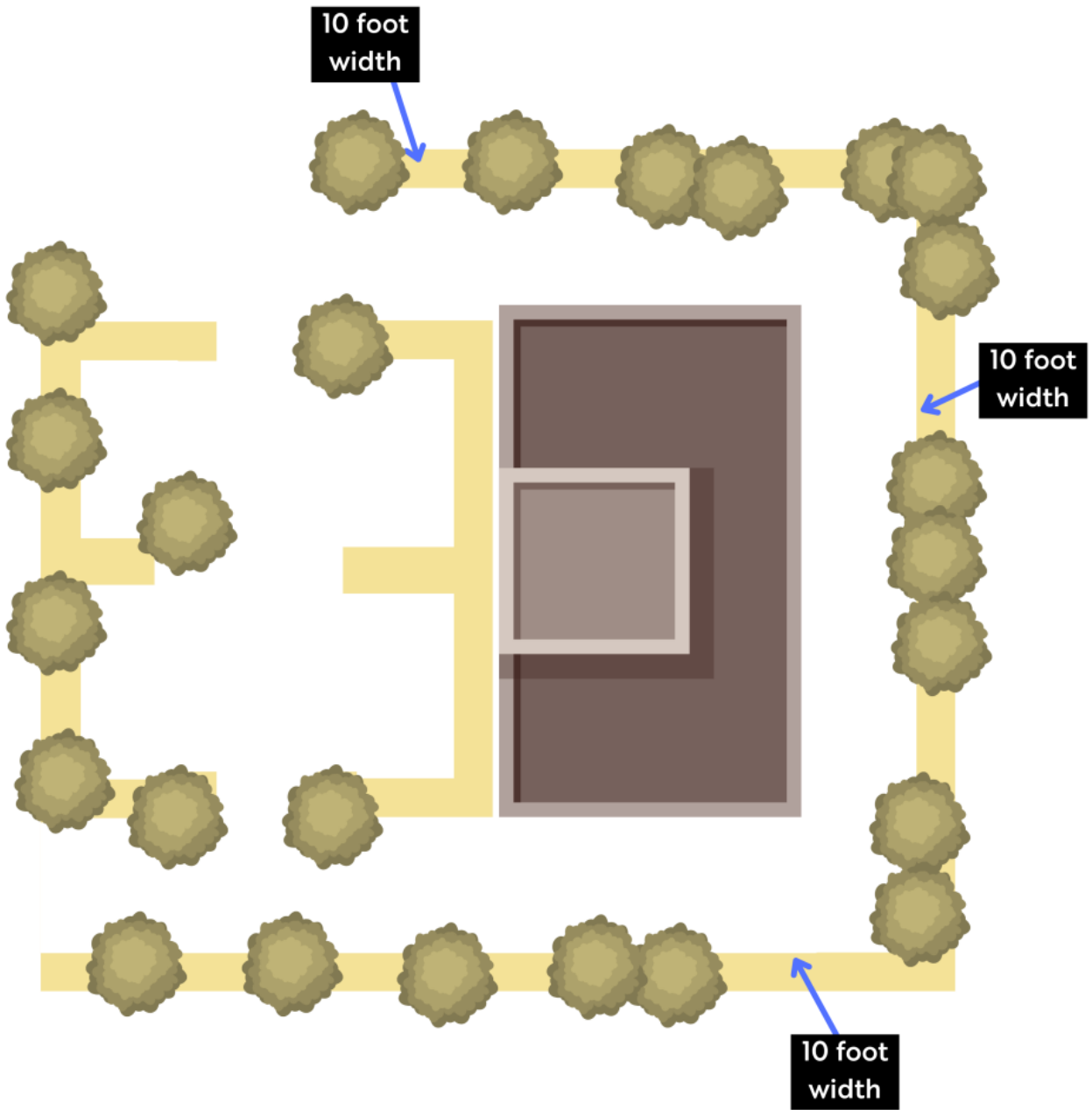


**Figure 3 – Lot types and lot lines:**



The drawing to the left illustrates the following: front lot line, interior street lot line, rear yard, front yard, Flag lot, reverse corner lot, interior lot, through lot, corner lot and a street side yard.

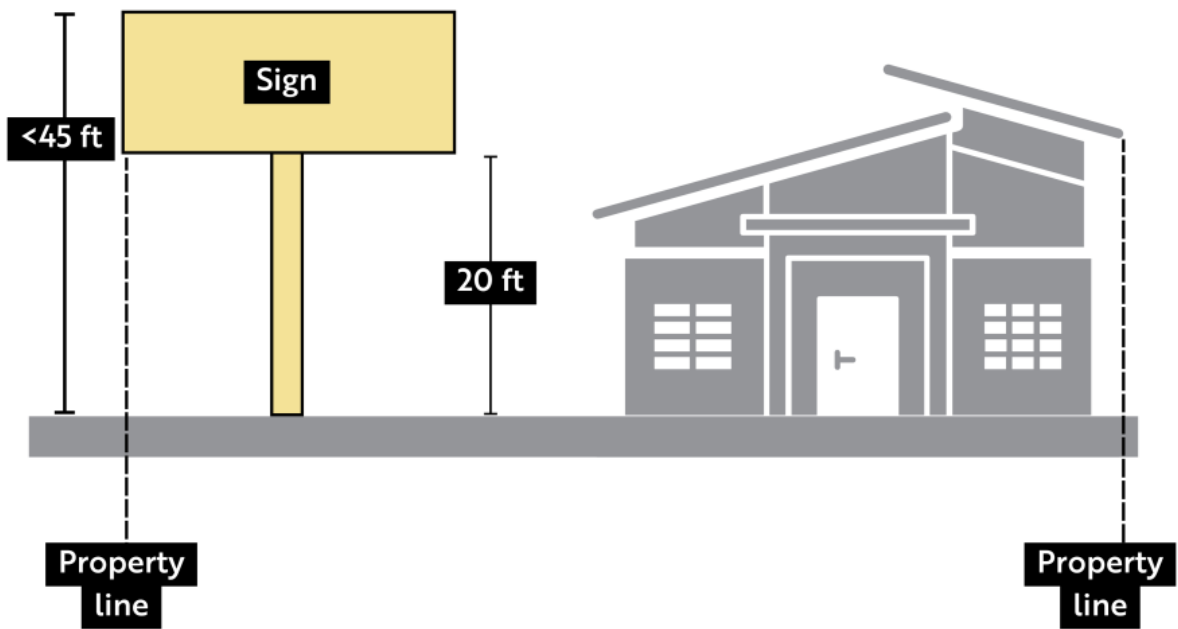
Figure 4 – Landscape screening:



Screening intended to provide a filtered, but not *blocked* view and provided by existing vegetation, landscaped areas, including the *use* of hedges, berms, fencing or a combination thereof.



Figure 5 – Sign:

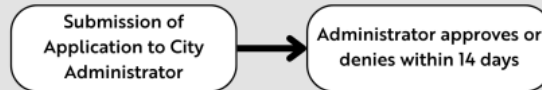


Any letters, figures, design, symbol, trademark, or any illuminating device intended to attract attention to any place, subject, person, firm, corporation, public performance, article, machine, or merchandise whatsoever and painted, printed, or constructed and displayed in any manner whatsoever out of doors for recognized advertising purposes. However, this shall not include any official court or public notices nor the flag, emblem, or insignia of a government, school, or religious group when displayed for official purposes. Interior signs, if located on a window or within a distance equal to the greatest dimension of the window and if obviously intended for viewing from the exterior, shall be considered an exterior sign for purposes of this sign code.

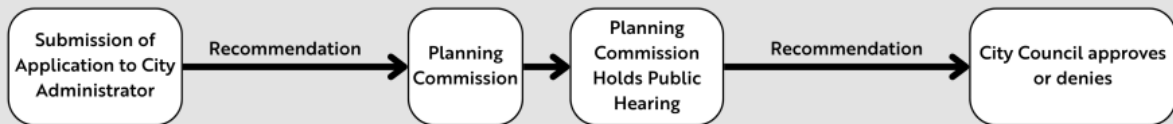
(Ord. 2041 § 1 (Exh. A), 2010).

## APPENDIX B: PROCEDURAL FLOW CHARTS

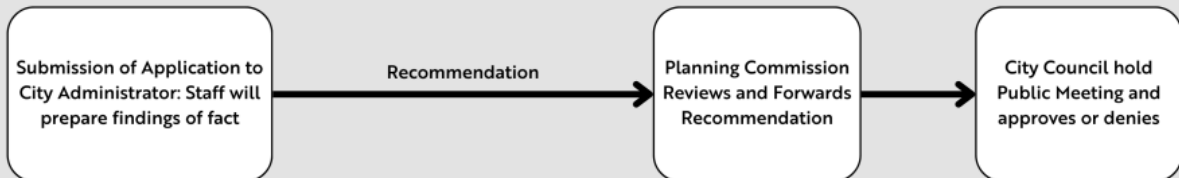
### Type I. Administrative Process



### Type II. Quasi-Judicial Process



### Type III. Legislative Process



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(Ord. 2041 § 1 (Exh. A), 2010).

## Division II. Zoning Provisions

### Chapter 11.15 TEXT AND OFFICIAL MAP

Sections:

Sections:

~~11.15.010 —Division into zones or use districts~~Title.

~~11.15.020 —Use classifications~~Application.

~~11.15.030 —Zone boundaries~~Purpose.

~~11.15.040 —~~040 Authority.

11.15.050 Division into zones or use districts.

11.15.060 Use classifications.

11.15.070 Zone boundaries.

**11.15.010 Title.**

This chapter shall be called “Zoning and Use Districts.”

**11.15.020 Application.**

This chapter shall apply to all properties and developments within the City of Ritzville.

**11.15.030 Purpose.**

The primary purpose of the zoning and use districts is to define acceptable uses in each zone and define the primary purpose of each zone.

**11.15.040 Authority.**

This chapter is adopted pursuant to the authority granted to the City of Ritzville by the Washington State Constitution as a second-class city, the provisions of RCW 35.23 et seq., RCW 35.63 et seq., the Planning Act set forth in RCW chapters 36.70 and 36.70A, RCW chapters 36.70B, 36.70C, 58.17 et seq., 35.21, 36.01, and other applicable laws, as these provisions now exist or as hereinafter amended.

**11.15.050 Division into zones or use districts.**

The city is divided into zones or use districts as shown on the official zoning map, which, together with all notes on the map, is adopted by reference and declared to be part of this title. The districts shown on the map and described in this title are:

R-1: Single-Family Residential Zone

R-2: ~~Multiple-Family~~Multifamily Residential Zone

R-3: High Density Residential Zone

MU: Mixed Use Zone

C-1: Central Business Zone

C-2: General Commercial Zone

C-3: Tourist Commercial Zone

- I: Industrial Zone
- PF: Public Facilities Zone
- AZ: Airport Overlay Zone
- HP: Historic Preservation Overlay Zone
- CR: Critical Resource Area Overlay Zone
- FM: Floodplain Management Overlay Zone
- AG: Agricultural Zone

The official zoning map is comprised of several sections and shall be identified by the signature of the city council, together with the date of the adoption of the ordinance codified by this title. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 2011 § 1, 2007; Ord. 1077 § 2, 2004; Ord. 1076 § 2, 2003; Ord. 1024 § 11.02.020, 2001).

If, in accordance with the provisions of this title ~~and Chapter 36.70 RCW~~, changes are made in district boundaries or other matters portrayed on the official map, such changes shall be made on the official map promptly after the amendment has been approved by the city council.

No changes of any nature shall be made in the original map except in conformity with the procedures in this title. Any unauthorized change shall be considered a violation of the provisions of this title, punishable to the full extent of the law.

The official zoning map shall be the final authority as to the current zoning status of land in the city. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 2003 § 1, 2006; Ord. 1024 § 11.02.010, 2001).

**11.15.0260 Use classifications.**

A. Table 11.15.0260 indicates permitted, conditionally permitted, and prohibited uses in the various zone districts. ~~Permitted uses are allowed as a matter of right.~~ In consideration of traffic, noise, lighting, hazards, health and environmental issues, certain uses may be permitted subject to a conditional use permit. This determination shall be made by the Planning Commission. For purposes of this section the following designations apply:

- P: Permitted ~~U~~Use
- C: Requires a Conditional ~~U~~Use Permit
- N: Prohibited Use

B. Overlay districts may affect permitted uses, the size, location, and design of structures and uses on the site, or the requirement for a special permit.

C. The planning commission may permit any use not specifically described in this title; provided, that the use is not prohibited, or is not expressly allowed in a less restrictive zone. For purposes of this section, the residential zone (R-1) shall be considered the most restrictive. A record shall be kept of such interpretations to facilitate equitable future administration and to permit periodic amendments of this title.

D. Permitted uses which do not conform to specific land use classifications shall be prohibited.

**Table 11.11.020 15.060  
Permitted, Conditionally Permitted, and Prohibited Uses by Base Zone**

Land Use	Zoning Districts
----------	------------------

Zone	AG	R-1	R-2	R-3	C-1	C-2	C-3	I	P F	AZ	MU	
<u>Accessory Uses</u>	<u>AG</u>	<u>R-1</u>	<u>R-2</u>	<u>R-3</u>	<u>C-1</u>	<u>C-2</u>	<u>C-3</u>	<u>I</u>	<u>P</u> <u>E</u>	<u>AZ</u>	<u>MU</u>	
Temporary stands for sale of agricultural products <u>Accessory Dwelling</u>	<u>P(6)</u>	<u>CP(4)</u> <u>1</u>	<u>NP(4)</u> <u>4</u>	<u>NP(4)</u> <u>1</u>	<u>P(6)</u>	<u>P(6)</u>	<u>P(6)</u>	<u>NP(6)</u>	<u>N</u> <u>C</u>	<u>P(6)</u>	<u>P(6)</u>	
Single family residence or modular home <u>Carports</u>	<u>P(6)</u>	<u>P(4)</u>	<u>P(4)</u>	<u>P(4)</u>	<u>P(5)</u> <u>(6)</u>	<u>P(6)</u>	<u>NP(6)</u>	<u>NP(6)</u>	<u>N</u> <u>C</u>	<u>P(6)</u>	<u>P(6)</u>	
<u>Garages/shops</u>	<u>P(6)</u>	<u>P(4)</u>	<u>P(4)</u>	<u>P(4)</u>	<u>P(6)</u>	<u>P(6)</u>	<u>P(6)</u>	<u>P(6)</u>	<u>C</u>	<u>P(6)</u>	<u>P(6)</u>	
<u>Personal Recreational vehicle Storage</u>	<u>P(6)</u>	<u>P(4)</u>	<u>P(4)</u>	<u>P(4)</u>	<u>P(6)</u>	<u>P(6)</u>	<u>P(6)</u>	<u>P(6)</u>	<u>C</u>	<u>P(6)</u>	<u>P(6)</u>	
<u>Personal Vehicle Storage</u>	<u>P(6)</u>	<u>P(4)</u>	<u>P(4)</u>	<u>P(4)</u>	<u>P(6)</u>	<u>P(6)</u>	<u>P(6)</u>	<u>P(6)</u>	<u>C</u>	<u>P(6)</u>	<u>P(6)</u>	
<u>Cargo containers</u>												
<u>Storage Pods</u>												
<u>Residential Uses</u>	<u>AG</u>	<u>R-1</u>	<u>R-2</u>	<u>R-3</u>	<u>C-1</u>	<u>C-2</u>	<u>C-3</u>	<u>I</u>	<u>P</u> <u>E</u>	<u>AZ</u>	<u>MU</u>	
Manufactured homes <u>Condominiums</u>	<u>PN</u>	<u>P**N</u>	<u>P**N</u>	<u>P**</u>	<u>NP(3)</u>	<u>NP</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>P</u>	
<u>Cottage Clusters or Co-Housing Clusters</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>P(3)</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>P</u>	
<u>Duplex or Twin House</u>	<u>C</u>	<u>NP</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>P</u>	
<u>Manufactured homes</u>	<u>P</u>	<u>P**</u>	<u>P**</u>	<u>P**</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>P**</u>	
<u>Mixed Use Development/Structure</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>P</u>	<u>P</u>	<u>C</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>N</u>	<u>P</u>	
<u>Modular home</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P(5)</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>P(5)</u>	
Multifamily residence or <u>Multiplex</u>	<u>N</u>	<u>NP</u>	<u>NP</u>	<u>P</u>	<u>P(3)</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>P</u>	
<u>Single-family residence</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P(5)</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>P(5)</u>	
<u>Townhouse or Rowhouse</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>P(3)</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>P</u>	
Housing for people w/functional disabilities <u>Hospitality, Recreation and Entertainment Uses</u>	<u>P(4)</u> <u>AG</u>	<u>P(R-1)</u>	<u>R-2</u>	<u>R-3</u>	<u>P(C-1)</u>	<u>P(C-2)</u>	<u>PC-3</u>	<u>N</u>	<u>N</u> <u>P</u> <u>E</u>	<u>NAZ</u>	<u>NM</u> <u>U</u>	<u>P</u>

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<u>Bar, Tavern, or Nightclub (large or small)</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>
Boardinghouse/bed and breakfast	<u>P (1)</u>	<u>P (1)</u>	<u>P (1)</u>	<u>P (2)</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P(1)</u>
<u>Brew Pub, Distillery Pub, or Limited Winery</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>C</u>	<u>P</u>	<u>P</u>
<u>Campground</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>N</u>	<u>N</u>
<u>Commercial Lodging, Businesses or Tourist</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>C</u>	<u>C</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>C</u>	<u>P</u>
<u>Commercialized form of recreation (bowling alley, theater)</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>
<u>Golf Course</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Hotel or motel</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>
<u>Household pets</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>C</u>	<u>C</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>
<u>Indoor Amusement, Recreation, and Entertainment</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>C</u>	<u>P</u>
<u>Micro winery/brewery/distillery</u>	<u>C</u>	<u>P (4)</u>	<u>P (4)</u>	<u>P (4)</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>P</u>
<u>Outdoor Stadium, Arena, Amphitheater, or Drive-In Theater</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>P</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Outdoor Commercial Recreation or Amusement</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>P</u>	<u>C</u>	<u>C</u>	<u>P</u>
<u>Parks (active)</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Parks (passive)</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
Recreational vehicle park	<u>C</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>C</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>
<u>Restaurant</u> <del>Home-occupation</del>	<u>PN</u>	<u>PC</u>	<u>PC</u>	<u>PC</u>	<u>P</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>N</u>	<u>C</u>	<u>P</u>
<del>Accessory uses and structures</del> <u>Restaurant, Fast Food</u>	<u>PN</u>	<u>PC</u>	<u>PC</u>	<u>PC</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>C</u>	<u>P</u>	<u>P</u>
<u>Short Term Rentals (AirBNB, VRBO, etc)</u>	<u>P</u>	<u>C</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>C</u>	<u>C</u>	<u>N</u>	<u>C</u>	<u>N</u>	<u>P</u>
<u>Religious and charitable institutions</u> <u>Community, Civic, Educational, and Institutional</u>	<u>GA</u> <u>G</u>	<u>GR-1</u>	<u>GR-2</u>	<u>GR-3</u>	<u>PC-1</u>	<u>PC-2</u>	<u>NC-3</u>	<u>NI</u>	<u>P</u> <u>P</u> <u>F</u>	<u>NAZ</u>	<u>MU</u>

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Railroad rights-of-way (not including yards) <u>Civic</u>	<u>CA</u> <u>G</u>	<u>NR-1</u>	<u>NR-2</u>	<u>NR-3</u>	<u>NC-1</u>	<u>PC-2</u>	<u>NC-3</u>	<u>P</u> <u>I</u>	<u>P</u> <u>P</u> <u>F</u> <u>E</u>	<u>PAZ</u>	<u>MU</u>	
Public uses- (school, library, park, playground, social centers, water reservoir)	<u>G</u>	<u>G</u>	<u>G</u>	<u>G</u>	<u>G</u>	<u>G</u>	<u>G</u>	<u>G</u>	<u>G</u>	<u>P</u>	<u>G</u>	
Police and fire station, branch utilities	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>P</u>	<u>P</u>	<u>P</u>
Museum, art galleries <u>City Facilities</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>P</u>	<u>P</u>	<u>NP</u>	<u>NP</u>	<u>P</u>	<u>NP</u>	<u>P</u>	
Communication-facilities	<u>G</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>G</u>	<u>N</u>		
Clinic, hospital and convalescent facilities <u>Community and cultural services</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>CP</u>	<u>P</u>	<u>P</u>	<u>NP</u>	<u>NP</u>	<u>C</u> <u>P</u>	<u>NP</u>	<u>P</u>	
<u>Library</u>	<u>N</u>	<u>C</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>P</u>	<u>N</u>	<u>P</u>	
<u>Park/Playground/Open Space/Water Reservoir</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>C</u>	<u>P</u>	<u>N</u>	<u>P</u>	
<u>Daycare</u>	<u>AG</u>	<u>R-1</u>	<u>R-2</u>	<u>R-3</u>	<u>C-1</u>	<u>C-2</u>	<u>C-3</u>	<u>I</u>	<u>P</u> <u>F</u>	<u>AZ</u>	<u>MU</u>	
<u>Child Care Center (small)</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>P**</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>N</u>	<u>P**</u>	
<u>Family Child Care Home</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>P**</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>N</u>	<u>P**</u>	
Nursery schools, day nurseries, childcare centers	<u>C</u>	<u>C</u>	<u>C</u>	<u>P**</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>N</u>	<u>P**</u>	
Public garages or parking lots <u>Education</u>	<u>NA</u> <u>G</u>	<u>NR-1</u>	<u>NR-2</u>	<u>NR-3</u>	<u>PC-1</u>	<u>PC-2</u>	<u>PC-3</u>	<u>CI</u>	<u>G</u> <u>P</u> <u>F</u> <u>E</u>	<u>PAZ</u>	<u>MU</u>	
<u>Business schools, dance, and music schools</u> <u>Professional and general offices</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>GN</u>	<u>P</u>	<u>GP</u>	<u>GP</u>	<u>GN</u>	<u>N</u>	<u>PN</u>	<u>P</u>	
<u>Churches (Parsonages)</u> <u>Financial institutions</u>	<u>NC</u>	<u>NC</u>	<u>NC</u>	<u>C</u>	<u>PC</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>N</u> <u>P</u>	<u>PC</u>	<u>P</u>	
<u>College or University</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>P</u>	<u>C</u>	<u>P</u>	
<u>School</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>P</u>	<u>C</u>	<u>P</u>	
<u>Vocational School/Job Training Center</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>P</u>	<u>C</u>	<u>P</u>	
<u>Health Care</u>	<u>AG</u>	<u>R-1</u>	<u>R-2</u>	<u>R-3</u>	<u>C-1</u>	<u>C-2</u>	<u>C-3</u>	<u>I</u>	<u>P</u> <u>F</u>	<u>AZ</u>	<u>MU</u>	

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<u>Clinic, Hospital, and convalescent facilities</u> Insurance, real estate, legal and abstract offices	N	N	N	C	P	P	<del>P</del> <u>N</u>	N	<del>N</del> <u>C</u>	N	<u>P</u>
<u>Convalescent Center, Alzheimer's Care, Memory Care, Nursing Home</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>N</u>	<u>P</u>
<u>Hospital or Emergency Room</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>N</u>	<u>P</u>
<u>Housing for people w/functional disabilities</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>N</u>	<u>P</u>
Hotel motel <u>Medical Office</u> or <u>Clinic</u>	N	N	N	<del>N</del> <u>C</u>	P	P	<del>P</del> <u>N</u>	N	<del>N</del> <u>C</u>	N	<u>P</u>
<u>General Commercial</u>	<u>AG</u>	<u>R-1</u>	<u>R-2</u>	<u>R-3</u>	<u>C-1</u>	<u>C-2</u>	<u>C-3</u>	<u>I</u>	<u>P</u> <u>F</u>	<u>AZ</u>	<u>MU</u>
Accessory services, such as restaurant, magazine stand, newsstand	N	N	N	N	P	P	P	N	N	N	<u>P</u>
<u>Automotive sales and service</u> Service station	N	N	N	N	<u>P**</u>	P	P	<del>C</del> <u>P</u>	N	<del>C</del> <u>N</u>	<u>C</u>
Jewelry stores <u>Breweries, wineries, bottling plants</u>	N	N	N	N	<del>P</del> <u>N</u>	<u>P</u> <u>C</u>	<u>P</u> <u>C</u>	<del>N</del> <u>P</u>	N	N	<u>P</u>
Liquor stores	N	N	N	N	P	P	P	N	N	N	
Tavern or nightclub	N	N	N	N	P	P	P	N	N	N	
Commercialized form of recreation (bowling alley, theater)	N	N	N	N	P	P	P	N	N	N	
<u>Cleaning and laundry establishment</u> Business schools, dance and music schools	N	N	N	N	<u>P</u> <u>C</u>	P	<del>P</del> <u>N</u>	<del>N</del> <u>P</u>	N	N	<u>P</u>
<u>Communication facilities</u> Grocery stores	<del>N</del> <u>C</u>	N	N	N	P	P	P	N	<del>N</del> <u>C</u>	N	<u>C</u>
<u>Mixed Use Development/Structure</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>P</u>	<u>P</u>	<u>C</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>N</u>	<u>P</u>
Department stores, specialized service stores, specialty retail stores (shoe, sporting goods, gifts, hardware)	N	N	N	N	P	P	P	N	N	N	<u>P</u>
<u>Drive-thru businesses</u> Passenger transportation depots	N	N	N	N	<del>P**</del> <u>N</u>	P	P	P	<u>P</u> <u>N</u>	P	<u>C</u>

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<u>Financial institutions</u> Production, treatment or sale of food products in conjunction w/retail	N	N	N	<u>NC</u>	<u>NP</u>	<u>PC</u>	<u>PC</u>	<u>NC</u>	N	<u>NP</u>	<u>P</u>
<u>Grocery stores</u> On-site hazardous waste storage and treatment facility	N	N	N	N	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>PN</u>	N	<u>PN</u>	<u>P</u>
Off-site hazardous waste storage and treatment facility <u>Heavy Retail</u>	N	N	N	N	<u>NC</u>	<u>NC</u>	<u>NC</u>	<u>CP</u>	N	N	<u>C</u>
<u>Home occupation</u> Automotive sales and service	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	P**	P	P	<u>PN</u>	N	<u>NP</u>	<u>P</u>
<u>Insurance, real estate, legal and abstract offices</u> Other similar retail and service establishments	N	N	N	<u>NC</u>	P	P	P	<u>PN</u>	N	N	<u>P</u>
<u>Jewelry Stores</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>
Retail feed and seed stores <u>Liquor</u>	<u>CN</u>	N	N	N	<u>NP</u>	P	<u>NP</u>	<u>PN</u>	N	N	<u>P</u>
Nursery sales-yards and greenhouses	P	N	N	C	P	P	P	N	N	P	
Newspaper plants, printing shops	N	N	N	N	P	P	N	P	N	P	<u>C</u>
<u>Lumber and building materials</u> <u>Nursery sales yards and greenhouses</u>	<u>NP</u>	N	N	<u>NC</u>	<u>NP</u>	P	<u>NP</u>	<u>PN</u>	N	P	<u>P</u>
<u>Offices, General</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>P</u>
<u>Other similar retail and service establishments</u> Cleaning and laundry establishment	N	N	N	N	<u>CP</u>	P	<u>NP</u>	P	N	N	<u>P</u>
<u>Personal Services</u>	<u>N</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>
Pet shops, small animal hospitals, kennels, pet crematorium	C	N	N	N	N	P	C	P	N	N	<u>C</u>
<u>Production, treatment, or sale of food products in conjunction w/retail</u> <u>Drive thru businesses</u>	N	N	N	N	N	P	P	<u>PN</u>	N	<u>PN</u>	<u>P</u>
<u>Professional and general offices</u> Upholstery shops	N	N	N	<u>NC</u>	<u>NP</u>	<u>PC</u>	<u>PC</u>	<u>PC</u>	N	<u>NP</u>	<u>P</u>
<u>Stone</u> <u>Religious and monument businesses</u> <u>charitable institutions</u>	<u>NC</u>	<u>NC</u>	<u>NC</u>	<u>NC</u>	<u>NP</u>	P	N	<u>PN</u>	<u>N</u>	<u>CP</u>	<u>C</u>

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Retail feed and seed stores	C	N	N	N	N	P	N	P	N	N	C
Retail Sales and Services (large)	N	N	N	N	P	P	P	N	N	N	P
Retail Sales and Services (small)	N	C	C	C	P	P	P	N	N	N	P
Temporary carnival or circuses stands for sale of agricultural products	NP	NC	N	N	NP	P	P	N	GN	NP	P
Upholstery shops	N	N	N	N	N	P	P	P	N	N	P
Wholesale and storage establishments	C	N	N	N	N	P	C	C	N	P	C
Industrial Truck terminals	NA G	NR-1	NR-2	NR-3	NC-1	C-2	C-3	GI	N P F	GAZ	MU
Bulk plant Utility service yard	N	N	N	N	N	PN	N	PC	N	PN	N
Light industrial uses/electronic manufacturing	N	N	N	N	N	N	N	P	N	N	P
Clothing fabrication and assembly	N	N	N	N	N	N	N	P	N	N	C
Breweries, wineries, bottling Concrete plants or accessory uses	N	N	N	N	N	GN	GN	PC	N	N	N
Micro-winery/brewery	G	P(4)	P(4)	P(4)	P	P	P	P	N	N	N
Small grain mill	G	P(4)	P(4)	P(4)	P	P	P	P	N	N	N
Junkyard	N	N	N	N	N	N	N	P	N	N	N
Bulk plant	N	N	N	N	N	N	N	G	N	N	N
Gravel pits or rock crushing operations	N	N	N	N	N	N	N	C	N	N	N
Slaughterhouses, stockyards, or feedlot operations Junkyard	N	N	N	N	N	N	N	GP	N	N	N
Light industrial uses/electronic manufacturing	N	N	N	N	N	N	N	P	N	P	C
Lumber and building materials sales yards	N	N	N	N	N	P	N	P	N	P	C
Manufacture or refining of products such as acetylene; asphalt or tar; kiln-fired brick, tile, terra cotta; fats, oils, or soap; oilcloth or linoleum;	N	N	N	N	N	N	N	C	N	N	C

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paint, shellac, turpentine, lacquer, or varnish												
<u>Off-site Hazardous waste storage and treatment facility</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>N</u>	<u>N</u>	<u>N</u>	
<u>On-site Hazardous waste storage and treatment facility</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>N</u>	<u>P</u>	<u>N</u>	
Operation which involves use of explosive or highly flammable material	N	N	N	N	N	N	N	C	N	N	<u>N</u>	
<u>Paper or pulp manufacture</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>N</u>	<u>N</u>	<u>N</u>	
<u>Petroleum processing</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>N</u>	<u>N</u>	<u>N</u>	
<u>Service station</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>C</u>	<u>N</u>	<u>C</u>	<u>C</u>	
<u>Slaughterhouses, stockyards, or feedlot operations</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>N</u>	<u>N</u>	<u>N</u>	
<u>Small grain-mill</u>	<u>C</u>	<u>P (4)</u>	<u>P (4)</u>	<u>P (4)</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>P (4)</u>	
<u>Stone and monument businesses</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>N</u>	<u>P</u>	<u>N</u>	<u>C</u>	<u>C</u>	
Tannery or curing of raw hides, rendering plant	N	N	N	N	N	N	N	C	N	N	<u>N</u>	
<u>Truck terminals</u> <del>Paper or pulp manufacture</del>	N	N	N	N	N	<u>NC</u>	<u>NC</u>	C	N	<u>NC</u>	<u>C</u>	
<u>Utility service yard</u> <del>Concrete-plants or accessory uses</del>	N	N	N	N	N	<u>NP</u>	N	<u>CP</u>	N	<u>NP</u>	<u>C</u>	
<del>Petroleum processing</del> <u>Wholesale and storage establishments</u>	<u>NC</u>	N	N	N	N	<u>NP</u>	<u>NC</u>	C	N	<u>NP</u>	<u>C</u>	
Household pets	P	P	P	P	C	C	N	N	N	N	N	
P = Permitted Use; C = Requires a Conditional Use Permit; N = Prohibited Use Uses may be affected if property is also in an overlay district (see applicable overlay section).												

~~Where the application of the above does not clarify the zone boundary location, the planning commission shall interpret the map and by written decision determine the location of the zone boundary. The city shall keep a copy of the written decision on file.~~

Footnotes:

- (1-): Accommodating not more than two persons in addition to residents.
- (2-): Accommodating not more than 10 persons in addition to residents.
- (3-): Above the ground floor.
- (4-): Permitted as an *accessory use* to a single-family residence based on home-occupational standards residential development.
- (5-): Within the historic overlay area, living units *must* be above/below the ground floor.

~~\*\* (6): Permitted as an accessory use only.~~

~~(\*\*):~~ Allowed per design review standards.

~~(Ord. 2041 § 1 (Exh. A), 2010; Ord. 2011 § 1, 2007; Ord. 1077 § 2, 2004; Ord. 1076 § 2, 2003; Ord. 1024 § 11.02.020, 2001).~~

#### **11.15.0370 Zone boundaries.**

A. The boundaries of the various districts shown on the official zoning map are, unless otherwise indicated, *streets*, *alleys*, or *lot* lines as shown on the map.

B. Where the actual *street* layout on the ground varies from that shown on the zoning maps, the designations shown on the maps *shall* be applied by the *planning commission* to the *street* as actually laid out so as to carry out the intent and purpose of the zoning plan for that district.

C. Where a district boundary line, as shown on the zoning map, divides a *lot* in a single *ownership* at the time of passage of the ordinance codified in this title, the *use* permitted on the least restrictive portion of the *lot* may extend to the portion lying in the more restrictive district a distance of not more than 50 feet beyond the district boundary line. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.02.030, 2001).

D. Where the application of the above does not clarify the *zone* boundary location, the *planning commission shall interpret the map and by written decision determine the location of the *zone* boundary. The city shall keep a copy of the written decision on file.*

Chapter 11.20  
AGRICULTURAL Agricultural (AG) ZONE Zone

Sections:

- 11.20.010 ~~–Purpose~~ Title.
- 11.20.020 ~~–Uses-~~ Application.
- 11.20.030 Purpose.
- 11.20.040 Authority.
- 11.20.050 Uses.
- 11.20.060 Development standards.
- 11.20.0470 Other applicable regulations.

**11.20.010 Title.**

This chapter shall be called “Agricultural (AG) Zone.”

**11.20.020 Application.**

This chapter shall apply to all uses and developments in areas designated Agricultural (“AG”).

**11.20.030 Purpose.**

The purpose of the agricultural zone is to provide for a low-density *buffer* between the more urban areas of the community and the farmland beyond the urban growth boundary. This designation allows a variety of housing and agricultural uses to accommodate existing land use patterns while anticipating that the land will, at some point, develop at a more intense level and be rezoned as residential. The maximum density in this zone is four dwellings per net acre. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1076 § 1, 2003; Ord. 1024 § 11.02.035).

**11.20.020 ~~—~~ 040 Authority.**

This chapter is adopted pursuant to the authority granted to the City of Ritzville by the Washington State Constitution as a second-class city, the provisions of RCW 35.23 et seq., RCW 35.63 et seq., the Planning Act set forth in RCW chapters 36.70 and 36.70A, RCW chapters 36.70B, 36.70C, 58.17 et seq., 35.21, 36.01, and other applicable laws, as these provisions now exist or as hereinafter amended.

**11.20.050 Uses.**

Table 11.15.0260 describes uses which are permitted, conditionally permitted, and prohibited in the AG zone. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1076 § 1, 2003; Ord. 1024 § 11.02.035).

**11.20.0360 Development standards.**

Minimum <i>lot</i> size	10,000 square feet
Minimum <i>lot</i> depth	100 feet

Minimum <i>lot</i> width	80 feet
Minimum building setback, front yard	20 feet
Minimum building setback, side yard	5 feet
Minimum building setback, street side yard	15 feet
Minimum building setback, rear yard	10 feet
Maximum building height	35 feet
Maximum <i>lot</i> coverage	20%

(Ord. 2041 § 1 (Exh. A), 2010; Ord. 1076 § 1, 2003; Ord. 1024 § 11.02.035).

**11.20.0470 Other applicable regulations.**

In addition to the requirements contained in this chapter, the requirements contained in Division III, Supplementary Standards, and the overlay requirements found in Chapters RCC 11.70 through RCC 11.80 ~~RCC~~ shall also apply to *development* in the AG zone. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1076 § 1, 2003; Ord. 1024 § 11.02.035).

## Chapter 11.25 SINGLE-FAMILY RESIDENTIAL (R-1) ZONE

Sections:

**11.25.010 —~~Purpose~~Title.**

**11.25.020 —~~Uses~~Application.**

~~11.25.030 —Development standards.~~

**11.25.030 Purpose.**

**11.25.040 —~~Other applicable regulations~~Authority.**

**11.25.050 Uses.**

**11.25.060 Development standards.**

**11.25.070 Other applicable regulations.**

**11.25.010 Title.**

This chapter shall be called “Single Family Residential (R-1) Zone.”

**11.25.020 Application.**

This chapter shall apply to all uses and developments in areas designated R-1.

**11.25.030 Purpose.**

The purpose of the *single-family residential (R-1) zone* is to provide a low-density, ~~single-family~~ residential area of single-family dwellings and duplex dwellings that promotes and encourages a favorable environment for family life. Residential *development* is intended to blend with the existing character of the neighborhood and provide for adequate open space without resulting in increased traffic on minor *streets* or creating excessive demands and costs for public services. This designation provides for stable and attractive suburban residential neighborhoods that have a full range of public services and facilities. It is notable for the prevalence of detached garages, front porches, and *accessory dwelling units*. *Owner* occupancy, quiet atmosphere, and an average density of six dwellings per net acre further characterize the *zone*. The maximum density in this *zone* is eight dwellings per net acre. To complement the primarily residential nature of this *zone*, some nonresidential uses are allowed. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.02.041, 2001).

~~11.25.020~~ **040 Authority.**

This chapter is adopted pursuant to the provisions of RCW chapters 35.63A, 36.70A, and 36.70B and other applicable laws and regulations.

**11.25.050 Uses.**

Table 11.15.0260 describes uses which are permitted, conditionally permitted, and prohibited in the R-1 *zone*. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.02.042, 2001).

~~11.25.030~~ **Development standards.**

	Without <i>Alleys</i>	With <i>Alleys</i>
Minimum <i>lot</i> size	5,000 square feet	6,000 square feet
Minimum <i>lot</i> depth	100 feet	100 feet
Minimum <i>lot</i> width	50 feet	50 feet
Minimum building setback, front yard	20 feet	20 feet
Minimum building setback, side yard	5 feet	5 feet
Minimum building setback, street side yard	15 feet	15 feet
Minimum building setback, rear yard	5 feet	5 feet
Maximum building height	Not to exceed 35 feet	
Maximum <i>lot</i> coverage	35%	
Maximum <del>outbuilding</del> <u>accessory structure</u> height	Not to exceed 20 feet	
Maximum <del>outbuilding</del> <u>accessory structure</u> footprint	Not to exceed 125% of house footprint	

A. Bonuses are intended to enhance the livability and variety of this *zone*, increase *development* flexibility, and maintain the residential character of the existing *structures*.

1. Five percent *lot* coverage bonus is permitted if the garage is detached from the ~~primary~~main residential *structure* and the garage is located in the rear half of the *lot*.
2. Three percent *lot* coverage bonus if a front porch is included as part of the ~~primary~~main residential *structure*.
3. One accessory dwelling unit is allowed ~~for caretaker or immediate family use~~.

B. Single dwellings *shall* be designed so that the front door entrance of each dwelling is closer to the *street* than the garage door. Detached garages may be sited in several acceptable ways: ~~(1) in the rear and accessed from an alley, (2) in the rear and accessed from a front drive, (3) on the side and accessed from a front drive.~~ (Ord. 2041 § 1 (Exh. A), 2010; Ord. ~~1024 § 11.02.043, 2001~~).

(1) in the rear and accessed from an alley.

(2) in the rear and accessed from a front drive.

(3) on the side and accessed from a front drive. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.02.043, 2001).

C. Manufactured housing units in the R-1 zone shall be compliant with the following:

1. The structure shall be placed on a permanent foundation in compliance with all applicable building regulations.

2. The structure shall have a perimeter skirting of masonry or of a material with a masonry appearance.

3. The structure shall have exterior siding and roofing which, in color, material, and appearance is similar to the exterior siding and roofing material commonly used in residential dwellings, including 4/12 roof pitch.

4. If a garage or carport is proposed, the garage or carport shall be constructed of like materials. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.02.054, 2001).

#### **11.25.0470 Other applicable regulations.**

In addition to the requirements contained in this chapter, the requirements contained in Division III, Supplementary Standards, and the overlay requirements found in Chapters ~~11.70- 11.70 RCC~~ through ~~11.80 RCC- 11.80 RCC~~ shall also apply to *development* in the R-1 zone. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.02.044, 2001).

## Chapter 11.30 MULTIPLE-FAMILY MULTIFAMILY RESIDENTIAL (R-2) ZONE

Sections:

**11.30.010** ~~–Purpose~~Title.

**11.30.020** ~~–Uses~~Application.

**11.30.030** Purpose.

**11.30.040** Authority.

**11.30.050** Uses.

**11.30.060** Development standards.

**11.30.0470** Design of manufactured housing units.

**11.30.0580** Other applicable regulations.

#### **11.30.010 Title.**

This chapter shall be called “Multifamily Residential (R-2) Zone.”



**11.30.020 Application.**

This chapter shall apply to all uses and developments in areas designated R-2.

**11.30.030 Purpose.**

The purpose of the ~~multiple-family~~ *Multifamily* residential (R-2) zone is to provide for higher intensity residential development that mixes ~~duplex dwellings with single-family dwellings~~ with duplexes, triplexes, Multifamily residences, and all other middle housing types as defined in RCC 11.10.020. This zone encourages the use of ~~duplex~~ middle housing residential dwellings that enhance the residential character of the surrounding neighborhood; and are complemented by a full range of public services and facilities. Some nonresidential uses are allowed that complement the primarily residential nature of these zones. The average residential density is 17 dwelling units per acre. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.02.051, 2001).

~~11.30.020~~ **040 Authority.**

This chapter is adopted pursuant to the provisions of RCW chapters 35.63A, 36.70A, and 36.70B and other applicable laws and regulations.

**11.30.050 Uses.**

Table 11.15.0260 describes uses which are permitted, conditionally permitted, and prohibited in the R-2 zone. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.02.052, 2001).

**11.30.0360 Development standards.**

	Without Alleys	With Alleys
Minimum lot size	7,200 square feet	5,000 square feet
Minimum lot depth	100 feet	100 feet
Minimum lot width	50 feet	50 feet
Minimum building setback, front yard	20 feet	20 feet
Minimum building setback, side yard	5 feet	5 feet
Minimum building setback, street side yard	15 feet	15 feet
Minimum building setback, rear yard	5 feet	5 feet
Maximum building height	Not to exceed 35 feet	
Maximum lot coverage	40%	
Minimum floor area, <i>single-family</i>	800 square feet	
Minimum floor area, <del>multiple-family</del> <i>multifamily</i>	400 square feet	

Bonuses are intended to enhance the livability and variety of this *zone*, increase *development* flexibility, and maintain the residential character of the existing *structures*.

A. Five percent *lot* coverage bonus is permitted if the garage is detached from the ~~primary-main~~ residential *structure* and the garage is located in the rear half of *lot*.

B. Three percent *lot* coverage bonus if the front porch is included in the ~~primary-main~~ residential *structure*.

C. One *accessory dwelling unit* is allowed ~~for caretaker or immediate family use, duplexes excluded.~~ per lot. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.02.053, 2001).

11.30.04~~70~~ Design of manufactured housing units.

A. The *structure shall* be placed on a permanent foundation in compliance with all applicable *building* regulations ~~with its lowest finished floor no higher than 16 inches above grade.~~

B. The *structure shall* have a perimeter skirting of masonry or of a material with a masonry appearance.

C. The *structure shall* have exterior siding and roofing which, in color, material, and appearance is similar to the exterior siding and roofing material commonly used in residential dwellings, including 4/12 roof pitch.

D. If a garage or carport is proposed, the garage or carport shall be constructed of like materials. ~~B. The *structure shall* have a perimeter skirting of masonry or of a material with a masonry appearance.~~

~~C. The *structure shall* have exterior siding and roofing which, in color, material, and appearance is similar to the exterior siding and roofing material commonly used in residential dwellings, including 4/12 roof pitch.~~

~~D. If a garage or carport is proposed, the garage or carport shall be constructed of like materials. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.02.054, 2001).~~ (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.02.054, 2001).

11.30.05~~80~~ Other applicable regulations.

In addition to the requirements contained in this chapter, the requirements contained in Division III, Supplementary Standards, including Chapter ~~11.125~~ 11.125 RCC, Manufactured Housing Communities, and the overlay requirements found in Chapters ~~11.70~~ 11.70 through ~~11.80~~ 11.80 RCC *shall* also apply to *development* in the R-2 zone. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.02.055, 2001).

## Chapter 11.35 HIGH DENSITY RESIDENTIAL (R-3) ZONE

Sections:

~~11.35.010 Purpose~~ Title.

~~11.35.020 Uses~~ Application.

~~11.35.030 Purpose.~~

~~11.35.040 Authority.~~

~~11.35.050 Uses.~~

~~11.35.060 Development standards.~~

11.35.04~~70~~ Design of manufactured housing units.

11.35.05~~80~~ Other applicable regulations.

**11.35.010 Title.**

This chapter shall be called "High Density Residential (R-3) Zone."

**11.35.020 Application.**

This chapter shall apply to all uses and developments in areas designated R-3.

**11.35.030 Purpose.**

The purpose of the high density residential (R-3) zone is to provide for a higher intensity residential area that integrates certain low intensity, nonresidential uses. The intent is to provide transition in land use from quiet *single-family* residential neighborhoods to areas where nonresidential services are provided. These areas are urban in character and contain a full range of public services and facilities. These zones are appropriate where transit service is likely to develop in the future, or where employment and commercial centers are located nearby. The average density in this zone is 15 *dwelling units* per net acre, with a maximum density of 22 dwellings per net acre. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.02.061, 2001).

**11.35.020 — 040 Authority.**

This chapter is adopted pursuant to the authority granted to the City of Ritzville by the Washington State Constitution as a second-class city, the provisions of RCW 35.23 et seq., RCW 35.63 et seq., the Planning Act set forth in RCW chapters 36.70 and 36.70A, RCW chapters 36.70B, 36.70C, 58.17 et seq., 35.21, 36.01, and other applicable laws, as these provisions now exist or as hereinafter amended.

**11.35.050 Uses.**

Table 11.15.0260 describes uses which are permitted, conditionally permitted, and prohibited in the R-3 zone. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.02.062, 2001).

**11.35.0360 Development standards.**

Minimum lot size	7,000 square feet (see exceptions)
Minimum lot depth	100 feet
Minimum lot width	70 feet unless previously platted smaller
Minimum building setback, front yard	<del>20</del> 15 feet
Minimum building setback, side yard	5 feet
Minimum building setback, street side yard	<del>20</del> 15 feet
Minimum building setback, rear yard	<del>40</del> 5 feet
Additional side yard	2 feet for portions of a structure that exceed two stories or 35 feet in height
Maximum building height	Not to exceed 40 feet
Maximum lot coverage	50%
Minimum floor area, single-family	800 square feet
Maximum floor area, studio	600 square feet

Maximum unit density, one bedroom	1,500 square feet
Maximum unit density, two bedrooms	2,000 square feet
Maximum unit density, three or more bedrooms	2,500 square feet

(Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.02.063, 2001).

11.35.04~~7~~<sup>0</sup> Design of manufactured housing units.

A. The *structure shall* be placed on a permanent foundation in compliance with all applicable *building* regulations ~~with its lowest finished floor no higher than 16 inches above grade.~~

~~B. The *structure shall* have a perimeter skirting of masonry or of a material with a masonry appearance.~~

~~C. The *structure shall* have exterior siding and roofing which, in color, material, and appearance is similar to the exterior siding and roofing material commonly used in residential dwellings, including 4/12 roof pitch.~~

B. The *structure shall* have a perimeter skirting of masonry or of a material with a masonry appearance.

C. The *structure shall* have exterior siding and roofing which, in color, material, and appearance is similar to the exterior siding and roofing material commonly used in residential dwellings, including 4/12 roof pitch.

~~D. If a garage or carport is proposed, the garage or carport shall be constructed of like materials.~~ If a garage or carport is proposed, the garage or carport shall be constructed of like materials. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.02.064, 2001).

11.35.05~~8~~<sup>0</sup> Other applicable regulations.

In addition to the requirements contained in this chapter, the requirements contained in Division III, Supplementary Standards, including Chapter ~~11.125~~ 11.125 RCC, Manufactured Housing Communities, and the overlay requirements found in Chapters 11.70 RCC through RCC 11.80 RCC, shall also apply to *development* in the R-3 zone. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.02.065, 2001).

Chapter 11.36  
MIXED USE (MU) ZONE

Sections:

- 11.36.010 Title.
- 11.36.020 Application.
- 11.35.030 Purpose.
- 11.35.040 Authority.
- 11.36.050 Uses.
- 11.36.060 Development standards.
- 11.36.070 Other applicable regulations.
- 11.36.080 Mixed Use parking requirements.
- 11.36.090 Mixed Use landscaping.
- 11.36.100 Mixed Use Landscaping.

**11.36.010 Title.**

This chapter shall be called "Mixed Use (MU) Zone."

**11.36.020 Application.**

This chapter shall apply to all uses and development in areas designated MU.

**11.36.030 Purpose.**

The purpose of the mixed use (MU) zone is to provide a variety of residential types, compatible business and commercial uses, community-oriented facilities, and public open space in proximity to one other. It allows for greater flexibility of development types and land use intensities. The mixed use zone is intended to promote compact urban density, traditional pedestrian-oriented design, and efficient neighborhood mobility. This district is characterized by minimized parking standards, reduced building setbacks, and a variety of commercial and residential uses. It allows for greater flexibility of development types and land use intensities.

**11.36.040 Authority.**

This chapter is adopted pursuant to the authority granted to the City of Ritzville by the Washington State Constitution as a second-class city, the provisions of RCW 35.23 et seq., RCW 35.63 et seq., the Planning Act set forth in RCW chapters 36.70 and 36.70A, RCW chapters 36.70B, 36.70C, 58.17 et seq., 35.21, 36.01, and other applicable laws, as these provisions now exist or as hereinafter amended.

**11.36.050 Uses.**

Table 11.15.060 describes uses which are permitted, conditionally permitted, and prohibited in the MU zone. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1076 § 1, 2003; Ord. 1024 § 11.02.035).

**11.36.060 Development standards.**

	<u>Minimum</u>	<u>Maximum</u>
<u>Lot Size</u>	<u>2,500 square feet</u> <u>(For lots of 2,500-5,000 square feet: maximum lot coverage</u>	<u>None</u>

	<u>requirements for lots of this size are subject to change with approval of Planning Commission)</u>	
<u>Lot Depth</u>	<u>None</u>	<u>None</u>
<u>Lot Width</u>	<u>None</u>	<u>None</u>
<u>Building setback, front yard</u>	<u>None</u>	<u>25 feet</u>
<u>Building setback, side yard</u>	<u>None</u>	<u>None</u>
<u>Building setback, street side yard</u>	<u>10 feet</u>	<u>None</u>
<u>Building setback, rear yard</u>	<u>None</u>	<u>None</u>
<u>Building setback, additional side yard</u>	<u>None</u>	<u>None</u>
<u>Building height</u>	<u>None</u>	<u>70 feet</u>
<u>Lot coverage</u>	<u>None</u>	<u>80%</u>
<u>Accessory structure height</u>	<u>None</u>	<u>75% of main building height</u>
<u>Accessory structure footprint</u>	<u>None</u>	<u>125% of main building footprint</u>
<u>Residential density (dwelling units per acre)</u>	<u>None</u>	<u>24 dwelling units per acre</u>
<u>Floor area ratio (FAR)</u>	<u>None</u>	<u>3.5</u>

(Ord. 2041 § 1 (Exh. A), 2010; Ord. 1076 § 1, 2003; Ord. 1024 § 11.02.035).

**11.36.070 Other applicable regulations.**

A. The structures and landscaping for all uses shall be designated to harmonize with the structures in the vicinity.

B. In addition to the requirements contained in this chapter, the requirements contained in Division III, Supplementary Standards, and the overlay requirements found in Chapters 11.70 RCC through 11.80 RCC, shall also apply to development in the MU zone. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1076 § 1, 2003; Ord. 1024 § 11.02.035).

C. The particular standards related to parking, landscaping, and accessory structures in the MU zone may deviate according to the primary use of the lot, property, or development. Primary use shall be established prior to development.

#### **11.36.080 Mixed Use parking requirements.**

##### A. Parking Spaces.

Access and parking in Mixed Use zones shall minimize impacts to adjacent residential unit uses. The minimum number of required parking spaces for developments in Mixed Use Zones shall be one-half (fifty percent or 50%) of the requirements for each land use designation outlined in RCC 11.85.080.

##### B. Off-Street Parking for Mixed Use Developments.

1. In the case of two (2) or more uses in the same building (a Mixed-Use Development) not within a Mixed Use Zone, the total requirements for off-street parking spaces shall be the sum of the requirements for each use computed separately.
2. In the case of a Mixed Use Development within a Mixed Use Zone, the minimum parking requirements shall be one-half (fifty percent or 50%) of the sum of the total requirements outlined by RCC 11.85.080.
3. Off-street parking facilities for one (1) use shall not be considered as providing required parking facilities for any other use, except as permitted in subsection (C) of this section pertaining to joint use.

##### C. Joint use.

The minimum amount of off-street parking required by RCC 11.85.050 may be reduced by the Planning Commission when shared parking facilities for two (2) or more uses are proposed if:

1. The total parking area exceeds five thousand (5,000) square feet;
2. The parking facilities are designed and developed as a single onsite common parking facility, or as a system of onsite and offsite facilities if all facilities are connected with improved pedestrian facilities and located within five hundred (500) feet of the buildings or use areas they are intended to serve;
3. The amount of reduction in off-street parking does not exceed ten (10) percent per use unless it is documented that the peak parking demand hours of two (2) or more uses are separate by at least one (1) hour;
4. The subject properties are legally encumbered by an easement or other appropriate means which provide for continuous joint use of the parking facilities. Documentation shall require review and approval by the city attorney; and
5. The total number of parking spaces in the shared parking facility is not less than the minimum required by any single use.

#### **11.36.090 Mixed Use Landscaping.**

A. The Landscape Screening requirements and standards outlined in RCC 11.90.020 may be relaxed in a Mixed Use zone (MU zone) at the discretion of the planning commission, if warranted by the use of clustering, shared access, joint use, or other development techniques aimed to increase density. Planning commission may issue an approval of a landscape exemption application in a mixed use zone after a public hearing before planning commission.

#### **11.36.100 Mixed Use - Accessory structures.**

A. See RCC 11.95 for accessory structures and storage pursuant to mixed use zones.

## Chapter 11.40 CENTRAL BUSINESS (C-1) ZONE

Sections:

~~11.40.010~~ — ~~Purpose~~ Title.

~~11.40.020~~ — ~~Uses~~ Application.

~~11.40.030~~ — Development standards.

~~11.40.030~~ Purpose.

~~11.40.040~~ — ~~Other applicable regulations~~ Authority.

~~11.40.050~~ Uses.

~~11.40.060~~ Development standards.

~~11.40.070~~ Other applicable regulations.

### **11.40.010 Title.**

This chapter shall be called “Central Business (C-1) Zone”.

### **11.40.020 Application.**

This chapter shall apply to all uses and development in areas designated C-1.

### **11.40.030 Purpose.**

The purpose of the central *business* (C-1) zone is to provide for a broad range of retail sales and services that take advantage of the historical identity of downtown Ritzville. This *business* district serves as the dominant commercial center for the city and is characterized by minimal parking standards, no *building setbacks*, and a mix of commercial and residential uses within *multistory structures*. The pedestrian scale and the compactness of the commercial uses in this zone encourage foot traffic and pedestrian accessibility. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.02.071, 2001).

### ~~11.40.020~~ — **040 Authority.**

This chapter is adopted pursuant to the provisions of chapters 35.63A, 36.70A, and 36.70B RCW and other applicable laws and regulations.

### **11.40.050 Uses.**

Table 11.15.0260 describes uses which are permitted, conditionally permitted, and prohibited in the C-1 zone. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.02.072, 2001).

### ~~11.40.030~~ **60 Development standards.**

◆ Minimum <i>lot</i> size	◆ 5,000 square feet	◆
◆ Minimum <i>building setback</i> , front	◆ 0 feet	◆ <i>Buildings</i> should be constructed to the front <i>property</i> line.
◆ Minimum <i>building setback</i> , side	◆ 0 feet	◆ Where a C-1 <i>lot</i> , with no <i>alley</i> , abuts a residential



		district, the adjoining side <i>yard</i> should be not less than five feet or one-fifth the height of the <i>building</i> .
◆ Minimum building setback, street side	◆ 0 feet	◆ <i>Buildings shall be constructed to the street side property line.</i>
◆ Minimum <i>building setback</i> , rear	◆ 0 feet	◆ Where a C-1 <i>lot</i> , with no <i>alley</i> , abuts a residential district, the rear <i>yard shall</i> be not less than 10 feet.
◆ Maximum building height	◆ Not to exceed 35 feet	◆
◆ Maximum floor area ratio (FAR)	◆ 3.0	◆

(Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.02.073, 2001).

**11.40.0470 Other applicable regulations.**

A. The *structures* and landscaping for commercial uses *shall* be designed to harmonize with the *structures* in the vicinity.

B. In addition to the requirements contained in this chapter, the requirements contained in Division III, Supplementary Standards, and the overlay requirements found in Chapters 11.70 RCC through 11.80 RCC, *shall* also apply to *development* in the C-1 zone. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.02.074, 2001).

## Chapter 11.45 GENERAL COMMERCIAL (C-2) ZONE

Sections:

~~11.45.010 — Purpose~~ **Title.**

~~11.45.020 — Uses~~ **Application.**

~~11.45.030 — Development standards.~~

**11.45.030 Purpose.**

~~11.45.040 — Operating standards~~ **Authority.**

~~11.45.050 — Other applicable regulations.~~

**11.45.050 Uses.**

**11.45.060 Development standards.**

**11.45.070 Operating standards.**

**11.45.080 Other applicable regulations.**

**11.45.010 Title.**

This chapter shall be called “General Commercial (C-2) Zone.”

**11.45.020 Application.**

This chapter shall apply to all uses and developments in areas designated C-2.

**11.45.030 Purpose.**

- ◆ The purpose of the general commercial (C-2) *zone* is to provide for a broader type of commercial uses than those permitted in the central *business zone*. This *zone* is more auto-related than the central *business zone*, requires fewer public services and provides fewer pedestrian amenities. It is accessed by ~~a~~ Arterial streets, and is characterized by moderate intensity commercial *developments* requiring more land, ample parking *lots*, convenient vehicular access, landscaping, and larger *lots*. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.02.081, 2001).

~~11.45.020~~ **040 Authority.**

This chapter is adopted pursuant to the authority granted to the City of Ritzville by the Washington State Constitution as a second-class city, the provisions of RCW 35.23 et seq., RCW 35.63 et seq., the Planning Act set forth in RCW chapters 36.70 and 36.70A, RCW chapters 36.70B, 36.70C, 58.17 et seq., 35.21, 36.01, and other applicable laws, as these provisions now exist or as hereinafter amended.

**11.45.050 Uses.**

Table 11.15.02~~60~~ describes uses which are permitted, conditionally permitted, and prohibited in the C-2 *zone*. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.02.082, 2001).

**11.45.03~~60~~ Development standards.**

Minimum <i>lot</i> size	5,000 square feet
Minimum <i>building setback</i> , front	10 feet
Minimum <i>building setback</i> , side	10 feet
Minimum building setback, street side	10 feet
Minimum <i>building setback</i> , rear	10 feet
Minimum landscaping	1%
Maximum building height	Not to exceed 45 feet
Maximum floor area ratio (FAR)	1.5

(Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.02.083, 2001).

**11.45.04~~70~~ Operating standards.**

- ◆ All uses in the C-2 *zone shall* adhere to the *following*:
- ◆ A. At least 50 percent of all *businesses*, service, repair, processing, or storage *shall* be conducted within an enclosed *building*, except for permitted outdoor uses. Outdoor uses *shall* be *screened* in accordance with Chapter ~~11.90~~ 11.90 RCC. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.02.084, 2001).

**11.45.05~~80~~ Other applicable regulations.**

- ◆ In addition to the requirements contained in this chapter, the requirements contained in Division III, Supplementary Standards, and the overlay requirements found in Chapters 11.70 RCC through RCC 11.80 RCC. shall also apply to *development* in the C-2 zone. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.02.085, 2001).

## Chapter 11.50 TOURIST COMMERCIAL (C-3) ZONE

Sections:

- ~~11.50.010~~ — ~~Purpose~~ Title.
- ~~11.50.020~~ — ~~Uses~~ Application.
- ~~11.50.030~~ Purpose.
- ~~11.50.040~~ Authority.
- ~~11.50.050~~ Uses.
- ~~11.50.060~~ Development standards.
- ~~11.50.070~~ — ~~070~~ Other applicable regulations.

### **11.50.010 Title.**

This chapter shall be called “Tourist Commercial (C-3) Zone.”

### **11.50.020 Application.**

This chapter shall apply to all uses and developments in areas designated C-3.

### **11.50.030 Purpose.**

The purpose of the tourist commercial (C-3) zone is to provide for the commercial *development* of areas specifically suited to servicing tourist and highway traveler needs and services. This zone is situated along Interstate 90 and intended to provide sites visible from the highway, large *developments* oriented to attract and accommodate those travelers. Abundant parking, attractive site planning, landscaping enhancements, and predictable traffic circulation patterns characterize this zone. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.02.091, 2001).

### ~~11.50.020~~ — **040 Authority.**

This chapter is adopted pursuant to the authority granted to the City of Ritzville by the Washington State Constitution as a second-class city, the provisions of RCW 35.23 et seq., RCW 35.63 et seq., the Planning Act set forth in RCW chapters 36.70 and 36.70A, RCW chapters 36.70B, 36.70C, 58.17 et seq., 35.21, 36.01, and other applicable laws, as these provisions now exist or as hereinafter amended.

### **11.50.050 Uses.**

Table 11.15.0260 describes uses which are permitted, conditionally permitted, and prohibited in the C-3 zone. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.02.092, 2001).

### ~~11.50.030~~ **60 Development standards.**

◆ Minimum <i>lot</i> size	10,000 square feet
◆ Minimum <i>building setback</i> , front	10 feet
◆ Minimum <i>building setback</i> , side	10 feet
◆ Minimum <i>building setback</i> , street side	10 feet

◆ Minimum <i>building setback</i> , rear	10 feet
◆ Maximum building height	Not to exceed 45 feet
◆ Maximum floor area ratio (FAR)	0.75
◆ Minimum landscaping	1%

(Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.02.093, 2001).

**11.50.0470 Other applicable regulations.**

In addition to the requirements contained in this chapter, the requirements contained in Division III, Supplementary Standards, and the overlay requirements found in Chapters 11.70 RCC through RCC 11.80 RCC, shall also apply to development in the C-3 zone. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.02.094, 2001).

## Chapter 11.55 INDUSTRIAL (I) ZONE

Sections:

- ~~11.55.010~~ — **Purpose** Title.
- ~~11.55.020~~ Application.
- ~~11.55.030~~ Purpose.
- ~~11.55.040~~ Authority.
- ~~11.55.050~~ Uses.
- ~~11.55.060~~ 060 *Development standards.*
- ~~11.55.070~~ 070 *Site plan review.*
- ~~11.55.080~~ 080 *Operating standards.*
- ~~11.55.090~~ 090 *Other applicable regulations.*

**11.55.010** Title.

This chapter shall be called “Industrial (I) Zone.”

**11.55.020** Application.

This chapter shall apply to all uses and developments in areas designated I.

**11.55.030** Purpose.

The purpose of the industrial (I) zone is to provide standards for the location of industrial uses which require large lot area to function and may create a greater degree of hazard or annoyance than would be permitted in any other use district. Typical uses in this zone include, but are not limited to, fabrication, assembly, manufacturing, or processing. The zoned industrial areas take advantage of rail and highway access points and use fencing and landscaped screens to help buffer the uses from residential, public, and commercial land uses. In addition, design standards are incorporated into the code to ensure compatibility with adjacent uses. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.02.101, 2001).

**11.55.020** — **040 Authority.**

This chapter is adopted pursuant to the authority granted to the City of Ritzville by the Washington State Constitution as a second-class city, the provisions of RCW 35.23 et seq., RCW 35.63 et seq., the Planning Act set forth in RCW chapters 36.70 and 36.70A, RCW chapters 36.70B, 36.70C, 58.17 et seq., 35.21, 36.01, and other applicable laws, as these provisions now exist or as hereinafter amended.

**11.55.050 Uses.**

Table 11.15.0260 describes uses that are permitted, conditionally permitted, and prohibited in the industrial zone. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.02.102, 2001).

**11.55.0360 Development standards.**

Minimum <i>lot size</i>	None required
Minimum <i>property boundaries setback, front</i>	10 feet, except 50 feet where adjoining a residential district
Minimum <i>property boundaries setback, side</i>	10 feet, except 50 feet where adjoining a residential district
Minimum <i>property boundaries setback, rear</i>	10 feet, except 50 feet where adjoining a residential district
Maximum floor area ratio (FAR)	0.5

(Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.02.103, 2001).

**11.55.0470 Site plan review.**

The *development* of any *lot* in the industrial zone requires prior approval of a site plan review consistent with Chapter-~~44.190~~ 11.190 RCC. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.02.104, 2001).

**11.55.0580 Operating standards.**

A. The *following* provisions *shall* apply to all uses within this zone:

1. Storage, handling, and *use* of hazardous substances, materials, and devices *shall* comply with the Uniform Fire *Code*.
2. Sound levels *shall* not exceed levels established by noise control regulations of the Department of Labor and Industries. Maximum permissible environmental noise levels to be emitted to adjacent properties are not to exceed levels of the environmental designations for noise abatement (EDNA) as established by the ~~s~~State of Washington, Department of Ecology (WAC ~~173-60-040~~ 173-60-040).

3. Pollution standards set up by regional, *state* or federal pollution control commissions or boards *shall* apply to all uses.

4. There *shall* be no *production* of odor, dust, heat, glare, or vibration perceptible beyond the *property* lines of the site on which the odor, dust, heat, glare, spill light or vibration is being generated. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.02.105, 2001).

**11.55.0690 Other applicable regulations.**

In addition to the requirements contained in this chapter, the requirements contained in Division III, Supplementary Standards, and the overlay requirements found in Chapters 11.70 RCC through RCC 11.80 RCC, *shall* also apply to *development* in the industrial zone. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.02.106, 2001).

## Chapter 11.60 PUBLIC FACILITIES (PF) ZONE

Sections:

- ~~11.60.010~~ — ~~Purpose~~ **Title.**
- ~~11.60.020~~ — ~~Uses~~ **Application.**
- ~~11.60.030~~ **Purpose.**
- ~~11.60.040~~ **Authority.**
- ~~11.60.050~~ **Uses.**
- ~~11.60.060~~ **Development standards.**
- ~~11.60.040~~ — ~~070~~ **Other applicable regulations.**

**11.60.010 Title.**

This chapter *shall* be called “Industrial (I) Zone.”

**11.60.020 Application.**

This chapter *shall* apply to all uses and *developments* in areas designated I.

**11.60.030 Purpose.**

The purpose of the public facilities (PF) *zone* is to provide an area for those lands serving the needs of the general public, such as, but not limited to, land for a courthouse, school, health *clinic*, or park. This *zone* is reserved for designated public facilities and generally includes lands owned or reserved for governmental *use*. In the event of a sale the *property* reverts back to its original *zone*. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.02.121, 2001).

~~11.60.020~~ — ~~040~~ **Authority.**

This chapter is adopted pursuant to the authority granted to the City of Ritzville by the Washington State Constitution as a second-class city, the provisions of RCW 35.23 et seq., RCW 35.63 et seq., the Planning Act set forth in RCW chapters 36.70 and 36.70A, RCW chapters 36.70B, 36.70C, 58.17 et seq., 35.21, 36.01, and other applicable laws, as these provisions now exist or as hereinafter amended.

**11.60.050 Uses.**

Table 11.15.0260 describes uses that are permitted, conditionally permitted, and prohibited in the PF zone. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.02.122, 2001).

**11.60.0360 Development standards.**

- A. The *lot* area in the PF zone shall not be less than in the most restrictive abutting zone.
- B. *Setbacks* shall be no less than the most restrictive setbacks permitted in an abutting zone.
- C. *Lot coverage* shall be the same as the most restrictive abutting zone. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.02.123, 2001).

**11.60.0470 Other applicable regulations.**

In addition to the requirements contained in this chapter, the requirements contained in Division III, Supplementary Standards, and the overlay requirements found in Chapters 11.70 RCC through RCC 11.80 RCC, shall also apply to development in the PF zone. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.02.124, 2001).

## Chapter 11.65 AIRPORT ZONING (AZ) DISTRICT

Sections:

- 11.65.010 — Purpose Title.**
- 11.65.020 — Uses Application.**
- ~~11.65.030 — Development standards.~~
- ~~11.65.040 — General regulations Authority.~~
- ~~11.65.050 — Noise.~~
- ~~11.65.060 — Lighting.~~
- ~~11.65.070 — Height restrictions.~~

- 11.65.050 Uses.
- 11.65.060 Development standards.
- 11.65.070 General regulations.
- 11.65.080 Noise.
- 11.65.090 Lighting.
- 11.65.100 Height restrictions.
- 11.65.110 Other applicable regulations.

**11.65.010 Title.**

This chapter shall be called “Airport Zoning (AZ) District.”

**11.65.020 Application.**

This chapter shall apply to all uses and developments in areas designated AZ.

**11.65.030 Purpose.**

The primary purpose of the *airport* zoning (AZ) district is to ensure that the *property* surrounding Pru Field will continue to be used in a manner that is compatible with general aviation *airport* and aircraft operations. This chapter



provides for both aviation-related and compatible nonaviation-related commercial and light industrial *development* within the *airport* district. It is intended that aviation-related *businesses* and activities have priority over other types of *development* at Pru Field. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.02.131, 2001).

**11.65.020** — **040 Authority.**

This chapter is adopted pursuant to the provisions of chapters 35.63A, 36.70A, and 36.70B RCW and other applicable laws and regulations.

**11.65.050 Uses.**

Table 11.15.0260 describes uses that are permitted, conditionally permitted, and prohibited in the *airport* overlay zone. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.02.132, 2001).

**11.65.0360 Development standards.**

These regulations are intended to regulate the erection or establishment of any new *structure* or *use*; the moving or relocation of any *structure*, or *use* to a new location; the operation or continuance, at any time *following* the effective date of these regulations, of any *structure* or *use* which has been lawfully established, erected, remodeled, or rehabilitated; and the change from one *use* to another of any *structure*, or land, or the reestablishment of a *use* after its discontinuance for a period of 180 consecutive days or more. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.02.133, 2001).

**11.65.0470 General regulations.**

A. All uses *shall* be compatible with the continued operation of the *airport*. No uses *shall* be allowed which:

1. Release into the air any substances that would impair visibility or otherwise interfere with the operation of aircraft;
2. Produce light emissions, either direct or indirect (reflective, refracted or diffused), that would interfere with pilot vision including the reduction of night vision capability of pilots while on the ground;
3. Produce emissions that would interfere with aircraft communications systems or navigational equipment.

B. No *temporary* or permanent *development* intended for human occupancy may be erected, moved to, or occupied within the *airport* zone except those facilities necessary to temporarily shelter individuals responding to an emergency.

C. No uses *shall* cause or produce objectionable effects which would impose a hazard or nuisance to adjacent properties by reason of smoke, soot, dust, radiation, odor, noise, vibration, heat, glare, toxic fumes or other conditions that would adversely affect the public health, safety and general welfare. Aircraft refueling practices and operations shall be encouraged in a manner which mitigates the spread of airborne pollutants.

D. No uses which are labor-intensive or which promote the concentration of people for extended periods of time shall be permitted, except as expressly authorized by Table 11.15.0260.

E. No uses which require the manufacturing or warehousing of materials which are explosive, flammable, toxic, corrosive, or otherwise exhibit hazardous characteristics *shall* be permitted except for the storage of aircraft fuel, oil, and paint and materials intended for aerial application for agricultural purposes, provided those materials are warehoused, loaded and unloaded according to subsection (G) of this section.

F. The delivery, storage, loading, unloading, and dispensing of all flammable fossil fuel products intended for aviation *use* *must* be accomplished according to the Washington *State* adopted Uniform Fire Code.

G. The delivery, storage, loading, unloading, dispensing and clean-up of pesticides and fertilizers intended for aerial application for agricultural purposes *shall* be accomplished according to Washington State Department of Agriculture regulations, Chapters ~~16-229 and 16-201~~ 16-229 and 16-201 WAC, dated March 1994.

H. No *structure* or any portion thereof on the premises of a permitted *use shall* be used for a residential dwelling by the *owner*, operator, caretaker, their family members or others except those facilities necessary to temporarily shelter individuals responding to an emergency.

I. By right, Pru Field is allowed an aviation *easement* for the ingress and egress of all flights. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.02.134, 2001).

#### **11.65.05~~80~~ Noise.**

A. Noise originating from aircraft in flight and that is directly related to flight operations *shall* be expected to *impact* people in surrounding districts and is generally exempt from noise standards. Noise from aviation testing and maintenance, that is not related to imminent flight, *shall* be restricted to certain hours, locations or other effective conditions by the Ritzville city council upon finding that the noise causes unreasonable *impacts*.

B. Reserved for noise levels from other than flight operations. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.02.135, 2001).

#### **11.65.06~~90~~ Lighting.**

A. Sign and *building* exterior lighting *shall* not project directly into the runway, taxiway, or *airport* approach surfaces to the extent that it is a hazard or a distraction to the aircraft.

B. Lighting of vehicle and aircraft parking areas *shall* not create a nuisance to adjacent districts nor *shall* it pose a hazard to other vehicular traffic.

C. *Airport* lighting used to illuminate runways, taxiways, airplane parking areas and to provide visual guidance for landing aircraft *shall* comply with the Pru Field *development* plan or master plan update. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.02.136, 2001).

#### **11.65.10~~70~~ Height restrictions.**

The height restrictions contained in this section are in accordance with Federal Air Regulations Part 77 "Objects Affecting Navigable Airspace" and Federal Aviation Administration Advisory Circular 150/5300-13 "*Airport Design*."

A. No *structure* or object except those whose placement is required for *airport* operations may be located within the Pru Field object free area defined as a rectangle whose boundaries are 300 feet from the ends of the prepared runway surface and 125 feet on both sides of the centerline of the runway.

B. No *structure* or object may be located so as to break the plane of a seven to one slope that begins at and extends outward at right angles from the edge of the object free area.

C. No *structure* or object may be located closer than 23 feet from the center of any taxiway.

D. No *structure* or object may be located so as to penetrate the approach/departure surface which flares at a rate of 10 to one outward and 20 to one upward from the edges of the object free area at both ends of the runway. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.02.137, 2001).

#### **11.65.110 Other applicable regulations.**

In addition to the requirements contained in this chapter, the requirements contained in Division III, Supplementary Standards and the overlay requirements found in Chapters 11.70 RCC through 11.80, shall also apply to development in the Airport Zoning District. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.02.144, 2001).

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## Chapter 11.70 HISTORIC PRESERVATION (HP) OVERLAY ZONE

Sections:

- 11.70.010 Purpose.**
- 11.70.020 Location of historic preservation overlay zone.**
- 11.70.030 Development standards.**
- 11.70.040 Other applicable regulations.**
- 11.70.010 Title.**
- 11.70.020 Application.**
- 11.70.030 Purpose.**
- 11.70.040 Authority.**
- 11.70.050 Location of historic preservation overlay zone.**
- 11.70.060 Development standards.**
- 11.70.070 Other applicable regulations.**

### **11.70.010 Title.**

This chapter shall be called “Historic Preservation (HP) Overlay Zone.”

### **11.70.020 Application.**

This chapter shall apply to all uses and developments in areas designated HP.

### **11.70.030 Purpose.**

The purpose of the historic preservation (HP) overlay zone is to preserve and promote the character of the built environment of the Ritzville historic Historic district while allowing the city’s historic preservation ordinance, Chapter 1.46 RCC, to enforce existing standards for the use, reuse, alteration, demolition and development of historic structures and property located within historic districts. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.02.141, 2001).

### **11.70.020 — 040 Authority.**

This chapter is adopted pursuant to the authority granted to the City of Ritzville by the Washington *State Constitution* as a second-class city, the provisions of RCW 35.23 et seq., RCW 35.63 et seq., the Planning Act set forth in RCW chapters 36.70 and 36.70A, RCW chapters 36.70B, 36.70C, 58.17 et seq., 35.21, 36.01, and other applicable laws, as these provisions now exist or as hereinafter amended.

### **11.70.050 Location of historic preservation overlay zone.**

- A. The historic preservation overlay zone is indicated on the official zoning map.
- B. The city council may, by ordinance, add, delete, or modify the historic preservation overlay zone boundary. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.02.142, 2001).

### **11.70.030 60 Development standards.**

- A. The development standards of this section apply only to those historic Historic districts for which “defining characteristics” have been prepared by the Ritzville historic preservation commission, and those structures or properties listed in the National Register of Historic Places.

B. All property located within the historic preservation overlay zone and all structures and properties listed in the national register are subject to all of the use restrictions and development standards of the underlying zone as minimum standards as well as Chapter 1.46 1.46 RCC, Historic Preservation, unless otherwise specifically provided by this section or by an approved planned unit development.

C. A change in the use of an historic structure to any use allowed in the underlying zoning district is permitted through the issuance of a certificate of occupancy so long as there are no significant exterior alterations made to the structure.

D. Within the central business zone (C-1) living units must be above/below the ground floor within the historic overlay area. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.02.143, 2001).

**11.70.0470 Other applicable regulations.**

In addition to the requirements contained in this chapter, the requirements contained in Division III, Supplementary Standards, ~~and Chapter 1.46 RCC,~~ and the overlay requirements found in Chapters 11.70 RCC through 11.80, shall also apply to development in the historic preservation overlay zone. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.02.144, 2001).

## Chapter 11.75 CRITICAL RESOURCE AREA OVERLAY (CR) ZONE

**Sections:**

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- 11.75.082 Critical area report for wetlands.
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- 11.75.090 Purpose.
- 11.75.092 Identification.
- 11.75.094 Classification and designation.
- 11.75.096 Determination process.
- 11.75.098 Geotechnical report.

**Article VI. Critical Aquifer Recharge Areas (CARAs)**

- 11.75.102 Purpose.
- 11.75.104 Critical recharge area designation.
- 11.75.106 Applicability.
- 11.75.107 Management recommendations and standards.
- 11.75.108 Regulations.
- 11.75.110 Hydrologic report.

**Appendices**

- Appendix A: Washington State Wetlands Identification and Delineation Manual (1997), or as amended.
- Appendix B: Regional Supplement to the Corps of Engineers Wetland Delineation Manual 2008, or as amended: Arid West Region.
- Appendix C: Washington State Wetlands Rating System for Eastern Washington: 2014 Updated (Ecology Publication No. 14-06-030).
- Appendix D: Wetlands in Washington State Vol. 1, 2, or as amended.
- Appendix E: Wetland Mitigation in Washington State, Parts 1 and 2 (2006), or as amended.

Appendix F: Information to be included in a wetland report.

~~Appendix F: Information to be included in a wetland report.~~

- Appendix G: Management Recommendations for Washington’s Priority Habitats and Species, or as amended.**
- Appendix H: Washington Priority Habitats and Species (1999), or as amended.**
- Appendix I: Shoreline Master Program for Adams County, or as amended.**
- Appendix J: Critical Areas Ordinance for Adams County, or as amended.**
- Appendix K: Washington State Wetlands Identification and Delineation Manual for Eastern Washington.**
- Appendix L: Columbia Basin Ground Water Management Area Plan.**
- Appendix M: Critical Areas Ordinance Maps, or as amended.**



## 11.75 Article I. Critical Areas General Provisions

### **11.75.010 Title.**

This section shall be called "Critical Areas General Provisions."

### **11.75.012 Application.**

This section shall apply to all areas designated Critical Areas by the City of Ritzville.

### **11.75.014 Purpose.**

The purpose of this chapter is to promote the general health, safety, and welfare of city residents by conserving and protecting *critical areas*. The critical resource area overlay (CR) *zone* protects and preserves critical environmental resources while allowing appropriate *development* activities when carried out in a responsible manner with minimal *impacts* on the environmental resources. In addition, this chapter serves to protect the public health, welfare, and safety; to clean water, and to *habitat conservation areas*. This chapter is enacted to protect *critical areas* by regulating *development* within or adjacent to such areas/lands, while providing *property owners* with reasonable economic use of their land. (Ord. 2143 § 1 (Att. A), 2020).

### **11.75.012 — 6 Authority.**

The Washington *State* Growth Management Act under Chapter 36.70A RCW requires local government to adopt *development* regulations to conserve natural resource lands and to preclude land uses or *development* incompatible with *critical areas*.

Compliance with the provisions of this chapter does not constitute compliance with other federal, *state*, and local regulations and permit requirements that may be required (for example, shoreline substantial *development* permits, HPA permits, Army Corps of Engineers Section 404 permits, NPDES permits). The *applicant* is responsible for complying with these requirements, apart from the process established in this chapter. Where applicable, the designated official will encourage use of information such as permit applications to other agencies or special studies prepared in response to other regulatory requirements to support required documentation submitted for *critical areas* review. (Ord. 2143 § 1 (Att. A), 2020).

### **11.75.014 — 8 Location of critical resource area overlay zone.**

The city's critical resource areas maps provide generalized information on the location of critical areas, including wetlands, habitat conservation areas, frequently flooded areas, geologically hazardous areas and aquifer recharge/wellhead protection areas. A site-specific analysis, which indicates that any critical area regulated by this chapter or Chapter 11.80 RCC exists on a lot, will result in that portion of the lot being classified as a critical area or floodplain area. (Ord. 2143 § 1 (Att. A), 2020).

### **11.75.016 — Definitions.<sup>4</sup>**

~~"Active recreation" means activities that refresh or restore one's strength, spirits or vitality through physical movement or action.~~

~~"Administrator" means the mayor of the city of Ritzville or designee appointed to administer provisions of this chapter and may delegate authority to other employees to assist in its administration. The administrator, under direction of the city of Ritzville, shall adopt and revise, as required, such forms and instructions as are necessary or appropriate to serve the public and carry out provisions of this chapter. The administrator shall review and process critical area and site plan review procedures as provided in the Ritzville Municipal Code.~~

~~"Applicant" means a person who files an application for permit under this chapter and who is either the owner of the land on which that proposed activity would be located, a lessee of the land, the person who would actually control and direct the proposed activity or the authorized agent of such a person.~~

~~1. Allowed Activity. An “allowed activity” is a use that due to other regulations or previous reviews is unlikely to result in a critical areas impact. These activities are subject to review by the city, but do not require a separate critical area review or report. Since these activities are not “exempt,” the critical areas standards continue to apply, and the underlying permit could be conditioned to ensure that the activity complies with critical areas protection.~~

~~“Aquifer recharge” means the process of infiltration and migration of which ground water is replenished.~~

~~“Aquifers” refers to ground water bearing geologic formations that contain enough saturated permeable material to yield significant quantities of water to wells.~~

~~“Best available science” means using the most current, widely accepted scientific data, research, studies and/or reports in making land use and policy decisions when designating and protecting environmentally sensitive areas. See WAC 365-195-900.~~

~~“Best management practices” means conservation practices or systems of practices and management measures that:~~

- ~~1. 1. Control soil loss and reduce water quality degradation caused by nutrients, animal waste, toxins, and sediment; and~~
- ~~2.1. 2. Minimize adverse impacts to surface water and ground water flow, circulation patterns, and to the chemical, physical and biological characteristics of the natural environment.~~

~~“Buffer” means an area adjacent to and surrounding a site or location, which serves as a protection from adverse impacts by maintaining the area in a naturally vegetated condition.~~

~~“Buffer management” means actions and practices conducted for the purpose of protection and enhancement of critical areas by moderating or eliminating adverse impacts from adjacent land(s) or areas to create a buffer from encroachment by urban growth areas.~~

~~“Critical aquifer recharge areas” are areas with a critical recharging effect on aquifers used for potable water, including areas where an aquifer that is a source of drinking water is vulnerable to contamination that would affect the potability of the water; or is susceptible to reduced recharge.~~

~~“Critical areas” include the following areas and ecosystems:~~

- ~~1. Frequently flooded areas;~~
- ~~2. Areas with a critical recharging effect on aquifers used for potable water, referred to in this chapter as critical aquifer recharge areas;~~
- ~~3. Geologically hazardous areas;~~
- ~~4. Fish and wildlife habitat conservation areas; and~~
- ~~5. Wetlands.~~

~~“EIS” means an environmental impact statement; a detailed document which analyzes the significant impacts of a particular project or proposal, possible alternatives, mitigation measures and unavoidable environmental impacts.~~

~~“Erosion hazard areas” are those areas containing soils which, according to the United States Department of Agriculture-Natural Resources Conservation Service Soil Survey Program, may experience significant erosion. Erosion hazard areas also include coastal erosion-prone areas and channel migration zones.~~

~~“Exotic species” means any introduced species of plant or animal occurring in Washington, not found historically in the state.~~

~~Federal or State Endangered, Threatened, Candidate Species.~~

- ~~1. “Endangered species” means a native species that is seriously threatened with extinction throughout all or a significant portion of its range.~~

~~2. “Threatened species” means a native species that is likely to become endangered within the foreseeable future throughout all or a significant portion of its range without cooperative management or removal of threats.~~

~~3. “Candidate species” means a native species under review for possible listing as endangered, threatened, or sensitive. A species will be considered for candidate designation if sufficient scientific evidence suggests that its status may meet criteria defined for “endangered,” “threatened” or “sensitive.” Currently listed state threatened or state sensitive species may also be designated as state candidate species if their status is in question.~~

~~“Fish and wildlife habitat conservation areas” (also referred to as habitat conservation areas) are areas that serve a critical role in sustaining needed habitats and species for the functional integrity of the ecosystem, and which, if altered, may reduce the likelihood that the species will persist over the long term. These areas may include, but are not limited to:~~

~~1. Areas with which endangered, threatened and sensitive species have primary association;~~

~~2. Important habitat areas that may also include species of local importance:~~

~~a. “Important habitat areas” include seasonal ranges and/or habitat elements with which species of local importance have primary association and which, if altered, may reduce the likelihood that the species will maintain and reproduce over the long term. Included would be areas of high relative population density or species diversity, breeding habitat, winter range and movement corridors. They would also include habitats that are of limited availability or high vulnerability to alteration such as cliffs, talus, wetlands, and riparian zones;~~

~~b. “Species of local importance” are defined based upon their population status, sensitivity to habitat manipulation, or high recreational value and public appeal;~~

~~3. Naturally occurring ponds under 20 acres and their submerged aquatic beds that provide fish and wildlife habitat;~~

~~4. Waters of the state;~~

~~5. Lakes, ponds, streams and rivers planted with game fish by a governmental or tribal entity;~~

~~6. State natural area preserves and natural resource conservation areas.~~

~~“Frequently flooded areas” include lands in the floodplain subject to a one percent or greater chance of flooding in any given year. These areas include, but are not limited to, streams, rivers, lakes, coastal areas, wetlands and other natural water sources.~~

~~“Functions and values” means the beneficial roles served by wetlands, including but not limited to water quality protection and enhancement; fish and wildlife habitat; food chain support; flood storage, conveyance and attenuation; ground water recharge; erosion control; historical, archaeological and aesthetic value protection and recreation. (These beneficial roles are not listed by priority or in order.)~~

~~“Geologically hazardous area” means an area not suited to commercial, residential or industrial development because of its susceptibility to erosion, sliding, earthquakes or other geological events hazardous to public health and safety.~~

~~“Ground water management program” means a comprehensive program designed to protect ground water quality, to assure ground water quantity, and to provide for efficient management of water resources while recognizing existing ground water rights and meeting future needs consistent with local and state objectives, policies and authorities within a designated ground water management area or subarea developed pursuant to Chapter 173-100 WAC.~~

~~“Habitat conservation area” includes (1) areas with which species designated as endangered, threatened, and sensitive under Section 7 of the Endangered Species Act have primary association; (2) habitats and species of local importance; (3) naturally occurring ponds under 20 acres and their submerged aquatic beds that provide wildlife habitat; (4) waters of the state; and (5) state natural area preserves and natural resource conservation areas.~~

~~“Impacts” means adverse effects of one thing upon another.~~

~~“Long-term commercial significance” means the capacity, productivity and soil composition of land for long-term commercial production, in consideration with the land’s proximity to population areas, and the possibility of more intense uses of the land.~~

~~“Minor modification” means a minor deviation in the property development standards or minor addition to or alteration of an existing building or structure affecting or equaling no more than 10 percent of the area of that structure or building.~~

~~“Mitigation” means actions which avoid, minimize, rectify, reduce, eliminate, compensate or correct otherwise probable significant adverse environmental impacts (WAC 197-11-768).~~

~~“Native species” means plant or animal species naturally occurring in Washington, excluding introduced species not found historically in the state.~~

~~“Potable water” means water, because of its quality, that is fit to drink and for human consumption.~~

~~“Primary association” means key habitat components that are critical to the life cycle of native wildlife species, i.e., nesting sites, wintering areas, and migration corridors. Loss of these values will result in fragmentation into subpopulations or extinction of populations from local areas.~~

~~“Principal use” means the primary or predominant use to which the property is or may be devoted, and to which all other uses on the premises are accessory.~~

~~“Priority habitats and species program” means Washington Department of Wildlife’s system of classifying habitats and associated species that are of specific concern due to population status and/or sensitivity to habitat manipulation.~~

~~“Restoration” means actions performed to reestablish wetland functional characteristics and processes which have been lost by alterations, activities or catastrophic events within an area which no longer meets the definition of a wetland.~~

~~“Riparian” means of, on, or pertaining to the bank of a natural course of water.~~

~~“Sensitive species” means a native species that is vulnerable or declining and is likely to become endangered or threatened in a significant portion of its range without cooperative management or removal of threats.~~

~~“Sole source aquifer” means an aquifer designated by EPA as the sole or principal source of drinking water for a given aquifer service area; this is an aquifer which is needed to supply 50 percent or more of the drinking water for that area and for which there are no reasonably available alternative sources should the aquifer become contaminated.~~

~~“Species of local importance” are those species that are of local concern due to their population status or their sensitivity to habitat alteration or that are game species.~~

~~“State-listed monitor species” means native species that:~~

- ~~1. Were at one time classified as endangered, threatened, or sensitive;~~
- ~~2. Require habitat that has limited availability during some portion of its life cycle;~~
- ~~3. Are indicators of environmental quality;~~
- ~~4. Require further field investigations to determine population status;~~
- ~~5. Have unresolved taxonomy which may bear upon their status classification;~~
- ~~6. May be competing with and having impacts on other species of concern; or~~

~~7. Have significant popular appeal. “Vernal pools” are precipitation-based, seasonal wetlands. For the purposes of this code, vernal pools shall only include scab rock and rain pool vernal as described in the Eastern Washington Wetland Rating System. The following is from page 80 of the manual:~~

~~To be classified as a vernal pool the wetland should be less than 4000 sq. feet, and meet at least two of the following criteria:~~

- ~~2.1.1. Its only source of water is rainfall or snowmelt from a small contributing basin and has no groundwater input. The wetland will typically lie in areas where the basalt has been exposed by the ice age floods. It has formed in a small surface depression in the basalt and does not have an outlet.~~

~~2. Wetland plants are typically present only in the spring; the summer vegetation is typically upland annuals. The water is present in the wetland for only short periods of time, usually less than 120 days.~~

~~Wetland plants will be found only during the time of standing water or immediately afterwards. NOTE: If you find perennial, "obligate," wetland plants the wetland is probably NOT a vernal pool.~~

~~3.1.3. The soils in the wetland are shallow (< 30 cm or 1 ft deep) and are underlain by an impermeable layer such as basalt or clay. You can determine the depth of the soil by digging a small hole with a tile spade. Determining if the impermeable layer is basalt should be easy (can't dig any further) but identifying a clay layer is harder. You may have to take some of the soil between your fingers, add water, and feel if it is "greasy" and smooth (without grit). If in doubt, use the "ribbon test" for clay.~~

~~4. Surface water is present for less than 120 days during the "wet" season. Estimating the duration of surface water in a vernal pool wetland is difficult unless one visits the wetland several times and notes the time at which the wetland fills and the time it dries out. Information about the drying and wetting cycles in the wetland may sometimes be obtained from local residents or frequent visitors to the wetland.~~

~~"Wellhead protection area" means the surface and subsurface area surrounding a water well or well field that supplies a public water system through which contaminants are reasonably likely to pass and eventually reach the water well or well field, as has been designated pursuant to Chapter 246-290 WAC.~~

~~"Wetland" or "wetlands" means areas that are inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas. Wetlands do not include those artificial wetlands intentionally created from nonwetland sites, including but not limited to irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds and landscape amenities, or those wetlands created after July 1, 1990, that were unintentionally created as a result of the construction of a road, street, or highway. Wetlands may include those artificial wetlands intentionally created from nonwetland areas created to mitigate conversion of wetlands 020. (Ord. 2143 § 1 (Att. A), 2020).~~

#### **11.75.018 — General provisions.**

The city's critical resource areas map provides generalized information on the location of *critical areas*. A site-specific analysis which indicates that any *critical area* regulated by this section or Chapter 11.80 RCC existing on a *lot* will result in that portion of the *lot* being classified as a *critical area* or floodplain area.

A. The *following* features *shall* not be altered or developed except as permitted by this section:

1. Water features, including rivers, streams, creeks, lakes, ponds and *wetlands*;
2. Areas that provide habitat to priority species; or
3. *Geologically hazardous areas*, including landslides and slopes 40 percent or greater.

B. The city requires *applicants* to demonstrate that *development* on a site determined to have *critical areas* will protect the resource by taking one of the *following* steps (listed in order of preference):

1. Avoid *impacts* to the resources altogether;
2. Minimizing the *impacts* by limiting the degree or magnitude of the action and its implementation by using appropriate technology, or by taking affirmative steps to avoid or reduce *impacts*;
3. Rectifying the *impact* by repairing, rehabilitating, or restoring the affected environment to the conditions existing at the time of initiation of the project;
4. Reducing or eliminating the *impact* over time by preservation and maintenance operations during the life of the action;
5. Compensating for the *impact* by replacing, enhancing, or providing substitute resources or environments.

C. If a critical resource area on the *property* that is being developed in the city crosses a jurisdictional line, the city *shall* coordinate with Adams County in the review of the project.

D. Multiple Designations of *Critical Areas*.

1. *Critical area* designations overlay other land uses including designated natural resource lands. If two or more land use designations apply to a given *parcel*, or a portion of a *parcel*, both or all designations and their corresponding regulations *shall* be applicable.
2. The application of these provisions *shall* be considered in the application of other permits and *development* activities authorized by adopted ~~e~~City of Ritzville codes including without limitation the zoning *code*, subdivision *code*, etc.

E. Reference Maps and Inventories. The distribution of *critical areas* within the city ~~of Ritzville~~ is described and displayed on reference materials and on maps maintained by the ~~a~~Administrator. These reference materials are intended for general information only and do not depict site-specific designations. These reference materials *shall* include but are not limited to the following:

1. Maps.

- a. Any maps created through a *critical area* review process;
- b. WDFW Priority Habitats and Species maps, as amended;
- c. USGS Quadrangle maps;
- d. *Flood* insurance rate maps (FEMA), as amended;
- e. *Flood* boundary and *floodway* maps (FEMA), as amended;
- f. Aerial photographs;
- g. USFWS National *Wetland* Inventory maps, as amended;
- h. Columbia Basin Ground Water Management Area maps;
- i. Previously completed maps in the vicinity of a permit application.

2. Documents.

- a. *Flood* Insurance Study for Adams County;
- b. City of Ritzville *Comprehensive Plan*, as amended;
- c. Natural Resources Conservation Service Soil Survey for Adams County;
- d. Federal *Wetlands* Delineation Manual (1987), as amended;
- e. Washington *State Wetlands* Identification and Delineation Manual (WDOE No. 96-94), as amended;
- f. Washington *State Wetlands* Rating System for Eastern Washington (WDOE No. 02-06-19), as amended;
- g. "*Wetland* Mitigation in Washington *State*, Part 1: Agency Policies and Guidance" (Version 1, Pub. No. 06-06-011a);
- h. "*Wetland* Mitigation in Washington *State*, Part 2: Developing Mitigation Plans" (Version 1, Pub. No. 06-06-11b);
- i. Management Recommendations for Washington's Priority Habitats and Species (WDFW), as amended;
- j. Management Recommendations for Washington's Priority Habitats – *Wetlands* (WDFW), as amended;
- k. Previously completed special reports conducted in the vicinity of a permit application;
- l. Columbia Basin Ground Water Management Area Plan, as amended.

F. Applicability of Reference Maps. The reference maps identified herein display general locations and approximate boundaries of potential *critical areas* and are not intended to determine regulatory boundaries. Further field determination and analysis will be necessary for specific *development* proposals to establish exact location, extent, and nature of *critical areas*.

G. Best Available Science.

1. *Critical area* reports and decisions to alter *critical areas* shall rely on the *best available science* to protect the *functions and values* of *critical areas* and *must* give special consideration to conservation and protection measures necessary to preserve or enhance their *functions and values*.
2. The *best available science* is that scientific information applicable to the *critical area*. These data *must* be prepared by local, *state*, or federal natural resource agencies, a qualified scientific professional or team of qualified scientific professionals that is consistent with criteria established in WAC 365-195-900 through 365-195-925.
3. In the context of *critical area* protection, a valid scientific process is one that produces reliable information useful in understanding the consequences of a local government's regulatory decisions, and in developing *critical area* policies and *development* regulations that will be effective in protecting the *functions and values* of *critical areas*. To determine whether information received during the permit review process is reliable scientific information, the ~~a~~Administrator or his/her designee shall determine whether the source of the information displays the characteristics of a valid scientific process. Such characteristics are as follows:
  4. Peer Review. The information has been critically reviewed by other persons who are qualified scientific experts in that scientific discipline. The proponents of the information have addressed the criticism of the peer reviewers. Publication in a referred scientific journal usually indicates that the information has been appropriately peer reviewed.
  5. Methods. The methods used to obtain the information are clearly *stated* and reproducible. The methods are standardized in the pertinent scientific discipline or, if not, the methods have been appropriately peer reviewed to assure their reliability and validity.
  6. Logical Conclusions and Reasonable Inferences. The conclusions presented are based on reasonable assumptions supported by other studies and consistent with the general theory underlying the assumptions. The conclusions are logically and reasonably derived from the assumptions and supported by the data presented. Any gaps in information and inconsistencies with other pertinent scientific information are adequately explained.
  7. Quantitative Analysis. The data has been analyzed using appropriate statistical or quantitative methods.
  8. Context. The information is placed in proper context. The assumptions, analytical techniques, data, and conclusions are appropriately framed with respect to the prevailing body of pertinent existing information.
  9. References. The assumptions, analytical techniques, and conclusions are well referenced with citations to relevant, credible literature and other pertinent existing information. (Ord. 2143 § 1 (Att. A), 2020).

~~11.75.020~~ **2 Uses.**

Uses allowed on a *lot* containing, or within 200 feet of, a *critical area* shall be the same as those listed in the *use zone* in which the *lot* is located. Each *use* shall be evaluated using the review process required for the *use* in the *zone* in conjunction with the requirements of this section and applicable *state* and federal regulations. Nothing in this section is intended to preclude the reasonable *use* of *property*. (Ord. 2143 § 1 (Att. A), 2020).

~~11.75.022~~ **4 Permitting.**

All uses proposed within the critical resource overlay *zone* shall be subject to the site plan review process.

A. All applications for permits to conduct activities having possible *impact(s)* to *critical areas* *must*:

1. Establish if *critical areas* are present by providing a report prepared by a qualified professional with demonstrated qualifications in the area of concern;

2. The report *shall use* scientifically valid methods and studies in the analysis of *critical area* data and the field reconnaissance and referenced in the source of science used;

3. Identify if *impact(s)* could occur;

4. Make an estimate of the probable *impact(s)*; and

5. Refer to the provisions herein to guide *development* decisions which strive to mitigate *impact(s)*.

B. The report contents *shall* as a minimum contain the *following*:

1. The name and contact information of the *applicant*, a description of the proposal, and identification of the permit requested.

2. A copy of the site plan for the *development* proposal in accordance with Chapter 11.190 RCC *shall* be obtained prior to any clearing or *development* activities within 200 feet of the *critical area*.

3. The dates, names, and qualifications of the persons preparing the report and documentation of any fieldwork performed on the site.

C. Permits may be granted for proposals which include mitigation measures for probable *impact(s)* if the mitigation measures adequately protect the people and *critical area(s)* involved. A fee to assist in recovery of administrative costs incurred during review of a new proposal to determine potentially significant *impacts* to *critical areas* will be collected at the time of application.

D. Unless mitigation measures are included, requests for permits *shall* be denied which would result in activities that would:

1. Significantly degrade a *wetland* or fish and wildlife *habitat conservation area*;

2. Put people or *property* in a position of unacceptable risk with respect to floods or geological hazards;

3. Tend to aggravate geological hazards; or

4. Harm critical recharging areas for *aquifers*. (Ord. 2143 § 1 (Att. A), 2020).

#### ~~11.75.024~~ 6 **Amendment process.**

The provisions of this chapter may be amended from time to time, but not more frequently than one time in a year, through a public review and hearing process that includes at least one public hearing by the ~~e~~City of Ritzville *planning commission* and at least one public hearing by the city council. (Ord. 2143 § 1 (Att. A), 2020).

#### ~~11.75.026~~ 8 **Construction with other laws.**

A. Abrogation and Greater Restrictions. This chapter does not repeal, abrogate, and is not to be construed so as to impair any existing regulations, *easements*, covenants, or deed restrictions. However, when this chapter imposes greater restrictions, the provisions of this chapter *shall* prevail.

B. Interpretation. Provisions of this chapter *shall* be liberally construed to serve the purposes of this chapter and *shall* be interpreted in a manner that supports the intent of any *comprehensive plans* and regulations implementing those plans, as adopted by the ~~e~~City of Ritzville council. (Ord. 2143 § 1 (Att. A), 2020).

#### ~~11.75.028~~ 030 **Exemptions and exceptions.**

Certain activities are exempt from the requirements of this chapter. Other regulated activities may be granted specific exceptions or an administrative modification. This section lists activities which are exempt and exceptions which may be granted to the requirements of this chapter. All activities which are exempted, excepted, or granted modifications *shall* prevent, minimize, and/or compensate for *impacts* to *critical areas* to the maximum extent possible. Such activities, which are exempted, accepted or granted modifications, *shall* not be exempt from other laws or permit requirements, which may be applicable.



A. The following are exemptions to provisions of this chapter; however, the listed exemptions may not be exempted from other state or federal regulations or permit requirements:

1. Activities in response to emergencies that threaten public health, *property*, *safety*, or *welfare*, as verified by the **a**Administrator to be the minimum necessary to alleviate the emergency.
2. Legally constructed *structures*, in existence on the date the ordinance codified in this chapter becomes effective, that do not meet requirements of this chapter may be remodeled or reconstructed; provided, that the new construction or related activity does not further encroach into the *critical area(s)* and/or natural resource land(s). Remodeling or reconstruction *shall* be subject to all other requirements of the zoning *code*.
3. Normal and routine activities conducted by public agencies to control mosquitoes throughout the **e**City of Ritzville.
4. Normal and routine maintenance of legally constructed irrigation and drainage ditches (when located within an already approved *easement*, *right-of-way*, etc.).
5. Normal and routine maintenance of agricultural ponds, *livestock* watering ponds and fish ponds; provided, that such activities do not involve conversion of any *wetland* or stream not used for such purpose on the effective date of the ordinance codified in this chapter.
6. Artificial *structures* intentionally constructed from upland areas for purposes of storm water drainage or water quality control, or ornamental landscape ponds, which are not part of a mitigation plan as described and detailed herein.
7. Normal and routine maintenance of public *streets*, *state* highways, public utilities, and public park facilities. Maintenance and repair do not include any modification that changes the character, scope, or size of the original *structure*, facility, or improved area, nor does it include construction of a maintenance road or dumping of maintenance debris.
8. The following electric, natural gas, cable communications and telephone *utility*-related activities, when undertaken pursuant to *best management practices* to avoid *impacts* to *critical areas* (water quality, floodplain and other permits may be required if applicable):
  - a. Normal and routine maintenance or repair of existing *utility structures* or *right-of-way* when located within an already approved *easement*, *right-of-way*, etc.;
  - b. Relocation of electric facilities, lines, equipment or appurtenances, not including substations with an associated voltage of 55,000 volts or less, when required and/or approved by the **a**Administrator (when located within an already approved *easement*, *right-of-way*, etc.);
  - c. Relocation of natural gas, cable communications, telephone facilities, lines, pipes, mains, equipment, or appurtenances when required and/or approved by the **a**Administrator;
  - d. Installation or construction in approved *street* rights-of-way and replacement, operation or *alteration* of all facilities listed in subsections (A)(8)(b) and (c) of this section.
9. *Buffer management* when approved by the **a**Administrator and all agencies with jurisdiction. Management may be limited to actions necessary to reduce risk to adjacent properties from falling trees, wildfire, etc., provided the management is the minimum necessary to protect both the *critical area* and *property*.
10. Existing and ongoing agricultural activities normal or necessary to general farming conducted according to industry-recognized *best management practices*, particularly as advocated by the Natural Resources Conservation Service, including the raising of crops or the grazing of *livestock*.

B. Reasonable Use Exception.

1. Nothing in this chapter is intended to preclude the reasonable economic *use* of *property*. For purposes of this section, reasonable economic *use* of a *lot* or *parcel* *shall* be deemed available if any one of the specific uses listed as permitted, accessory or conditional in this title, in the *zone* in which the subject *property* is located, can be accommodated on the subject *lot*.

2. If requirements of this chapter, as applied to a specific *property*, would deny all reasonable economic *use* of the *lot*, *development* consistent with the *use* regulations of this title can be permitted through a *variance* to the standards herein if the *applicant* demonstrates all of the *following* to the satisfaction of the *planning commission* when reviewed through the site plan review process:

- a. There is no other reasonable economic *use* or feasible alternative to the proposed *development* with less *impact* on the *critical area(s)*; and
- b. The proposed *development* does not pose a threat to the public health, safety, and welfare on or off of the subject *lot*; and
- c. Any variation permitted from requirements of this section *shall* be the minimum necessary to allow for reasonable economic *use* of the *property*; and
- d. The inability of the *applicant* to derive reasonable economic *use* of the *property* is not the result of actions by the *applicant* after the effective date of the ordinance codified in this chapter in subdividing the *property* or adjusting a boundary line which creates the undeveloped condition; and
- e. The proposal mitigates the *impacts* on the *critical area(s)* to the maximum extent possible.

C. Reasonable Use Decision Process. An application for reasonable *use* exception *shall* be filed with the ~~a~~ Administrator and *shall* be considered by the board of adjustment at a public hearing. The application *shall* include the *following* information which will be considered during the evaluation for granting a reasonable *use* exception:

1. A description of the *critical area(s)* located on the *property* and the required standards of this *code* that are applicable to the proposed *development*;
2. An analysis of the minimum amount of *development* that would be considered reasonable economic *use* of the *lot*, including a narrative which describes the factual basis for this determination;
3. An analysis of the *impact(s)* associated with *development* in subsection (C)(2) of this section that would be imposed on the *critical area(s)*;
4. An analysis of whether any other reasonable economic *use* with less *impact* on the *critical area(s)* and *buffers* is possible. This should include a discussion of whether there is any practical on-site alternative to the proposed *development* with less *impact*, including reduction in density, phasing of project implementation, change in timing of activities, revision of *lot* layout, and/or related site planning considerations that would allow reasonable economic *use* with less adverse *impact* to the *critical area(s)* or *buffers*. (Ord. 2143 § 1 (Att. A), 2020).

#### ~~11.75.030~~ ——— ~~Enforcement.~~

~~Enforcement of provisions of this code shall generally be pursuant to the provisions of RCC 1.02.010. In addition to the procedures in Chapter 1.02 RCC, the following enforcement provisions shall apply:~~

~~A. It shall be unlawful for any person, firm, corporation or association, or agent thereof, to violate any provision of this code. Any person who violates any of the provisions of this chapter shall be guilty of a civil offense and may be fined a sum not to exceed \$500.00 for each offense as per RCC 1.02.010. After a notice of violation has been given, each day of site work in conjunction with the notice of violation shall constitute a separate offense. **032 Enforcement.**~~

~~Enforcement of provisions of this code shall generally be pursuant to the provisions of RCC 1.02.010. In addition to the procedures in Chapter 1.02 RCC, the following enforcement provisions shall apply:~~

~~A. It shall be unlawful for any person, firm, corporation or association, or agent thereof, to violate any provision of this code. Any person who violates any of the provisions of this chapter shall be guilty of a civil offense and may be fined a sum not to exceed \$500.00 for each offense as per RCC 1.02.010. After a notice of violation has been given, each day of site work in conjunction with the notice of violation shall constitute a separate offense.~~ The eCity of Ritzville will stop work on any existing

permits and will halt the issuance of any or all future permits or approval for any activity which violates the provisions of this code until all penalties and *restorations* are made in full.

B. Upon a determination by the ~~administrator of this code~~ Administrator that a violation has occurred, he/she shall issue a notice in writing either by ~~certified~~ mail with return receipt requested or by personal service to the person incurring the same. The notice of violation and order shall be served upon each record owner, taxpayer, and occupier and, when applicable, the contractor(s). The notice shall include the amount of the penalty imposed and shall describe the violation with reasonable particularity. In appropriate cases, corrective action shall be identified in the notice, which corrective action shall be taken within a specific and reasonable time.

C. A person receiving a written notice of violation may ~~appeal said notice to~~ in accordance with the ~~administrative official.~~ ~~The administrative official shall determine the status of the violation~~ City of Ritzville grievance procedure outlined in RCC 11.170.080 and Resolution #2009-09.

D. The city attorney may enforce compliance with this chapter by such injunctive, declaratory, or other actions as deemed necessary to ensure that violations are prevented, ceased, or abated. (Ord. 2143 § 1 (Att. A), 2020).

11.75 Article II. Frequently Flooded Areas~~Flooded Areas~~flooded areas

**11.75.040 Title.**

This section shall be called “Frequently flooded areas.”

**11.75.042 Application.**

This section shall apply to areas designated as a flood plain within a critical area.

**11.75.044 Purpose and objectives.**

It is the intent of the eCity of Ritzville to recognize and diminish potential hazards that may be caused by inappropriate *development* in areas where severe and costly *flooding* is anticipated to occur. Based on historical observation and information collected by the Federal Emergency Management Agency, the eCity endorses a cautious posture that limits construction in areas located within zones designated to be *flood* prone. This decision stems from local, as well as *state* and federal, understanding that *development* limitations in these areas help to serve the health, safety, and public welfare of the people of the eCity of Ritzville.

Protection measures designed to minimize hazards in *frequently flooded areas* already exist for the eCity, as detailed in Chapter 12.08 RCC, *Flood Damage* Prevention, originally adopted through Ordinance 1002 § 1.1, 2000, and as hereafter amended. (Ord. 2143 § 1 (Att. A), 2020).

~~11.75.042~~ **046 Authority.**

This chapter is adopted pursuant to the authority granted to the City of Ritzville by the Washington State Constitution as a second-class city, the provisions of RCW 35.23 et seq., RCW 35.63 et seq., the Planning Act set forth in RCW chapters 36.70 and 36.70A, RCW chapters 36.70B, 36.70C, 58.17 et seq., 35.21, 36.01, and other applicable laws, as these provisions now exist or as hereinafter amended.

**11.75.048 Classification.**

Classification of *frequently flooded areas*, according to the minimum guidelines, should include, at a minimum, the 100-year floodplain designations of the Federal Emergency Management Agency and the National *Flood* Insurance Program. The following categories of *frequently flooded areas* established for the purpose of classification are:

A. *Floodways*. The channel of a stream, plus any adjacent floodplain areas, that *must* be kept free of encroachment in order that the base *flood* be carried without substantial increases in *flood* heights.

B. Floodplains. The *floodway* and special *flood* hazard areas.

C. Special *Flood* Hazard Areas. The area adjoining the *floodway* which is subject to a one percent or greater chance of *flooding* in any given year, as identified in the ~~Adams County~~ Federal Emergency Management Agency publication entitled “The FEMA *Flood* Insurance Study (July 26, 1977), Rate Map for Adams County, WA, and Incorporated Areas,” dated January 16, 2009, and determined by the Federal Insurance Administration. (Ord. 2143 § 1 (Att. A), 2020).

~~11.75.044~~ **050 Designation.**

All eCity of Ritzville lands and waters which are currently identified within the 100-year floodplain in the Federal Emergency Management Agency publication entitled “The FEMA *Flood* Insurance Rate Map for Adams County, WA, and Incorporated

Areas,” dated January 16, 2009, with accompanying *flood* insurance rate and boundary maps are designated as *frequently flooded areas*. If and when this study becomes updated to reflect new conditions, designation of ~~f~~*Frequently flooded areas* will include the changes.

All new *development* within designated *frequently flooded areas* shall be in compliance with the ~~e~~*City of Ritzville flood damage prevention ordinance*, as it is now or hereafter amended. (Ord. 2143 § 1 (Att. A), 2020).

## 11.75 Article III. Fish and Wildlife Habitat Conservation Areas

### ~~11.75.050~~ 060 Title.

This section shall be called "Fish and wildlife habitat conservation areas."

### 11.75.062 Application.

This section shall apply to all designated Fish and wildlife habitat conservation areas.

### 11.75.064 Purpose and objectives.

It is the intent of the eCity of Ritzville to recognize the importance of protecting *habitat conservation areas* while at the same time encouraging continued economic *development* of the city. Implementation of this article is directed toward preserving resources by steering incompatible *development* away from these areas and/or by providing adequate and appropriate mitigation measures to *development* that alleviate negative *impacts*. The eCity of Ritzville adopts by reference the Adams County *Critical Areas Ordinance, Appendix J, Washington Priority Habitats and Species (1999)*, or as amended, Appendix G and the Washington Priority Habitats and Species *(1999)*, or as amended, Appendix H.

Various federal, *state* and private agencies and individuals manage *established fish and wildlife habitat conservation areas* within the city of Ritzville. In recognition of their expertise and experience in local habitat management, the eCity of Ritzville supports their efforts to preserve and protect those critical *fish and wildlife habitat conservation areas* by acknowledging that cooperation and communication are essential to achieve common habitat conservation goals. The *following* objectives are the guiding factors in the application of this article to future *development* in the city of Ritzville:

- A. Identify and map categories of *fish and wildlife habitat conservation areas* in the city of Ritzville, based in part on information supplied by Washington Department of Wildlife's Priority Habitat and Species Program, and other sources.
- B. Cooperate with federal, *state* and private agencies and individuals who have primary authority to manage specific *fish and wildlife habitat conservation areas* within certain parts of the city of Ritzville.
- C. Encourage preservation of adequate size *blocks* of land necessary for species survival and corridor areas that allow for migratory travel.
- D. The eCity of Ritzville recognizes that species of wildlife in this locality are in a *state* of continuing flux, and a prudent understanding of this phenomenon is vital in guiding decision-makers to balance conservation of wildlife species with promotion of wise, desirable growth.
- E. *Development* decisions will serve to protect local wildlife values and reflect the needs and desires of the public.
- F. The eCity of Ritzville recognizes the need for a degree of flexibility in weighing the significance of different areas of fish and wildlife habitat conservation. Specifically, the magnitude of protection for priority habitat areas is anticipated to be more pronounced than that which addresses *important habitat areas*. (Ord. 2143 § 1 (Att. A), 2020).

### ~~11.75.052~~ 066 Authority.

This chapter is adopted pursuant to the authority granted to the City of Ritzville by the Washington State Constitution as a second-class city, the provisions of RCW 35.23 et seq., RCW 35.63 et seq., the Planning Act set forth in RCW chapters 36.70 and 36.70A, RCW chapters 36.70B, 36.70C, 58.17 et seq., 35.21, 36.01, and other applicable laws, as these provisions now exist or as hereinafter amended.

**11.75.068 Identification.**

According to WAC 365-190-0830, “fish and wildlife habitat conservation” means land management for maintaining populations of species in suitable habitats within their natural geographic distribution so that the habitat available is sufficient to support viable populations over the long term and isolated subpopulations are not created. This does not mean maintaining all individuals of all species at all times, but it does mean not degrading or reducing populations or habitats so that they are no longer viable over the long term. Counties and cities should engage in cooperative planning and coordination to help assure long-term population viability.

A. “Areas of fish and wildlife habitat conservation” are defined as:

1. Areas where endangered, threatened, and *sensitive species* have a primary association;
2. Habitats and *species of local importance*, as determined locally;
3. Naturally occurring ponds under 20 acres and their submerged aquatic beds that provide fish or wildlife habitat;
4. Waters of the *state*;
5. Lakes, ponds, streams, and rivers planted with game fish by a governmental or tribal entity (these include water bodies planted under auspices of a federal, *state* or local program, or which support important fish species as identified by Washington Department of Wildlife); or
6. *State* natural area preserves, natural resource conservation areas, and *state* wildlife areas.

B. The ~~e~~City of Ritzville allows for the nomination of species/habitats of local importance, which process *shall* be included in the *amendment* process identified in RCC 11.75.0246. In order to nominate species/habitats of local importance as candidates for designation within the category of ~~i~~Important habitat areas, an individual or organization *must*:

1. Demonstrate a need for special consideration;
2. Propose relevant management strategies considered effective and within the scope of this chapter;
3. Provide species habitat location(s) on a map (scale 1:24,000).

C. In order to accommodate the needs and desires of the people of the ~~e~~City of Ritzville, public input *shall* be required to include species and/or habitats in the important habitat area classification identified in RCC 11.75.056072. Where the habitats and species classified as priority habitat area are responsive, concurrently, with official changes in federal and/or *state* threatened or endangered listings/delistings, to include or uninclude species and/or habitats in the important habitat area classification, these regulations *must* be amended through a formal process for nomination as described in this regulation.

D. There are no anadromous fisheries within the city of Ritzville. (Ord. 2143 § 1 (Att. A), 2020).

**~~11.75.054~~ 070 Determination process.**

The ~~city of Ritzville~~ Administrator will review each *development* permit application to determine if the provisions of this article will be applied to the project. In making the determination, the ~~e~~City of Ritzville may *use* any of the reference maps and/or inventories identified in RCC 11.75.018. The *following* progressive steps will occur upon a determination by the ~~e~~City of Ritzville that a fish and/or wildlife *habitat conservation area* may exist on a site proposed for a *development* permit:

A. Step One. The ~~city of Ritzville staff~~ Administrator will determine if there are any possible fish and/or wildlife *habitat conservation areas* on site. This determination *shall* be made *following* a review of information available, as well as a site inspection and/or a consultation with a qualified fish and/or wildlife biologist, if deemed necessary by the ~~e~~City of Ritzville. If no fish and/or wildlife *habitat conservation area* is determined to be present, this article *shall* not apply to the review of the proposed *development*.

B. Step Two. If it is determined by the ~~city of Ritzville staff~~ Administrator that a fish and/or wildlife *habitat conservation area* may be present, a site inspection and consultation with federal and/or *state* wildlife agency personnel *shall* be conducted to more definitively determine if a fish and/or wildlife *habitat conservation area* exists on the site. If ~~not~~, this article *shall* not apply

to the review of the proposed *development*. If yes, the ~~a~~Applicant shall submit a habitat boundary survey and a habitat management and mitigation plan, as provided for in this article. (Ord. 2143 § 1 (Att. A), 2020).

**11.75.056** — ~~072~~ **Habitat conservation areas.**

If a *development* is proposed within 200 feet or within a distance which could *impact habitat conservation areas*, the ~~a~~Applicant shall provide a habitat management plan (HMP), prepared by a qualified expert in the species in question, for evaluation by the city, *state*, and federal agencies. The HMP *shall* be based on sound habitat management practices and *shall* be designed to achieve specific habitat objectives. The ~~city~~Administrator shall ask the appropriate resource agencies to review and comment on the *development impacts* and provisions of the HMP.

**A. Classes of Wildlife Conservation Areas.**

1. The *following* rating system is hereby adopted as the rating system for classifying fish and wildlife conservation areas for the ~~e~~City of Ritzville:

a. Class 1 Fish and Wildlife Conservation Area. Class 1 wildlife conservation areas are lands including the *following*:

i. All seasonal ranges and habitat elements with which federal- and *state*-listed endangered, threatened and *sensitive species* have primary association and which, if altered, may reduce the likelihood that the species will maintain and reproduce over the long term.

ii. Areas targeted for preservation by federal, *state* and/or local governments which provide fish and wildlife benefits, such as important waterfowl areas identified by the U.S. Fish and Wildlife Service and *state* conservation areas identified by *Washington State*.

b. Class 2 Fish and Wildlife Conservation Areas. Class 2 wildlife conservation areas are all-season ranges and habitat elements with which *state*-listed candidate and monitored species or priority game species have a primary association and which, if altered, may produce a likelihood that the species will maintain and reproduce over the long term.

c. Class 3 Fish and Wildlife Conservation Areas. Class 3 wildlife conservation areas are habitats which include attributes such as comparatively high wildlife density, high wildlife species richness, significant wildlife breeding habitat, seasonal ranges or movement corridors of limited availability and/or high vulnerability. These habitats may include caves, islands, meadows, mature forests, snag-rich areas, talus slopes and urban natural open space.

**B. Habitat Performance Standards.**

1. *Alterations shall* not degrade the *functions and values* of the habitat. A fish and wildlife *habitat conservation area* may be altered only if the proposed *alterations* of the habitat or the mitigation proposed does not degrade the *functions and values* of the habitat.

2. Nonindigenous species *shall* not be introduced. No nonindigenous plant, wildlife, or fish species *shall* be introduced into a *habitat conservation area* unless authorized by a federal or *state* permit or approval.

3. Mitigation *shall* attempt to preserve contiguous corridors. Where wildlife corridors exist such as along stream corridors mitigation *shall* preserve those corridors by appropriate *buffer* widths.

4. Approvals of activities may be conditioned. The *planning commission* may condition approval of activities allowed within or adjacent to a *habitat conservation area* or its *buffers* as necessary to minimize or mitigate adverse *impacts*.

5. Mitigation *shall* achieve equivalent or greater biological function. Mitigation *alterations* to *habitat conservation areas shall* achieve equivalent or greater biological function. Mitigation *shall* address each function affected by *alteration* to the habitat.

6. *Buffers*, Establishment of *Buffers*.



a. *Buffers* are required for activities in or adjacent to *fish and wildlife habitat conservation areas* when needed to protect habitat *functions and values*. Wildlife habitat *buffer* widths *shall* reflect the sensitivity of the habitat type and intensity of human activity proposed to be conducted nearby and *shall* be consistent with recommendations issued by the Washington Department of Fish and Wildlife.

b. The *planning commission* may allow the recommended habitat area *buffer* width to be reduced in accordance with a *critical areas* report, the *best available science*, and the management recommendations issued by the Washington Department of Fish and Wildlife, only if:

- i. It will not reduce habitat *functions and values*.
- ii. It will provide additional resource protection, such as *buffer* enhancement.
- iii. The total area contained in a *buffer* area after averaging is no less than the area that would have been contained in the standard *buffer*.
- iv. Maximum *buffer* width is not reduced by more than 50 percent in any location.

7. Signs and Fencing of ~~Habitat Conservation Areas~~ *habitat conservation areas*. The outer perimeter of the *habitat conservation area* or *buffer* *shall* be marked in the field by appropriate *temporary* markers during construction and, if necessary, *shall* be delineated by a permanent marker after completion of the activity at the discretion of the ~~a~~ *Administrator*. Fencing may be required at the discretion of the ~~a~~ *Administrator* to exclude harmful disturbances such as grazing animals. (Ord. 2143 § 1 (Att. A), 2020).

**11.75.058** — **074 Designation.**

A. If an area that is subject to a *development* permit application is determined to be a priority habitat area after going through the determination process described herein, it *shall* be designated as such, and a habitat boundary survey and a habitat management and mitigation plan *shall* be developed as provided for in this chapter.

B. If an area that is subject to a *development* permit application is determined to be an important habitat area after going through the determination process described herein, it *shall* be designated as such, and habitat boundary survey and a habitat management and mitigation plan may be required as provided for in this chapter. Designation as either a priority or important habitat area is not intended to deny *development* opportunities; rather, it is aimed at either steering growth to more suitable areas where fish and wildlife values will not be unduly compromised or developing appropriate and adequate mitigation measures to alleviate potential negative *impacts*. (Ord. 2143 § 1 (Att. A), 2020).

**11.75.076 0** — **Habitat conservation area boundary survey.**<sup>2</sup>

A. If it is determined through the process identified herein that a priority habitat area exists on a site that is the subject of a *development* permit application, a fish/wildlife habitat boundary survey and evaluation *shall* be conducted by a fish or wildlife biologist, as appropriate, who is knowledgeable of wildlife habitat within the city of ~~Ritzville~~. The wildlife habitat boundary *shall* be field staked by the biologist and surveyed by a *professional land surveyor* for disclosure on all *final plats*, maps, etc.

B. If it is determined through the process identified herein that an important habitat area exists on a site that is the subject of a *development* permit application, a fish/wildlife habitat boundary survey and evaluation may be required as described within this chapter, and if the proposal is determined to have a probable adverse *impact* on the habitat area. When required, all provisions of the habitat boundary survey and evaluation described in this section *shall* be followed.

C. The ~~director~~ *Administrator* may waive the requirement for the survey if:

1. The proposed *development* is not within the extended proximity of the associated habitat;
2. There is adequate information available on the area proposed for *development* to determine the *impacts* of the proposed *development* and appropriate mitigating measures; and
3. The ~~a~~ *Applicant* provides voluntary deed restrictions that are approved by the ~~e~~ *City* of Ritzville.

D. The fish/wildlife habitat boundary and any associated *buffer shall* be identified on all plats, maps, plans, and specifications submitted for the project. (Ord. 2143 § 1 (Att. A), 2020).

**11.75.062 — 078 Fish/wildlife habitat management and mitigation plan.** <sup>3</sup>

A fish/wildlife habitat management and mitigation plan is required for all proposed *developments* determined to be within a priority habitat area. For those proposed *developments* determined to be within important habitat area, a fish/wildlife habitat management and mitigation plan may be required if it is determined by the eCity of Ritzville that the proposal will have probable adverse *impacts* on the habitat area.

A. When required, a fish/wildlife habitat management and mitigation plan *shall* be prepared by a biologist who is knowledgeable of wildlife habitat within the city of Ritzville.

B. The fish/wildlife habitat management and mitigation plan *shall* demonstrate, when implemented, that the net loss of ecological function of habitat is minimal.

C. Based on the *best available science*, the fish/wildlife habitat management and mitigation plan *shall* identify how *impacts* from the proposed project *shall* be mitigated, as well as the necessary monitoring and contingency actions for the continued maintenance of the *habitat conservation area* and any associated *buffer*.

D. The fish/wildlife habitat management and mitigation plan *shall* include maps and narrative descriptions that address at least the *following* items:

1. Avoiding the *impact* altogether by not taking a certain action or parts of an action;
2. Minimizing *impacts* by limiting the degree or magnitude of the action and its implementation by using appropriate technology, or by taking affirmative steps to avoid or reduce *impacts*;
3. Rectifying the *impact* by repairing, rehabilitating, or restoring the affected environment;
4. Compensating for the *impact* by replacing, enhancing, or providing substitute resources or environments.

E. A plan by the *applicant* that explains how any adverse *impacts* created by the proposed *development* will be mitigated, including without limitation the *following* techniques:

1. Use of any federal, *state* or local management recommendations which have been developed for the species or habitats in the area;
2. Establishment of appropriate and adequate *buffer zones*;
3. Preservation of critically important plants and trees;
4. Limitation of access to the *habitat conservation area*;
5. Seasonal restriction of construction activities;
6. Establishment of a timetable for periodic review of the plan.

F. A detailed discussion of ongoing management practices which will protect the *habitat conservation area* after the project site has been fully developed, including proposed monitoring, contingency, maintenance, and surety programs.

G. The ~~director~~ Administrator may waive the requirement for the habitat management and mitigation plan if:

1. The proposed *development* is not within the extended proximity of the associated habitat;
2. There is adequate information available on the area proposed for *development* to determine the *impacts* of the proposed *development* and appropriate mitigating measures; and
3. The *applicant* provides voluntary deed restrictions that are approved by the eCity of Ritzville. (Ord. 2143 § 1 (Att. A), 2020).

## 11.75 Article IV. Wetlands

### ~~11.75.070~~ 080 Title.

This section shall be called "Wetlands."

### 11.75.082 Application.

This section shall apply to all critical wetland areas.

### 11.75.084 Purpose and objectives.

The purposes of this chapter are to:

A. Recognize and protect the beneficial functions performed by many *wetlands*, which include, but are not limited to, providing food, breeding, nesting and/or rearing habitat for fish and wildlife; recharging and discharging ground water; contributing to stream flow during low flow periods; stabilizing stream banks and shorelines; storing storm and floodwaters to reduce *flooding* and erosion; and improving water quality through biofiltration, adsorption, and retention and transformation of sediments, nutrients, and toxicants.

B. Regulate land *use* to avoid adverse effects on *wetlands* and maintain the *functions and values* of *wetlands* throughout ~~the~~ City of Ritzville.

C. Establish review procedures for *development* proposals in and adjacent to *wetlands*.

1. Compliance with the provisions of this chapter does not constitute compliance with other federal, *state*, and local regulations and permit requirements that may be required (for example, shoreline substantial *development* permits, HPA permits, Army Corps of Engineers Section 404 permits, NPDES permits). The ~~an~~ *Applicant* is responsible for complying with these requirements, apart from the process established in this chapter. (Ord. 2143 § 1 (Att. A), 2020).

### ~~11.75.072~~ 086 Authority.

This chapter is adopted pursuant to the authority granted to the City of Ritzville by the Washington State Constitution as a second-class city, the provisions of RCW 35.23 et seq., RCW 35.63 et seq., the Planning Act set forth in RCW chapters 36.70 and 36.70A, RCW chapters 36.70B, 36.70C, 58.17 et seq., 35.21, 36.01, and other applicable laws, as these provisions now exist or as hereinafter amended.

### 11.75.088 Identification and rating.

A. Identification and Delineation. Identification of *wetlands* and delineation of their boundaries pursuant to this chapter *shall* be done in accordance with the approved federal *wetland* delineation manual and applicable regional supplements. All areas within the city meeting the *wetland* designation criteria in that procedure are hereby designated *critical areas* and are subject to the provisions of this chapter. *Wetland* delineations are valid for five years; after such date, the ~~city~~ *City of Ritzville* *shall* determine whether a revision or additional assessment is necessary.

B. Rating. *Wetlands* *shall* be rated according to the Washington Department of Ecology *wetland* rating system, as set forth in the Washington *State Wetland* Rating System for Eastern Washington: 2014 Update (Ecology Publication No. 14-06-030, or as revised and approved by Ecology), which contains the definitions and methods for determining whether the criteria below are met.

1. Category I *wetlands* are: (a) alkali *wetlands*; (b) *wetlands* of high conservation value that are identified by scientists of the Washington Natural Heritage Program/DNR; (c) bogs and calcareous fens; (d) mature and old-growth forested *wetlands* over one-quarter acre with slow-growing trees; (e) forests with stands of aspen; and (f) *wetlands* that

perform many functions very well (scores between 22 and 27). These *wetlands* are those that (a) represent a unique or rare *wetland* type; or (b) are more sensitive to disturbance than most *wetlands*; or (c) are relatively undisturbed and contain ecological attributes that are impossible to replace within a human lifetime; or (d) provide a high level of function.

2. Category II *wetlands* are: (a) forested *wetlands* in the floodplains of rivers; (b) mature and old-growth forested *wetlands* over one-quarter acre with fast-growing trees; (c) *vernal pools*; and (d) *wetlands* that perform functions well (scores between 19 and 21 points). These *wetlands* are difficult, though not impossible, to replace and provide high levels of some functions. These *wetlands* occur more commonly than Category I *wetlands* but still need a relatively high level of protection.

3. Category III *wetlands* have a moderate level of functions (scores between 16 and 18 points). These *wetlands* can be often adequately replaced with a well-planned mitigation project. *Wetlands* scoring between 16 and 18 points generally have been disturbed in some ways and are often less diverse or more isolated from other natural resources in the landscape than Category II *wetlands*.

4. Category IV *wetlands* have the lowest level of functions (scores fewer than 16 points) and are often heavily disturbed. These are *wetlands* that we should be able to replace, and in some cases be able to improve. However, experience has shown that replacement cannot be guaranteed in any specific case. These *wetlands* may provide some important functions and also need to be protected.

C. Illegal Modifications. *Wetland* rating categories shall not change due to illegal modifications made by the *applicant* or with the *applicant's* knowledge. (Ord. 2143 § 1 (Att. A), 2020).

#### ~~11.75.074~~ **090 Regulated activities.**

A. For any regulated activity, a *critical area* report, pursuant to RCC 11.75.092, may be required to support the requested activity.

B. The following activities are regulated if they occur in a regulated *wetland* or its *buffer*:

1. The removal, excavation, grading, or dredging of soil, sand, gravel, minerals, organic matter, or material of any kind.
2. The dumping of, discharging of, or filling with any material.
3. The draining, *flooding*, or disturbing of the water level or water table.
4. Pile driving.
5. The placing of obstructions.
6. The construction, reconstruction, demolition, or expansion of any *structure*.
7. The destruction or *alteration* of *wetland* vegetation through clearing, harvesting, shading, intentional burning, or planting of vegetation that would alter the character of a regulated *wetland*.
8. "Class IV – General Forest Practices" under the authority of the "~~1992~~ Washington *State* Forest Practices Act Rules and Regulations," WAC 222-12-030, or as thereafter amended.
9. Activities that result in:
  - a. A significant change of water temperature.
  - b. A significant change of physical or chemical characteristics of the sources of water to the *wetland*.
  - c. A significant change in the quantity, timing or duration of the water entering the *wetland*.
  - d. The introduction of pollutants.

C. Subdivisions. The subdivision and/or short subdivision of land in *wetlands* and associated *buffers* are subject to the following:

1. Land that is located wholly within a *wetland* or its *buffer* may not be subdivided.
2. Land that is located partially within a *wetland* or its *buffer* may be subdivided; provided, that an accessible and contiguous portion of each new *lot* is:
  - a. Located outside of the *wetland* and its *buffer*; and
  - b. Meets the minimum *lot* size requirements of this title. (Ord. 2143 § 1 (Att. A), 2020).

**11.75.076 — 092 Exemptions and allowed uses in wetlands.**

A. Small isolated *wetlands* in arid landscapes often have a higher value and perform greater functions than in other settings. However, in certain circumstances, applying the *buffers* in Table 1.1 may result in *buffer* areas greater than that of the *wetland* being protected. In these instances, the ~~city~~ *Administrator* may consult with the Department of Ecology to determine whether exemptions from mitigation sequencing and/or reduced *buffers* are warranted.

B. Activities Allowed in *Wetlands*. The activities listed below are allowed in *wetlands*. These activities do not require submission of a *critical area* report, except where such activities result in a loss of the *functions and values* of a *wetland* or *wetland buffer*. These activities include:

1. Existing and ongoing agricultural activities; provided, that they implement applicable ~~b~~ *Best management practices* (BMPs) contained in the latest edition of the USDA Natural Resources Conservation Service (NRCS) Field Office Technical Guide (FOTG) or develop a farm conservation plan in coordination with the local conservation district. BMPs and/or farm plans should address potential *impacts* to *wetlands* from *livestock*, nutrient and farm chemicals, soil erosion and sediment control and agricultural drainage *infrastructure*. BMPs and/or farm plans should ensure that ongoing agricultural activities minimize their effects on water quality, *riparian* ecology, salmonid populations, and wildlife habitat.
2. Those activities and uses conducted pursuant to the Washington *State Forest Practices Act* and its rules and regulations, WAC 222-12-030, where *state law* specifically exempts local authority, except those *developments* requiring local approval for Class 4 ~~IV~~ – General Forest Practice permits (conversions) as defined in Chapter 76.09 RCW and Chapter 222-12 WAC.
3. Conservation or preservation of soil, water, vegetation, fish, shellfish, and/or other wildlife that does not entail changing the *structure* or functions of the existing *wetland*.
4. The harvesting of wild crops in a manner that is not injurious to natural reproduction of such crops and provided the harvesting does not require tilling of soil, planting of crops, chemical applications, or alteration of the wetland by changing existing topography, water conditions, or water sources.
- ~~4. The harvesting of wild crops in a manner that is not injurious to natural reproduction of such crops and provided the harvesting does not require tilling of soil, planting of crops, chemical applications, or alteration of the wetland by changing existing topography, water conditions, or water sources.~~
5. Drilling for utilities/*utility* corridors under a *wetland*, with entrance/exit portals located completely outside of the *wetland buffer*; provided, that the drilling does not interrupt the ground water connection to the *wetland* or percolation of surface water down through the soil column. Specific studies by a hydrologist are necessary to determine whether the ground water connection to the *wetland* or percolation of surface water down through the soil column will be disturbed.
6. Enhancement of a *wetland* through the removal of nonnative invasive plant species. Removal of invasive plant species *shall* be restricted to hand removal unless permits from the appropriate regulatory agencies have been obtained for approved biological or chemical treatments. All removed plant material *shall* be taken away from the site and appropriately disposed of. Plants that appear on the Washington State Noxious Weed Control Board list of noxious weeds *must* be handled and disposed of according to a noxious weed control plan appropriate to that species. Revegetation with appropriate ~~A~~ *Native species* at natural densities is allowed in conjunction with removal of invasive plant species.
7. Educational and scientific research activities.

8. Normal and routine maintenance and repair of any existing public or private facilities within an existing *right-of-way*; provided, that the maintenance or repair does not expand the *footprint* of the facility or *right-of-way*.
9. Storm water management facilities. A *wetland* or its *buffer* can be physically or hydrologically altered to meet the requirements of an LID, runoff treatment or flow control BMP if all of the *following* criteria are met:
- a. The *wetland* is classified as a Category IV or a Category III *wetland* with a habitat score of three to four points; and
  - b. There will be “no net loss” of *functions and values* of the *wetland*; and
  - c. The *wetland* does not contain a breeding population of any native amphibian species; and
  - d. The hydrologic functions of the *wetland* can be improved as outlined in questions 3, 4, and 5 of Chart 4 and questions 2, 3, and 4 of Chart 5 in the “Guide for Selecting Mitigation Sites Using a Watershed Approach,” ([available here: http://www.ecy.wa.gov/biblio/0906032.html](http://www.ecy.wa.gov/biblio/0906032.html)); [State of Washington Department of Ecology Publication #09-06-032](#)); or the *wetland* is part of a priority *restoration* plan that achieves *restoration* goals identified in a shoreline master program or other local or regional watershed plan; and
  - e. The *wetland* lies in the natural routing of the runoff, and the discharge follows the natural routing; and
  - f. All regulations regarding storm water and *wetland* management are followed, including but not limited to local and *state wetland* and storm water *codes*, manuals, and permits; and
  - g. Modifications that alter the *structure* of a *wetland* or its soils will require permits. Existing *functions and values* that are lost would have to be compensated/replaced.

**C.** Storm water LID BMPs required as part of new and *redevelopment* projects can be considered within *wetlands* and their *buffers*. However, these areas may contain features that render LID BMPs infeasible. A site-specific characterization is required to determine if an LID BMP is feasible at the project site. (Ord. 2143 § 1 (Att. A), 2020).

**11.75.078 — 094 Wetland buffers.**

A. *Buffer* Requirements. The *following buffer* widths have been established in accordance with the *best available science*. They are based on the category of *wetland* and the habitat score as determined by a qualified *wetland* professional using the Washington *State Wetland* Rating System for Eastern Washington: 2014 Update (Ecology Publication No. 14-06-030, or as revised and approved by Ecology). The adjacent land *use* intensity is assumed to be high.

- 1. The *buffer* widths in Table 1.1 assume that the *buffer* is vegetated with a native plant community appropriate for the ecoregion. If the existing *buffer* is unvegetated, sparsely vegetated, or vegetated with invasive species that do not perform needed functions, the *buffer* should either be planted to create the appropriate plant community, or the *buffer* should be widened to ensure that adequate functions of the *buffer* are provided.

**Table 1.1 Wetland Buffer Requirements**

**Table 1.1 Wetland Buffer Requirements**

Wetland Category	Buffer width (in feet) based on habitat score		
	3 – 5	6 – 7	8 – 9
Category I: Based on total score	100	150	200
Category I: Bogs and <i>wetlands</i> of high conservation value	250		
Category II: Based on total score	100	150	200

**Table 1.1 Wetland Buffer Requirements**

Wetland Category	Buffer width (in feet) based on habitat score		
	3 – 5	6 – 7	8 – 9
Category II: Vernal pool	200		
Category III (all)	80	150	200
Category IV (all)	50		

B. Increased *Wetland Buffer Area Width*. *Buffer widths shall* be increased on a case-by-case basis as determined by the ~~a~~Administrator when a larger *buffer* is necessary to protect *wetland functions and values*. This determination *shall* be supported by appropriate documentation showing that it is reasonably related to protection of the *functions and values* of the *wetland*. The documentation *must* include but not be limited to the *following* criteria:

1. The *wetland* is used by a *state* or federally listed plant or animal species or has essential or outstanding habitat for those species, or has unusual nesting or resting sites such as heron rookeries or raptor nesting trees; or
2. The adjacent land is susceptible to severe erosion, and erosion-control measures will not effectively prevent adverse *wetland impacts*; or
3. The adjacent land has minimal vegetative cover or slopes greater than 30 percent.

C. *Buffer averaging* to improve *wetland* protection may be permitted when all of the *following* conditions are met:

1. The *wetland* has significant differences in characteristics that affect its habitat functions, such as a *wetland* with a forested component adjacent to a degraded emergent component or a “dual-rated” *wetland* with a Category I area adjacent to a lower-rated area.
2. The *buffer* is increased adjacent to the higher-functioning area of habitat or more-sensitive portion of the *wetland* and decreased adjacent to the lower-functioning or less-sensitive portion as demonstrated by a *critical areas* report from a qualified *wetland* professional.
3. The total area of the *buffer* after averaging is equal to the area required without averaging.
4. The *buffer* at its narrowest point is never less than either three-quarters of the required width or 75 feet for Categories I and II, 50 feet for Category III and 25 feet for Category IV, whichever is greater.
- ~~4. The *buffer* at its narrowest point is never less than either three-quarters of the required width or 75 feet for Categories I and II, 50 feet for Category III and 25 feet for Category IV, whichever is greater.~~

D. Averaging to allow reasonable *use* of a *parcel* may be permitted when all of the *following* are met:

1. There are no feasible alternatives to the site design that could be accomplished without *buffer* averaging.
2. The averaged *buffer* will not result in degradation of the wetland’s *functions and values* as demonstrated by a *critical areas* report from a qualified *wetland* professional.
3. The total *buffer* area after averaging is equal to the area required without averaging.
4. The *buffer* at its narrowest point is never less than either three-quarters of the required width or 75 feet for Categories I and II, 50 feet for Category III and 25 feet for Category IV, whichever is greater.
- ~~4. The *buffer* at its narrowest point is never less than either three-quarters of the required width or 75 feet for Categories I and II, 50 feet for Category III and 25 feet for Category IV, whichever is greater.~~
4. The *buffer* at its narrowest point is never less than either three-quarters of the required width or 75 feet for Categories I and II, 50 feet for Category III and 25 feet for Category IV, whichever is greater.

a. Measurement of *Wetland Buffers*. All *buffers shall* be measured perpendicular from the *wetland* boundary as surveyed in the field. The *buffer* for a *wetland* created, restored, or enhanced as compensation for

approved *wetland alterations* shall be the same as the *buffer* required for the category of the created, restored, or enhanced *wetland*. *Buffers* must be fully vegetated in order to be included in *buffer* area calculations. Lawns, walkways, driveways, and other mowed or paved areas will not be considered *buffers* or included in *buffer* area calculations.

E. *Buffers* on Mitigation Sites. All *wetland* mitigation sites shall have *buffers* consistent with the *buffer* requirements of this chapter. *Buffers* shall be based on the expected or target category of the proposed *wetland* mitigation site.

1. Overlapping *Critical Area Buffers*. If *buffers* for two contiguous *critical areas* overlap (such as *buffers* for a stream and a *wetland*), the wider *buffer* applies.

2. Allowed *Buffer* Uses. The following uses may be allowed within a *wetland buffer* in accordance with the review procedures of this chapter, provided they are not prohibited by any other applicable law and they are conducted in a manner so as to minimize *impacts* to the *buffer* and adjacent *wetland*:

a. Conservation and *Restoration* Activities. Conservation or *restoration* activities aimed at protecting the soil, water, vegetation, or wildlife.

b. Passive Recreation. Passive recreation facilities designed and in accordance with an approved *critical area* report, including:

i. Walkways and trails; provided, that those pathways are limited to minor crossings having no adverse *impact* on water quality. They should be generally parallel to the perimeter of the *wetland*, located only in the outer 25 percent of the *wetland buffer* area, and located to avoid removal of significant trees. They should be limited to pervious surfaces no more than five feet in width for pedestrian *use* only. Raised boardwalks utilizing non-treated pilings may be acceptable.

ii. Wildlife-viewing *structures*.

c. Educational and scientific research activities.

~~F. Normal and routine maintenance and repair of any existing public or private facilities within an existing *right-of-way*, provided, that the maintenance or repair does not increase the *footprint* or *use* of the facility or *right-of-way*.~~

~~1. The harvesting of wild crops in a manner that is not injurious to natural *reproduction* of such crops and provided the harvesting does not require tilling of soil, planting of crops, chemical applications, or *alteration* of the *wetland* by changing existing topography, water conditions, or water sources.~~

~~F. Normal and routine maintenance and repair of any existing public or private facilities within an existing *right-of-way*, provided, that the maintenance or repair does not increase the *footprint* or *use* of the facility or *right-of-way*.~~

~~1. The harvesting of wild crops in a manner that is not injurious to natural *reproduction* of such crops and provided the harvesting does not require tilling of soil, planting of crops, chemical applications, or *alteration* of the *wetland* by changing existing topography, water conditions, or water sources.~~

2. Drilling for utilities/*utility* corridors under a *buffer*, with entrance/exit portals located completely outside of the *wetland buffer* boundary; provided, that the drilling does not interrupt the ground water connection to the *wetland* or percolation of surface water down through the soil column. Specific studies by a hydrologist are necessary to determine whether the ground water connection to the *wetland* or percolation of surface water down through the soil column is disturbed.

3. Enhancement of a *wetland buffer* through the removal of nonnative invasive plant species. Removal of invasive plant species shall be restricted to hand removal. All removed plant material shall be taken away from the site and appropriately disposed of. Plants that appear on the Washington State Noxious Weed Control Board list of noxious weeds must be handled/overseen and disposed of according to a noxious weed control plan appropriate to that species. Revegetation with appropriate ~~A~~Native species at natural densities is allowed in conjunction with removal of invasive plant species.

4. Repair and maintenance of *nonconforming uses* or *structures*, where legally established within the *buffer*, provided they do not increase the degree of nonconformity.

G. Signs and Fencing of *Wetlands* and *Buffers* (Optional).



1. *Temporary Markers*. The outer perimeter of the *wetland buffer* and the clearing limits identified by an approved permit or authorization *shall* be marked in the field with *temporary* “clearing limits” fencing in such a way as to ensure that no unauthorized intrusion will occur. The marking is subject to inspection by the ~~a~~*Administrator* prior to the commencement of permitted activities. This *temporary* marking *shall* be maintained throughout construction and *shall* not be removed until permanent signs, if required, are in place.

2. *Permanent Signs*. As a condition of any permit or authorization issued pursuant to this chapter, the ~~a~~*Administrator* may require the ~~a~~*Applicant* to install permanent signs along the boundary of a *wetland* or *buffer*.

a. Permanent signs *shall* be made of an enamel-coated metal face and attached to a metal post or another nontreated material of equal durability. Signs *must* be posted at an interval of one every 50 feet, or one per *lot* if the *lot* is less than 50 feet wide, and *must* be maintained by the *property owner* in perpetuity. The signs *shall* be worded as follows or with alternative language approved by the ~~a~~*Administrator*:

Protected *Wetland* Area Do Not Disturb  
 Contact City of Ritzville  
 Regarding Uses, Restrictions, and Opportunities for Stewardship

b. The provisions of subsection (G)(2)(a) of this section may be modified as necessary to assure protection of sensitive features or wildlife.

3. *Fencing*.

a. The ~~a~~*Applicant shall* be required to install a permanent *fence* around the *wetland* or *buffer* when domestic grazing animals are present or may be introduced on site.

b. Fencing installed as part of a proposed activity or as required in this subsection *shall* be designed so as to not interfere with species migration, including fish runs, and *shall* be constructed in a manner that minimizes *impacts* to the *wetland* and associated habitat. (Ord. 2143 § 1 (Att. A), 2020).

~~11.75.080~~ — **096 *Wetland mitigation ratios.***

Category and Type of Wetland	Creation or Reestablishment	Rehabilitation	Enhancement
Category I: Bog Natural Heritage Site	Not considered possible	Case by case	Case by case
Category I: Mature Forest	6:1	12:1	24:1
Category I: Based on Functions	4:1	8:1	16:1
Category II:	3:1	6:1	12:1
Category III:	2:1	4:1	8:1
Category IV:	1.5:1	3:1	6:1

(Ord. 2143 § 1 (Att. A), 2020).

**098 2 — *Critical area report for wetlands.***

The ~~city of Ritzville~~ *Administrator* will review each *development* permit application to determine if the provisions of this article will be applied to the project. In making the determination, the ~~city of Ritzville~~ *Administrator* may use any of the reference

maps and/or inventories identified in RCC 11.75.018020. If the ~~a~~Administrator determines that the site of a proposed *development* includes, is likely to include, or is adjacent to a *wetland*, a *wetland* report, prepared by a qualified professional, shall be required. The expense of preparing the *wetland* report shall be borne by the ~~a~~Applicant.

A. Minimum Standards for *Wetland* Reports. The written report and the accompanying plan sheets shall contain the following information, at a minimum:

1. The written report shall include at a minimum:

- a. The name and contact information of the ~~a~~Applicant; the name, qualifications, and contact information for the primary author(s) of the *wetland critical area* report; a description of the proposal; identification of all the local, *state*, and/or federal *wetland*-related permit(s) required for the project; and a vicinity map for the project.
- b. A *statement* specifying the accuracy of the report and all assumptions made and relied upon.
- c. Documentation of any fieldwork performed on the site, including field data sheets for delineations, rating system forms, baseline hydrologic data, etc.
- d. A description of the methodologies used to conduct the *wetland* delineations, *wetland* ratings, or *impact* analyses including references.
- e. Identification and characterization of all *critical areas*, *wetlands*, water bodies, shorelines, floodplains, and *buffers* on or adjacent to the proposed project area. For areas off site of the project site, estimate conditions within the project boundaries using the best available information.
- f. For each *wetland* identified on site and within the project boundary, provide: the *wetland* rating, including a description of and score for each function, per RCC 11.75.072088(B) and 11.75.078094; required *buffers*; hydrogeomorphic classification; *wetland* acreage based on a professional survey from the field delineation (acreages for on-site portion and entire *wetland* area including off-site portions); Cowardin classification of vegetation communities; habitat elements; soil conditions based on site assessment and/or soil survey information; and to the extent possible, hydrologic information such as location and condition of inlets/outlets (if they can be legally accessed), estimated water depths within the *wetland*, and estimated hydroperiod patterns based on visual cues (e.g., algal mats, drift lines, *flood* debris, etc.). Provide acreage estimates, classifications, and ratings based on entire *wetland* complexes, not only the portion present on the proposed project site.
- g. A description of the proposed actions including an estimation of acreages of *impacts* to *wetlands* and *buffers* based on the field delineation and survey and an analysis of site *development* alternatives including a no-*development* alternative.
- h. An assessment of the probable cumulative *impacts* to the *wetlands* and *buffers* resulting from the proposed *development*.
- i. A description of reasonable efforts made to apply mitigation sequencing pursuant to RCC 11.75.084-100 to avoid, minimize, and mitigate *impacts* to *critical areas*.
- j. A discussion of measures, including avoidance, minimization, and compensation, proposed to preserve existing *wetlands* and restore any *wetlands* that were degraded prior to the current proposed land *use* activity.
- k. A conservation strategy for habitat and native vegetation that addresses methods to protect and enhance on-site habitat and *wetland* functions.
- l. An evaluation of the functions of the *wetland* and adjacent *buffer*. Include reference for the method used and data sheets.

2. A copy of the site plan sheet(s) for the project must be included with the written report and must include, at a minimum:

- a. Maps (to scale) depicting delineated and surveyed *wetland* and required *buffers* on site, including *buffers* for off-site *critical areas* that extend onto the project site; the *development* proposal; other *critical areas*;

grading and clearing limits; areas of proposed *impacts* to *wetlands* and/or *buffers* (include square footage estimates);

b. A depiction of the proposed storm water management facilities and outlets (to scale) for the *development*, including estimated areas of intrusion into the *buffers* of any *critical areas*. The written report *shall* contain a discussion of the potential *impacts* to the *wetland(s)* associated with anticipated hydroperiod *alterations* from the project. (Ord. 2143 § 1 (Att. A), 2020).

**11.75.084** — **100 Compensatory mitigation.** <sup>4</sup>

As determined necessary as provided for in this article, a *wetland* management and mitigation plan *shall* be required when *impacts* to a *wetland* are unavoidable during project *development*. *Wetland* management and mitigation plans *shall* be prepared by a biologist or *wetland* ecologist who is knowledgeable of *wetland* conditions within the city of Ritzville. Seek to minimize potential *impacts* to nonregulated *wetland* areas, including *vernal pools* excluded from this chapter in RCC 11.75.0796.

A. Mitigation Sequencing. Before impacting any *wetland* or its *buffer*, an *Applicant* *shall* demonstrate that the *following* actions have been taken. Actions are listed in the order of preference:

1. Avoid the *impact* altogether by not taking a certain action or parts of an action.
2. Minimize *impacts* by limiting the degree or magnitude of the action and its implementation by using appropriate technology, or by taking affirmative steps to avoid or reduce *impacts*.
3. Rectify the *impact* by repairing, rehabilitating, or restoring the affected environment.
4. Reduce or eliminate the *impact* over time by preservation and maintenance operations.
5. Compensate for the *impact* by replacing, enhancing, or providing substitute resources or environments.
6. Monitor the required compensation and take remedial or corrective measures when necessary.

B. Requirements for Compensatory Mitigation.

1. Compensatory mitigation for *alterations* to *wetlands* *shall* be used only for *impacts* that cannot be avoided or minimized and *shall* achieve equivalent or greater biologic functions. Compensatory mitigation plans *shall* be consistent with *Wetland* Mitigation in Washington *State* – Part 2: Developing Mitigation Plans – Version 1 (Ecology Publication No. 06-06-011b, Olympia, WA, March 2006 or as revised), and *Selecting Wetland* Mitigation Sites Using a Watershed Approach (Eastern Washington) (Publication No. 10-06-07, November 2010).

2. Mitigation ratios *shall* be consistent with RCC 11.75.080-096

C. Compensating for Lost or Affected Functions. Compensatory mitigation *shall* address the functions affected by the proposed project, with an intention to achieve functional equivalency or improvement of functions. The goal *shall* be for the compensatory mitigation to provide similar *wetland* functions as those lost, except when either:

1. The lost *wetland* provides minimal functions, and the proposed compensatory mitigation action(s) will provide equal or greater functions or will provide functions shown to be limiting within a watershed through a formal Washington *State* watershed assessment plan or protocol; or
2. Out-of-kind replacement of *wetland* type or functions will best meet watershed goals formally identified by the city, such as replacement of historically diminished *wetland* types.

D. Types of Compensatory Mitigation. Mitigation for lost or diminished *wetland* and *buffer* functions *shall* rely on a type listed below in order of preference. A lower preference form of mitigation *shall* be used only if the *Applicant's* qualified *wetland* professional demonstrates to the approval authority's satisfaction that all higher-ranked types of mitigation are not viable, consistent with the criteria in this section.

1. *Restoration*. The manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural or historic functions to a former or degraded *wetland*. For the purpose of tracking net gains in *wetland* acres, *restoration* is divided into:

a. Reestablishment. The manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural or historic functions to a former *wetland*. Reestablishment results in a gain in *wetland* acres (and functions). Activities could include removing fill material, plugging ditches, or breaking drain tiles.

b. Rehabilitation. The manipulation of the physical, chemical, or biological characteristics of a site with the goal of repairing natural or historic functions of a degraded *wetland*. Rehabilitation results in a gain in *wetland* function but does not result in a gain in *wetland* acres. Activities could involve breaching a dike to reconnect *wetlands* to a floodplain or return tidal influence to a *wetland*.

2. Establishment (Creation). The manipulation of the physical, chemical, or biological characteristics of a site to develop a *wetland* on an upland or deepwater site where a *wetland* did not previously exist. Establishment results in a gain in *wetland* acres. Activities typically involve excavation of upland soils to elevations that will produce a *wetland* hydroperiod, create hydric soils, and support the growth of hydrophytic plant species.

a. If a site is not available for *wetland restoration* to compensate for expected *wetland* and/or *buffer impacts*, the approval authority may authorize creation of a *wetland* and *buffer* upon demonstration by the ~~a~~ *Applicant's* qualified *wetland* professional that:

- i. The hydrology and soil conditions at the proposed mitigation site are conducive for sustaining the proposed *wetland* and that creation of a *wetland* at the site will not likely cause hydrologic problems elsewhere;
- ii. Adjacent land uses and site conditions do not jeopardize the viability of the proposed *wetland* and *buffer* (e.g., due to the presence of invasive plants or noxious weeds, storm water runoff, noise, light, or other *impacts*); and
- iii. The proposed *wetland* and *buffer* will eventually be self-sustaining with little or no long-term maintenance.

3. Enhancement. The manipulation of the physical, chemical, or biological characteristics of a *wetland* site to heighten, intensify, or improve specific function(s) or to change the growth stage or composition of the vegetation present. Enhancement is undertaken for specified purposes such as water quality improvement, floodwater retention, or wildlife habitat. Enhancement results in a change in some *wetland* functions and can lead to a decline in other *wetland* functions; but does not result in a gain in *wetland* acres. Activities typically consist of planting vegetation, controlling nonnative or invasive species, modifying site elevations or the proportion of open water to influence hydroperiods, or some combination of these activities. *Applicants* proposing to enhance *wetlands* or associated *buffers* shall demonstrate how the proposed enhancement will increase the *wetland's*/*buffer's* functions, how this increase in function will adequately compensate for the *impacts*, and how existing *wetland* functions at the mitigation site will be protected.

4. Protection/Maintenance (Preservation). Removing a threat to, or preventing the decline of, *wetland* conditions by an action in or near a *wetland*. This includes the purchase of land or *easements*, or repairing water control *structures* or *fences*. This term also includes activities commonly associated with the term "preservation." Preservation does not result in a gain of *wetland* acres. Permanent protection of a Category I or II *wetland* and associated *buffer* at risk of degradation can be used only if:

- a. The ~~approval authority~~ *review agency* determines that the proposed preservation is the best mitigation option;
- b. The proposed preservation site is under threat of undesirable ecological change due to permitted, planned, or likely actions that will not be adequately mitigated under existing regulations;
- c. The area proposed for preservation is of high quality or critical for the health of the watershed or basin due to its location. Some of the *following* features may be indicative of high-quality sites:
  - i. Category I or II *wetland* rating (using the *Wetland Rating System* for Western Washington);
  - ii. Rare or irreplaceable *wetland* type (for example, bogs, mature forested *wetlands*, estuarine *wetlands*) or aquatic habitat that is rare or a limited resource in the area;

- iii. The presence of habitat for priority or locally important wildlife species;
  - iv. Provides biological and/or hydrological connectivity;
  - v. Priority sites in an adopted watershed plan;
- d. Permanent preservation of the *wetland* and *buffer* will be provided through a conservation *easement* or tract held by an appropriate natural land resource manager, such as a land trust;
- e. The ~~approval authority~~ review agency may approve other legal and administrative mechanisms in lieu of a conservation *easement* if it determines they are adequate to protect the site;
- f. Ratios for preservation in combination with other forms of mitigation generally range from 10:1 to 20:1, as determined on a case-by-case basis, depending on the quality of the *wetlands* being impacted and the quality of the *wetlands* being preserved. Ratios for preservation as the sole means of mitigation generally start at 20:1.

E. Location of Compensatory Mitigation. Compensatory mitigation actions *shall* generally be conducted within the same subdrainage basin and on the site of the *alteration* except when the ~~a~~ Applicant can demonstrate that off-site mitigation is ecologically preferable. The *following* criteria will be evaluated when determining whether the proposal is ecologically preferable. When considering off-site mitigation, preference should be given to using alternative mitigation, such as a mitigation bank, an in-lieu-fee program, or advance mitigation.

1. There are no reasonable opportunities on site or within the subdrainage basin (e.g., on-site options would require elimination of high-functioning upland habitat), or opportunities on site or within the subdrainage basin do not have a high likelihood of success based on a determination of the capacity of the site to compensate for the *impacts*. Considerations should include: anticipated replacement ratios for *wetland* mitigation, *buffer* conditions and proposed widths, available water to maintain anticipated hydrogeomorphic classes of *wetlands* when restored, proposed *flood* storage capacity, and potential to mitigate *riparian* fish and wildlife *impacts* (such as connectivity).
2. On-site mitigation would require elimination of high-quality upland habitat.
3. Off-site mitigation has a greater likelihood of providing equal or improved *wetland* functions than the altered *wetland*.
4. Off-site locations *shall* be in the same subdrainage basin unless:
  - a. Established watershed goals for water quality, *flood* storage or conveyance, habitat, or other *wetland* functions have been established by the city and strongly justify location of mitigation at another site; or
  - b. Credits from a *state*-certified *wetland* mitigation bank are used as compensation, and the *use* of credits is consistent with the terms of the certified bank instrument.

F. Timing of Compensatory Mitigation. It is preferred that compensatory mitigation projects be completed prior to activities that will disturb *wetlands*. At the least, compensatory mitigation *shall* be completed immediately *following* disturbance and prior to *use* or occupancy of the action or *development*. Construction of mitigation projects *shall* be timed to reduce *impacts* to existing fisheries, wildlife, and flora.

1. The ~~a~~ Administrator may authorize a one-time *temporary* delay in completing construction or installation of the compensatory mitigation when the ~~a~~ Applicant provides a written explanation from a qualified *wetland* professional as to the rationale for the delay. An appropriate rationale would include identification of the environmental conditions that could produce a high probability of failure or significant construction difficulties (e.g., project delay lapses past a fisheries window, or installing plants should be delayed until the dormant season to ensure greater survival of installed materials). The delay *shall* not create or perpetuate hazardous conditions or environmental damage or degradation, and the delay *shall* not be injurious to the health, safety, or general welfare of the public. The request for the *temporary* delay *must* include a written justification that documents the environmental constraints that preclude implementation of the compensatory mitigation plan. The justification *must* be verified and approved by the ~~city~~ Administrator. (Ord. 2143 § 1 (Att. A), 2020).

11.75 Article V. Geologically Hazardous Areas hazardous areas

~~11.75.090~~ — 110 Title.

This section shall be called “Geologically hazardous areas.”

11.75.112 Application.

This section shall apply to all geologically hazardous areas.

11.75.114 Purpose.

It is the intent of the ~~City~~ City of Ritzville to reduce the threat posed to the health and safety of its citizens from commercial, residential, or industrial *development* that may be sited in areas of significant geologic hazard. In some cases, it is recognized that risks from geologic hazards can be reduced or mitigated to acceptable levels through engineering design or modified construction practices. In other cases where technological efforts are not sufficient to reduce associated risks, *building* is best avoided. (Ord. 2143 § 1 (Att. A), 2020).

~~11.75.092~~ — 116 Authority

This chapter is adopted pursuant to the authority granted to the City of Ritzville by the Washington State Constitution as a second-class city, the provisions of RCW 35.23 et seq., RCW 35.63 et seq., the Planning Act set forth in RCW chapters 36.70 and 36.70A, RCW chapters 36.70B, 36.70C, 58.17 et seq., 35.21, 36.01, and other applicable laws, as these provisions now exist or as hereinafter amended.

11.75.118 Identification.

According to WAC 365-190-030, “*geologically hazardous areas*” are areas that because of their susceptibility to erosion, sliding, earthquake or other geological event are not suited to siting commercial, residential and/or industrial *development* consistent with public health or safety concerns.

Hazards of concern that exist in the city ~~of Ritzville~~ include any land containing soils, geology or slopes that meet any of the *following* criteria:

- A. Areas with slopes in excess of 45 percent;
- B. Areas with these three characteristics:
  - 1. Soil types with the properties of the Ringold formation (clay); and
  - 2. Areas with the potential for water loading; and
  - 3. Slopes in excess of 15 percent;
- C. Slopes having gradients steeper than 80 percent subject to rock fall during seismic shaking;
- D. Areas highly susceptible to liquefaction from seismic activity;
- E. Soils within the city ~~of Ritzville~~ are subject to wind erosion. All *developments* subject to the provisions of this *code* that involve any land clearing activities *shall* have a dust control and wind erosion mitigation plan reviewed and approved by ~~the city of Ritzville.~~ Administrator (Ord. 2143 § 1 (Att. A), 2020).

~~11.75.094~~ — **120 Classification and designation.**

A. All *geologically hazardous areas* shall be classified and designated by the ~~e~~City of Ritzville according to the level of risk associated with the hazardous area as established through an approved geologic hazard risk assessment and/or a geotechnical report submitted by the ~~a~~Applicant in accordance with this chapter. The ~~city of Ritzville~~ Administrator may use on-site inspections and the information sources identified in this chapter as guidance in identifying the presence of potential *geologically hazardous areas*.

B. *Geologically hazardous areas* in the city of ~~Ritzville~~ shall be classified according to the following system:

1. Level 1: critical hazard areas shall be those areas with a known risk.
2. Level 2: awareness hazard areas shall be those areas that have a suspected risk. (Ord. 2143 § 1 (Att. A), 2020).

~~11.75.096~~ — **122 Determination process.**

The ~~city of Ritzville~~ Administrator will review each *development* permit application to determine if the provisions of this article will be applied to the project. In making the determination, the ~~e~~City of Ritzville may use any of the reference maps and/or inventories identified in RCC 11.75.018.

A. Step One. ~~City of Ritzville staff~~ The Administrator will determine if there are any possible *geologically hazardous areas* on site as defined herein. This determination will be made following a review of information available and a site inspection if appropriate. If no hazard area is determined to be present, this article shall not apply to the review of the proposed *development*.

B. Step Two. If it is determined that a *geologically hazardous area* may be present, the ~~a~~Applicant shall submit a geologic hazard area risk assessment prepared by a licensed engineer or a licensed geologist. The risk assessment will include a description of the geology of the site and the proposed *development*; an assessment of the potential *impact* the project may have on the geologic hazard; an assessment of what potential *impact* the geologic hazard may have on the project; appropriate mitigation measures, if any; and a conclusion as to whether further analysis is necessary. The assessment will be signed by and bear the seal of the engineer or geologist that prepared it. No further analysis shall be required if the geologic hazard area risk assessment concludes that there is no geologic hazard present on the site, nor will the project affect or be affected by any potential geologic hazards that may be nearby. The ~~city of Ritzville~~ Administrator may waive the requirement for the geologic hazard area risk assessment where the only hazard present is wind erosion and where the dust control and wind erosion mitigation plan required in RCC 11.75.092 has been reviewed and approved by the ~~city of Ritzville~~ Administrator.

C. Step Three. If the professional preparing the risk assessment in step two concludes that further analysis is necessary, the ~~a~~Applicant shall submit a geotechnical report as provided for herein.

D. A proposed *development* cannot be approved if it is determined by the geotechnical report that either the proposed *development* or adjacent properties will be at risk of damage from the geologic hazard, or that the project will increase the risk of occurrence of the hazard, and there are no adequate mitigation measures to alleviate the risks. (Ord. 2143 § 1 (Att. A), 2020).

~~11.75.098~~ — **124 Geotechnical report.**

A. All geotechnical reports shall be prepared by a civil engineer licensed to practice in the *state* of Washington.

B. A geotechnical report shall include a description of the geology of the site, conclusions, and recommendations regarding the effect of geologic conditions on the proposed *development*, and opinions and recommendations on the suitability of the site to be developed. The report shall evaluate the actual presence of geological conditions giving rise to the geologic hazard, and an evaluation of the safety of the proposed project, and identification of construction practices, monitoring programs and other mitigation measures necessary. A bibliography of scientific citations shall be included as necessary.

C. The geotechnical report *shall* include a certification from the engineer preparing the report, including the engineer's professional stamp and signature, stating all of the *following*:

1. The risk of damage from the project, both on and off site, is minimal;
2. The project will not materially increase the risk of occurrence of the hazard;
3. The specific measures incorporated into the design and operational plan of the project to eliminate or reduce the risk of damage due to the hazard;
4. Mitigation of adverse site conditions including slope stabilization measures and seismically unstable soils, if appropriate.

D. All mitigation measures, construction techniques, recommendations and technical specifications provided in the geotechnical report *shall* be applied during the implementation of the proposal. The engineer of record *shall* submit sealed verification at the conclusion of construction that *development* occurred in conformance with the approved plans. (Ord. 2143 § 1 (Att. A), 2020).

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## 11.75 Article VI. Critical aquifer recharge areas (CARAs)

### 11.75.130 Title

This section shall be called “Critical Aquifer Recharge Areas (CARAs).”

### ~~11.75.102~~ 132 Application.

This section shall apply to all critical aquifer recharge areas.

### 11.75.134 Purpose.

It is the intent of the ~~e~~City of Ritzville to promote public health and safety by acknowledging the importance of preserving critical ~~a~~Aquifer recharge areas that may exist in the city ~~of Ritzville~~; and to comply with the Washington State Growth Management Act. These areas serve the vital function of replenishing ground water resources which, in Eastern Washington, account for a major share of the water for irrigation, municipal, industrial, and domestic uses. Potable water is an essential life-sustaining element. Much of Washington’s water comes from ground water supplies. Preventing contamination is necessary to avoid exorbitant costs, hardships, and potential physical harm to people. Further, the ~~e~~City of Ritzville adopts by reference the Columbia Basin Ground Water Management Area Plan, Appendix L. (Ord. 2143 § 1 (Att. A), 2020).

### ~~11.75.104~~ 136 Authority.

This chapter is adopted pursuant to the authority granted to the City of Ritzville by the Washington State Constitution as a second-class city, the provisions of RCW 35.23 et seq., RCW 35.63 et seq., the Planning Act set forth in RCW chapters 36.70 and 36.70A, RCW chapters 36.70B, 36.70C, 58.17 et seq., 35.21, 36.01, and other applicable laws, as these provisions now exist or as hereinafter amended.

### 11.75.138 Critical recharge area designation.

Critical aquifer recharge areas (CARAs) are those areas with a critical recharging effect on ~~a~~Aquifers used for potable water as defined by WAC 365-190-030(2). CARAs have prevailing geologic conditions associated with infiltration rates that create a high potential for contamination of ground water resources or contribute significantly to the replenishment of ground water. These areas include the following:

- A. ~~Wellhead Protection Areas~~ protection areas. Wellhead protection areas may be defined by the boundaries of the 10-year time of ground water travel or boundaries established using alternate criteria approved by the Washington State Department of Health in those settings where ground water time of travel is not a reasonable delineation criterion, in accordance with WAC 246-290-135.
- B. ~~Sole Source Aquifers~~. Sole source ~~a~~Aquifers are areas that have been designated by the U.S. Environmental Protection Agency pursuant to the Federal Safe Drinking Water Act.
- C. Susceptible Ground Water Management Areas. Susceptible ground water management areas are areas that have been designated as moderately or highly vulnerable or susceptible in an adopted ~~g~~Ground water management program developed pursuant to Chapter 173-100 WAC.
- D. Special Protection Areas. Special protection areas are those areas defined by WAC 173-200-090.
- E. Moderately or Highly Vulnerable Aquifer Recharge Areas. Aquifer recharge areas that are moderately or highly vulnerable to degradation or depletion because of hydrogeologic characteristics are those areas delineated by a hydrogeologic study prepared in accordance with the State Department of Ecology guidelines.

F. Moderately or Highly Susceptible *Aquifer Recharge* Areas. *Aquifer recharge* areas moderately or highly susceptible to degradation or depletion because of hydrogeologic characteristics are those areas meeting the criteria established by the *State Department of Ecology*. (Ord. 2143 § 1 (Att. A), 2020).

**11.75.140 6** — **Applicability.**

The approximate location and extent of critical ~~a~~*Aquifer recharge* areas and municipal *wellhead protection areas* are shown on the *wellhead protection area* map. The map is to be used as a guide for the city, project ~~a~~*Applicants* and/or *property owners* and may be continuously updated as new *critical areas* are identified. They are a reference and do not provide a final *critical area* designation. (Ord. 2143 § 1 (Att. A), 2020).

**11.75.107** — **142 Management recommendations and standards.** <sup>5</sup>

A. Activities may only be permitted in a critical ~~a~~*Aquifer recharge* area if the ~~a~~*Administrator* determines that the proposed activity will not cause contaminants to enter the critical ~~a~~*Aquifer* and that the proposed activity will not adversely affect the recharging of the critical ~~a~~*Aquifer*.

B. Any *development* which occurs within the city's jurisdiction will use ~~b~~*Best management practices* (BMPs) to prevent chemical and biological contaminants from entering underground waters and ~~a~~*Aquifers* which are now, or in the future, likely to be used as a *potable* drinking water source. All persons, corporations, or other legal entities that engage in the construction of regulated facilities contained in this chapter *must* first obtain approval by the city through the *critical area* permit process and *building permit(s)*.

C. *Development* activities within a *wellhead protection area* that have a high potential for contamination *shall* be required to do a hydrological study and *shall* develop and implement protection measures to prevent contamination.

D. Any changes in land *use* or type of new facilities where substances of moderate risk are used, stored, treated or handled, or which produce moderate risk waste, *shall* be designed to prevent the release of any such materials into the ground water.

E. Surface impoundments, defined by Chapter 173-303 WAC, *shall* be designed by a professional engineer and constructed with an impermeable liner and other components as appropriate to prevent discharge of any material on the ground surface and/or into the ground water system. Surface impoundments *shall* be designed and constructed in accordance with applicable governing law and have a minimum excess capacity equal to 120 percent of the projected volume of liquid to be contained including intentional and unintentional storm water capture. "Surface impoundment" means a facility or part of a facility which is a natural topographic depression, manmade excavation, or diked area formed primarily of earthen materials (although it may be lined with manmade materials), and which is designed to hold an accumulation of liquid dangerous wastes or dangerous wastes containing free liquids. The term includes holding, storage, settling, and aeration pits, ponds, or lagoons, but does not include injection wells.

F. In areas designated as high susceptibility for ~~a~~*Aquifer* contamination, all uses *shall* be connected to the city's sewer system. No new uses on a septic system are permitted in high susceptibility areas of critical ~~a~~*Aquifer recharge*.

G. For uses locating within the critical ~~a~~*Aquifer recharge* area, a disclosure form indicating activities and hazardous materials that will be used *shall* be provided for review and approval.

H. Impervious surfaces *shall* be minimized within the critical ~~a~~*Aquifer recharge* areas.

I. *Best management practices* *shall* be followed by commercial and industrial uses located in the critical ~~a~~*Aquifer recharge* areas.

J. Parks, Schools, and Recreation Facilities. Fertilizer and pesticide management practices of schools, parks, other recreation facilities and similar uses *shall* use ~~b~~*Best management practices* as prescribed by the Washington State University Cooperative Extension Services. (Ord. 2143 § 1 (Att. A), 2020).

~~11.75.108~~ — **144 Regulations.** <sup>6</sup>

Activities may only be permitted in a critical *aquifer recharge* area if the ~~a~~*Applicant* can show that the proposed activity will not cause contaminants to enter the *aquifer, wellhead protection areas* and that the proposed activity will not adversely affect the recharging of the *aquifer*.

A. *Developments* authorized within an ~~a~~*Aquifer recharge* area *shall* comply with the *following* standards:

1. Connection to a public sanitary sewer system or an approved community sewer system *shall* be required. If connection to sanitary sewer is not feasible, on-site septic systems proposed on legal *lots* of record are permitted, provided:

a. The public health officer has designated the *aquifer recharge* area as an area of special concern in accordance with WAC 246-272B-21501;

b. The type of on-site system is approved by Adams County health department upon finding that the design of the system will not be detrimental to the community water supply;

c. The *property owner shall* enter a no protest agreement with a sanitary sewer provider as appropriate to the *property* location, agreeing to not protest the formation of a local improvement district for the extension of sanitary sewer. This agreement *shall* be recorded with the Adams County auditor.

2. The connection to an approved public water service *shall* be required.

3. All existing wells located on the subject *property shall* either be properly abandoned in accordance with the requirements of Adams County health department and the Department of Ecology or designated for irrigation purposes only. If an existing well is designated for irrigation purposes, then the *following shall* apply:

a. Evidence of a water right issued by the ~~s~~*State* of Washington for the *use* of the well *shall* be presented to the ~~review authority~~*Administrator*. An application for a water right is not acceptable evidence of an actual right to appropriate water.

b. Certification from the public health officer stating that the well is properly constructed and sealed to prevent any contaminants from entering the wellhead *shall* be submitted to the ~~review authority~~*Administrator*.

4. Storm water detention and retention facilities *shall* be designed using *best available science* and management practices to separate chemical and biological pollutants from the water prior to infiltration.

5. An analysis *shall* be conducted to assess the *impact* to ground water quality from the potential of nitrate loading to the ground water.

6. Areas highly susceptible of transporting contaminants to the ground water (i.e., natural drainages, springs, *wetlands*, etc.), as determined by the ~~review authority~~*Administrator*, *shall* be designated as open space. All impervious surfaces *shall* maintain a 15-foot *setback* from areas identified as being highly susceptible and no amount of storm water runoff *shall* be directed towards the susceptible area(s).

B. All *developments shall* have an informational note placed on the face of plat stating, "this subdivision is located within an *aquifer recharge* area." *Best management practices shall* be used for the containment of storm water and the application of pesticides and fertilizers.

C. A spill prevention and emergency response plan *shall* be prepared and submitted for review and approval. (Ord. 2143 § 1 (Att. A), 2020).

~~11.75.110~~ — **146 Hydrologic report.**

*Critical areas* reports for critical *aquifer recharge* areas *must* meet the requirements of this section. *Critical areas* reports for two or more types of *critical areas* *must* meet the report requirements for each relevant type of *critical area*.

A. Preparation by Qualified Professional. An *aquifer recharge* area *critical areas* report *shall* be prepared by a qualified professional who is a hydrogeologist, geologist, or engineer, who is licensed in the *state* of Washington and has experience in preparing hydrogeologic assessments.

B. Incorporating of ~~Best Available Science~~ *best available science*. The *critical areas* report *shall* use scientifically valid methods and studies in the analysis of *critical areas* data and field reconnaissance and reference the source of science used. The *critical areas* report *shall* evaluate the proposal and all probable *impacts* to *critical areas* in accordance with the provisions of this title.

C. Minimum Report Contents. At a minimum, the report *shall* contain the *following*:

1. The name and contact information of the ~~a~~ *Applicant*, a description of the proposal, and identification of the permit requested;
2. A copy of the site plan for the *development* proposal, including:
  - a. A map to scale depicting *critical areas*, *buffers*, the *development* proposal, and any areas to be cleared; and
  - b. A description of the proposed storm water management plan for the *development* and consideration of *impacts* to drainage *alterations*;
3. The dates, names, and qualifications of the persons preparing the report and documentation of any fieldwork performed on the site;
4. Identification and characterization of all *critical areas*, wellheads, *aquifer recharge* areas, *wetlands*, water bodies, and *buffers* adjacent to the proposed project area;
5. A *statement* specifying the accuracy of the report, and all assumptions made and relied upon;
6. An assessment of the probable cumulative *impacts* to *critical areas* resulting from *development* of the site and the proposed *development*;
7. An analysis of site *development* alternatives including a no-*development* alternative;
8. Any additional information required for the *critical area* as specified in the corresponding chapter.

D. Unless otherwise provided, a *critical areas* report may be supplemented by or composed, in whole or in part, of any reports or studies required by other laws and regulations or previously prepared for and applicable to the *development* proposal site, as approved by the ~~city administrator~~ *Administrator*. (Ord. 2143 § 1 (Att. A), 2020).

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## 11.75 Appendices

### **Appendix A: Washington State Wetlands Identification and Delineation Manual (1997), or as amended.**

Copies of this document are available at the eCity of Ritzville City Hall.

### **Appendix B: Regional Supplement to the Corps of Engineers Wetland Delineation Manual 2008, or as amended: Arid West Region.**

Copies of this document are available at the eCity of Ritzville City Hall.

### **Appendix C: Washington State Wetlands Rating System for Eastern Washington: 2014 Updated (Ecology Publication No. 14-06-030).**

Copies of this document are available at the eCity of Ritzville City Hall.

### **Appendix D: Wetlands in Washington State Vol. 1, 2, or as amended.**

Copies of this document are available at the eCity of Ritzville City Hall.

### **Appendix E: Wetland Mitigation in Washington State, Parts 1 (2021) and Part 2 (2006), or as amended.**

Copies of this document are available at the eCity of Ritzville City Hall.

### ~~Appendix F: Information to be included in a wetland report.~~

### **Appendix F: Information to be included in a wetland report.**

Information to Be Included in a *Wetland* Report.

A. A *wetland* report shall include the following:

1. Contact information, *owner* name and/or ~~a~~ *Applicant*, address, telephone, other;
2. Vicinity map;
3. When available, a copy of a National *Wetland* Inventory Map (U.S. Fish and Wildlife Service and/or a ~~Stevens~~ *Adams* County *Wetland* Inventory Map) identifying the *wetlands* on or adjacent to the site;
4. A site map setting forth all of the following:
  - a. Surveyed *wetland* boundaries based upon a delineation;
  - b. Site boundary *property* lines and roads;
  - c. Internal *property* lines, rights-of-way, *easements*, etc.;
  - d. Existing physical features of the site including *buildings*, *fences*, and other *structures*, roads, parking *lots*, utilities, water bodies, etc.;
  - e. Contours at the smallest readily available intervals, preferably at two-foot intervals;

- f. Hydrologic mapping showing patterns of surface water movement and known subsurface water movement into, through, and out of the *site area*;
  - g. Location of all test holes and vegetation sample sites, numbered to correspond with flagging in the field and field data sheets. The ~~Department~~ *Administrator* may require an air photo with overlays displaying the site boundaries and *wetland* delineation;
5. A report which includes the *following*:
- a. Location information (legal description, *parcel* number and address);
  - b. Delineation report. The *wetland* boundaries on the site established by the delineation *shall* be staked and flagged in the field. If the *wetland* extends outside the site, the delineation report *shall* discuss all *wetland* areas within 150 feet of the site, but need only delineate those *wetland* boundaries within the site;
  - c. General site conditions including topography, acreage, and surface areas of all *wetlands* identified in the ~~Stevens~~ *Adams* County *Wetland* Atlas and water bodies within one-quarter mile of the subject *wetland(s)*;
  - d. Hydrological analysis, including topography, of existing surface and known significant subsurface flows into and out of the subject *wetland(s)*;
  - e. Analysis of functional values of existing *wetlands*, including vegetative, faunal, and hydrologic conditions;
6. A summary of proposed activity and potential *impacts* to the *wetland(s)*;
7. Recommended *wetland* category, including rationale for the recommendation;
8. Recommended *buffer* boundaries, including rationale for boundary locations;
9. Proposed on-site *residential density* transfer from *wetlands* and/or *buffers* to upland areas;
10. Site plan of proposed activity, including location of all *parcels*, tracts, *easements*, roads, *structures*, and other modifications to the existing site. The location of all *wetlands* and *buffers* *shall* be identified on the site plan.

**Appendix G: Management Recommendations for Washington’s Priority Habitats and Species, or as amended.**

Copies of this document are available at the eCity of Ritzville City Hall.

Can also be found online at the Washington Department of Fish and Wildlife:

<https://wdfw.wa.gov/species-habitats/at-risk/phs/recommendations>

**Appendix H: Washington Priority Habitats and Species ~~(1999)~~, or as amended.**

Copies of this document are available at the eCity of Ritzville City Hall.

**Appendix I: Shoreline Master Program for Adams County, or as amended.**

Copies of these documents are available at the eCity of Ritzville City Hall.

ADAMS COUNTY

SHORELINE MANAGEMENT MASTER PROGRAM

ORDINANCE NO. O-01-2015

July 20, 2015

**Appendix J: Critical Areas Ordinance for Adams County, or as amended.**

Copies of these documents are available at the eCity of Ritzville City Hall.

ADAMS COUNTY

CRITICAL AREAS AND RESOURCE LANDS

ORDINANCE NO. O-01-2019

January 14, 2019

**Appendix K: Washington State Wetlands Identification and Delineation Manual for Eastern Washington.**

Copies of this document are available at the eCity of Ritzville City Hall.

**Appendix L: Columbia Basin Ground Water Management Area Plan.**

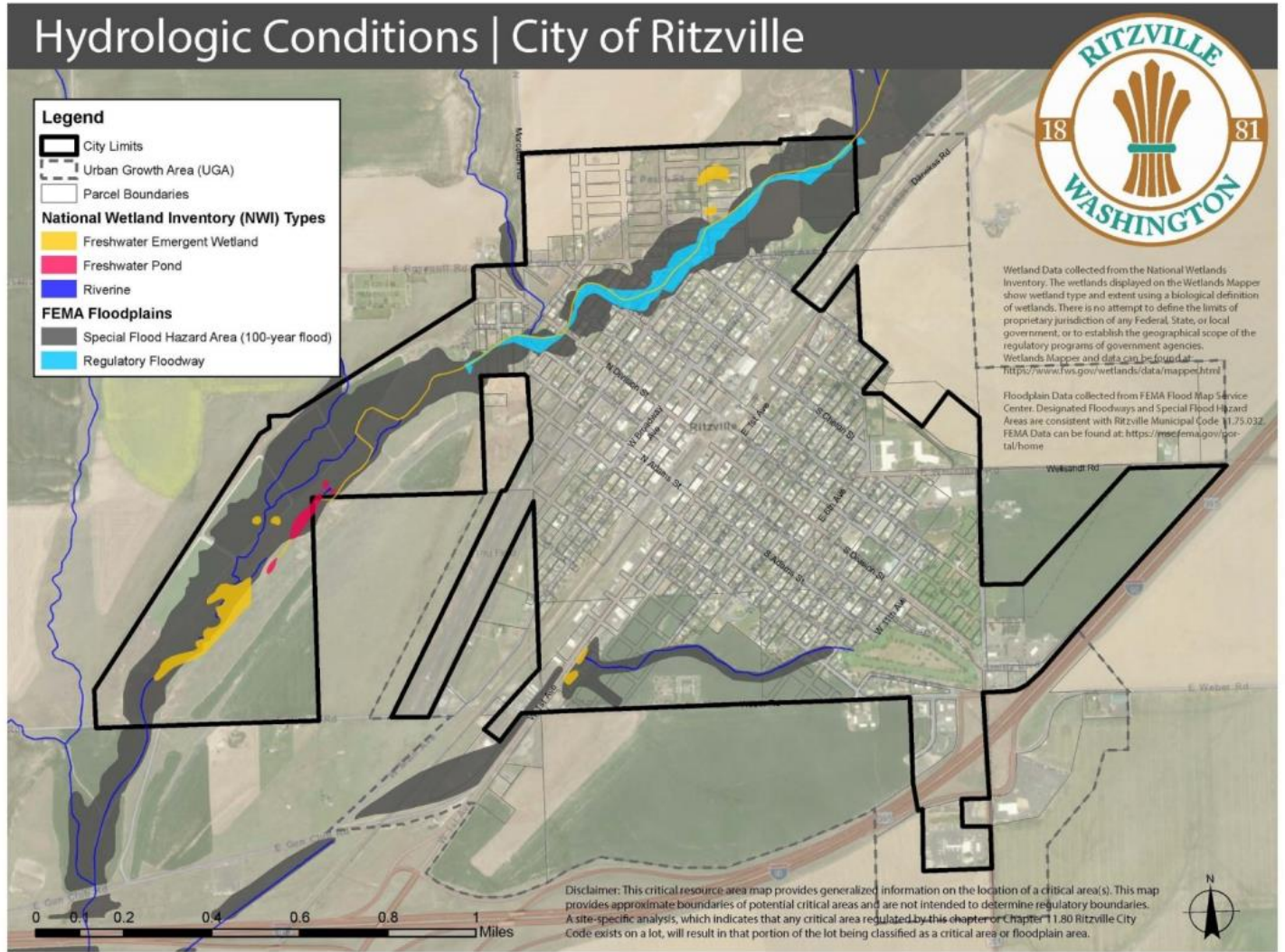
Copies of these documents are available at the eCity of Ritzville City Hall.

**Appendix M: Critical Areas Ordinance Maps, or as amended.**

A. The city's critical resource areas maps provide generalized information on the location of critical areas, including wetlands, habitat conservation areas, frequently flooded areas, geologically hazardous areas and aquifer recharge/wellhead protection areas. A site-specific analysis, which indicates that any critical area regulated by this chapter or Chapter 11.80 RCC exists on a lot, will result in that portion of the lot being classified as a critical area or floodplain area.

B. Applicability of Reference Maps. The reference maps identified herein display general locations and approximate boundaries of potential *critical areas* and are not intended to determine regulatory boundaries. Further field determination and analysis will be necessary for specific *development* proposals to establish exact location, extent, and nature of *critical areas*. It is the responsibility of the *applicant* and/or scientific professional to evaluate *critical areas*-based criteria provided in this chapter or Chapter 11.80 RCC.

1. Hydrologic Conditions.





# Hydrologic Conditions | City of Ritzville



**Legend**

- City Limits
- Urban Growth Area (UGA)
- Parcel Boundaries

**National Wetland Inventory (NWI) Types**

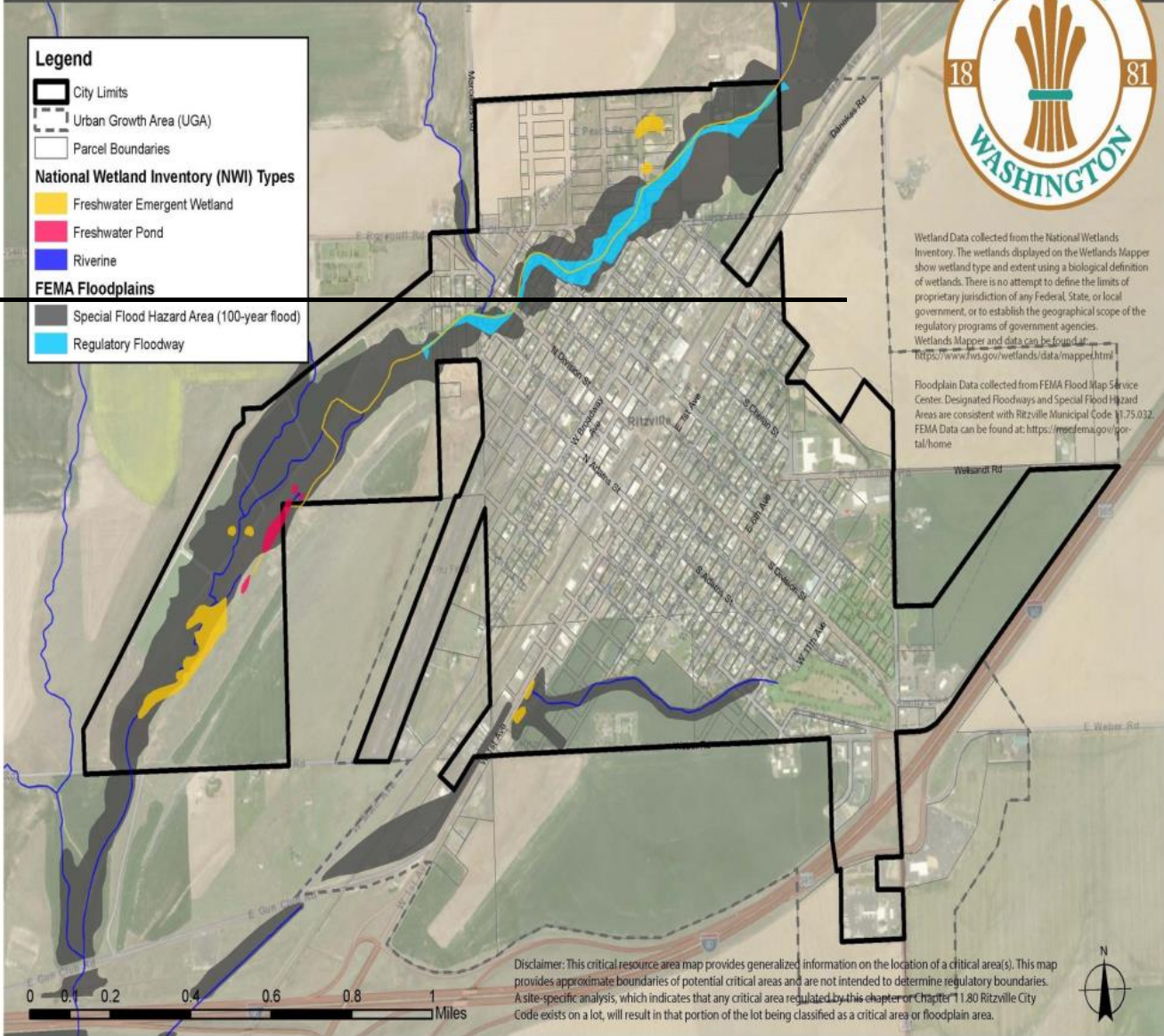
- Freshwater Emergent Wetland
- Freshwater Pond
- Riverine

**FEMA Floodplains**

- Special Flood Hazard Area (100-year flood)
- Regulatory Floodway

Wetland Data collected from the National Wetlands Inventory. The wetlands displayed on the Wetlands Mapper show wetland type and extent using a biological definition of wetlands. There is no attempt to define the limits of proprietary jurisdiction of any Federal, State, or local government, or to establish the geographical scope of the regulatory programs of government agencies. Wetlands Mapper and data can be found at <https://www.fws.gov/wetlands/data/mapper.html>

Floodplain Data collected from FEMA Flood Map Service Center. Designated Floodways and Special Flood Hazard Areas are consistent with Ritzville Municipal Code 11.75.032. FEMA Data can be found at <https://msc.fema.gov/portal/home>



Disclaimer: This critical resource area map provides generalized information on the location of a critical area(s). This map provides approximate boundaries of potential critical areas and are not intended to determine regulatory boundaries. A site-specific analysis, which indicates that any critical area regulated by this chapter or Chapter 11.80 Ritzville City Code exists on a lot, will result in that portion of the lot being classified as a critical area or floodplain area.

2. Depth to Water Table.

# Depth to Water Table | City of Ritzville



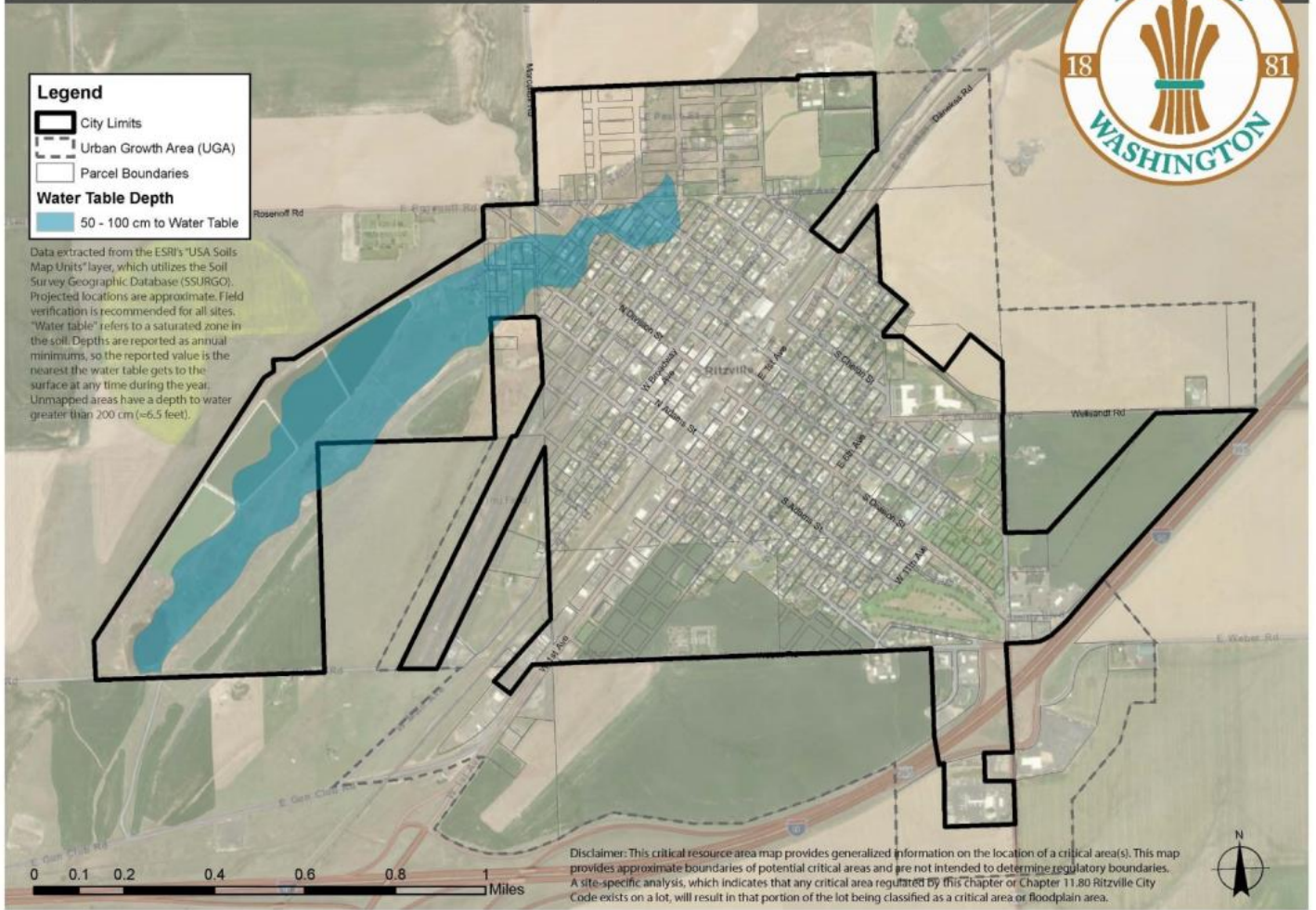
**Legend**

- City Limits
- Urban Growth Area (UGA)
- Parcel Boundaries

**Water Table Depth**

- 50 - 100 cm to Water Table

Data extracted from the ESR's "USA Soils Map Units" layer, which utilizes the Soil Survey Geographic Database (SSURGO). Projected locations are approximate. Field verification is recommended for all sites. "Water table" refers to a saturated zone in the soil. Depths are reported as annual minimums, so the reported value is the nearest the water table gets to the surface at any time during the year. Unmapped areas have a depth to water greater than 200 cm (~6.5 feet).



Disclaimer: This critical resource area map provides generalized information on the location of a critical area(s). This map provides approximate boundaries of potential critical areas and are not intended to determine regulatory boundaries. A site-specific analysis, which indicates that any critical area regulated by this chapter or Chapter 11.80 Ritzville City Code exists on a lot, will result in that portion of the lot being classified as a critical area or floodplain area.



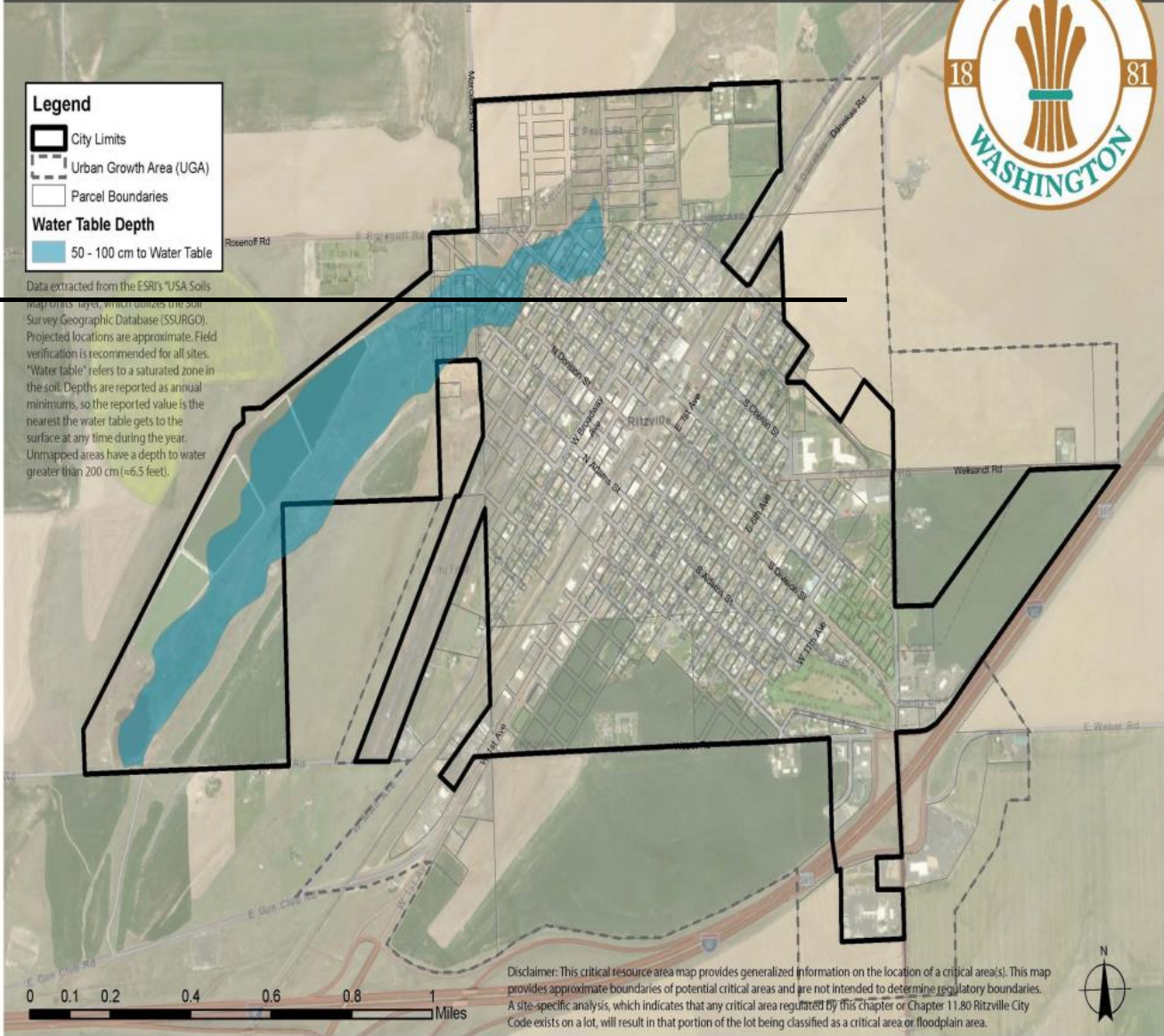
# Depth to Water Table | City of Ritzville



**Legend**

- City Limits
- Urban Growth Area (UGA)
- Parcel Boundaries
- Water Table Depth**
- 50 - 100 cm to Water Table

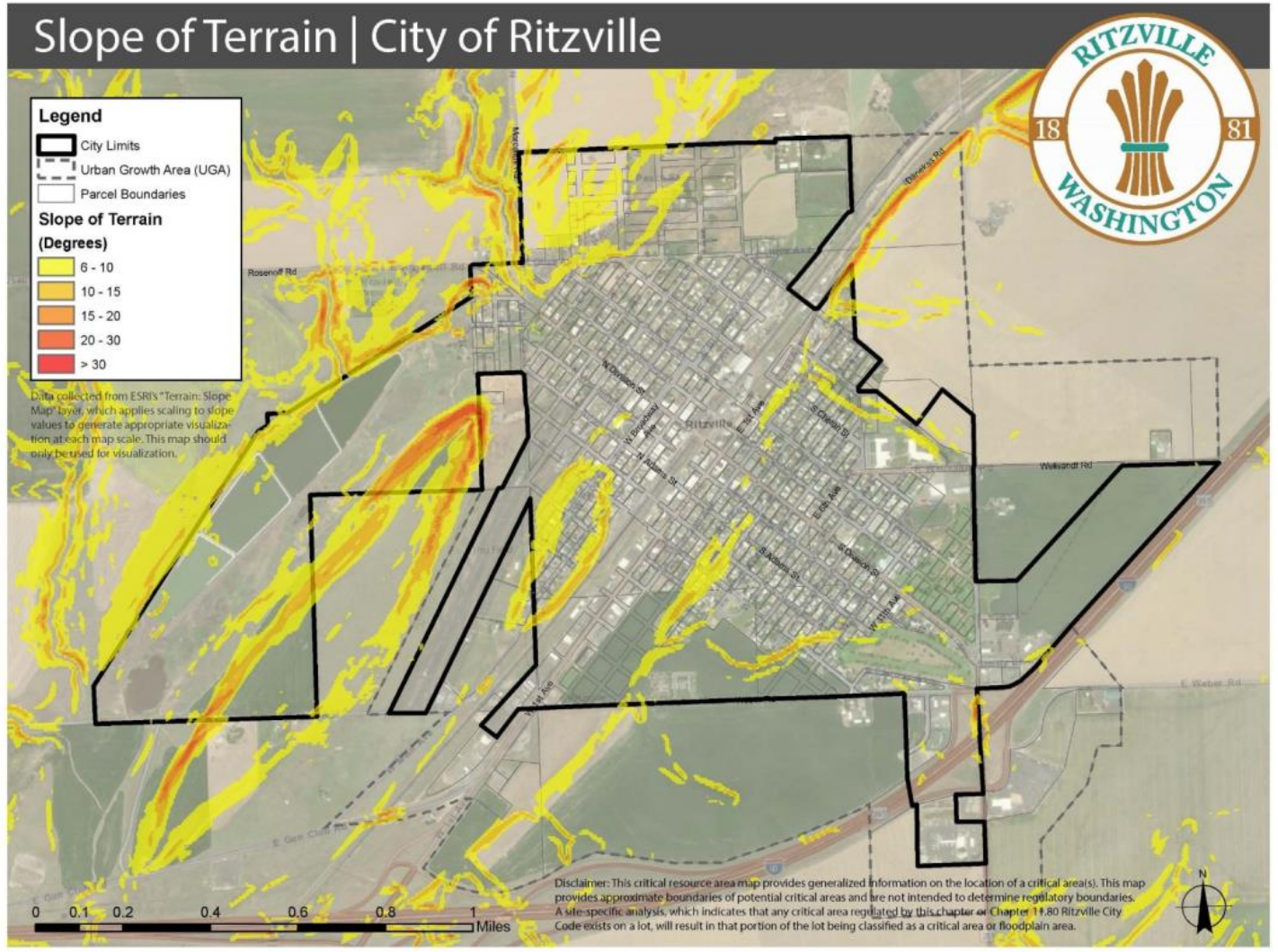
Data extracted from the ESRI's USA Soils map points layer, which utilizes the Soil Survey Geographic Database (SSURGO). Projected locations are approximate. Field verification is recommended for all sites. "Water table" refers to a saturated zone in the soil. Depths are reported as annual minimums, so the reported value is the nearest the water table gets to the surface at any time during the year. Unmapped areas have a depth to water greater than 200 cm (=6.5 feet).



Disclaimer: This critical resource area map provides generalized information on the location of a critical area(s). This map provides approximate boundaries of potential critical areas and are not intended to determine regulatory boundaries. A site-specific analysis, which indicates that any critical area regulated by this chapter or Chapter 11.80 Ritzville City Code exists on a lot, will result in that portion of the lot being classified as a critical area or floodplain area.



3. Slope of Terrain.



# Slope of Terrain | City of Ritzville



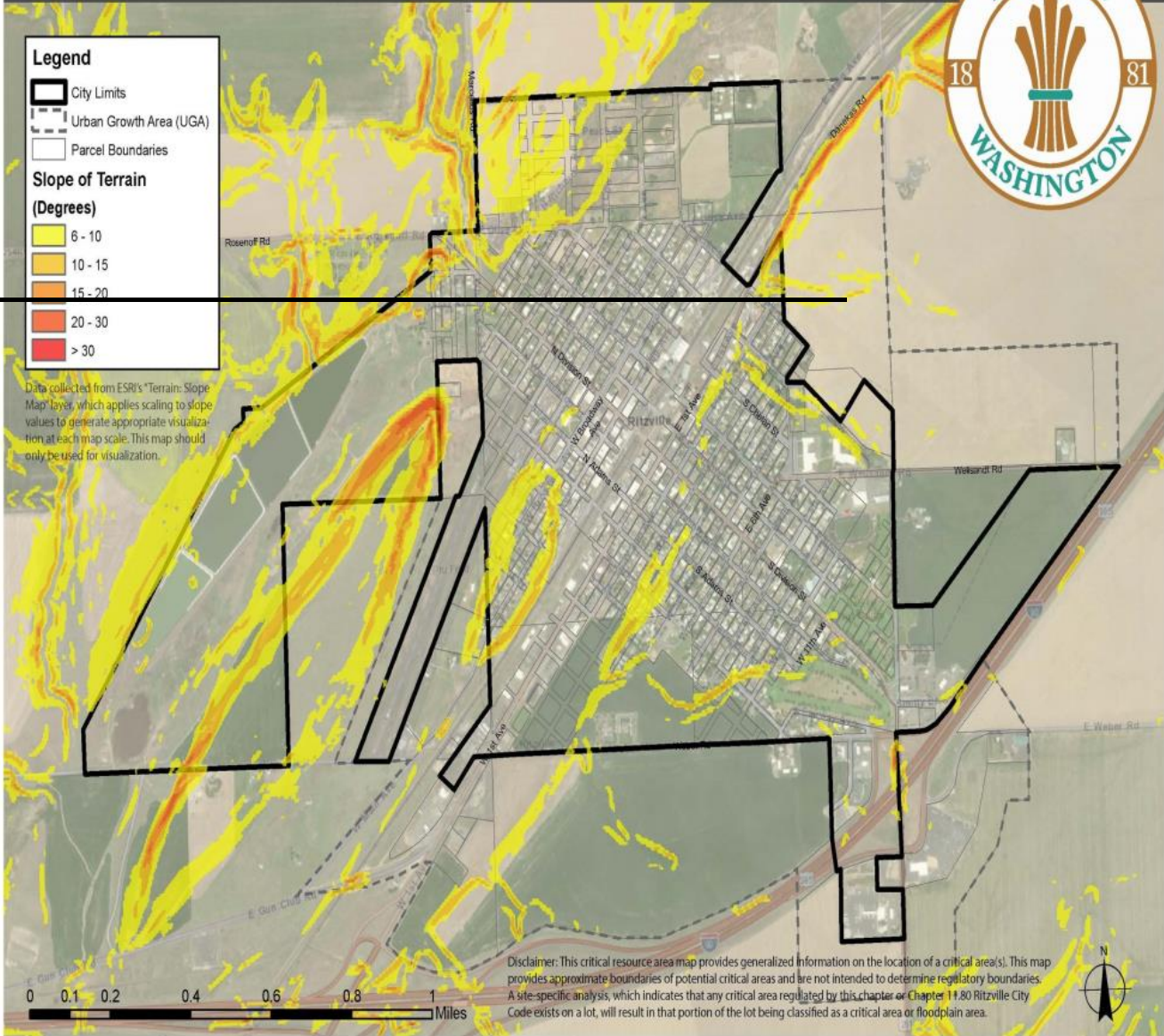
**Legend**

- City Limits
- Urban Growth Area (UGA)
- Parcel Boundaries

**Slope of Terrain  
(Degrees)**

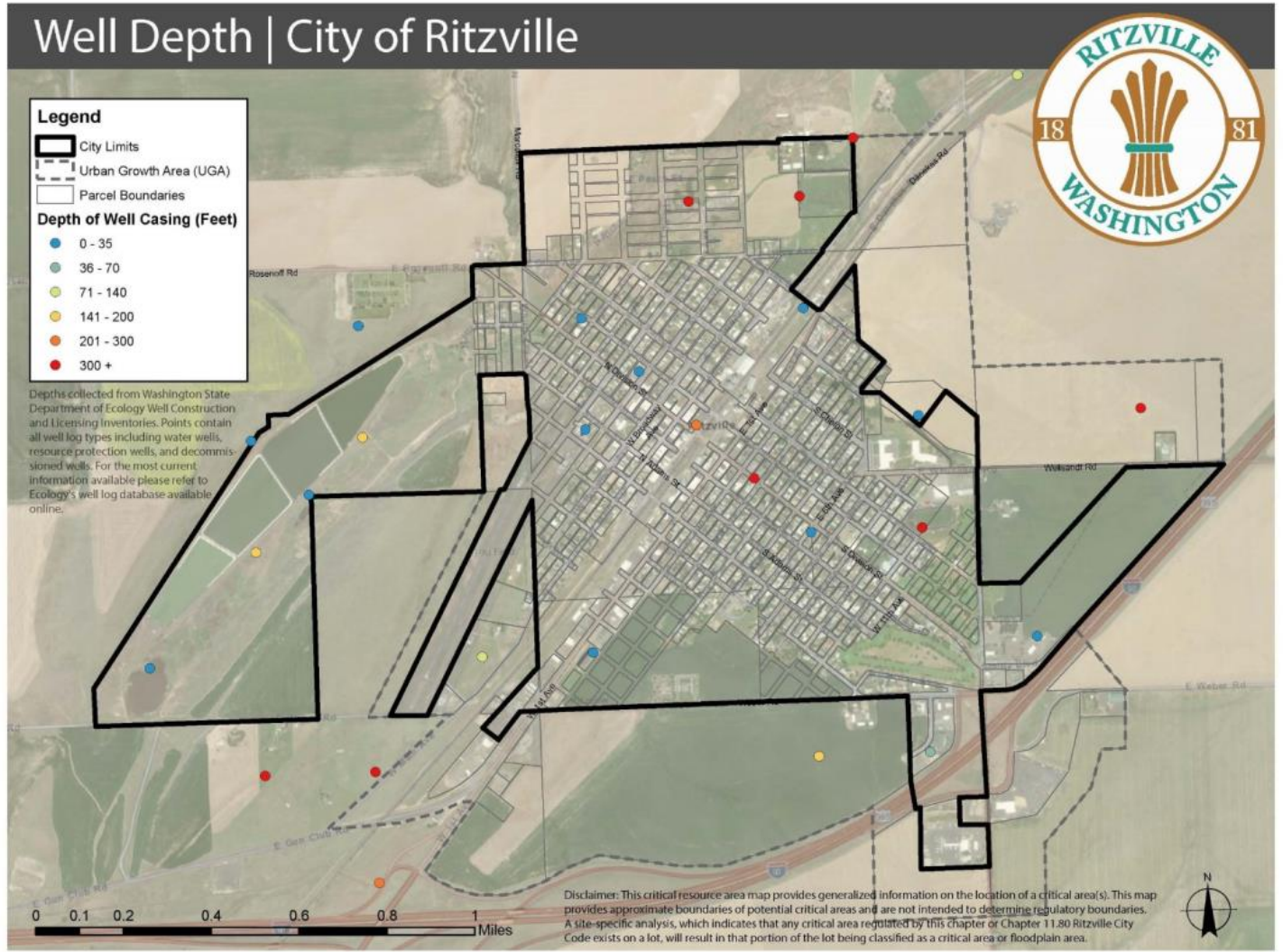
- 6 - 10
- 10 - 15
- 15 - 20
- 20 - 30
- > 30

Data collected from ESRI's "Terrain: Slope Map" layer, which applies scaling to slope values to generate appropriate visualization at each map scale. This map should only be used for visualization.



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4. Well Depth Map.



# Well Depth | City of Ritzville



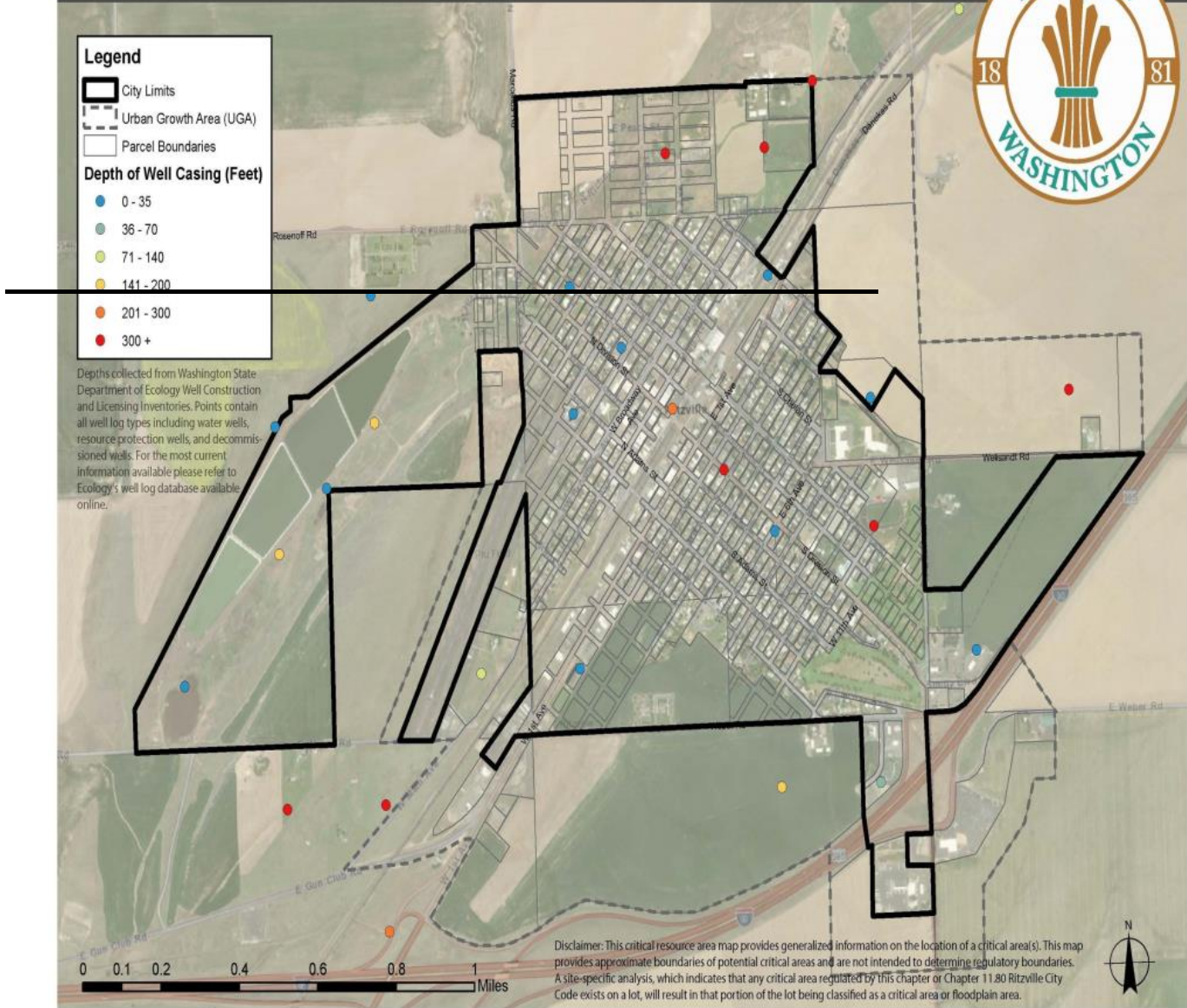
**Legend**

- City Limits
- Urban Growth Area (UGA)
- Parcel Boundaries

**Depth of Well Casing (Feet)**

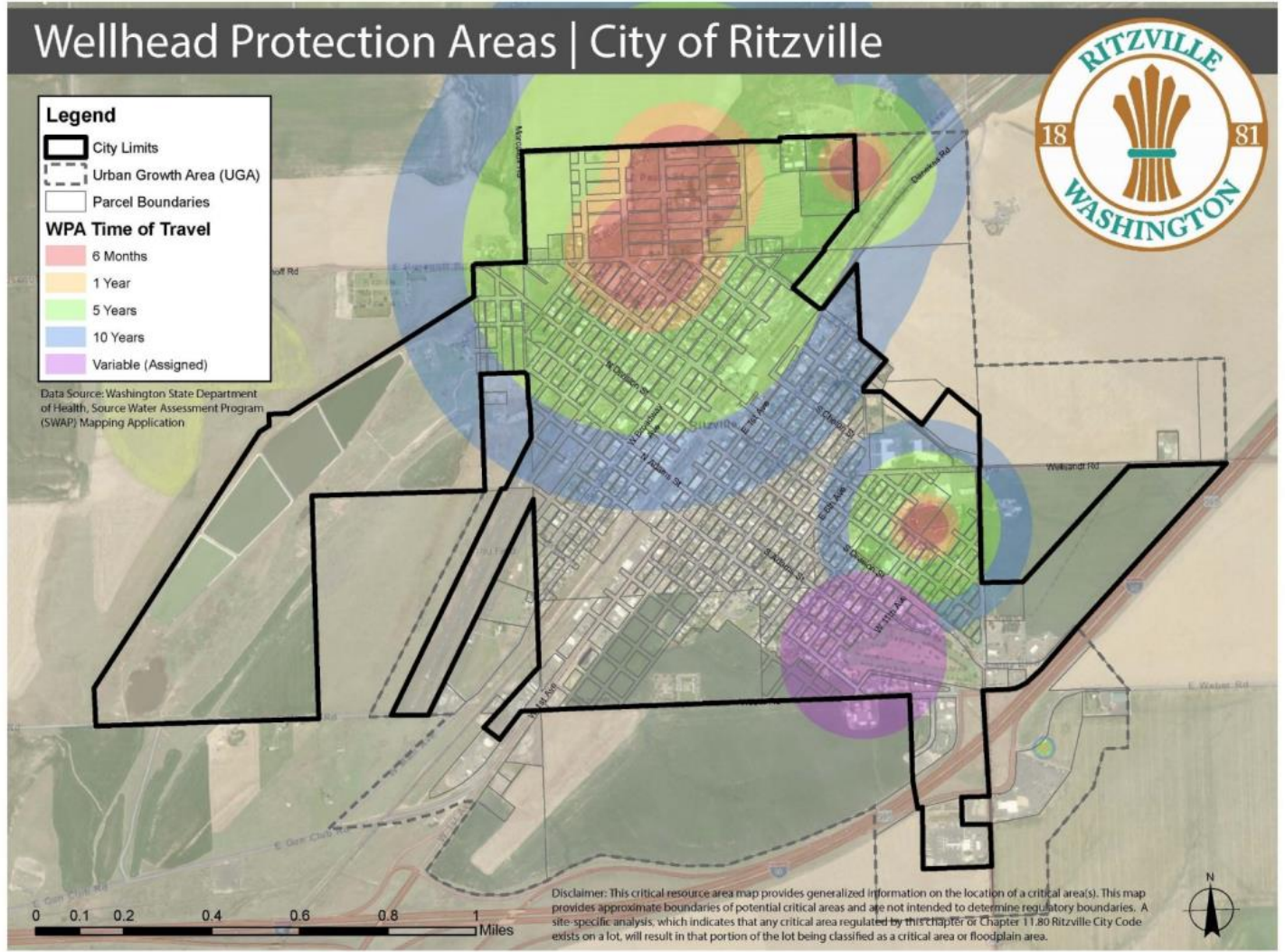
- 0 - 35
- 36 - 70
- 71 - 140
- 141 - 200
- 201 - 300
- 300 +

Depths collected from Washington State Department of Ecology Well Construction and Licensing Inventories. Points contain all well log types including water wells, resource protection wells, and decommissioned wells. For the most current information available please refer to Ecology's well log database available online.



Disclaimer: This critical resource area map provides generalized information on the location of a critical area(s). This map provides approximate boundaries of potential critical areas and are not intended to determine regulatory boundaries. A site-specific analysis, which indicates that any critical area regulated by this chapter or Chapter 11.80 Ritzville City Code exists on a lot, will result in that portion of the lot being classified as a critical area or floodplain area.

5. Wellhead Protection Area Map.





# Wellhead Protection Areas | City of Ritzville



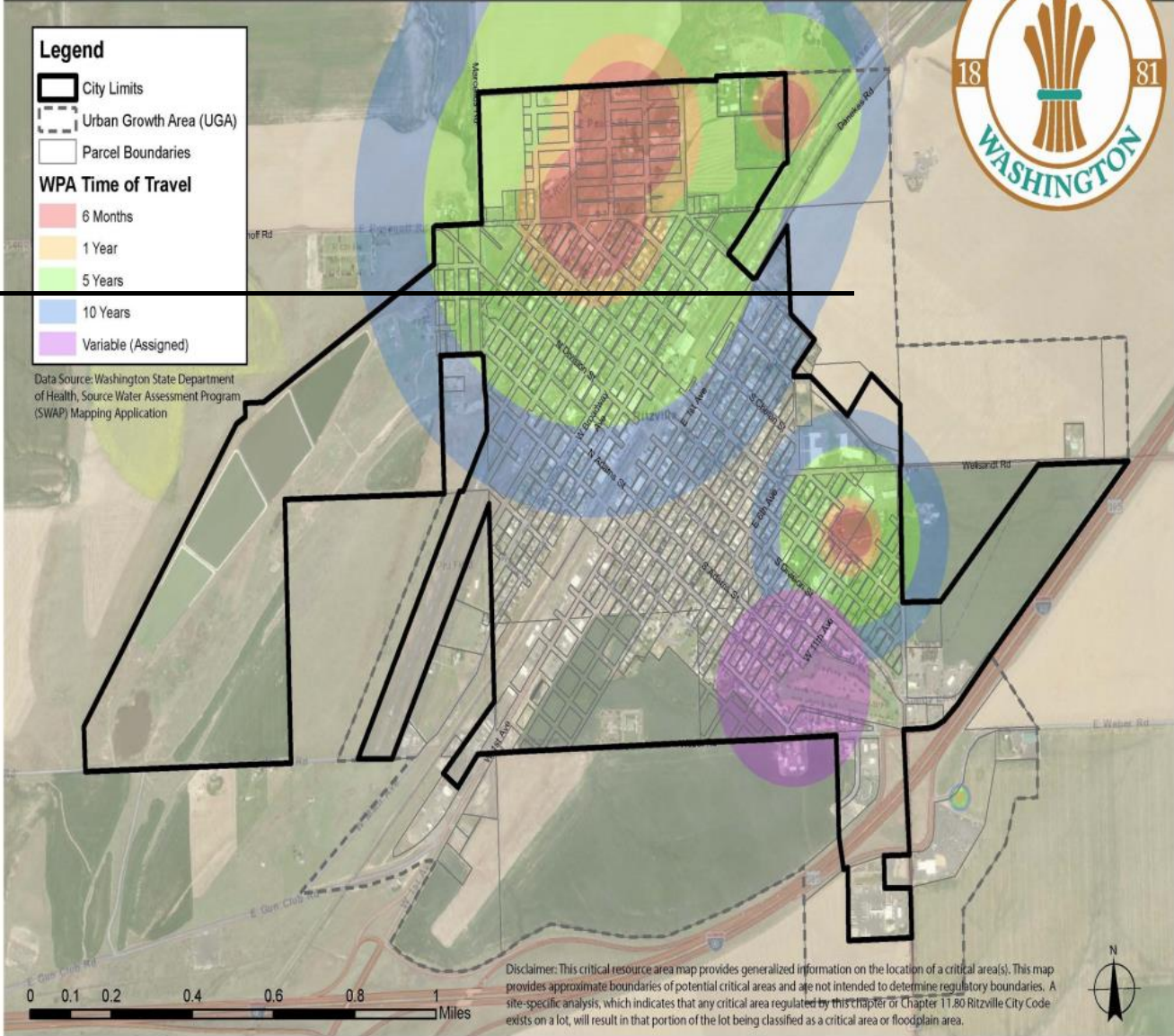
**Legend**

- City Limits
- Urban Growth Area (UGA)
- Parcel Boundaries

**WPA Time of Travel**

- 6 Months
- 1 Year
- 5 Years
- 10 Years
- Variable (Assigned)

Data Source: Washington State Department of Health, Source Water Assessment Program (SWAP) Mapping Application

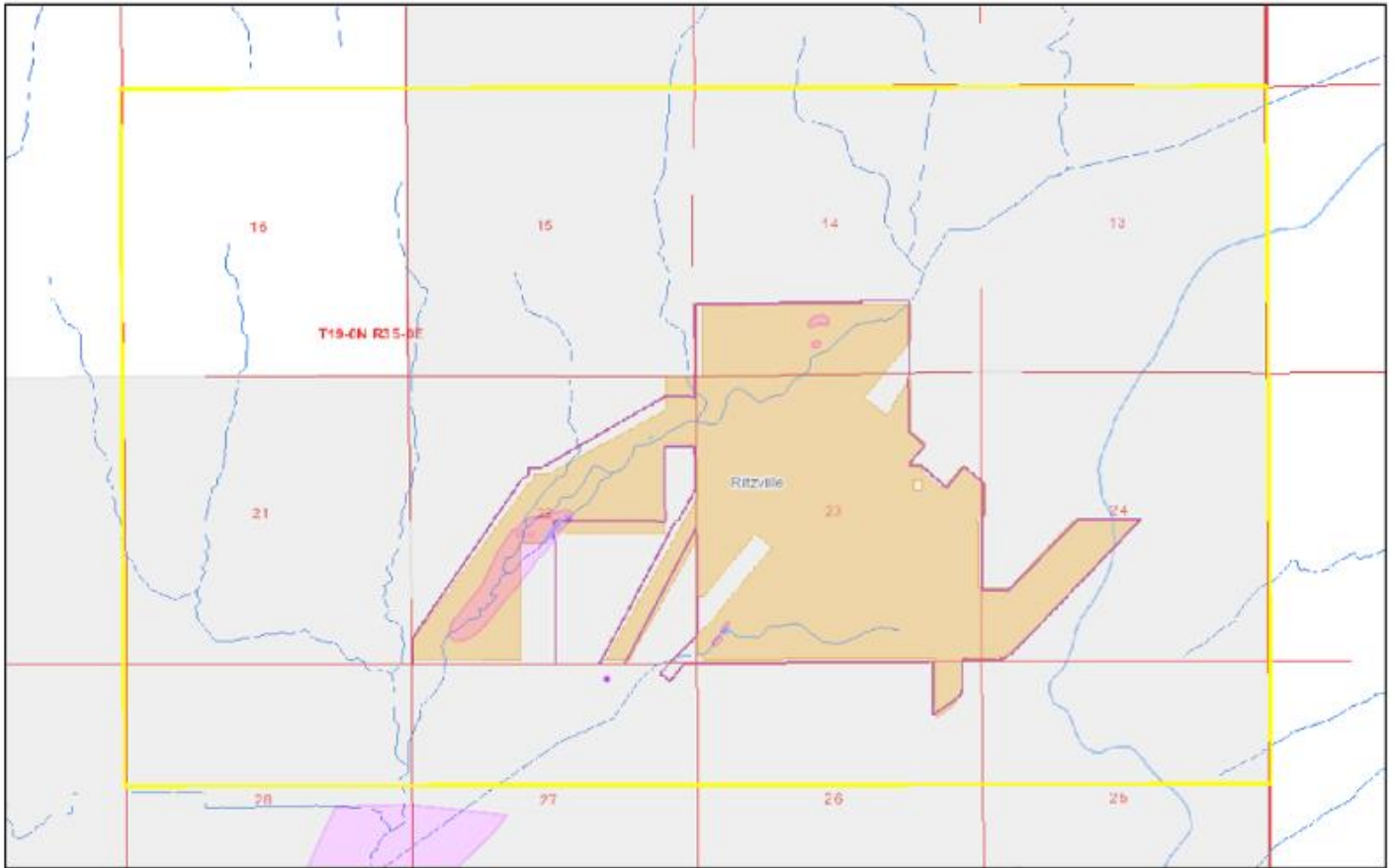


Disclaimer: This critical resource area map provides generalized information on the location of a critical area(s). This map provides approximate boundaries of potential critical areas and are not intended to determine regulatory boundaries. A site-specific analysis, which indicates that any critical area regulated by this chapter or Chapter 11.80 Ritzville City Code exists on a lot, will result in that portion of the lot being classified as a critical area or floodplain area.



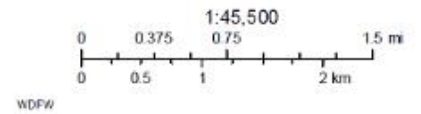
6. Source: Washington Department of Fish and Wildlife Test Map.

WDFW Test Map

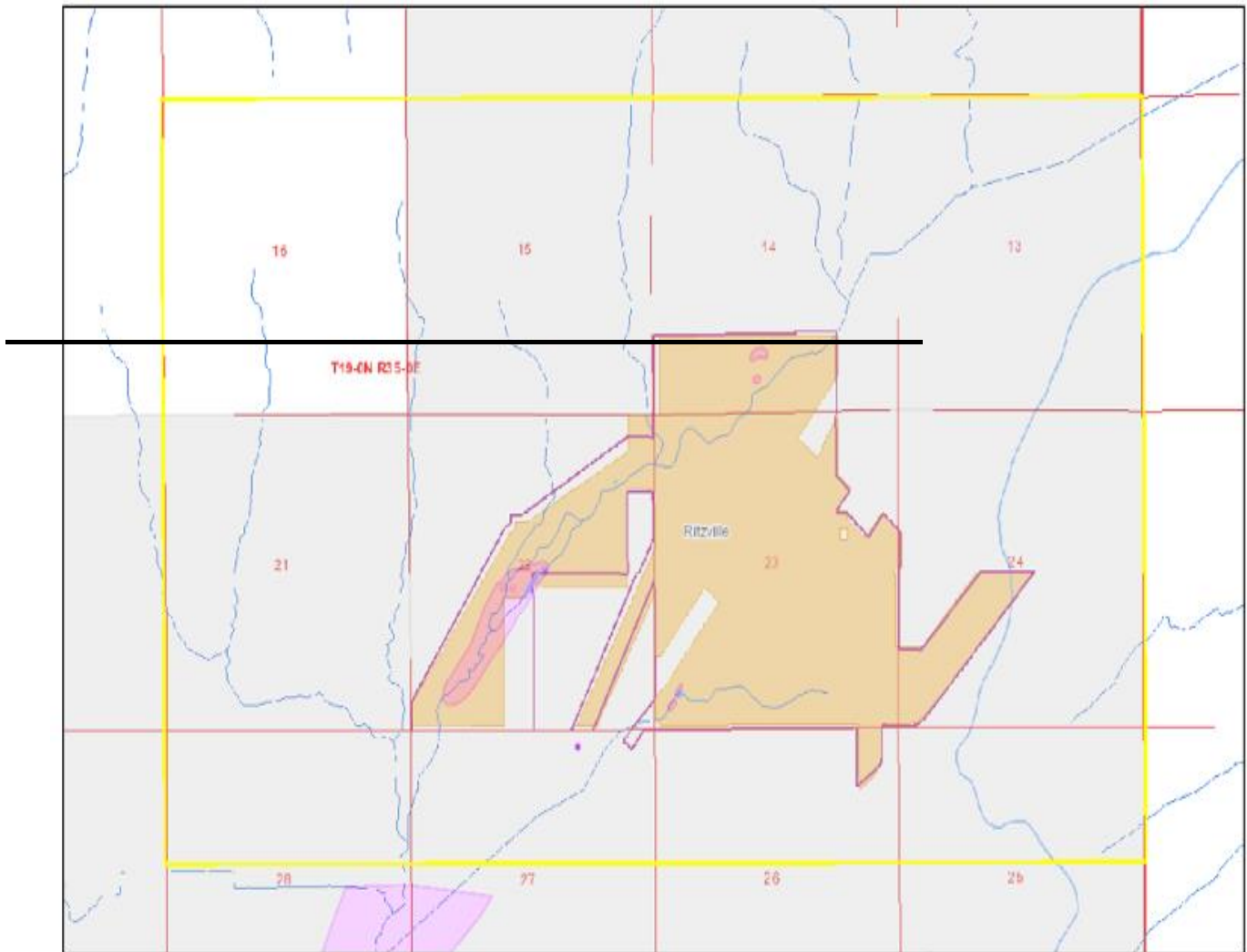


November 27, 2019

- |                      |           |          |
|----------------------|-----------|----------|
| PHS Report Clip Area | POLY      | QTR-TWP  |
| PT                   | AS MAPPED | TOWNSHIP |
| LN                   | SECTION   |          |

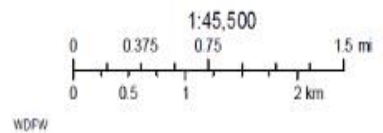


### WDFW Test Map



November 27, 2019

- PHS Report Clip Area **POLY**
- PT
- LN
- AS MAPPED
- SECTION
- QTR-TWP
- TOWNSHIP



(Ord. 2143 § 1 (Att. A), 2020).

<sup>1</sup>~~Code reviser's note: This section was amended per the city's request to remove the definitions of "major development" and "minor development" for consistency with the rest of Ord. 2143.~~

<sup>2</sup>~~Code reviser's note: This section was amended per the city's request to remove references to "major development" and "minor development" for consistency with the rest of Ord. 2143.~~

<sup>3</sup>~~Code reviser's note: This section was amended per the city's request to remove the definitions of "major development" and "minor development" for consistency with the rest of Ord. 2143.~~

<sup>4</sup>~~Code reviser's note: This section was amended per the city's request to remove the subsection referring to the credit/debit tool, as there is no section for credits and debits for compensatory mitigation.~~

~~<sup>5</sup>Code reviser's note: Ord. 2143 included this section as 11.75.096. It has been editorially renumbered to avoid duplication of numbering and to preserve numeric order.~~

~~<sup>6</sup>Code reviser's note: This section was amended per the city's request to remove the definitions of "major development" and "minor development" for consistency with the rest of Ord. 2143.~~

## Chapter 11.80 FLOOD MANAGEMENT OVERLAY (FM) ZONE

### Sections:

#### **11.80.010 — Purpose Title.**

~~11.80.020 — Location of overlay zone and establishment of boundaries.~~

~~11.80.030 — General standards.~~

~~11.80.040 — Other applicable regulations.~~

#### **11.80.050 — Application.**

##### **11.80.030 Purpose.**

##### **11.80.040 Authority.**

##### **11.80.050 Location of overlay zone and establishment of boundaries.**

##### **11.80.060 General standards.**

##### **11.80.070 Other applicable regulations.**

#### **11.80.020 Title.**

This chapter shall be called “Flood Management Overlay (FM) Zone.”

#### **11.80.020 Application.**

No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this title and other applicable regulations. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.02.165, 2001).

#### **11.80.0430 Purpose.**

The purpose of the *flood* management overlay (FM) zone is to promote the public health, safety, and general welfare and to minimize public and private losses due to *flood* conditions in specific areas designated by the Federal Emergency Management Agency and the Federal Insurance Administration. The requirements of this chapter *must* be met in addition to those of the underlying zone district and regulations established in Chapter ~~12.08~~ 12.08 RCC, *Flood Damage Prevention*. This district is intended to meet the requirements of the federal government in order to maintain the city’s eligibility for resident participation in the *flood* insurance program. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.02.161, 2001).

#### **11.80.020 — 040 Authority.**

This chapter is adopted pursuant to the authority granted to the City of Ritzville by the Washington State Constitution as a second-class city, the provisions of RCW 35.23 et seq., RCW 35.63 et seq., the Planning Act set forth in RCW chapters 36.70 and 36.70A, RCW chapters 36.70B, 36.70C, 58.17 et seq., 35.21, 36.01, and other applicable laws, as these provisions now exist or as hereinafter amended.

#### **11.80.050 Location of overlay zone and establishment of boundaries.**

The areas of special *flood* hazard are shown as an overlay district on the city’s official zoning map and are identified more specifically on the *flood* insurance rate maps and *flood* boundary-*floodway* maps. The *flood* hazard area includes land within the 100-year floodplain and the *floodway*. The *floodway* area includes the channel or other watercourse and adjacent land areas that *must* be reserved in order to discharge the base *flood* without cumulatively

increasing the water surface elevation more than one foot. For areas of special *flood* hazard studied in detail, the *floodway* boundary is delineated upon the *flood* insurance study maps.

The areas of special *flood* hazard identified by the Federal Insurance Administration in a scientific and engineering report entitled "The *Flood* Insurance Study for the City of Ritzville" dated August 4, 1988, and any revisions thereto, with an accompanying *flood* insurance rate map (FIRM), and any revisions thereto, are hereby adopted by reference and declared to be a part of this title. The *flood* insurance study and the FIRM are on file at City Hall. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.02.162, 2001).

**11.80.03~~60~~ General standards.**

All *property* located within the *flood* management overlay *zone* is subject to all of the *use* restrictions and *development* standards of the underlying *zone* as minimum standards unless otherwise specifically provided by this chapter or by an approved planned unit *development*. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.02.163, 2001).

**11.80.04~~70~~ Other applicable regulations.**

In addition to the requirements contained in this chapter, the requirements contained in Division III, Supplementary Standards, and the overlay requirements found in Chapters 11.70 RCC through RCC 11.80 RCC. shall also apply to *development* in the *flood* management overlay *zone*. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.02.164, 2001).

**~~11.80.050~~ Application.**

~~No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this title and other applicable regulations. (Ord.~~

~~2011 § 1 (Exh. A), 2010; Ord. 1024 § 11.02.165, 2001).~~

# Division III. ~~Supplementary~~ Development Standards

## Chapter 11.85 ACCESS, ALLEYS, OFF-STREET PARKING AND LOADING

Sections:

~~11.85.010~~ — ~~Purpose~~ Title.

~~11.85.020~~ — ~~General provisions.~~ Application.

~~11.85.030~~ — ~~Vision clearance at intersections~~ Purpose.

~~11.85.040~~ — ~~Parking spaces required~~ Authority.

~~11.85.050~~ — Size and location of parking spaces.

~~11.85.060~~ — Development and maintenance of parking facilities.

~~11.85.070~~ — Loading space required.

11.85.050 General provisions.

11.85.060 Vision clearance at intersections.

11.85.070 Parking spaces required.

11.85.080 Size and location of parking spaces.

11.85.090 Development and maintenance of parking facilities.

11.85.100 Loading space required.

### **11.85.010** Title.

This chapter shall be called "Access, Alleys, Off-Street Parking and Loading."

### **11.85.020** Application.

This chapter shall apply to all parking uses on and off streets.

### **11.85.030** Purpose.

The provision of *alleys*, *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*. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.03.011, 2001).

### ~~11.85.020~~ — 040 Authority.

This chapter is adopted pursuant to the authority granted to the City of Ritzville by the Washington State Constitution as a second-class city, the provisions of RCW 35.23 et seq., RCW 35.63 et seq., the Planning Act set forth in RCW chapters 36.70 and 36.70A, RCW chapters 36.70B, 36.70C, 58.17 et seq., 35.21, 36.01, and other applicable laws, as these provisions now exist or as hereinafter amended.

### **11.85.050** 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 ~~a~~ Administrator, and such determination shall be based upon the requirements



for the most comparable *use* defined in this chapter. *Alleys shall* be designed to prevent cross *lot* drainage of storm water. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.03.012, 2001).

### **11.85.0360 Vision clearance at intersections.**

No *fence*, wall, *structure*, bush or foliage *shall* be erected or placed or be allowed to grow or be maintained at a height of over three feet above the established top of any curb *gGrade* on any public or privately owned land, in any residentially zoned area, within an area having a direct base line as follows:

A. *Street* Intersections. Intersecting two *street* lines at points 25 feet from the intersection of such *street* lines or such *street* lines produced;

B. *Alley* Entrances. Intersecting the *street* and *alley* line at points 20 feet from the intersection of such *street* and *alley* lines or such *street* and *alley* lines produced. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.03.013, 2001).

### **11.85.0470 Parking spaces required.**

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

A. 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 unless such building or property is within the Mixed Use (MU) zone. Required parking requirements in the MU zone must be provided in accordance with RCC 11.36.080.

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

1. All parking spaces *shall* be provided with adequate ingress and egress.
2. Each off-*street* parking space *shall* be a minimum of 20 feet in length and nine feet in width for a standard space and 18 feet in length and eight feet in width for a compact space.
3. Except for one-dwelling and two-*dwelling units*, groups of more than two parking spaces *shall* be located and served by a driveway that will require no backing movements or other maneuvering within a *street* or *right-of-way* other than an *alley*.
4. Required parking *shall* not be located in a required front or required side *yard* along flanking *street* on corner *lots*.

C. 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 middle housing units, multiple-family dwellings, affordable housing units, manufactured housing communities, or boardinghouses: within 200 feet of the *building* it serves.
3. For hHospital, 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.

D. Trailers, boats, *campers*, mobile homes, travel trailers and similar vehicles *shall* not be parked within 10 feet of the pavement edge.

E. A maximum of 30 percent of the required spaces may be compact in size. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.03.014, 2001).

**11.85.0580 Size and location of parking spaces.**

Land Use	Parking Requirement
<u>Residential units within the Historic Preservation Overlay Zone (HP)</u>	<u>No space requirement. Changing or altering off-street parking within the Historic Preservation Overlay Zone must be reviewed and approved by the Ritzville Historic Preservation Commission (RHPC).</u>
<u>Middle Housing Types (not including Duplexes)</u>	<u>One space per dwelling unit</u>
<u>Affordable housing Types</u>	<u>One space per dwelling unit.</u>
<del>Residential</del> <u>Single-family residences</u>	Two spaces per <i>dwelling unit</i> .
<u>Duplexes</u>	<u>Two spaces per dwelling unit.</u>
Senior housing <i>developments</i>	One space per unit.
Manufactured housing community	<del>Two</del> <u>One space</u> for each manufactured housing unit.
Auto court, <i>motel</i> , tourist home or <i>boardinghouse</i>	One space per sleeping unit, guestroom, or suite plus one for each full-time employee.
Hotel	One space per room plus one additional space per full-time employee. In addition, one space per 20 units.
<i>Hospital</i> , nursing home or institution	One space for each four beds plus one for each full-time employee, to be calculated using the maximum day shift count.
Elementary and junior high schools	Two spaces per classroom.
High schools	Six spaces per classroom.
Library, art gallery, museum	One space per 250 square feet.
Theater	One space for each four seats, except one space for each six seats in excess of 800 seats plus one for each full-time employee.
<i>Church</i> , auditorium, or similar place of assembly	One space for each four seats; each 20 inches of bench seating <i>shall</i> count as one space.
Medical or dental <i>clinic</i>	One space for each 250 square feet plus one for each full-time employee, to be calculated using the maximum day shift count.
Bank, <i>business</i> or professional office with on-site customer service	One space for each 300 square feet plus one for each full-time employee.
Warehouse, storage, or wholesale <i>business</i>	One space for each 1,000 square feet

Land Use	Parking Requirement
Food and beverage place with sales and consumption on premises	One space for each four seats plus one for each two employees.
Grocery store	One space for each 100 square feet plus one for each two employees.
Furniture, appliance, hardware, clothing, shoe or personal service store	One space for each 500 square feet of gross floor area plus one for each full-time employee.
Motor vehicles, machinery, plumbing, heating, ventilating, <i>building</i> supply stores or services	One 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 space for each two employees based on the maximum employment in any one shift with a minimum of two spaces.
Recreational vehicle parks	One space for each <i>recreational vehicle</i> space plus one guest space for each three <i>recreational vehicle</i> spaces.

(Ord. 2041 § 1 (Exh. A), 2010; Ord. 1029 § 6, 2001; Ord. 1024 § 11.03.015, 2001).

**11.85.0690 Development and maintenance of parking facilities.**

- A. ~~A.~~ Where parking required by this chapter equals five or more spaces, the spaces *shall* be developed and maintained in the *following* manner:
1. ~~4.~~ Off-street parking areas *shall* be paved or surfaced with *screened* gravel, crushed rock or better, and *shall* be ~~g~~*G*raded and drained to dispose of all surface water. In no case *shall* such drainage be allowed across a public sidewalk.
  2. ~~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 feet in height. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.03.016, 2001).

**11.85.1070 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 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 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.
- E. Each berth or berths *shall* be surfaced and maintained so as to eliminate dust and mud. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.03.017, 2001).

## Chapter 11.90 LANDSCAPING, SCREENING, AND PROPERTY MAINTENANCE

Sections:

~~11.90.010 Purpose.~~

11.90.010 Title.

~~11.90.020 Landscape screening~~Application.

~~11.90.030 Landscape materials and design requirements~~Purpose.

~~11.90.040 Maintenance~~Authority.

11.90.050 Landscape screening.

11.90.060 Landscape materials and design requirements.

11.90.070 Maintenance.

### **11.90.010 Title**

This chapter shall be called "Landscaping, Screening, and Property Maintenance."

### **11.90.020 Application.**

This chapter shall apply to all landscaping, screening, and property maintenance in the city.

### **11.90.030 Purpose.**

The purpose of this chapter is to establish landscape, *screening*, and *property* maintenance standards to enhance the aesthetic appearance of commercial and industrial *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. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.03.021, 2001).

### ~~11.90.020~~ **040 Authority.**

This chapter is adopted pursuant to the authority granted to the City of Ritzville by the Washington State Constitution as a second-class city, the provisions of RCW 35.23 et seq., RCW 35.63 et seq., the Planning Act set forth in RCW chapters 36.70 and 36.70A, RCW chapters 36.70B, 36.70C, 58.17 et seq., 35.21, 36.01, and other applicable laws, as these provisions now exist or as hereinafter amended.

### **11.90.050 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 windbreak *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 feet in height. Additional screening may be required between dissimilar land uses, at the discretion of the *planning commission*.

3. If a parking *lot* is located adjacent to a *street*, a perimeter screening minimum of 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 feet in height at the time of planting and *shall* grow to a minimum of eight feet within five years.

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

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 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-inch caliper.

4. Trees *shall* be planted a minimum three feet from curbs and sidewalks.

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

6. Avoid obstructing views of crosswalks, intersections, and *streetlights*. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.03.022, 2001).

#### **11.90.0360 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. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.03.023, 2001).

#### **11.90.0470 Maintenance.**

A. Provisions *shall* be made for the continuing maintenance, including irrigation as necessary, of required landscape areas.

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

C. 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.

D. 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.

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

F. All yards *shall* be maintained free of noxious weeds consistent with the regulations of the Adams County weed board. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.03.024, 2001).

G. All alleys shall be maintained by the abutting property owner. The owner of the abutting property is responsible for the area between the abutting property extending to the centerline of the alley. If the alley area is not shared with an adjacent property, the property owner is responsible for the full width of the alley. Alleys shall be:

1. Kept free of litter, debris, intrusive vegetation, weeds, and obstructions.

2. Maintained in a clean, neat, orderly fashion.

3. Maintained so that all objects, trees, plants, shrubs, and vegetation are continually trimmed and do not intrude into or overhang any portion of the alley to a height of 14 feet.

## Chapter 11.95 ACCESSORY STRUCTURES

Sections:

~~11.95.010 — Lot areas and setbacks~~ **Title.**

~~11.95.015 — Storage on residential use properties.~~

~~11.95.020 — Cargo containers — Permitted locations~~ **Application.**

~~11.95.025 — Permit required — Development standards.~~

~~11.95.027 — Cargo containers — Temporary use.~~

~~11.95.030 — Pods — Temporary use~~ **Purpose.**

~~11.95.040 — Conditional use permit — Review process.~~ **Authority**

~~11.95.050 — Current violations — Time to comply.~~ **Accessory dwelling units (ADU) exemptions.**

~~11.95.052 — Conflicts.~~

~~11.95.060 — Violation — Penalty.~~

~~11.95.010 — 11.95.060 Lot areas and setbacks.~~

~~11.95.070 Storage on residential use properties.~~

~~11.95.080 Cargo containers — Permitted locations.~~

~~11.95.090 Permit required — Development standards.~~

~~11.95.100 Cargo containers — Temporary use.~~

~~11.95.110 Storage Pods — Temporary use.~~

~~11.95.120 Temporary use permit — Review process.~~

~~11.95.130 Current violations — Time to comply.~~

~~11.95.140 Conflicts.~~

~~11.95.150 Violation — Penalty.~~

### **11.95.010 Title**

This chapter shall be called “Accessory Structures.”

### **11.95.020 Application.**

This chapter shall apply to all accessory structures in the city.

### **11.95.030 Purpose.**

The purpose of this chapter is to establish standards for the siting, installation, and usage of accessory structures throughout the city and ensure compatibility with surrounding uses.

#### **11.95.040 Authority.**

This chapter is adopted pursuant to the authority granted to the City of Ritzville by the Washington State Constitution as a second-class city, the provisions of RCW 35.23 et seq., RCW 35.63 et seq., the Planning Act set forth in RCW chapters 36.70 and 36.70A, RCW chapters 36.70B, 36.70C, 58.17 et seq., 35.21, 36.01, and other applicable laws, as these provisions now exist or as hereinafter amended.

#### **11.95.050 Accessory dwelling unit (ADU) Exemptions**

A. ADUs in all zones are not subject to water capital facility charges if there are no changes to the water service or water meter.

B. ADUs in all zones are not subject to sewer capital facility charges.

C. ADUs in all zones are not subject to the surface water capital facility charge if the primary residence is already connected to the public storm system.

D. If impact fees are established and adopted by the City, ADUs shall not be subject to impact fee charges.

#### **11.95.060 Lot areas and setbacks.**

A. Accessory structures, whether attached or detached, shall occupy no more than twenty four percent (24 percent or 24%) of the lot area with the exception of accessory. Accessory structures exceeding 150200 square feet or 11 feet tall in height shall need require a building permit.

B. An accessory structure shall comply with the front and side yard setbacks required in the district in which the structure is located. If minimum setbacks are not required in the underlying district or zone, an accessory structure shall be at least five feet from any lot line.

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

D. Accessory structures lot coverage must comply with maximum lot coverage limits. (Ord. 2149 § 1, 2021; Ord. 2116 § 2, 2018; Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.03.030, 2001).

#### **11.95.015 ——— 070 Storage on residential use properties.**

A. Accessory storage buildings such as garages, sheds, and greenhouses shall be permitted as accessory storage containers on property in any residential or mixed use zone of the city, or on property the primary use of which is residential. Cargo containers, storage pods, railroad cars, truck vans, converted mobile homes, travel trailers, recreational vehicles, bus bodies, vehicles, and similar prefabricated items and structures originally built for purposes other than the storage of goods and materials are not permitted to be used as accessory storage buildings on property zoned residential or mixed use, or on property the primary use of which is residential.

1. In the case of a mixed use property in which the primary use is not residential, items and structures originally built for purposes other than the storage of goods and materials are permitted to be used as accessory storage buildings.

B. Notwithstanding the provisions set forth in RCC ~~11.95.030~~, 11.95.110, Storage Pods – Temporary use, the temporary placement of storage pods on residentially zoned properties, or on properties the primary use of which is residential, for the limited purpose of loading and unloading household contents shall be permitted for a period of time not exceeding 60 days in any one calendar year, provided the placement is preceded by the application, review, and approval of a temporary use permit.

C. Notwithstanding the provisions set forth in RCC ~~11.95.027~~, 11.95.100, Cargo containers – Temporary use, and 11.95.040 ~~145.050~~, Conditional use permit – Review process, licensed and bonded contractors may use cargo

containers for the temporary location of equipment and/or materials during construction, which is taking place on the property where the cargo container is located, if the use of the cargo container is authorized pursuant to a city building permit for a maximum period of 180 days.

D. ~~Conditional~~ Temporary use and building permitted cargo containers and storage pods are to remain primitive and not be connected to utility services, not limited to water, sewer, gas, and electric. (Ord. 2149 § 1, 2021).

#### **11.95.02~~80~~ Cargo containers – Permitted locations.**

A. The placement of a cargo container as an accessory storage use is limited to the following zoning districts:

1. ~~4-~~Central business (C-1).
2. ~~2-~~General commercial (C-2).
3. ~~3-~~Tourist commercial (C-3).
4. ~~4-~~Industrial (I).
5. ~~B-~~Mixed Use (MU), if criteria in subsection (B) below is met.

B. The placement of cargo containers is further limited to properties in the above-identified zones only if the property upon which the cargo container is proposed to be located is not primarily used for residential purposes. (Ord. 2149 § 1, 2021; Ord. 2116 § 2, 2018).

#### **11.95.025 ~~090~~ Permit required – Development standards.**

A. A building permit is required prior to placement of a cargo container larger than 150 square feet in area, ensuring effective anchoring/foundation according to the ~~then~~-most current edition of the International Building Code at the time of permit approval. The application shall show the proposed cargo container is accessory to the permitted use of the property and meets the placement criteria for the zone.

B. Cargo containers shall meet the setback requirements of the underlying zone and shall be placed five feet apart. If minimum setbacks are not required in the underlying zone, a cargo container shall be at least five feet from any lot line.

C. Cargo containers shall not be stacked above the height of a single container device.

D. Cargo containers shall not be used for any advertising purpose and shall be kept clean of all alphanumeric signage and writing.

E. As a condition of placement, cargo containers may be required to be fenced or screened from abutting properties and/or rights-of-way pursuant to the provisions of the underlying zoning regulations.

F. Cargo containers shall be in an approved designated area ~~and~~ on the same property as the ~~principal~~ primary use, and shall be included in the calculation of overall lot coverage.

G. Cargo containers shall not occupy required off-street parking, loading, or landscaping areas. In the event of an emergency, cargo containers shall be allowed to temporarily occupy these areas to protect the health, safety, and welfare of persons and property, and provide emergency assistance.

H. Materials stored within cargo containers are subject to review and approval by the fire chief.

I. Cargo containers are to remain primitive and not be connected to utility services, not limited to water, sewer, gas, and electric. (Ord. 2149 § 1, 2021).

#### **11.95.100 Cargo containers – Temporary use.**

A. Cargo containers may be used for temporary storage of equipment and/or materials at a construction site that is authorized by a city temporary use permit for a maximum period of 180 consecutive days.



1. The cargo containers shall not be stacked.

2. Material storage within cargo containers is subject to review and approval by the fire chief.

~~3. Cargo containers are to remain primitive and not be connected to utility services, not limited to water, sewer, gas, and electric. (Ord. 2149 § 1, 2021).~~

~~11.95.027~~ **Cargo containers – Temporary use:**

~~A. Cargo containers may be used for temporary storage of equipment and/or materials at a construction site that is authorized by a city conditional use permit for a maximum period of 180 consecutive days.~~

~~1. The cargo containers shall not be stacked.~~

~~2. Material storage within cargo containers is subject to review and approval by the fire chief.~~

~~3. Cargo containers are to remain primitive and not be connected to utility services, not limited to water, sewer, gas, and electric. (Ord. 2149 § 1, 2021).~~

B. Cargo containers shall not occupy required off-street parking, loading, or landscaping areas. In the event of an emergency, cargo containers shall be allowed to temporarily occupy these areas to protect the health, safety, and welfare of persons and property, and provide emergency assistance.

~~11.95.030~~ **110 Storage Pods – Temporary use.**

~~Pods A. Storage pods, up to 16 feet, will be authorized by a city conditional temporary use permit for a maximum period of 60 days. (Ord. 2149 § 1, 2021; Ord. 2116 § 2, 2018).~~

B. Storage pods shall not occupy required off-street parking, loading, or landscaping areas. In the event of an emergency, storage pods shall be allowed to temporarily occupy these areas to protect the health, safety, and welfare of persons and property, and provide emergency assistance.

~~11.95.040~~ **Conditional 120 Temporary use permit – Review process.**

A. Any person, firm, or corporation may submit an application for a ~~city conditional~~ City of Ritzville temporary use permit. A ~~conditional temporary~~ use permit application shall include the following and shall be submitted to the city clerk:

1. A site plan showing to standard scale the location and dimensions of the container and the setback requirements in the zone where they are placed.

2. A complete application with applicable fees in accordance with the fee schedule adopted by the city council.

B. A ~~conditional temporary~~ use permit shall be obtained from the ~~city~~ City of Ritzville clerk prior to the arrival of the cargo container or storage pod on the site.

C. A ~~conditional temporary~~ use permit will be issued for a maximum period of 180 consecutive days for cargo containers, and a maximum of 60 days for storage pods. (Ord. 2149 § 1, 2021; Ord. 2116 § 2, 2018).

~~11.95.050~~ **130 Current violations – Time to comply.**

All owners of property within the city shall have 120 days from the effective date of the ordinance codified in this chapter and other currently existing provisions of the Ritzville ~~Municipal~~ City Code or other ordinances of the city, the terms and provisions of this chapter shall take precedence and to the extent of any such conflict, the terms and

conditions of any existing provisions of the Ritzville ~~Municipal~~City Code or other ordinances of the city *shall* be and hereby are amended insofar as necessary to conform to the provisions of this chapter. (Ord. 2149 § 1, 2021).

**11.95.052** ——— **140 Conflicts.**

In the event any conflict exists between the provisions of this chapter and other currently existing provisions of the Ritzville ~~Municipal~~City Code or other ordinances of the city, the terms and provisions of this chapter *shall* take precedence and to the extent of any such conflict, the terms and conditions of any existing provisions of the Ritzville ~~Municipal~~City Code or other ordinances of the city *shall* be and hereby are amended insofar as necessary to conform to the provisions of this chapter. (Ord. 2149 § 1, 2021).

**11.95.060** ——— **150 Violation – Penalty.**

Any person, firm or corporation who violates, disobeys, omits, neglects, or refuses to comply with or who resists the enforcement of this chapter *shall* be subject to a civil fine of not more than \$500.00 for each violation. Each day that a violation is permitted to exist *shall* constitute a separate offense. (Ord. 2149 § 1, 2021; Ord. 2116 § 2, 2018. Formerly 11.95.050).

## Chapter 11.100 UTILITY INSTALLATIONS

Sections:

~~11.100.010 Purpose~~ **Title.**

~~11.100.020 Application.~~

~~11.100.030 Purpose.~~

~~11.100.040 Authority.~~

~~11.100.050 Standards.~~

### **11.100.010 Title.**

This chapter shall be called "Utility Installations."

### **11.100.020 Application.**

This chapter shall apply to all utility installations within the city.

### **11.100.030 Purpose.**

The purpose of this chapter is to provide standards for the installation and maintenance of needed utility facilities in order to provide a safe and efficient municipal service system while ensuring compatibility with surrounding uses. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.03.041, 2001).

### ~~11.100.020~~ **040 Authority.**

This chapter is adopted pursuant to the authority granted to the City of Ritzville by the Washington State Constitution as a second-class city, the provisions of RCW 35.23 et seq., RCW 35.63 et seq., the Planning Act set forth in RCW chapters 36.70 and 36.70A, RCW chapters 36.70B, 36.70C, 58.17 et seq., 35.21, 36.01, and other applicable laws, as these provisions now exist or as hereinafter amended.

### **11.100.050 Standards.**

- A. ~~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. ~~B.~~ Safety fencing, a minimum of six 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. ~~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. ~~D.~~ Lighting shall be directed away from adjacent properties, streets, and sidewalks to eliminate glare to surrounding properties, pedestrians, and drivers.
- E. ~~E.~~ No objectionable odor is permitted. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.03.042, 2001).

## Chapter 11.105 HOME OCCUPATIONS

Sections:

~~11.105.010 Purpose~~ **Title.**

~~11.105.020 Application.~~

~~11.105.030 Purpose.~~

~~11.105.040 Authority.~~

~~11.105.050 Standards.~~

### **11.105.010 Title.**

This chapter shall be called "Home Occupations."

### **11.105.020 Application**

This chapter shall apply to all home occupations and permits throughout the city.

### **11.105.030 Purpose.**

The provision for home occupations is to allow for gainful employment within the home while maintaining the residential character of the dwelling and surrounding neighborhood. (Ord. 2041 § 1 (Ex. A), 2010; Ord. 1024 § 11.03.051, 2001).

### ~~11.105.020~~ **040 Authority.**

This chapter is adopted pursuant to the authority granted to the City of Ritzville by the Washington State Constitution as a second-class city, the provisions of RCW 35.23 et seq., RCW 35.63 et seq., the Planning Act set forth in RCW chapters 36.70 and 36.70A, RCW chapters 36.70B, 36.70C, 58.17 et seq., 35.21, 36.01, and other applicable laws, as these provisions now exist or as hereinafter amended.

### **11.105.050 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 nonresidential 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.~~

7. ~~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. ~~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. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.03.052, 2001).

## Chapter 11.110 PROJECTIONS – EXCEPTIONS

Sections:

~~11.110.010~~ — ~~Established~~ Title.

11.110.020 Application.

11.110.030 Purpose.

11.110.040 Authority.

11.110.050 Standards.

~~11.110.010~~ — ~~Established~~ Title.

~~A.~~ This chapter shall be called “Projections – Exceptions.”

### 11.110.020 Application.

This chapter shall apply to all projections within the city.

### 11.110.030 Purpose.

This chapter is intended to uniformly regulate all projections within the city.

### 11.110.040 Authority.

This chapter is adopted pursuant to the authority granted to the City of Ritzville by the Washington State Constitution as a second-class city, the provisions of RCW 35.23 et seq., RCW 35.63 et seq., the Planning Act set forth in RCW chapters 36.70 and 36.70A, RCW chapters 36.70B, 36.70C, 58.17 et seq., 35.21, 36.01, and other applicable laws, as these provisions now exist or as hereinafter amended.

### 11.110.050 Standards.

- A. Eaves, cornices, awnings and permitted signs may project not more than two feet into a required yard.
- B. ~~B.~~Steps, terraces, platforms and porches having no roof coverings; provided, that they do not exceed 18 inches in height above the finished grade, may occupy the front or side yard with a five-foot setback.
- C. ~~C.~~Smokestacks, chimneys, and flagpoles may exceed the height limit for the district in which they are located. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.03.060, 2001).

## Chapter 11.115 FENCES

Sections:

**Article I. Generally**

**11.115.010 Title.**

**11.115.020 Application.**

**11.115.030 Purpose.**

**11.115.040 Authority.**

**11.115.050 Front yards.**

**11.115.020—060 Side or rear yards.**

**11.115.030—070 Clear view triangle.**

**11.115.040—080 Industrial use zones.**

**11.115.050—090 Prohibited fences.**

**Article II. Permits**

**11.115.060—Purpose.**

**11.115.070—100 Permits and fees.**

**11.115.080—110 General penalty.**

*Article I. Generally*

**11.115.010 Title.**

This chapter shall be called "Fences."

**11.115.020 Application.**

This chapter shall apply to all fences within the city and the necessary permits.

**11.115.030 Purpose.**

The purpose of this article is to establish regulations for installing, constructing, erecting, of fences within the city. (Ord. 2095 § 1, 2016).

**11.115.040 Authority.**

This chapter is adopted pursuant to the authority granted to the City of Ritzville by the Washington State Constitution as a second-class city, the provisions of RCW 35.23 et seq., RCW 35.63 et seq., the Planning Act set forth in RCW chapters 36.70 and 36.70A, RCW chapters 36.70B, 36.70C, 58.17 et seq., 35.21, 36.01, and other applicable laws, as these provisions now exist or as hereinafter amended.

**11.115.050 Front yards.**

No sight-obscuring fence over four feet in height above the finished ground level may be erected within the required front yard of any lot, subject to the provisions relating to the clear view triangle as codified in RCC-~~11.85.030—11.85.030~~ and ~~11.115.030—11.115.030~~. (Ord. 2079 § 1, 2014; Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.03.070(A), 2001).

**11.115.020~~60~~ Side or rear yards.**

No fence shall exceed a height of six feet in the side or rear yards. A side yard fence may extend to the front yard setback line. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.03.070(B), 2001).

**11.115.030~~70~~ Clear view triangle.**

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 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. Branches on trees within the triangle shall be removed at the trunk up to a minimum level of seven feet above finished ground level. Shrubs shall be maintained no higher than three feet above finished ground level within the triangle. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.03.070(C), 2001).

#### **11.115.0480 Industrial use zones.**

Within one 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 feet in height and shall be of decorative material. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.03.070(D), 2001).

#### **11.115.0590 Prohibited fences.**

No electrical or barbed wire fences are permitted. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.03.070(E), 2001).

## *Article II. Permits*

#### **~~11.115.060~~ Purpose.**

~~The purpose of this article is to establish regulations for installing, constructing, erecting, or fences within the city limits of Ritzville 100. (Ord. 2095 § 1, 2016).~~

#### **~~11.115.070~~ Permits and fees.**

~~A.~~ Prior to installing, constructing, or erecting a fence, all fences shall have a permit issued by the ~~e~~City of Ritzville clerk's office or designated responsible official.

~~B.~~ Application for Permit. Application for permit shall be submitted ~~in duplicate~~ and shall contain the following information:

1. ~~1.~~ Name, address and telephone number of applicant.
2. ~~2.~~ Location of building, structure or land where fence will be erected.
3. ~~3.~~ A detailed drawing or blueprint of the property showing to scale: a description of the construction details of the fence including material type, fence height, any photos or illustrations; a location plan of the fence and its position in relation to nearby buildings or structures and to any lot lines, private streets, rights-of-way and/or highways; and applicable setbacks shown.
4. ~~4.~~ In the event the applicant is not the legal owner of the structure or property on which the fence is to be erected, written consent of the owner shall be provided in the application for permit.

~~C.~~ Fees. The fee for each fence permit application under this fence code shall be ~~\$30.00. Five dollars established in the City of Ritzville's adopted fee schedule. Twenty percent~~ of the fence permit application shall be placed in the

~~city's~~ City of Ritzville's cumulative reserve fund (No. 112) with the remaining funds to be placed in the general fund (No. 001). The fees will double if installation, construction or erection occurs prior to obtaining application approval.

~~D.~~ Issuance of Permit. It shall be the duty of the ~~responsible official~~ Administrator upon filing of an application for a permit to erect a fence, to examine plans, specifications and other data submitted with the application and, if necessary, the building or premises where proposed fence shall be erected. If the application meets the requirements of this fence regulation and is in compliance with all other applicable city regulations, the responsible official shall issue a permit within 15 business days. The permit is valid for six months from date of issuance. The permit may be reissued within 30 days of expiration for an additional fee ~~of \$5.00.~~ as established in the City of Ritzville's adopted fee schedule. A permit may not be reissued more than one time without reapplication and payment of full permit fees.

~~E.~~ Permit Exceptions. The following actions shall not require a fence permit:

1. ~~1.~~ Temporary construction fencing.
2. ~~2.~~ Temporary fencing for emergency repairs or for public safety purposes.

~~F.~~ All fences shall comply with the city development regulations and the International Building Code.

~~G.~~ Inspections. Fences may be inspected periodically for compliance with the city development regulations.

~~H.~~ Maintenance. All fences and accompanying components shall be kept in good repair and in safe, neat, clean and attractive condition. (Ord. 2095 § 2, 2016).

~~11.115.080~~ — **110 General penalty.**

Any violation of the provisions of this article shall be deemed a civil infraction punishable by a fine of up to \$500.00. Each day of violation shall be considered a separate offense. All fences constructed without a permit shall be removed immediately at the property owner's expense. (Ord. 2095 § 3, 2016).



## Chapter 11.118 TREE STANDARDS

Sections:

- 11.118.010 — ~~Purpose~~ Title.
- 11.118.020 — ~~Applicability~~ Application.
- 11.118.030 — ~~Definitions~~ Purpose.
- 11.118.040 Authority.
- 11.118.050 Definitions
- 11.118.060 Licensing and permits.
- 11.118.050 — 070 Insurance.
- 11.118.060 — 080 Planting, maintenance and removal.
- 11.118.070 — 090 Interference.
- 11.118.080 — 100 Appeal.
- 11.118.090 — 110 Enforcement.

### 11.118.010 — ~~Purpose~~ Title.

~~The purpose of this chapter is to establish regulations for planting, care and maintenance of trees within the city limits of Ritzville, and promote good health and stewardship on both public and private property. This chapter shall be called "Tree Standards."~~

~~(Ord. 2085 § 1, 2015).~~

### 11.118.020 ~~Applicability~~ ion.

~~This chapter provides full power and authority over all trees, plants and shrubs located within *street* rights-of-way, parks and public places of the *city*. Private trees within the *city* are only regulated to the extent that they constitute a hazard or threat or with respect to topping trees or as described herein. (Ord. 2085 § 2, 2015).~~

### 11.118.030 — ~~Definitions~~ Purpose.

~~Whenever used in this chapter, the following terms shall be defined as herein indicated:~~

~~"City" means the city of Ritzville, mayor or his/her designee.~~

~~"Emergency maintenance" means relief of an imminent and severe threat to public safety or property, including power lines, caused by the condition of a public tree or private tree.~~

~~"Hazardous tree" means a tree that poses a severe threat to public safety or property, but the threat is not imminent enough to constitute an emergency.~~

~~"Large tree" means any mature tree which would exceed a height of 49 feet and spread of 34 feet.~~

~~"Major pruning" means cutting back of limbs larger than one and one-half inches in diameter on *street* trees.~~

~~"Mature tree" means trees that have reached at least 75 percent of their final height and spread.~~

~~"Medium tree" means any mature tree which would reach a maximum height of 25 to 49 feet with a maximum spread of 34 feet.~~

~~"Park trees" means trees, shrubs, bushes and all other woody vegetation in public parks having individual names, and all areas owned by the city, or to which the public has free access.~~

~~“Publicly owned property” means property within the city of Ritzville and owned by the city in a fee simple absolute; or implied or expressly dedicated to the public for present or future use for purposes of vehicular or pedestrian traffic, park and open spaces or public easements.~~

~~“Significant tree” means an existing deciduous or coniferous tree six inches or more in diameter measured four feet six inches above the adjacent grade, of any species suitable for inclusion as permanent landscaping in a project. This also includes unusual, historic heritage or rare trees.~~

~~“Small trees” means any mature tree which would reach a maximum height of 24 feet with a maximum spread of 24 feet.~~

~~“Street trees” means trees, shrubs, bushes, vines and all other woody vegetation on publicly owned property or on private land that is an obstruction within the public rights of way within the city.~~

~~“Stumps” means the lower portion of the tree up to a maximum height of four feet, which remains after the foliage, limbs, branches and the upper part of the trunk have been cut off.~~

~~“Tree board” means the named advisory board which reports to the city council and acts in an advisory capacity on the community forestry program.~~

~~“Tree owner” means the owner of the real property on which 51 percent or more of the trunk is located at ground level.~~

~~“Tree topping” shall be herein defined as the severe cutting back of limbs to stubs larger than three inches in diameter within the tree’s crown to such a degree so as to remove the normal canopy and disfigure the tree. (Ord. 2085 § 3, 2015).~~

The purpose of this chapter is to establish regulations for planting, care and maintenance of trees within the city, and promote good health and stewardship on both public and private property. (Ord. 2085 § 1, 2015).

~~11.118.040~~ — **Licensing and permits Authority.**

~~It shall be unlawful for any person or entity to engage in the business for profit of planting, trimming, pruning, removing, spraying or other activities relating to trees, shrubs, or vines within the city without written approval of the city of Ritzville. A business registration is required according to the city code as well as signature on the “acknowledgment” in Exhibit B.~~

~~Any permit or license will be issued at the time of request; provided, that all license material has been submitted and deemed sufficient.~~

**Exhibit B**

I, \_\_\_\_\_, hereby acknowledge that I have completed and/or agreed to the following items:

I have completed the City of Ritzville Business Registration and paid any fees, if applicable

I have provided a copy of Company Insurance as required in RCC. This chapter is adopted pursuant to the authority granted to the City of Ritzville by the Washington State Constitution as a second-class city, the provisions of RCW 35.23 et seq., RCW 35.63 et seq., the Planning Act set forth in RCW chapters 36.70 and 36.70A, RCW chapters 36.70B, 36.70C, 58.17 et seq., 35.21, 36.01, and other applicable laws, as these provisions now exist or as hereinafter amended.

11.118.050

I have received a copy of the City of Ritzville Ordinance 2085, City Tree Standards

I acknowledge that the City of Ritzville ~~prohibits Tree Topping on ALL public and private property~~

Signed this day \_\_\_\_\_

By: \_\_\_\_\_

\_\_\_\_\_

Company Name

~~(Ord. 2085 § 4, Exh. B, 2015).~~

~~11.118.050~~ — **Insurance.**

Before any business license is issued each applicant shall first file evidence of current liability insurance to include a minimum of \$1,000,000 bodily injury or death and \$1,000,000 property damage each occurrence. Documentation shall also show the ~~e~~City of Ritzville as not liable in any such occurrence or endeavor associated with the applicant. (Ord. 2085 § 5, 2015).

**11.118.060 Planting, maintenance and removal.**

It is the ~~city's~~City of Ritzville's goal to work with the landowners of our community to provide adequate and healthy trees by utilizing the provisions set forth below:

- A. ~~A.~~Species. The species list contained in Exhibit A constitutes the official street tree species for Ritzville, Washington. No species other than those included in this list may be planted as street trees without written permission of the tree board or city council.
- B. ~~B.~~Spacing. The spacing of street trees will be in accordance with the species size classes listed in Exhibit A. No trees may be planted closer together than the following: small trees, 30 feet; medium trees, 40 feet; and large trees, 50 feet; except in special plantings designed or approved by the tree board or city council.
- C. ~~C.~~Distance from Curb or Sidewalk. No street tree shall be planted closer than 25 feet from any street corner, measured from the point of the nearest intersecting curbs or curb lines and at least three feet from a sidewalk or curb. No street tree shall be planted closer than 10 feet of any fire hydrant. All provisions of Chapter-~~11.90~~ 11.90 RCC, Landscaping, Screening and Property Maintenance, shall apply.
- D. ~~D.~~Utilities. No street tree other than those species listed as small trees in Exhibit A may be planted under or within 10 lateral feet of any overhead utility wire, or over or within five lateral feet of any underground water line, sewer line, transmission line or other utility.
- E. ~~E.~~Public Tree Care. The ~~city~~City of Ritzville shall have the right to plant, prune, maintain and remove trees, plants and shrubs within the boundaries of all rights-of-way, like streets, alleys, avenues, lanes, boulevards, parks, open spaces and public grounds as may be necessary to ensure public safety or preserve or enhance the symmetry and beauty of such areas.

The following shall be the responsibility of the adjacent property owner regarding the care of street trees, unless other arrangements are made with the public works department:

1. ~~1.~~Major pruning.
2. ~~2.~~Caring for and mitigating root damage to streets, sidewalks, and underground public utilities.
3. ~~3.~~Treatment, when possible, of disease and invasive insect infestation.
4. ~~4.~~Tree removal when any conflict cannot be otherwise remedied.
5. ~~5.~~Emergency maintenance.
6. ~~6.~~Performing maintenance to meet the standards as outlined in this chapter.
7. ~~7.~~Routine maintenance, including minor pruning; watering; fertilizing; and leaf, pinecone, and fallen limb removal.

8. ~~8.~~ Notifying the ~~city~~ City of Ritzville when: major pruning is required; emergency maintenance is needed; conflicts exist between roots and sidewalks/streets; limbs interfere with wires or power lines; limbs pose a risk to public safety; and when there may be disease or insect problems.

The ~~city~~ City of Ritzville has the right, but not the obligation, to perform routine maintenance on street trees as described in this section. This does not dismiss the responsibilities of the adjacent property owner, nor does it impose any liability upon the ~~city~~ City of Ritzville.

In ~~nonemergency~~ non-emergency situations, the ~~city~~ City of Ritzville and its contractors reserve the right to schedule maintenance at their own discretion, but within a reasonable amount of time. Deciding factors include how imminent the need for maintenance is, as well as time and funding constraints.

The ~~city~~ City of Ritzville may remove or order to be removed any tree or part thereof which is in an unsafe condition or which by reason of its nature is injurious to persons, sewers, electric power lines, gas lines, water lines, or is affected by any injurious fungus, insect or trees based on risk at the owner's expense. This section does not prohibit the planting of street trees by adjacent property owners; providing, that the selection and location of said trees is in accordance with the provisions of this chapter.

- F. ~~F.~~ Tree Topping. It shall be unlawful as a normal practice for any person, firm, or city department to top any street tree, park tree or other tree on public or private property. Trees severely damaged by storms, or other causes, or certain trees under utility wires or other obstructions where other pruning practices are impractical, may be exempted from this chapter at the determination of the tree board or city council.
- G. ~~G.~~ Pruning, Corner Clearance. Every owner of any tree overhanging any street or right-of-way within the city shall prune the branches so that such branches shall not obstruct the light from any street light or obstruct the view or access of any street intersection, traffic control device, or fire hydrant. There shall be a clear space of 10 feet above the surface of the street or sidewalk. Trees must adhere to the clear view triangle requirements as outlined in this title.

Said owners shall remove all dead, diseased or hazardous trees, or broken or decayed limbs which constitute a menace to the safety of the public.

The ~~city~~ City of Ritzville reserves the right to prune any tree or shrub on private property when it interferes with the proper spread of light from a street light or interferes with visibility of any traffic device or sign and will be billed to the homeowner.

- H. ~~H.~~ Dead or Diseased Tree Removal on Private Property. The ~~city~~ City of Ritzville shall have the right to the removal of any dead or diseased trees on private property within the city when provided in writing by an ISA certified arborist when: such trees constitute a hazard to life and/or property; or harbor insects; or diseases which constitute a potential threat to other trees. Removal shall be done by said owners at their own expense within 60 days, or shorter depending on the hazard to the public and/or recommendation by arborist, after the date of service of notice. All portions of the affected tree shall be removed in order to prevent spreading the affliction to other trees. In the event of failure of owners to comply with such provisions, the ~~city~~ City of Ritzville shall have the authority to remove such trees and charge the cost of removal to the owner and lien the property if necessary.
- I. ~~I.~~ Removal of Stumps. The area for stump removal is that which causes the surface of the ground to be higher than the adjacent grade. All stumps of street and park trees shall be removed a minimum of four inches and a maximum of 12 inches below the existing grade so the top of the stump shall not project above the surface of the ground. The hole or depression resulting from the removal work shall be filled with topsoil and made level with the existing grade.

#### **Exhibit A Tree List**

The following is a list of recommended species for different locations. This is not a complete list. New varieties are discovered and made available at different times. Other trees may be substituted and used, if approved by the tree board.

#### RECOMMENDED STREET TREES

#### SMALL TREES:

Autumn Brilliance Serviceberry	Sugar Tyme Crab Apple	Globehead European Ash
Frauter's Vesuvius Flowering Plum	Newport Flowering Plum	American Hornbeam
Canada Red Chokecherry	Kwanzan Oriental Cherry	Paperback Maple
Cornelian Cherry Dogwood	Japanese Hornbeam	Persian Parrotia
Golden Desert Ash	Prairifire Crabapple	Lavalle Hawthorne
Golden Raindrops Crabapple	Japanese Lilac Tree	Kousa Dogwood

#### MEDIUM NARROW TREES:

Amanogawa Cherry	Capital Flowering Pear	Bowhall Red Maple
Chanticleer Flowering Pear	Cleveland Select Flowering Pear	Pyramid Hornbeam
Columnar Norway Maple	Columnar Sargent Cherry	Skyrocket English Oak
Karpick Maple		

#### MEDIUM TREES:

Aristocrat Flowering Pear	Autumn Blaze Flowering Pear	Hedge Maple
Worplesdon Sweetgum	American Hophornbeam	Ginkgo Tree
Autumn Flame Red Maple	Crimson King Norway Maple	European Hornbeam
Green Vase Japanese Zelkova	Katsura Tree	Sawtooth Oak
Ruby Horsechestnut	Whitebeam	Raywood Ash
Sour Gum	Coliseum Maple	Chinese Tulip Tree
American Yellowwood	Kobus Magnolia	

#### LARGE TREES:

Pin Oak

Red Oak

Tulip Tree

Bur Oak

Dawn Redwood

English Oak

Bloodgood London Plane Tree

#### RECOMMENDED PARK TREES:

Grand Fir

Linden

Douglas Fir

Western Red Cedar

Western Hemlock

Cascara

Vine Maple

Shore Pine

Paper Birch

Red Alder

White Alder

London Plane Tree

#### RECOMMENDED GOLF TREES:

Norway Maple\*

Red Maple\*

Legacy Sugar Maple\*

Princeton Sentry Ginkgo

Sweetgum

Tulip Tree

Dawn Redwood

Ponderosa Pine

White Oak

Bur Oak

Columnar English Oak

English Yew

Red Oak

Sterling Silver Linden

American Elm

Japanese Zelkova

White Fir

Canadian Hemlock

Noble Fir

Atlas Blue Cedar

Cedar of Lebanon

Leyland Cypress

Arizona Cypress

Blue Italian Cypress

European Beech

Tricolor Beech

Colorado Blue Spruce

Scots Pine

Eastern White Pine

Douglas Fir

\*Best in out-of-play areas because of summertime loss of leaves, seeds or limbs.

## PROHIBITED STREET TREES

Use of the following street trees within the street right-of-way is prohibited:

Box Elder	Hemlock
Silver Maple	Spruce
Willow	Pine
Fir	Poplar
Cedar	Cottonwood
Russian Olive	Locust

Any fruit-bearing tree except ornamentals

(Ord. 2085 § 6, Exh. A, 2015).

### 11.118.070 Interference.

It shall be unlawful for any person to prevent, delay or interfere with ~~e~~City of Ritzville officials, employees or any of its agents while engaging in and about the planting, cultivating, mulching, pruning, spraying or removing of any street tree, park tree or trees on private grounds as authorized by this chapter. (Ord. 2085 § 7, 2015).

### 11.118.080 Appeal.

Any property owner who is given notice to remove or perform maintenance on any private or adjacent street tree has the right to file an appeal of the decision to the city clerk within 20 days of the date that the notice is received. All mailed notices shall be deemed received by the property owner five days after the date it was mailed. All personally served notices shall be received on the date of personal service on the property owner.

- A. ~~A.~~Content of an Appeal. The written appeal shall state the name and address of the appellant and shall list grounds for the appeal, including any alleged error of fact or law in the notice.
- B. ~~B.~~Hearing Date. As soon as practical after receiving the written appeal, the ~~city~~ Administrator shall fix a date, time and place for the hearing of the appeal and provide written notice to the appellant. Such date shall be not less than 30 calendar days nor more than 90 calendar days from the date the appeal was filed with the city clerk.
- C. ~~C.~~Notice of Decision. The appeal shall be heard by the city council and a decision shall be made to approve, deny, or condition the appeal within 14 calendar days after the close of the public record. The ~~city~~ Administrator shall serve the appellant with a copy of the final order. (Ord. 2085 § 8, 2015).

### 11.118.090 Enforcement.

Any person, partnership, association, firm or corporation who violates or fails to comply with this chapter is guilty of a civil infraction and is subject to the civil penalties and remedies and corrective actions as set forth in Chapter-~~11.260~~ 11.260 RCC, Enforcement, which remedies are cumulative, not alternative remedies, and are in addition to any other remedy to which the ~~city~~ City of Ritzville may be entitled by law. Any violation of this chapter is declared to

be a public nuisance, subject to abatement or injunctive relief in accordance with the ~~city's~~ City of Ritzville's ordinances and the laws of the ~~s~~ State of Washington. (Ord. 2085 § 9, 2015).

## Chapter 11.120 SIGNS

Sections:

- ~~11.120.010~~ — **Purpose Title.**
- ~~11.120.020~~ **Application.**
- ~~11.120.030~~ **Purpose.**
- ~~11.120.040~~ **Authority.**
- ~~11.120.050~~ **General.**
- ~~11.120.030~~—**060 Signs in residential zones.**
- ~~11.120.040~~—**070 Signs in commercial zones.**
- ~~11.120.045~~—**080 Signs in tourist commercial zones.**
- ~~11.120.050~~—**090 Signs in industrial, public facilities and agricultural zones.**
- ~~11.120.060~~—**100 Design review for historic preservation.**
- ~~11.120.070~~—**110 Nonconforming uses and nonconforming signs.**
- ~~11.120.080~~—**120 Exemptions.**
- ~~11.120.090~~—**130 Prohibited signs.**
- ~~11.120.100~~—**140 Temporary signs.**

### **11.120.010 Title.**

This chapter shall be called “Signs.”

### **11.120.020 Application.**

This chapter shall apply to all signs within the city.

### **11.120.030 Purpose.**

The purpose of this chapter is to promote and protect the public health, welfare, and safety by regulating existing and proposed outdoor signs of all types. It is intended to protect property values, create a more attractive economic and business climate, enhance and protect the physical appearance of the community, help preserve the historic buildings and areas, preserve the scenic and natural beauty of designated areas, and provide a more enjoyable and pleasing community. It is further intended to reduce sign or advertising distractions and obstructions that may contribute to traffic accidents, reduce hazards that may be caused by signs overhanging or projecting over public rights-of-way, provide more open space, and curb the deterioration of natural beauty and community environment. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.03.081, 2001).

### **~~11.120.020~~—040 Authority**

This chapter is adopted pursuant to the authority granted to the City of Ritzville by the Washington State Constitution as a second-class city, the provisions of RCW 35.23 et seq., RCW 35.63 et seq., the Planning Act set forth in RCW chapters 36.70 and 36.70A, RCW chapters 36.70B, 36.70C, 58.17 et seq., 35.21, 36.01, and other applicable laws, as these provisions now exist or as hereinafter amended.

### **11.120.050 General.**



- A. ~~A.~~The following sign standards by zone district are intended to include every zone in the city. Only signs as described herein and as may be described under “temporary signs” and “exceptions” will be permitted in each particular zone.
- B. ~~B.~~If any zone is omitted from this title or if a new zone is created after the enactment of the ordinance codified in this chapter, no sign shall be permitted therein until this title shall be amended to include the zone.
- C. ~~C.~~Permits and Fees. All signs shall have a permit issued by the ~~e~~City of Ritzville public works director or designated responsible official.
- D. ~~D.~~Application for Permit. Application for permit shall be submitted ~~in duplicate~~ and shall contain the following information:
  1. ~~1.~~Name, address and telephone number of applicant.
  2. ~~2.~~Location of building, structure or land where sign will be erected.
  3. ~~3.~~A detailed drawing or blueprint showing a description of the construction details of the sign including sign wordage, any photos or illustrations, position of lighting or other extraneous devices, a location plan showing the position of the sign on any building or land and its position in relation to nearby buildings or structures and to any private street or highway.
  4. ~~4.~~In the event the applicant is not the legal owner of the structure or property on which the sign is to be erected, written consent of the owner shall be provided in the application for permit.
- E. ~~E.~~Fees. The fee for each sign permit issued under this sign code shall be ~~\$25.00 for signs less than 32 square feet and \$50.00 for signs exceeding 32 square feet.~~\$25.00 for signs less than 32 square feet and \$50.00 for signs exceeding 32 square feet. determined by the adopted City of Ritzville fee schedule.
- F. ~~F.~~Issuance of Permit. It shall be the duty of the ~~responsible official~~Administrator, upon filing of an application for a permit to erect a sign, to examine plans, specifications and other data submitted with the application and, if necessary, the building or premises where proposed sign shall be erected. If the application meets the requirements of this sign regulation and is in compliance with all other applicable city regulations, the ~~responsible official~~Administrator shall issue a permit within 15 business days. The permit is valid for six months from date of issuance. The permit may be reissued within 30 days of expiration for an additional fee of ~~\$5.00.~~as established in the City of Ritzville’s adopted fee schedule. A permit may not be reissued more than one time without reapplication and payment of full permit fees.
- G. ~~G.~~Permit Exceptions. The following actions shall not require a sign permit:
  1. ~~1.~~The changing of a message on an approved sign.
  2. ~~2.~~Any maintenance for approved sign including painting, repainting, cleaning and other normal maintenance and repair of sign or sign structure unless a structural repair is made.
  3. ~~3.~~Temporary signs and exempt signs are exempt from permit requirements.
- H. ~~H.~~All signs shall comply with the ~~city~~City of Ritzville development regulations, the Uniform Building Code and the Uniform Sign Code.
- I. ~~I.~~Inspections. Signs may be inspected periodically for compliance with the ~~city~~City of Ritzville development regulations.
- J. ~~J.~~Maintenance. All signs and accompanying components shall be kept in good repair and in safe, neat, clean and attractive condition. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1042 § 2, 2002; Ord. 1024 § 11.03.082, 2001).

**11.120.0360 Signs in residential zones.**

- A. ~~A.~~General. The term “residential” shall apply to all zones designated by this title as R-1, R-2 and R-3.
- B. ~~B.~~Size. One sign not exceeding two square feet in area shall be permitted per dwelling unit. For multiple dwellings, one or more additional signs totaling 12 square feet shall be permitted.
- C. ~~C.~~Location. Permitted signs may be anywhere on the parcel, except as noted below:
  1. ~~1.~~Signs may not be erected in areas restricted as noted elsewhere in this title.
  2. ~~2.~~Signs may not project beyond any property lines.
- D. ~~D.~~Ground Signs. Ground-mounted signs shall not exceed five feet in height.
- E. ~~E.~~Wall Signs. Signs mounted on the building shall be flush with the wall surface and shall not project above the eave or roofline.
- F. ~~F.~~Content. The sign per dwelling unit shall indicate only the name of the occupant and may include the address. The additional sign area permitted for multiple dwellings shall be only for the identification of the

building. In the case of an approved home occupation, the sign may bear the name of the business or service offered.

- G. ~~G~~-Illumination. Illumination, if used, shall be what is known as white and not colored light and shall not be blinking, fluctuating or moving. Light rays shall shine only upon the sign or upon the property on which the sign is located and shall not spill over the property lines in any direction except by indirect reflection. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.03.083, 2001).

#### **11.120.0470 Signs in commercial zones.**

Signs in the C-1 and C-2 zones shall comply with the following standards:

- A. ~~A~~-Wall Signs. The total area for all wall signs on each side of the building shall not exceed 75 square feet. In the case of projecting signs, sign area shall be calculated for one side of the sign. Signs flush against the building face may be located anywhere on the surface of the building. Signs projecting from the building face may project no more than six feet from the face of the building, have a maximum height of five feet and must have a minimum clearance of eight feet above a public sidewalk and 15 feet above public driveways or alleys.
- B. ~~B~~-Pole Signs. Pole or ground-mounted signs are permitted when the building does not cover the full width of the parcel upon which it is located. The total area for a pole sign shall not exceed 60 square feet. Such a sign may extend up to 100 feet above the ground level at the base of the sign, except as may be required by this title. Such signs may extend up to 50 feet above the roof when placed on a building. Pole signs more than 25 feet in height must be at least 500 feet from any residential zone.
- C. ~~C~~-Marquee Signs. Marquee signs may be on the vertical faces of marquees and may project below the lower edge of the marquee not more than 12 inches. The bottom of the marquee signs shall be no less than eight feet above the sidewalk or grade at any point.
- D. ~~D~~-Sidewalk Signs. Sidewalk signs no larger than four square feet per side, containing no moving parts and no lights, may be allowed during business hours. Sidewalk signs must be placed immediately in front of its place of business so as not to be a hazard to either pedestrians or vehicles.
- E. ~~E~~-Identity Signs. One ground-mounted identity sign is permitted not exceeding six feet in height with a maximum sign area of 75 square feet per side.
- F. ~~F~~-Miscellaneous Signs. All other signs on the property indicating services, products, prices, trade information, or other information shall not exceed, in total, 80 square feet in area. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 2010 § 1, 2007; Ord. 1024 § 11.03.084, 2001).

#### **11.120.045 — 080 Signs in tourist commercial zones.**

Signs in the C-3 zones shall comply with the following standards:

- A. ~~A~~-Maximum Signage. The maximum total number of signs for one lot is five unless on a corner where one additional sign is allowed. The collective maximum area of all signs may not exceed 800 square feet. The ratio of the sign surface to frontage of the building shall be based on the International Zoning Code per Figures 1008.1.2(2) and 1008.1.2(3) not including sign height. When multiple businesses are present on the same premises, the maximum size of all signs for each business shall not exceed one-half the allowable size for the type of sign.
- B. ~~B~~-Pole Signs. A freestanding sign (pole) is a sign principally supported by a structure affixed to the ground, and not supported by a building, including signs supported by one or more columns, poles, or braces placed in or upon the ground. Pole or ground-mounted signs are permitted when the building does not cover the full width of the parcel upon which it is located. The total area for a pole sign shall not exceed 60 square feet. The maximum number of pole signs is two. The maximum height of a pole sign shall not exceed 60 feet when measured from the threshold of the front door of the business. Such signs may extend up to 50 feet above the roof when placed on a building. The distance from the adjacent property line of a pole sign must be at least a minimum of 15 feet or 40 percent of the average of the two lot frontages. For purposes of calculating the sign area, only one side of a two-sided pole sign will count.
- C. ~~C~~-Wall Signs. The total area of all wall signs on each side of the building shall not exceed 100 square feet per side on single-story or two-story buildings. An additional 25 square feet may be added per side for each

additional story. In the case of projecting signs, sign area shall be calculated for one side of the sign. Signs flush against the building face may be located anywhere on the surface of the building. Signs projecting from the building face may project no more than six feet from the face of the building, have a maximum height of five feet and must have a minimum clearance of eight feet above a public sidewalk and 15 feet above public driveways or alleys.

- D. ~~D.~~ Marquee Signs. Marquee signs may be on the vertical faces of marquees and may project below the lower edge of the marquee not more than 12 inches. The bottom of the marquee signs shall be no less than eight feet above the sidewalk or grade at any point.
- E. ~~E.~~ Identity Signs. One ground-mounted identity sign is permitted not exceeding six feet in height with a maximum sign area not to exceed 75 square feet per side.
- F. ~~F.~~ Miscellaneous Signs. All other signs on the property indicating services, products, prices, trade information, or other information shall not exceed in total 80 square feet in area. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 2020 § 1, 2008).

#### **11.120.0590 Signs in industrial, public facilities and agricultural zones.**

Signs in all industrial, public facilities and agricultural zones shall comply with the following standards:

- A. ~~A.~~ Wall Signs. The area and location requirements shall be the same as in ~~RCC-11.120.040~~, 11.120.040, except that wall signs shall be no larger than 50 square feet in area.
- B. ~~B.~~ Identity Sign. One ground-mounted identity sign is permitted not exceeding six feet in height with a maximum sign area of 75 square feet per side. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.03.085, 2001).

#### **11.120.1060 Design review for historic preservation.**

All signs erected in the historic area or historic buildings shall undergo a design review process with the historic preservation committee as described for the review of building permits. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.03.086, 2001).

#### **11.120.070 — 110 Nonconforming uses and nonconforming signs.**

- A. ~~A.~~ Any building or land use not conforming to the provisions for the zone in which it is located shall, nevertheless, comply with all the provisions of this sign code for the conforming zone.
- B. ~~B.~~ Signs existing and not conforming to the provisions of this chapter, but which were constructed in compliance with previous regulations shall be regarded as nonconforming signs. Such signs may be maintained in their present condition unless hazardous but may not be altered, erected, or relocated unless in conformity with the sign code. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.03.087, 2001).

#### **11.120.080 — 120 Exemptions.**

The following types of signs are exempted from all the provisions of this chapter, except for construction and safety regulations and the following requirements:

- A. ~~A.~~ Public Signs. Signs of a noncommercial nature and in the public interest erected by or on the order of a public officer in the performance of his public duty, such as safety signs, danger signs, trespassing signs, traffic signs, memorial plaques, signs of historical interest, and the like;
- B. ~~B.~~ Institutional. Signs setting forth the name or any simple announcement for any public, charitable, educational, or religious institution located entirely within the premises of that institution up to an area of 24 square feet. Such signs may be illuminated in accordance with the regulations contained hereinafter. If building-mounted, these signs shall be flat wall signs and shall not project above the roofline. If ground-mounted, the top shall be no more than six feet above ground level;

- C. ~~C.~~ Integral. Names of buildings, dates of erection, monumental citations, commemorative tablets, and the like when carved into stone, concrete, or similar material or made of bronze, aluminum, or other permanent type construction and made an integral part of the structure;
- D. ~~D.~~ Private Traffic Direction. Signs directing traffic movement onto premises or within premises not exceeding three square feet in area for each sign. Illumination of these signs shall be permitted in accordance with the section hereinafter included on illumination. Horizontal directional signs on and flush with paved areas are exempt from these standards;
- E. ~~E.~~ Small Signs. Signs not exceeding two square feet in area attached flat against the building, stationary, and not illuminated announcing only the name and occupation of building tenant;
- F. ~~F.~~ Rental. Signs on the premises announcing rooms for rent, room and board, apartment or house for rent and not exceeding four square feet in area;
- G. ~~G.~~ Vehicles. Signs on vehicles of any kind, provided the sign is painted or attached directly to the body of the original vehicle and does not project or extend beyond the original manufactured body proper of the vehicle;
- H. ~~H.~~ Sale. Signs on premises announcing property for sale and not exceeding four square feet for residential signs and not exceeding 16 square feet for commercial signs. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1029 § 4, 2001; Ord. 1024 § 11.03.088, 2001).

**11.120.090** — **130 Prohibited signs.**

Prohibited signs are signs which:

- A. ~~A.~~ Contain statements, words, or pictures of an obscene, indecent, or immoral character such as will offend public morals or decency;
- B. ~~B.~~ Contain or are an imitation of an official traffic sign or signal or contain the words “stop,” “go slow,” “caution,” “danger,” “warning,” or similar words;
- C. ~~C.~~ Are of a size, location, movement, content, coloring, or manner of illumination which may be confused with or construed as a traffic control device or which hide from view any traffic or street sign or signal;
- D. ~~D.~~ Advertise an activity, business, product, or service no longer conducted on the premises upon which the sign is located;
- E. ~~E.~~ Move in any manner or have a moving part;
- F. ~~F.~~ Contain or consist of banners, posters, pennants, ribbons, streamers, strings of light bulbs, spinners, or other similarly moving devices, unless on private property;
- G. ~~G.~~ May swing or otherwise noticeably move as a result of wind pressure because of the manner of their suspension or attachment;
- H. ~~H.~~ Are erected in such a position as to completely blanket another sign already in place on either side. A sign is said to be blanketing when it hides other signs or a substantial portion thereof at a distance of 25 feet;
- I. ~~I.~~ Off-premises signs, including billboards, except directional signs and signs of public interest. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.03.089, 2001).

**11.120.140** — **Temporary signs.**

The following types of signs are considered temporary and are exempted from all the provisions of this chapter except as follows:

- A. ~~A.~~ Political. Signs related to political campaigns for public election may be erected on private property with the permission of the property owner; provided, that said political signs are removed following the end of the election.
- B. ~~B.~~ Street Banners. Banners related to city-approved activities or events; provided, that said banners are taken down within three days following the end of the event.
- C. ~~C.~~ Construction Signs. Signs directing traffic away from construction sites, detours and warning of construction site hazards. The ~~e~~City of Ritzville public works director or responsible official shall approve all signs related to city-approved construction. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1029 § 5, 2001; Ord. 1024 § 11.03.089a, 2001).



## Chapter 11.122 MURALS

Sections:

- ~~11.122.010~~ —~~Purpose~~Title.
- ~~11.122.020~~ —~~Applicability~~Application.
- ~~11.122.030~~ Purpose.
- ~~11.122.040~~ Authority.
- ~~11.122.050~~ Standards and guidelines.
- ~~11.122.060~~ General penalty.

### 11.122.010 Title.

This chapter shall be called “Murals.”

### 11.122.020 Application.

The standards for murals set forth in this chapter shall apply to all properties within the city. This chapter applies to landmarks register properties; districts in the Ritzville historic district and the National Register of Historic Places; and historic murals. (Ord. 2107 § 2, 2017).

### 11.122.030 Purpose.

In the city of ~~Ritzville~~, murals foster a sense of community and connection and enrich the experience of both tourists and residents. Acknowledging that murals provide economic benefits and enhance livability, the ~~city's~~City or Ritzville's mural policy seeks both to preserve historic murals already in existence and provide guidance for creation of new works of mural art.

On Ritzville historic districts, the policy seeks to allow the placement and scale of new murals in such a way that the character-defining features of historic properties are not obscured, covered, or otherwise adversely affected. The policy encourages artistic expression through murals in appropriate locations with little intrusion into artistic expression and content. (Ord. 2107 § 1, 2017).

### ~~11.122.020~~ — ~~Applicability~~040 Authority.

~~The standards for murals set forth in this chapter shall apply to all properties within the city of Ritzville. This chapter applies to landmarks register properties; districts in the Ritzville historic district and the National Register of Historic Places; and historic murals. (Ord. 2107 § 2, 2017).~~

This chapter is adopted pursuant to the authority granted to the City of Ritzville by the Washington State Constitution as a second-class city, the provisions of RCW 35.23 et seq., RCW 35.63 et seq., the Planning Act set forth in RCW chapters 36.70 and 36.70A, RCW chapters 36.70B, 36.70C, 58.17 et seq., 35.21, 36.01, and other applicable laws, as these provisions now exist or as hereinafter amended.

### ~~11.122.035~~ 50 Standards and guidelines.

Murals shall conform to the following requirements:

- A. ~~A-~~Permit Required. Prior to installation, all murals require submission of an application and issuance of a permit subject to the following provisions:
  - 1. ~~4-~~Submittal requirements of all the following materials must be submitted with application for a mural:

- a. ~~a.~~ Drawings (elevation, site plan), photographs of building;
  - b. ~~b.~~ Map of landmark structures and historic districts within 300 feet of the proposed mural;
  - c. ~~c.~~ Written description, including materials used and how the mural will be affixed;
  - d. ~~d.~~ Color image of mural and artist's examples of past work, if any;
  - e. ~~e.~~ Written authorization from property owner; and
  - f. ~~f.~~ Maintenance plan.
2. ~~2.~~ Applications for murals not on landmarks register properties and not in districts listed on the Ritzville historic district or on the National Register of Historic Places shall first be reviewed by the planning/historic commission in a public meeting for a recommendation which shall be forwarded to the clerk/treasurer department to issue a permit.
  3. ~~3.~~ Applications for murals located on planning/historic commission or in districts listed on the Ritzville historic district or on the National Register of Historic Places shall first be reviewed by the planning/historic commission in a public meeting, as referenced above, and shall also obtain a certificate of approval (COA) from the same. It will then be forwarded to the clerk/treasurer department to issue a permit.
- B. ~~B.~~ Murals as Signs. Murals created after the effective date of the ordinance codified in this chapter that fall within the definition of a sign shall be regulated pursuant to the sign code, Chapter ~~11.120~~ 11.120 RCC, as currently enacted or hereinafter amended.
- C. ~~C.~~ Installation and Maintenance of All Approved Murals.
1. ~~1.~~ Murals shall be installed in a manner to ensure that they withstand the elements to the greatest degree that is feasible as determined by the planning/historic commission.
  2. ~~2.~~ Murals shall use materials, coatings, or other protective techniques that will resist vandalism, weathering by sun, water, wind and graffiti to the greatest degree feasible as determined by the planning/historic commission.
  3. ~~3.~~ Murals must be maintained by the building owner for the life of the mural or until the mural is removed per the requirements of this section.
- D. ~~D.~~ Location, Design and Style of Murals on Landmark Structures or in Historic Districts.
1. ~~1.~~ The design (not content) of murals on landmarks register properties and in districts listed on the Ritzville historic district or on the National Register of Historic Places must be consistent and compatible with the architectural and historical character of the historic district and the architectural features (column bays, windows, planar walls, cornices, beams, columns, trim, windows, doors, etc.) of the building on which they are located.
  2. ~~2.~~ Murals shall not be permitted to be placed directly on unpainted brick, unpainted or painted stone, wood sidings with surface detail, or any other material that does not have a planar or flat character. An exception to this provision may be allowable in instances where new paint is applied onto the existing paint of a historic mural for the purpose of restoration, and for which a COA has been obtained. Prior to the installation, the surface to which the mural will be applied must be in a condition that would allow the permanent attachment of the proposed mural.
  3. ~~3.~~ Murals may not have electrical or mechanical components.
  4. ~~4.~~ Three-dimensional murals are not allowed.
  5. ~~5.~~ A new mural shall not be located on those facades of buildings that are immediately adjacent to a street. A new mural may be permitted on the side or rear of a building.
  6. ~~6.~~ Murals must not damage or lead to accelerated deterioration of the building surface.
- E. ~~E.~~ Alteration and Removal of Murals on Landmark Structures or in Historic Districts.
1. ~~1.~~ Alteration or removal of any existing or permitted mural on landmarks register properties and districts listed on the Ritzville historic district or on the National Register of Historic Places, requires a permit obtained through the process set forth in ~~this chapter or other city code/ordinance~~ the Ritzville City Code. Alteration or removal of historic murals shall only be made pursuant to this subsection.
  2. ~~2.~~ Alteration or removal of any existing or permitted mural shall not damage or lead to the destruction or deterioration of a building or structure or adversely impact the architectural or historic character of any building located within a historic district.
  3. ~~3.~~ Any associated materials that were used to affix the mural to the surface must be removed at the time of the removal of the mural. This includes, but is not limited to, mounting hardware or brackets, caulk or grout, and adhesives or glues.
- F. ~~F.~~ Historic Murals.

1. ~~4.~~The planning/historic commission will conduct a survey of existing murals and include those deemed historic in the Ritzville historic district.
2. ~~2.~~New murals shall not be painted over historic murals as defined in RCC ~~11.138.080~~, 11.138.080, Ritzville Downtown Historic District and Historic Preservation Overlay Design Guidelines. Historic murals may not be altered, repainted, painted out, removed, restored or otherwise disturbed, unless the structural integrity of the building is at stake, without compliance with the following:
  - a. ~~a.~~Prior to the alteration, repainting, painting out, removal, restoration or other disturbance to an historic mural the property owner shall obtain a COA. Application for a COA shall be reviewed by the planning/historic commission in accordance with the procedures set forth in RCC- ~~11.138.080~~, 11.138.080, Ritzville Downtown Historic District and Historic Preservation Overlay Design Guidelines, with the following exceptions:
    - i. ~~i.~~The planning/historic commission shall meet initially with the applicant to consider alternatives to the alteration or removal including available incentives for preservation of the mural. These negotiations may last no longer than 120 days from the first meeting of the planning/historic commission unless the applicant agrees to an extension. During these negotiations, the applicant should allow the ~~e~~Commission to review the site and plans for the alteration and/or removal of the mural. An alteration and/or removal notice must also be placed on the property and published in the newspaper.
    - ii. ~~ii.~~If no request for an extension is made and no alternative has been agreed to and the applicant has made a showing that such action is necessary to provide a reasonable beneficial use or reasonable economic return, the planning/historic commission shall issue a COA to the applicant.
  - b. ~~b.~~Prior to the permitted disturbance of an historic mural, photographic documentation of the mural shall be collected and made available to the planning/historic commission.
3. ~~3.~~Any person aggrieved by any action of the planning/historic commission in denying or approving the applicant's request may file a notice of appeal as set forth in Chapter ~~11.255 RCC~~; ~~however, such appeals shall be to city council rather than to the hearing examiner~~ 11.255 RCC.
4. ~~4.~~The planning/historic commission will review the possibility of initiating a program to restore historic murals. (Ord. 2107 § 3, 2017).

#### **11.122.04~~60~~ General penalty.**

Any violation of the provisions of this chapter shall be deemed a civil infraction punishable by a fine of up to \$500.00. Each day of violation shall be considered a separate offense. Any murals painted/constructed without a permit shall be removed immediately at the property owner's expense. (Ord. 2107 § 4, 2017).

## Chapter 11.125 MANUFACTURED HOUSING COMMUNITIES

Sections:

11.125.010 —~~Purpose~~Title.

11.125.020 Application.

11.125.030 Purpose.

11.125.040 Authority.

11.125.050 Standards.

11.125.~~030~~—060 Procedures for review and approval.



**11.125.010 Title.**

This chapter shall be called “Manufactured Housing Communities.”

**11.125.020 Application.**

This chapter shall apply to all manufactured housing communities in the city.

**11.125.030 Purpose.**

The purpose of this chapter is to ensure a suitable living environment for *owners of manufactured homes* located within *manufactured home* communities. The following standards are necessary to provide for the health, safety, and convenience as well as to provide affordable, single-family style housing while being compatible with the character and scale of surrounding residential neighborhoods. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.03.091, 2001).

**11.125.020 — 040 Authority.**

This chapter is adopted pursuant to the authority granted to the City of Ritzville by the Washington State Constitution as a second-class city, the provisions of RCW 35.23 et seq., RCW 35.63 et seq., the Planning Act set forth in RCW chapters 36.70 and 36.70A, RCW chapters 36.70B, 36.70C, 58.17 et seq., 35.21, 36.01, and other applicable laws, as these provisions now exist or as hereinafter amended.

**11.125.050 Standards.**

- A. Permitted *uses* shall be single-family residential with accessory *uses* in conjunction with common areas and open spaces.
- B. No *manufactured home* shall be rented for any purpose other than long-term *residence*.
- C. The minimum *site area* of a *manufactured* housing community shall be two acres; the maximum *site area* for a *manufactured* housing community, or combination of adjacent parks, shall be 15 acres. Housing communities shall be considered “adjacent” to one another unless they are separated by an unrelated land *use*, and not merely by a public or private *street*, easement, or *buffer*.
- D. The number of *manufactured* housing units within a *manufactured* housing community may not exceed six units per net acre.
- E. Buffering and/or *screening* shall be required along the exterior boundaries of the project with no housing unit located closer than 20 feet from the outside *property* line. A landscaped strip with a minimum width of five feet shall adjoin all public rights-of-way and be improved with planting and fencing to *screen* the *manufactured* housing units from view while not impeding sight distance requirements for drivers exiting the community. Additionally, the park shall provide visual *screening* and landscaping as required in perimeter setback areas and open space. Landscaping may consist of suitable groundcover, shrubs and trees; provided, that they are installed prior to the first occupancy of the park, and are of such species and size as would normally fulfill a *screening* function within five years of being planted. Site *development* shall be sensitive to the preservation of existing vegetation. All trees, flowers, *lawns* and other landscaping features shall be maintained by the park management in a healthy, growing condition at all times. The following minimum requirements for landscaping and *screening* shall apply:
  - 1. Along the exterior site boundary, a minimum 10-foot-wide planting strip of evergreen trees and shrubs.
  - 2. Where abutting a major *arterial*, the planting strip shall be a minimum of 20 feet wide; provided, that a minimum 10-foot strip may be considered sufficient when it can be demonstrated that with earth sculpturing and contouring, or a sight-obscuring *fence*, the *development* is *buffered* sufficiently.
  - 3. Perimeters of common parking areas and bulk storage areas shall be landscaped to provide visual *screening*.

F. Manufactured housing communities *shall* dedicate and improve at least 15 percent of developable *site area* as common open space with each common open space not smaller than 5,000 square feet in area.

G. Access to *manufactured* housing communities *shall* not be from a local or collector *street*, with no individual *lot* or *residence* having access directly to a public *right-of-way* outside the community boundaries.

H. *Streets*, drives, and parking areas *shall* provide safe and convenient access to units and *shall* be laid out to discourage outside traffic from traversing the community.

I. In addition to *occupant* parking, guest and service parking *shall* be provided within the boundaries of the park at a ratio of one parking space for each four *manufactured home lots*, and *shall* be distributed for convenient access to all *lots* and *may* be provided by a parking lane and/or separate parking areas. Clubhouse and community building parking facilities *may* account for up to 50 percent of this requirement.

J. Housing units *shall* conform to the following design standards:

1. The *structure shall* be placed on a permanent foundation in compliance with all applicable building regulations with its lowest finished floor no higher than 16 inches above grade.
2. The *structure shall* have a perimeter skirting of masonry or of a material with a masonry appearance.
3. The *structure shall* have exterior siding and roofing which, in color, material, and appearance is similar to the exterior siding and roofing material commonly *used* in residential dwellings.
4. If a garage or carport is proposed, the garage or carport *shall* be constructed of like materials.

K. The following minimum *lot* standards *shall* apply, in addition to those ~~S~~Stated in subsections (A) through (J) of this section:

Manufactured Housing Minimum Lot Standards for Subdivisions	
Minimum <i>lot</i> size	4,500 square feet
Minimum lot width (at building line)	45 feet
Minimum lot depth	100 feet
Minimum front setback	15 feet
Minimum side yard	5 feet
Minimum rear yard	20 feet
Minimum distance between housing units	15 feet
Minimum distance from edge of pavement, <i>street</i> or walkway	15 feet
Roof pitch for every 12 feet of horizontal run	No less than 3-foot rise

(Ord. 2041 § 1 (Exh. A), 2010; Ord. 2003 § 2, 2006; Ord. 1024 § 11.03.092, 2001).

**11.125.0360 Procedures for review and approval.**

- A. Conditional Use Permit. A *manufactured home* park shall be allowed in the R-2 and R-3 residential zones only upon the issuance of a *conditional use permit* by the ~~city-~~*planning commission*. The *owner*, operator and *occupants* of a *mobile home* park shall develop and use the park in strict compliance with the conditions imposed by the use permit. The ~~city~~*City of Ritzville* shall maintain continuing jurisdiction for the review and enforcement of said conditions. (Reference Conditional Use ~~Permits~~*Provisions*, Chapter 11.1845 RCC.)
- B. Binding Site Plan. If a *manufactured home* park remains completely under single *ownership* or control, including *ownership* by a condominium association, compliance with an approved *binding site plan* shall preclude the necessity to *plat* the park or comply with any other subdivision *laws* or ordinances. (Reference Binding Site Plan, Chapter 11.225 RCC.)
- C. Plat Map. If a *manufactured* housing community is to be subdivided with intent to sell *lots* to individuals who *may* then locate *manufactured* housing units on the *property*, then the *manufactured* housing community project shall be considered a *manufactured* housing community subdivision and shall be subject to the *platting* process.
- D. *Amendments* to an Approved CUP or Binding Site Plan. An approved CUP or *binding site plan* may be modified or amended at the request of the *applicant* upon receiving ~~administrative~~ approval by the ~~city~~*City of Ritzville*; provided, that if said modification or *amendment* affects the external *impacts* of the *manufactured home* park, or is determined by the ~~city~~*City of Ritzville* to be substantial in nature, then such modification or *amendment* shall be resubmitted to the *planning commission* for review. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.03.093, 2001).

## Chapter 11.130 RECREATIONAL VEHICLE PARKS

Sections:

- 11.130.010** — **Purpose****Title.**
- 11.130.020** **Application.**
- 11.130.030** **Purpose.**
- 11.130.040** **Authority.**
- 11.130.050** **Development standards.**

### **11.130.010** **Title.**

This chapter shall be called “Recreational Vehicle Parks.”

### **11.130.020** **Application.**

This chapter shall apply to all Recreational vehicle parks in the city.

### **11.130.030** **Purpose.**

Recreational vehicle parks provide commercial transient housing to allow people to enjoy the *outdoors*. The purpose of this chapter is to provide standards for *recreational vehicle parks*, including campgrounds, to ensure that such operations are compatible with the surrounding *uses*. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.03.101, 2001).

### **11.130.020** — **040 Authority.**

This chapter is adopted pursuant to the authority granted to the City of Ritzville by the Washington State Constitution as a second-class city, the provisions of RCW 35.23 et seq., RCW 35.63 et seq., the Planning Act set forth in RCW chapters 36.70 and 36.70A, RCW chapters 36.70B, 36.70C, 58.17 et seq., 35.21, 36.01, and other applicable laws, as these provisions now exist or as hereinafter amended.

### **11.130.050** **Development standards.**

- A. The minimum size of a *recreational vehicle park* shall be one acre.
- B. The maximum gross density shall be one *recreational vehicle* space per each 1,000 square feet of land area.
- C. No less than 10 percent of the total *site area* shall be provided as defined recreational space. The recreational 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 *planning commission* may waive this requirement if it 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.
- E. There shall be a minimum side-to-side dimension of eight feet between units and a minimum end-to-end dimension of 10 feet between units.
- F. Vehicle spaces shall be sited so that the following minimum setbacks shall be maintained:
  - 1. Twenty-five feet from a public *right-of-way*;

2. Five feet from an interior private *street*; and

3. Fifteen feet from adjacent properties.

G. Five-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 the City of Ritzville's adopted ~~city~~ standards for *streets* of that class. Paving on park *streets shall* consist of crushed rock base and asphalt or concrete surfacing, as approved by the *city engineer*. All interior *streets shall* be well drained, well lighted, and continuously maintained in operable condition.

I. No *recreational vehicle shall* remain in place in a *recreational vehicle park* for more than 120 days in any one-year period.

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 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 for every 100 spaces or fractional part thereof. Sanitary stations *shall* consist of at least a trapped four-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 wash down 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. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.03.102, 2001).

## Chapter 11.132 MARIJUANA REGULATION

Sections:

- 11.132.010 — ~~Intent~~ **Title.**
- 11.132.020 — ~~Applicability~~ **Application.**
- 11.132.030 — ~~Definitions~~ **Purpose.**
- 11.132.040 **Authority.**
- 11.132.050** Environmental performance standards.
- 11.132.050 — ~~060~~ **060** Collective gardens.
- 11.132.060 — ~~070~~ **070** Medical marijuana cooperatives.
- 11.132.070 — ~~080~~ **080** Marijuana buffers.
- 11.132.080 — ~~090~~ **090** Marijuana development requirements.
- 11.132.090 — ~~100~~ **100** Measurement of distances.
- 11.132.100 — ~~110~~ **110** Nuisance declared.
- 11.132.110 — ~~120~~ **120** Violations – Penalty.

### **11.132.010 Title.**

This chapter shall be called “Marijuana Regulation.”

### **11.132.020 Application.**

This chapter shall apply to all marijuana uses including a recreational marijuana producer, processor, or retailer, as defined and regulated herein and in Chapter 314-55 WAC. The specific development standards provided in this chapter shall be in addition to the zoning and development standards generally applicable to the proposed use and the relevant zoning district.

A. For purposes of this chapter and the standards applicable to State-licensed recreational/medicinal marijuana uses, the terms and definitions provided in RCW Title 69 and Chapter 314-55 WAC shall generally apply unless the context clearly indicates otherwise. (Ord. 2105 § 1, 2017).

~~Intent~~ B. No use that purports to be a recreational marijuana producer, processor, or retailer, as defined and regulated herein and in Chapter 314-55 WAC, that was engaged in that activity prior to the enactment of the ordinance codified in this chapter shall be deemed to have been a legally established use or entitled to claim legal nonconforming status.

### **11.132.030 Purpose.**

Pursuant to RCW Title 69 and the requirements of Chapter 314-55 WAC, the state has adopted rules establishing a ~~s~~State-wide regulatory and licensing program for medical and recreational marijuana uses. It is the intent of these regulations to ensure that such ~~s~~State-licensed uses are located and developed in a manner that is consistent with the desired character and standards of this community and its neighborhoods, minimizes potential incompatibilities and impacts, and protects the public health, safety and general welfare of the citizens of ~~Ritzville~~the city. Recognizing the voter approved right to establish certain types of medical marijuana operations and recreational marijuana businesses, it is also the intent of these regulations to provide reasonable access to mitigate the illicit marijuana market and the legal and personal risks and community impacts associated with it. (Ord. 2105 § 1, 2017).

### **11.132.020 — ~~Applicability~~ 040 Authority.**

~~The specific *development* standards provided in this chapter shall be in addition to the zoning and *development* standards generally applicable to the proposed *use* and the relevant zoning district.~~

~~A. No use that purports to be a recreational marijuana producer, processor, or retailer, as defined and regulated herein and in Chapter 314-55 WAC, that was engaged in that activity prior to the enactment of the ordinance codified in this chapter shall be deemed to have been a legally established use or entitled to claim legal nonconforming status.~~

~~B. For purposes of this chapter and the standards applicable to state-licensed recreational/medicinal *marijuana uses*, the terms and definitions provided in RCW Title 69 and Chapter 314-55 WAC shall generally apply unless the context clearly indicates otherwise. (Ord. 2105 § 1, 2017).~~

This chapter is adopted pursuant to the authority granted to the City of Ritzville by the Washington State Constitution as a second-class city, the provisions of RCW 35.23 et seq., RCW 35.63 et seq., the Planning Act set forth in RCW chapters 36.70 and 36.70A, RCW chapters 36.70B, 36.70C, 58.17 et seq., 35.21, 36.01, and other applicable laws, as these provisions now exist or as hereinafter amended.

#### ~~11.132.030~~ — ~~Definitions.~~

~~All definitions used in this chapter shall be established as follows:~~

~~“Designated provider” means a person who is 21 years of age or older and:~~

- ~~1. a. Is the parent or guardian of a qualifying patient who is under the age of 18 and beginning July 1, 2016, holds a recognition card; or~~
- ~~b. Has been designated in writing by a qualifying patient to serve as the designated provider for that patient;~~
- ~~2. a. Has an authorization from the qualifying patient’s health care professional; or~~
- ~~b. Beginning July 1, 2016:~~
  - ~~i. Has been entered into the medical marijuana authorization database as being the designated provider to a qualifying patient; and~~
  - ~~ii. Has been provided a recognition card;~~
- ~~3. Is prohibited from consuming marijuana obtained for the personal, medical use of the qualifying patient for whom the individual is acting as designated provider;~~
- ~~4. Provides marijuana to only the qualifying patient that has designated him or her;~~
- ~~5. Is in compliance with the terms and conditions of this chapter; and~~
- ~~6. Is the designated provider to only one patient at any one time.~~

~~“Indoors” means within a fully enclosed and secure structure that complies with the International Building Code as adopted by the city of Ritzville that has a complete roof enclosure supported by connecting walls extending from the ground to the roof, and a foundation slab or equivalent base to which the floor is securely attached. The structure must be secure against unauthorized entry, accessible only through two or more lockable doors, and constructed of solid materials that cannot be easily broken through. Plastic sheeting, regardless of gauge, or similar products do not satisfy this requirement.~~

~~“Marijuana” or “marihuana” means all parts of the plant cannabis, whether growing or not, with a THC concentration greater than 0.3 percent on a dry weight basis; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. The term does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant,~~

~~any other compound, manufacture, salt, derivative, mixture or preparation of the mature stalks (except the resin-extracted therefrom), fiber, oil or cake, or the sterilized seed of the plant which is incapable of germination.~~

~~“Marijuana-infused products” means products that contain marijuana or marijuana extracts, are intended for human use, are derived from marijuana as defined above, and have a THC concentration no greater than 10 percent. The term “marijuana-infused products” does not include either usable marijuana or marijuana concentrates.~~

~~“Marijuana processor” means a person licensed by the State Liquor and Cannabis Board to process marijuana into marijuana concentrates, usable marijuana and marijuana-infused products, package and label concentrates, usable marijuana and marijuana-infused products for the sale in retail outlets, and sell concentrates, usable marijuana and marijuana-infused products at wholesale to marijuana retailers.~~

~~“Marijuana producer” means a person licensed by the State Liquor and Cannabis Board to produce and sell marijuana at wholesale to marijuana processors and other licensed marijuana producers.~~

~~Marijuana Production, Processing and Retail Sales. As used in this chapter any reference to marijuana production, processing and retail sales shall refer to both recreational and medical marijuana production, processing and retail sales.~~

~~“Marijuana retailer” means a person licensed by the State Liquor and Cannabis Board to sell marijuana concentrates, usable marijuana and marijuana-infused products in a retail outlet.~~

~~“Outdoors” means any location that is not “indoors” within a fully enclosed and secure structure as defined herein.~~

~~“Production” includes the planting, growing, harvesting, drying or processing of marijuana plants or any part thereof.~~

~~“Qualifying patient” means a person who:~~

- ~~1. a. Is a patient of a health care professional;~~
- ~~b. Has been diagnosed by that health care professional as having a terminal or debilitating medical condition;~~
- ~~c. Is a resident of the state of Washington at the time of such diagnosis;~~
- ~~d. Has been advised by that health care professional about the risks and benefits of the medical use of marijuana;~~
- ~~e. Has been advised by that health care professional that they may benefit from the medical use of marijuana;~~
- ~~f. i. Has an authorization from his or her health care professional; or~~
- ~~ii. Beginning July 1, 2016, has been entered into the medical marijuana authorization database and has been provided a recognition card; and~~
- ~~g. Is otherwise in compliance with the terms and conditions established in this chapter.~~

~~2. “Qualifying patient” does not include a person who is actively being supervised for a criminal conviction by a corrections agency or department that has determined that the terms of this chapter are inconsistent with and contrary to his or her supervision and all related processes and procedures related to that supervision.~~

~~“Recognition card” means a card issued to qualifying patients and designated providers by a marijuana retailer with a medical marijuana endorsement that has entered them into the medical marijuana authorization database. “Usable marijuana” means dried marijuana flowers. The term “usable marijuana” does not include marijuana-infused products or marijuana concentrates. (Ord. 2105 § 1, 2017).~~



Failure of the enforcing officer to require such information *shall* not be construed as relieving the operator and/or the proprietor from compliance with the environmental performance standards of this title.

Marijuana producers, processors, and retail sales *shall* incorporate odor control technology and provisions to ensure that emissions do not exceed Washington Clean Air Act regulations as contained in Chapter 70.94 RCW. (Ord. 2105 § 1, 2017).

#### **11.132.05~~60~~ Collective gardens.**

No collective gardens *shall* be permitted in any zoning district in the city of ~~Ritzville~~. (Ord. 2105 § 1, 2017).

#### **11.132.06~~70~~ Medical *marijuana* cooperatives.**

A. No more than four *qualifying patients* or *designated providers* may become members of a cooperative under this section and all members *must* hold valid *recognition cards*. All members of the cooperative *must* be at least 21 years old. The *designated provider* of a *qualifying patient* who is under 21 years old *may* be a member of a cooperative on the *qualifying patient's* behalf.

B. No *person* *shall* engage in a medical *marijuana* cooperative without first having obtained from the ~~city~~ Administrator a valid and current registration authorizing such *person* to engage in operation. This registration *shall* be in addition to any other registrations or permits required by ~~s~~ State or federal *laws*. Such registration is nontransferable.

C. Cooperatives *shall* not be located within one mile of a *marijuana retailer*.

D. No cooperative *shall* be permitted within 1,000 feet of any other medical *marijuana* cooperative.

E. Only one cooperative is permitted on any one site.

F. No cooperative *shall* be permitted within 1,000 feet of any public parks, playgrounds, recreation/community centers, libraries, child care centers, schools, game arcades and public transit centers.

G. The location of the cooperative *shall* be the domicile of one of the participants.

H. The *qualifying patients* or *designated providers* of any cooperative *shall* not grow more than the maximum of 60 plants or possess more than 72 ounces of *usable marijuana*.

I. The cultivation and processing of medical *marijuana* *shall* not be readily seen by normal unaided vision or readily smelled from a public place or the private *property* of another housing unit.

J. Must meet all other *development* requirements. (Ord. 2105 § 1, 2017).

#### **11.132.07~~80~~ Marijuana buffers.**

A. Marijuana producers, *marijuana processors*, and *marijuana retailers*, *shall* not be allowed to locate within 1,000 feet of playgrounds, elementary schools, or secondary schools.

B. The ~~city~~ City of Ritzville finds that, in the best interest of the citizens, a *buffer* of 500 feet be established from any residential *zone* adjacent to an approved *zone* for any *marijuana producers*, *marijuana processors*, and *marijuana retailers*.

C. The ~~city~~ City of Ritzville finds that the reduction in *buffers* for public parks, recreation/community centers, libraries, child care centers, game arcades, and public transit centers will not negatively impact the ~~city's~~ City of Ritzville's civil regulatory enforcement, criminal *law* enforcement interests, public safety, or public health. Therefore, the ~~city~~ City of Ritzville establishes the following *buffers* for *marijuana producers*, *marijuana processors*, and *marijuana retailers*:

1. Public parks – 500 feet.
2. Recreation or community centers – 500 feet.

3. Libraries – 500 feet.
4. Child care centers – 500 feet.
5. Game arcades – 500 feet.
6. Public transit centers – 100 feet.
7. Museums – 500 feet.
8. Golf course – 500 feet.

D. For purposes of these standards, these *uses* are defined in Chapter 314-55 WAC. The methodology for measuring the *buffers* shall be as provided in Chapter 314-55 WAC. It shall be the responsibility of the *owner* or operator of the proposed ~~s~~State-licensed *marijuana use* to demonstrate and ensure that a proposed location is not within one of the *buffers*. (Ord. 2105 § 1, 2017).

**11.132.0890 Marijuana development requirements.**

A. Marijuana processors, producers and *marijuana retailers* shall only be permitted as allowed under Chapter 69.50 RCW and Chapter 314-55 WAC and shall only be operated by *persons* or entities holding a valid *marijuana* license from the Washington State Liquor and Cannabis Board issued under Chapter 314- 55 WAC and any other applicable ~~s~~State laws and regulations.

B. Marijuana processors, producers and *marijuana retailers* shall only be allowed within the city of ~~Ritzville~~ municipal boundaries if appropriately licensed by the ~~s~~State of Washington and in possession of a current *business* license issued by the ~~city of Ritzville~~ *Administrator*, and operated consistent with the requirements of the ~~s~~State and all applicable ~~city~~City of Ritzville ordinances, rules, requirements, and standards.

C. Marijuana processors, producers and *marijuana retailers* shall be the primary *use* at a location, and shall only be allowed within the city of ~~Ritzville~~ in those zoning districts where it is specifically identified as an allowed *use*.

1. Marijuana retailers shall only be allowed in the commercial (C-3) *zones* defined and identified in this title.
2. Marijuana producers and processors shall only be allowed in the commercial (C-1, C-2) and industrial *zones* defined and identified in this title.

D. The *production*, processing, selling, or delivery of recreational *marijuana*, *marijuana-infused products*, or *usable marijuana* may not be conducted alone or in association with any *business* establishments, *dwelling units* or *home occupation* located in any of the following zoning districts in the city of ~~Ritzville~~: all residential *zones* (R-1, R-2, and R-3) defined and identified in this title.

E. Marijuana processing facilities shall be designed to include controls and features to prevent odors from traveling off site and being detected from a public place, the public *right-of-way* or properties owned or leased by another *person* or entity.

F. Marijuana retailers shall not include *drive-thru*, exterior, or off-site sales. Marijuana retailers shall not be located in a mobile or temporary *structure*.

G. In accordance with WAC 314-55-147, *marijuana* retail sales shall not be open to the public between the hours of 12:00 a.m. and 8:00 a.m.

H. Signage for *marijuana* processing and retail *businesses* shall be subject to the requirements of WAC 314-55-155. No off-premises signage is permitted.

I. Displays against or adjacent to exterior windows shall not include *marijuana* or *marijuana* paraphernalia.

J. An existing *nonconforming use* located within a zoning district that would otherwise not permit *marijuana uses*, such as an old convenience store in a residential district, shall not be allowed to convert to a *marijuana use*.

K. Marijuana processors and *marijuana retailers shall* connect to all ~~e~~City of Ritzville utilities and pay all applicable system *development* costs, connections fees and charges as established by the ~~city~~City of Ritzville fee schedule.

L. Marijuana processing and *marijuana* retail sales are not permitted as a *home occupation* under this title.

M. Retail *marijuana* sales *may* not be located within any other *businesses* and *may* only be located in buildings with other *uses* only if the *marijuana business* is separated by full walls and with a separate entrance. No more than one *marijuana* retail *business shall* be located on a single *parcel*.

N. Marijuana processing and *marijuana* retail sales are subject to all applicable requirements of RCW Title 69 and Chapter 314-55 WAC and other ~~s~~State statutes as they now exist or *may* be amended.

O. Marijuana processing and retail sales *must* take place within fully enclosed secure indoor facilities.

P. No *marijuana* processing or delivery of *marijuana shall* be visible to the public nor *may* it be visible through windows. A *screened* and secured loading dock, approved by the building official, *shall* be required. The objective of this requirement is to provide a secure, visual *screen* from the public *right-of-way* and adjoining properties, and prevent the escape of product when delivering or transferring *marijuana, usable marijuana* and *marijuana-infused products*.

Q. All *marijuana processors* and retailers *shall* allow inspection of the site and facilities by the Administrator and or authorized city personnel, including *law enforcement*, for compliance with all applicable ~~s~~State and local permits and licenses at any time during regular *business* hours.

R. An application for a *marijuana business shall* include the following information in addition to any application requirements required by the underlying *zone*:

1. The application *shall* be made by:

a. A *marijuana State Liquor and Cannabis Board* licensee; or

b. An *applicant* for a *State Liquor and Cannabis Board marijuana* license.

2. The application *shall* include a copy of the ~~s~~State-issued license or a copy of the license application on file with the *State Liquor and Cannabis Board*. A ~~city~~City of Ritzville *business* license *shall* not be issued for a *marijuana business* unless the *applicant* is a *State Liquor and Cannabis Board marijuana* licensee;

3. A map drawn to scale by a ~~Washington licensed~~ *professional land* surveyor showing that the proposed *marijuana business* is in compliance with the applicable *buffers* under RCW 69.50.331, WAC 314-55-050, and local ordinances.

S. A recreational *marijuana business shall* meet all security requirements as required by WAC 314-55-083 and *shall* provide proof of such operational security system prior to issuance of a ~~city~~City of Ritzville *business* license. In addition to the security requirements in Chapter 314-55 WAC, during non*business* hours, all *marijuana producers, processors, and retailers shall* store all *usable marijuana* and *marijuana-infused* product and cash in a safe or in a substantially constructed and locked cabinet. The safe or cabinet *shall* be incorporated into the building *structure* or securely attached thereto. For *usable marijuana* products that *must* be kept refrigerated or frozen, these products *may* be stored in a locked refrigerator or freezer container in a manner approved by the health department.

T. All fertilizers, chemicals, gases and hazardous materials *shall* be handled in compliance with all applicable local, ~~s~~State, and federal regulations. No fertilizers, chemicals, gases, or hazardous materials *shall* be allowed to enter a sanitary sewer or storm sewer system, nor be released into atmosphere outside of the *structure* where the *business* is located. (Ord. 2105 § 1, 2017).

#### **11.132.1090 Measurement of distances.**

Any distance described in this chapter *shall* be computed by direct measurement as ~~s~~Stated in WAC 314-55-050(10) as follows: the distance *shall* be measured as the shortest straight line distance between the *property* lines of the mentioned *uses*. (Ord. 2105 § 1, 2017).

**11.132.110 e — Nuisance declared.**

Any violation of this chapter is declared to be a public nuisance per se, and *shall* be abated by the ~~city~~ City of Ritzville attorney under applicable provisions of this *code* or ~~s~~ State law, including, but not limited to, the provisions of Chapter 3.36 RCC. (Ord. 2105 § 1, 2017).

**11.132.1120 Violations – Penalty.**

In addition to other remedies provided for in this chapter, any violation of the provisions of this chapter *shall* constitute a civil infraction. (Ord. 2105 § 1, 2017).

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# Division IV. Supplemental Development Provisions

## Chapter 11.135 NONCONFORMING USES AND STRUCTURES

Sections:

~~11.135.010 Purpose.~~

11.135.010 Title.

~~11.135.020 Nonconforming uses~~ Application.

~~11.135.030 Expansion of nonconforming uses of land~~ Purpose.

~~11.135.040 Nonconforming structures~~ Authority.

11.135.050 Nonconforming uses.

11.135.060 Expansion of nonconforming uses of land.

11.135.070 Nonconforming structures.

**11.135.010 Title.**

This chapter shall be called “Nonconforming Uses and Structures.”

**11.135.020 Application.**

This chapter shall apply to all nonconforming uses and structures in the city.

**11.135.030 Purpose.**

The purpose of this chapter 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 the ordinance codified in this title may be continued, although such *building* or *use* does not conform to the provisions of this title. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.03.111, 2001).

~~11.135.020~~ **040 Authority.**

This chapter is adopted pursuant to the authority granted to the City of Ritzville by the Washington State Constitution as a second-class city, the provisions of RCW 35.23 et seq., RCW 35.63 et seq., the Planning Act set forth in RCW chapters 36.70 and 36.70A, RCW chapters 36.70B, 36.70C, 58.17 et seq., 35.21, 36.01, and other applicable laws, as these provisions now exist or as hereinafter amended.

**11.135.050 Nonconforming uses.**

If a *nonconforming use* is discontinued for a period of six *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. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.03.112, 2001).

**11.135.0360 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. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.03.113, 2001).

#### **11.135.0470 Nonconforming structures.**

A. *Nonconforming buildings and structures* shall not be enlarged or altered in any way that increases the nonconformity without the issuance of a *variance* in accordance with Chapter ~~11.195~~ 11.195 RCC.

B. In the event that a *nonconforming structure* is destroyed by any means to an extent of more than 50 percent of its actual value based on the ~~assessed~~ market 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 months~~ one year in order to be entitled to the provisions of this section. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.03.114, 2001).

## Chapter 11.138 PREVENTING NEGLECT OF HISTORIC PROPERTIES

Sections:

### **Article I. Maintenance of Historic Properties**

~~11.138.010 Intent and purpose.~~

11.138.010 Title.

~~11.138.020 Neglect of historic properties is a public nuisance~~ Application.

~~11.138.030 Scope and applicability.~~

11.138.030 Neglect of historic properties is a public nuisance.

~~11.138.040 Definitions~~ Authority.

~~11.138.050 Neglected historic properties.~~

~~11.138.060 Penalties and enforcement.~~

~~11.138.070 Emergencies.~~

11.138.050 Neglected historic properties.

11.138.060 Penalties and enforcement.

11.138.070 Emergencies.

### **Article II. Downtown *Historic District* and Historic Preservation Overlay Design Guidelines**

~~11.138.080 Ritzville Downtown Historic District and Historic Preservation Overlay Design Guidelines.~~

11.138.080 Ritzville Downtown *Historic district* and Historic Preservation Overlay Design Guidelines.

#### *Article I. Maintenance of Historic Properties*

#### **11.138.010 Title.**

This chapter shall be called "Preventing Neglect of Historic Properties."

#### **11.138.120 Application.**

The provisions of this chapter apply to the following types of properties:

- A. ~~Intent~~ Properties individually listed on the Ritzville *Historic district* and purpose the National Register of Historic Places.
- B. Contributing properties, excluding residential *structures* containing four or less units, within the Ritzville *Historic district* and National Register of Historic Places. (Ord. 2109 § 1 (Exh. A), 2017).

**A. The city ~~11.138.030~~ Purpose.**

~~A. The City~~ of Ritzville finds that the protection, enhancement, perpetuation, and continued *use* of historically significant properties located within the city are important in the interests of the prosperity, civic pride, and the ecological and general welfare of its citizens. The ~~city~~ City of Ritzville further finds that the economic, cultural, and visual standing of the ~~city~~ City of Ritzville cannot be maintained or enhanced by disregarding the heritage of the ~~city~~ City of Ritzville or by allowing the destruction, defacement, and neglect of iconic historic and cultural assets; and that the neglect and deterioration of such assets is harmful to the entire community.

B. It is the policy of the ~~city~~ City of Ritzville to encourage the maintenance, protection, *use* and enhancement of iconic historic and cultural assets, and to engage with responsible *property owners* to ensure such protection and enhancement through ongoing collaboration, and through various incentives, programs and technical assistance, where appropriate.

C. In certain cases where an *owner* fails to properly maintain a historic resource, the public interest in historic resources requires the ~~city~~ Administrator to take specific measures to ensure the continued protection of the resource. It is therefore the intent of the city council to protect the general welfare by establishing efficient administrative procedures to prevent the *owner's* failure to maintain a historically designated *property* such that it deteriorates to the extent that the only option to abate the health and safety risks caused by such deterioration is demolition, commonly known as "demolition by neglect." (Ord. 2109 § 1 (Exh. A), 2017).

**~~11.138.020~~ — 040 Authority.**

This chapter is adopted pursuant to the authority granted to the City of Ritzville by the Washington State Constitution as a second-class city, the provisions of RCW 35.23 et seq., RCW 35.63 et seq., the Planning Act set forth in RCW chapters 36.70 and 36.70A, RCW chapters 36.70B, 36.70C, 58.17 et seq., 35.21, 36.01, and other applicable laws, as these provisions now exist or as hereinafter amended.

**11.138.050 Neglect of historic properties is a public nuisance.**

Neglect of a historic *property* as defined by this chapter is a detriment to the health, safety, and welfare of the public, and is therefore declared to be a public nuisance. (Ord. 2109 § 1 (Exh. A), 2017).

**~~11.138.030~~ — Scope and applicability:**

~~The provisions of this chapter apply to the following types of properties:~~

~~A. Properties individually listed on the Ritzville historic district and the National Register of Historic Places.~~

~~B. Contributing properties, excluding residential structures containing four or less units, within the Ritzville historic district and National Register of Historic Places. 060 (Ord. 2109 § 1 (Exh. A), 2017).~~

**~~11.138.040~~ — Definitions:**

~~Where terms, phrases, and words are not defined herein, their definition shall be understood according to the common meaning in use in city, as interpreted by the city clerk.~~

~~"Contributing property" means a property within a historic district listed on the Ritzville historic district or National Register of Historic Places, which is included in the district building inventory as "contributing" as adopted by the planning/historic commission or by the National Park Service.~~

~~"Historic district" means an overlay zone with a concentration of historic resources that has been found to meet the criteria for designation as a historic overlay district under the provisions of Chapter 11.70 RCC~~

~~and has been so designated by the city council, or a district which has been added to the National Register of Historic Places by the National Park Service.~~

~~“Historic property” means any building or structure that is listed on either the Ritzville historic district or the National Register of Historic Places, or is a contributing property within a historic overlay zone or a National Register Historic District.~~

~~“Neglected historic property” means a historic property which has been found to exhibit one or more of the conditions listed in this chapter **properties**.~~

~~B.A. “Owner” means any person, including any natural person, joint venture, partnership, association, club, company, corporation, *business* trust, government entity, or organization, or the manager, lessee, agent, officer, or employee of any of them, having any interest in the real estate in question as indicated in the records of the office of the Adams County assessor, or who establishes, under this chapter, his or her ownership interest therein. (Ord. **A**. 2109 § 1 (Exh. A), 2017).~~

~~**11.138.050** — **Neglected historic properties.**~~

~~A. The following deteriorated conditions are evidence that a historically designated *property* is a “neglected historic property” in violation of this chapter, including but not limited to:~~

- ~~1. Unstable or insecure architectural elements such as veneers, cornices, belt courses, corbels, trim, wall facing and similar decorative elements or parts that may fall and cause injury to persons or *property*.~~
- ~~2. Deteriorated, cracking, failing or otherwise inadequate foundation or one that is unable to support loads.~~
- ~~3. Deteriorated or defective flooring or floor supports that cause leaning, sagging, splitting, listing, buckling, or are otherwise insufficient to carry imposed loads.~~
- ~~4. Deteriorated or defective walls, partitions or supports that cause leaning, sagging, splitting, listing, buckling, or are otherwise insufficient to carry imposed loads.~~
- ~~5. Ceilings, roofs, ceiling or roof supports, or other horizontal members which sag, split, or buckle due to defect or deterioration or are insufficient to support the imposed loads.~~
- ~~6. Deteriorated or defective chimneys, smokestacks or fireplaces or other appurtenances that cause leaning, sagging, splitting, listing, buckling, or are of insufficient size or strength to carry the imposed loads.~~
- ~~7. Deteriorated, crumbling, or loose exterior stucco, plaster, or mortar, or loose or unstable masonry.~~
- ~~8. Broken, missing, or rotted roofing materials or roof components, window glass, sashes, or frames, or exterior doors or door frames.~~
- ~~9. Any fault, defect, or condition in the *structure* which renders it structurally unsafe or unstable.~~
- ~~10. Defective protection or lack of weather protection for exterior wall and roof coverings, including lack of paint, or weathering due to lack of paint (for surfaces that are designed to be painted) or other protective covering or holes in weather protection.~~
- ~~11. Other visible signs of exterior deterioration that has a detrimental effect upon the character of the *building*.~~
- ~~12. Deterioration or improper anchorage of exterior stairs, porches, handrails, window and door frames, cornices, entablatures, wall facings, and architectural details that causes delamination, instability, loss of shape and form, or crumbling.~~
- ~~13. Rotting, holes, and other forms of decay, including vegetation growing from or on *structures*.~~
- ~~14. Other deterioration of any exterior feature so as to create or permit the creation of any hazardous or unsafe conditions to life, health, or other *property*.~~



15. Open or unsecured vacant *building* that is accessible to trespass or evidence of unlawful human occupation.

16. Other conditions causing deterioration of “character defining features” on the historic *property*, such as veneers, cornices, belt courses, corbels, trim, wall facing and similar decorative elements or parts, which may cause the *building* to lose its historic significance.

B. *Building* elements, configurations or construction techniques present in historic *buildings* that are consistent with the applicable *building codes* at the time of construction do not constitute neglect as defined by this chapter.

C. Normal signs of age commonly present in historic *buildings*, such as fading and crazing of surface finishes, do not constitute neglect as defined by this chapter. (Ord. 2109 § 1 (Exh. A), 2017).

### **11.138.0670 Penalties and enforcement.**

When the ~~city~~building official determines that a *neglected historic property* exists within the city, it may:

A. Begin enforcement action pursuant to procedures outlined in Chapter ~~3.36~~ 3.36 RCC, including, but not limited to, issuing a notice of violation and abatement, or entering and repairing or correcting any conditions that threaten the integrity of the *building*, including failing weather protection, structural instability, failing masonry, or architectural elements in danger of falling off, and in accordance with the requirements for design review per RCC-~~44.138.080~~, 11.138.090, Ritzville Downtown *Historic District* and Historic Preservation Overlay Design Guidelines. Such repair should be limited to that which is minimally necessary in order to stabilize a historic *structure* or to prevent further significant deterioration; and may be considered *temporary* in nature.

B. A person to whom a notice of violation and abatement or civil penalty has been issued, or any other person with a legal or equitable interest in the *property*, may request an *appeal* hearing pursuant to Chapter ~~11.255~~ RCC. 11.255 RCC. If any historic *property* covered by this chapter *shall* have to be demolished as an unfit *building* and the *owner* thereof *shall* have received two or more notices from the ~~city~~City of Ritzville that the *property* is a “*neglected historic property*” in violation of this and other ~~city~~City of Ritzville ordinances, the *following shall* apply:

1. For a period of five years from and after the date of such demolition, *development* of the site *shall* be limited to a replacement *structure* that reproduces the size, square footage and visual, aesthetic, architectural, and material character of the demolished *building*, and *must* be approved by the planning/historic commission, prior to the issuance of any *development* permits. Additionally, no permits for the operation of surface parking *lot shall* be granted by the ~~city~~City of Ritzville during this period, nor *shall* a parking *lot* for vehicles be operated, whether for remuneration or not, on the site for a period of five years from and after the date of such demolition.

2. This provision *shall* not apply to demolitions attributable to an act of God or other catastrophic occurrence that could not have been prevented by the exercise of foresight or caution.

3. This provision may be lifted by the *building official* in consultation with the planning/historic commission if it can be demonstrated that there is a viable *development* project on the site that represents a substantial benefit to the public.

C. For historic properties that may be considered unfit according to Chapter ~~35.80~~ 35.80 RCW, the ~~city~~building official may initiate the unfit *building* procedures pursuant to this chapter or the ~~city~~building official may initiate eminent domain procedures in accordance with Chapter ~~35.80~~ 35.80 RCW. (Ord. 2109 § 1 (Exh. A), 2017).

### **11.138.0780 Emergencies.**

If a historic *property* is damaged and the *building official* determines that the historic *property* will suffer additional damage without immediate repair, the *building official* or his/her designee may act on behalf of the planning/historic commission to authorize the *property owner*, or ~~a~~Applicant on behalf of the *property owner*, to temporarily protect the historic *property* pursuant to this *code*. (Ord. 2109 § 1 (Exh. A), 2017).

*Article II. Downtown Historic District and Historic Preservation Overlay Design Guidelines*

**11.138.0890 Ritzville Downtown *Historic District* and Historic Preservation Overlay Design Guidelines.**

The ~~Ritzville Downtown Historic District and Historic Preservation Overlay Design Guidelines~~ Ritzville Downtown Historic District and Historic Preservation Overlay Design Guidelines attached to the ordinance codified in this section as Exhibit A are hereby adopted by the ~~e~~City of Ritzville. (Ord. 2043 § 1, 2010).

# ~~Division IV. Land Division~~

## Chapter 11.140

### GENERAL PROVISIONS VARIANCES

Sections:

Sections:

**11.140.010 — Purpose Title.**

**11.140.020 Application.**

**11.140.030 Purpose.**

**11.140.040 Authority.**

**11.140.050 Review process.**

**11.140.060 Action of the *planning commission*.**

**11.140.070 Time limit on approval of variance.**

**11.140.080 Administrative variances (Type I).**

**11.140.090 Appeals.**

#### **11.140.010 Title.**

This chapter shall be called “Variances.”

#### **11.140.020 Application.**

This chapter shall apply to any variance in the city.

#### **11.140.030 Purpose.**

The purpose of a *variance* is to provide relief in cases where the strict application of the *development* standards in this title would result in undue hardship by virtue of physical peculiarity of a *parcel* of land. The purpose is to ensure that because of physical characteristics of a *property*, the *property* is not deprived privileges commonly enjoyed by other properties in the same *zone*. A *variance* shall not allow a *use* in a *zone* where otherwise prohibited. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.041, 2001). Variances cannot be requested for changes in land use, increases in density, or changes to previous conditions established by a surface mining permit, administrative use permit, conditional use permit, or contract rezone.

#### **11.140.040 Authority.**

This chapter is adopted pursuant to the authority granted to the City of Ritzville by the Washington State Constitution as a second-class city, the provisions of RCW 35.23 et seq., RCW 35.63 et seq., the Planning Act set forth in RCW chapters 36.70 and 36.70A, RCW chapters 36.70B, 36.70C, 58.17 et seq., 35.21, 36.01, and other applicable laws, as these provisions now exist or as hereinafter amended.

#### **11.140.050 Review process.**

A variance shall be subject to a Type II review consistent with RCC 11.11.120 (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.042, 2001).

#### **11.140.060 Action of the planning commission.**

A. The planning commission may approve a variance request in whole or in part, with or without conditions, if all of the following findings of fact can be made in an affirmative manner:

1. The strict application of this title to a property would result in extreme difficulty, unnecessary hardship, or the inability of an owner to use land for the purposes allowed in the zone in which it is located for reasons of physical peculiarity.
2. The granting of such variance would not be detrimental or injurious to the property or improvements in the general vicinity and district in which the property is located.
3. The granting of the variance would not grant special privileges to a landowner that are in conflict with the purposes of this title.

B. A variance request for development within the Flood Management overlay zone may be approved in whole or in part, with or without conditions, if in addition to the findings in subsection (A) of this section, all of the following findings of fact can be made in an affirmative manner:

1. Denial of the variance would result in exceptional hardship and would deny all economic use of the property.
2. The variance would result in the minimum relief necessary, considering the flood hazard.
3. If the site is located in a designated floodway, no increase in flood levels during the base flood discharge would result.
4. Granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, or conflict with existing local laws or ordinances.
5. In the case of the reconstruction of a structure listed on the National Register of Historic Places or the State Inventory of Historic Places, the structure is being rebuilt as it previously existed. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.043, 2001).

#### **11.140.070 Time limit on approval of variance.**

A. Authorization of a variance shall be valid for one year from the effective date, and shall lapse at that time unless a building permit has been issued and substantial construction has taken place.

B. The planning commission may extend the variance one year even though substantial construction has not occurred if the council finds that the facts on which the variance is approved have not changed substantially. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.044, 2001).

#### **11.140.080 Administrative variances (Type I).**

- A. Purpose. An administrative variance is a process to apply for a limited exception to certain specific zoning code standards. Through an administrative variance (a Type I decision), the Administrator may, when certain criteria are met, authorize up to a specific amount of relief to specific zoning dimensional standards.
- B. Review Process. An administrative variance shall be subject to a Type I review consistent with RCC 11.11.110.
- C. The dimensional standards available for relief include variances to setbacks, lot coverage, lot area, lot width, and building height. Administrative variances relating to setbacks, lot coverage, lot area, and lot width shall not exceed 25 percent of a quantifiable standard. Administrative variances relating to building height shall not exceed 50 percent of a quantifiable standard.

- D. Administrative variances cannot be requested for changes in land use, increases in density, or changes to previous conditions established by a surface mining permit, administrative use permit, conditional use permit, or contract rezone.
- E. Exceptions to other zoning standards or exceptions requiring a greater degree of relief are subject to the standard Type II variance process, through a public hearing process and decision by the planning commission.

**11.140.090 Appeals.**

Any decision approving, approving with conditions or disapproving any variance may be appealed in accordance with Chapter 11.170 of the Ritzville City Code.

Chapter 11.145  
CONDITIONAL USE PERMITS AND TEMPORARY USE PERMITS

Sections:

11.145.010 Title

11.145.020 Application

11.145.030 Purpose

11.145.040 Authority

11.145.050 Review process.

11.145.060 Approval process.

11.145.070 Time limit on approval of *conditional use permit*.

11.145.080 Appeals.

11.145.010 Title.

This chapter shall be called “Conditional Use Permits and Temporary Use Permits.”

11.145.020 Application.

This chapter shall apply to any *conditional use* and *temporary use* permit in the city.

11.145.030 Purpose.

It is the purpose of this chapter to allow for the review of proposed uses which, because of considerations of traffic, noise, lighting, hazards, health, and environmental issues, require a case-by-case review to determine if the *use* is appropriate on the site and in the vicinity. The imposition of conditions on the approval of an application can occur in order to reduce *impacts* to adjacent properties and uses. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.021, 2001).

11.145.040 Authority.

This chapter is adopted pursuant to the authority granted to the City of Ritzville by the Washington State Constitution as a second-class city, the provisions of RCW 35.23 et seq., RCW 35.63 et seq., the Planning Act set forth in RCW chapters 36.70 and 36.70A, RCW chapters 36.70B, 36.70C, 58.17 et seq., 35.21, 36.01, and other applicable laws, as these provisions now exist or as hereinafter amended.

11.145.050 Review process.

A. A *temporary use permit* shall be subject to a Type I review consistent with RCC 11.11.110.

B. A *conditional use permit* shall be subject to a Type II review consistent with RCC 11.11.120. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.022, 2001).

11.145.060 Approval process.

A. A *temporary use permit* may be approved by the *Administrator*, in whole or in part, with or without conditions, if all of the *following findings of fact* can be made in an affirmative manner:

1. The *temporary use* shall occur for a maximum period of 180 consecutive days for *cargo containers* no larger than 150 square feet in area, and a maximum of 60 days for storage pods

2. The operation of the requested use at the location proposed and within the time period specified will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or general welfare.
3. The proposed site is adequate in size and shape to accommodate the temporary use without detriment to the use and enjoyment of other properties in the project vicinity.
4. The project makes adequate provision for access and circulation, water supply, storm drainage, sanitary sewage disposal, emergency services, and environmental protection.
5. Adequate temporary parking to accommodate vehicular traffic to be generated by the use will be available either on site or at alternate locations acceptable to the Administrator.

B. The planning commission may approve a conditional use permit in whole or in part, with or without conditions, if all of the following findings of fact can be made in an affirmative manner:

1. The project is consistent with the Ritzville Comprehensive plan and meets the requirements and intent of this title, including the type of land use; the density/intensity of the proposed development, and the protection of critical areas, if applicable.
2. The project makes adequate provision for access and circulation, water supply, storm drainage, sanitary sewage disposal, emergency services, and environmental protection to ensure that the proposed project would not be detrimental to public health and safety.
3. The project adequately mitigates impacts identified through the SEPA review process, if required.
4. The project is beneficial to the public health, safety, and welfare, and is in the public interest. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.023, 2001).

#### **11.145.070 Time limit on approval of conditional use permit.**

A. Authorization of a temporary use permit shall be valid for the time specified in the approval, but not to exceed six months.

B. Authorization of a conditional use permit shall be valid for three years from the effective date, and shall lapse at that time unless a building permit has been issued and substantial construction has taken place or the use has commenced.

C. The planning commission may extend the conditional use permit one year if it finds that the facts on which the conditional use permit was approved have not changed substantially.

D. If the use authorized under a conditional use permit ceases or is interrupted for six consecutive months or more, then a new conditional use permit will be required. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.024, 2001).

#### **11.145.080 Appeals.**

Any decision approving, approving with conditions or disapproving any conditional use or temporary use may be appealed in accordance with Chapter 11.170 of the Ritzville City Code.

## **Chapter 11.150** **SITE PLAN REVIEW**

Sections:

- 11.150.010 Title.
- 11.150.020 Application.
- 11.150.030 Purpose.
- 11.150.040 Authority.
- 11.150.050 Review process.
- 11.150.060 Action of *planning commission*.
- 11.150.070 Time limit on approval of site plan review.
- 11.150.080 Appeals.

**11.150.010 Title.**

This chapter shall be called "Site Plan Review."

**11.150.020 Application.**

This chapter shall apply to all site plans submitted to the City of Ritzville. A site plan shall be required in the following circumstances:

1. When an adverse impact is identified by SEPA review
2. Plats
3. Commercial Short Plats or Binding Site Plans
4. Multi-family or commercial applications

**11.150.030 Purpose.**

The purpose of a site plan review is to ensure that certain types of development and all development on sites containing, or within 200 feet of, unique or critical resources protect these resources to the extent possible, and that the public health, safety and welfare of residents of the city is maintained. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.031, 2001).

**11.150.040 Authority.**

This chapter is adopted pursuant to the authority granted to the City of Ritzville by the Washington State Constitution as a second-class city, the provisions of RCW 35.23 et seq., RCW 35.63 et seq., the Planning Act set forth in RCW chapters 36.70 and 36.70A, RCW chapters 36.70B, 36.70C, 58.17 et seq., 35.21, 36.01, and other applicable laws, as these provisions now exist or as hereinafter amended.

**11.150.050 Review process.**

A. Site plan review shall be subject to a Type II review consistent with RCC 11.11.120.

B. A site plan review application shall include the following on plans that are drawn to scale:

1. The location and dimension of the lot(s);
2. Existing topography and natural features;
3. Existing and proposed *structures* and the proposed *uses*;
4. Proposed grading, drainage facilities, and location of storage, if applicable;
5. The location of existing and proposed roads, parking facilities, loading areas, curbs, drains, paving, *sign* and light pole locations, walls, fences, walks, approaches, and plantings within the area;
6. The location of existing and proposed water, storm, and sanitary sewer lines;



7. The nature, location, and dimensions of the critical resource area or floodplain area, if any, on or adjacent to the site;

8. All required technical reports prepared by experts with demonstrated qualifications in the area(s) of concern;

9. Drawings of proposed building elevations, noting material types and color;

10. Any additional information deemed necessary by the *Administrator or planning commission*.

**C. In the case of proposed development within the Flood Management zone, the following shall also be provided:**

1. Estimated flood elevation for a 100-year flood or the flood event having a one percent chance of occurring in any given year, as determined by the Flood Insurance Agency or a qualified professional engineer;

2. Elevation in relation to mean sea level of the lowest floor, including the basement, of all *structures*;

3. Elevation in relation to mean sea level of which any *structure* has been floodproofed. Where available flood data relates to depth of floodwaters rather than height above mean sea level, then the depth of the 100-year flood should be substituted for elevation data;

4. Certification by a registered professional engineer or architect that the floodproofing methods for any nonresidential *structure* meet the floodproofing criteria in Chapter 11.80 RCC;

5. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.032, 2001).

**11.150.060 Action of *planning commission*.**

A. The *planning commission* may approve a site plan review in whole or in part, with or without conditions, if all of the following findings of fact can be made in an affirmative manner:

1. The project is consistent with the Ritzville Comprehensive Plan and meets the requirements and intent of this title, including the type of land *use* and the intensity/density of the proposed development.

2. The physical location, size, and placement of the development on the site and the location of the proposed *uses* within the project minimize impacts to any critical resource or floodplain area to the greatest extent possible or are compatible with the character and intended development pattern of the surrounding properties.

3. The project makes adequate provision for water supply, storm drainage, sanitary sewage disposal, emergency services, and environmental protection to ensure that the proposed project would not be detrimental to public health and safety.

4. Public access and circulation are adequate to and on the site. In addition, the access and circulation allow for multiple forms of transportation.

5. Adequate setbacks and buffering have been provided. Any reduction to setbacks or buffer widths is the minimum necessary to allow for reasonable economic *use* of the lot and does not adversely impact the functional value of the critical resource area or adjoining land *uses*.

6. The physical location, size, and placement of proposed *structures* on the site and the location of proposed *uses* within the project are compatible with and relate harmoniously to the surrounding area.

7. The project adequately mitigates impacts identified through the SEPA review process, if required.

8. The project would not be detrimental to the public interest, health, safety, or general welfare. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.033, 2001).

**11.150.070 Time limit on approval of site plan review.**

A. Authorization of a site plan review shall be valid for one year after the effective date, and shall lapse at that time unless a building permit has been issued and substantial construction has taken place.

B. The *planning commission* may extend the site plan review one year longer if it finds that the facts upon which the site plan review is approved have not changed substantially. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.034, 2001).

**11.150.080 Appeals.**

Any decision approving, approving with conditions or disapproving any site plan review may be appealed in accordance with Chapter 11.170 of the Ritzville City Code.

## Chapter 11.151 COMPREHENSIVE PLAN AMENDMENTS

### Sections:

- 11.151.010 Title.
- 11.151.020 Application.
- 11.151.030 Purpose.
- 11.151.040 Authority.
- 11.151.050 Initiation of *amendment*.
- 11.151.060 Review process.
- 11.151.070 Action of *planning commission*.
- 11.151.080 Appeals.

### 11.151.010 Title.

This chapter shall be called "Comprehensive plan Amendments."

### 11.151.020 Application.

This chapter *shall* apply to all *amendments* to the Ritzville *Comprehensive plan*.

### 11.151.030 Purpose.

The text and/or map of this title and the provisions of the Ritzville *Comprehensive plan* may be amended to better implement the intent and vision of the Ritzville *Comprehensive plan* or protect the health, safety, and welfare of city residents. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.051, 2001).

### 11.151.040 Authority.

This chapter is adopted pursuant to the authority granted to the City of Ritzville by the Washington *State Constitution* as a second-class city, the provisions of RCW 35.23 et seq., RCW 35.63 et seq., the Planning Act set forth in RCW chapters 36.70 and 36.70A, RCW chapters 36.70B, 36.70C, 58.17 et seq., 35.21, 36.01, and other applicable laws, as these provisions now exist or as hereinafter amended.

### 11.151.050 Initiation of *amendment*.

A. An *amendment* or supplement to this title may be initiated by any *owner* of affected *property* (in the case of a *zone* change), or any citizen of Ritzville in the case of other *amendments*.

B. The *planning commission* or city council may initiate an *amendment* to this title at any time.

C. Any proposed *amendment* shall be presented on forms and in the format prescribed by the *Commission*. Attached to any proposed *amendment* or supplement shall be an explanation and justification for the proposed change.

D. A request for a *zone* boundary change or *zone* change shall be accompanied by an accurate map at a scale not larger than one inch equals 200 feet showing the affected *property* and 300 feet in all directions from the *property* lines. A complete list of all *owners* of *property* on the map shall also be submitted. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.052, 2001).

### 11.151.060 Review process.

An amendment shall be subject to a Type III review consistent with RCC 11.11.130. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.053, 2001).

**11.151.070 Action of planning commission.**

The planning commission shall not recommend approval and the council shall not approve an amendment to the comprehensive plan or any implementing ordinance or regulation unless it first makes the following findings and conclusions:

1. The proposed amendment is consistent with the intent and goals of the Ritzville Comprehensive Plan and meets the requirements and intent of this title.
2. The City of Ritzville and other responsible agencies and special districts will be able to supply the development resulting from the amended comprehensive plan or implementing ordinance with adequate roads and streets for access and circulation, water supply, storm drainage, sanitary sewage disposal, emergency services, and environmental protection.
3. The amendment adequately mitigates impacts identified through the SEPA review process, if applicable.
4. The amendment is beneficial to the public health, safety, and welfare, and is in the public interest. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.054, 2001).

**11.151.080 Appeals.**

Any decision approving, approving with conditions or disapproving any comprehensive plan amendment may be appealed in accordance with Chapter 11.170 of the Ritzville City Code.

Chapter 11.160  
PUBLIC NOTICES

Sections:

- 11.160.010 Title.
- 11.160.020 Application.
- 11.160.030 Purpose.
- 11.160.040 Authority.
- 11.160.050 Notice of application.
- 11.160.060 Notice of public hearing.
- 11.160.070 Notice of decision.

11.160.010 Title.

This chapter *shall* be called "*Public Notices.*"

11.160.020 Application.

This chapter *shall* apply to all public notices distributed in the city.

11.160.030 Purpose.

The intent of this chapter is to provide procedures for the content and distribution of public notices to ensure that interested persons are provided opportunities to review and comment on projects. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.06.051, 2001).

11.160.040 Authority.

This chapter is adopted pursuant to the authority granted to the City of Ritzville by the Washington State Constitution as a second-class city, the provisions of RCW 35.23 et seq., RCW 35.63 et seq., the Planning Act set forth in RCW chapters 36.70 and 36.70A, RCW chapters 36.70B, 36.70C, 58.17 et seq., 35.21, 36.01, and other applicable laws, as these provisions now exist or as hereinafter amended.

11.160.050 Notice of application.

A. Within 14 days of issuing a letter of completeness under RCC 11.10.080, the *Administrator shall* issue a notice of application. The notice *shall* include but not be limited to the *following*:

1. The name of the *Applicant*;
2. Date of application;
3. The date of the letter of completeness;
4. The location of the project (address, assessor's *parcel* number(s), or legal description);
5. A description of the proposed project;
6. The requested approvals, actions, and/or required studies;
7. A public comment period not less than 14 nor more than 30 days;
8. Identification of existing environmental documents;
9. A city contact and phone number;
10. The date, time, and place of a public hearing if one has been scheduled;

11. A statement that the decision on the application will be made within 120 days of the date of the letter of completeness, or such additional time period as set forth in RCC 11.10.140(B);

12. A statement of the preliminary determination, if one has been made at the time of notice, of the development regulations that will be used for project mitigation and to determine consistency with this title;

13. SEPA determination, if known at the time of the notice.

B. The notice of application shall be distributed as follows:

1. Posted in at least three public buildings, at least 14 days, but not more than 30 days, prior to the hearing;

2. Publication at least 10 days before the date of a public meeting in the newspaper of general circulation;

3. If the proposed action is site-specific, notice shall be mailed to all property owners within 300 feet of the site, excluding right-of-way. The property owners shall be as shown on the most recent county assessor's records. The Applicant shall provide addressed, prestamped envelopes.

C. Notice of an application for Type I procedure shall be made as follows:

1. The Administrator shall notify the adjacent property owners of intent to grant approval.

2. Final approval will be granted unless a request for a public hearing is filed with the city clerk/treasurer within 14 days of the date of the notice.

D. Notice of an application for Type II procedure shall be made as follows:

1. Publication at least 10 days before the date of a public meeting in the official city newspaper of general circulation;

2. Mail to all property owners within 300 feet, not including street rights-of-way, of the boundaries of the property which is subject of the hearing. The notice shall be postmarked at least 14 days, but no more than 30 days, prior to the date of the public hearing. Addressed, prestamped envelopes shall be provided by the Applicant. The property owners shall be as shown on the most recent county assessor's records;

3. Post notice of the requested action on all street frontages of the property (properties) affected using notices provided by the Administrator.

E. Notice of an application for Type III procedure shall be made as follows:

1. Publication at least 10 days before the date of a public meeting in the official City of Ritzville newspaper of general circulation;

2. If the proposed action is for a specific site, notice shall be mailed to all property owners within 300 feet, not including street rights-of-way, of the boundaries of the property which is subject of the hearing. The notice shall be postmarked at least 14 days, but no more than 30 days, prior to the date of the public hearing. Addressed, prestamped envelopes shall be provided by the Applicant. The property owners shall be as shown on the most recent county assessor's records;

3. If the proposed action is for a specific site, notice of the requested action shall be posted by the Applicant on all street frontages of the property (properties) affected using notices provided by the Administrator.

4. If the application would apply to a large number of properties (for example, an entire zone district), publication of a map of areas affected may substitute for individual notice. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 2003 § 3, 2006; Ord. 1024 § 11.06.052, 2001).

### **11.160.060 Notice of public hearing.**

A. If the public hearing date is not provided in the notice of application, a separate notice of a public hearing for all development applications shall be given as follows:

1. Publication at least 10 days before the date of a public meeting, hearing, or pending action in a newspaper of general circulation in the city; and
2. Mailing at least 10 days before the date of a public meeting, hearing, or pending action to all property owners as shown on the records of the county assessor and to all street addresses of properties within 300 feet, not including street rights-of-way, of the boundaries of the property which is the subject of the meeting or pending action. Addressed, prestamped envelopes shall be provided by the Applicant; and
3. Posting at least 10 days before the meeting, hearing, or pending action in three public places where ordinances are posted and at least one notice on the subject property.

B. The public notice shall include a general description of the proposed project; action to be taken; a nonlegal description of the property or a vicinity map or sketch; the time, date and place of the public hearing and the place where further information may be obtained.

C. If for any reason, a meeting or hearing on a pending action cannot be completed on the date set in the public notice, the meeting or hearing may be continued to a date certain and no further notice under this section is required. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.06.053, 2001).

### **11.160.070 Notice of decision.**

A. After a decision is made by the review agency, the Administrator shall prepare a notice of decision that contains the following:

1. A description of the project or requested action and the location of the property.
2. A statement of any SEPA threshold determination.
3. A statement of the action taken by the review agency.
4. A statement that the action is final unless an appeal is submitted within the appeal period set by this title. The final appeal date shall be provided.
5. A statement describing the procedure for an appeal.
6. A statement that affected property owners may request a change in valuation for property tax purposes notwithstanding any program of revaluation.

B. The notice of decision shall be distributed as follows:

1. Publication of the notice in the official City newspaper of general circulation.
2. Mailing of the notice to the Applicant or Applicant's representative and to any person who, prior to the rendering of the decision, requested notice of the decision or submitted comments on the application.
3. Mailing of the notice to the county assessor's office. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.06.054, 2001).

## Chapter 11.170 APPEALS

### Sections:

11.170.010 Title.

11.170.020 Application.

11.170.030 Purpose.

11.170.040 Authority.

11.170.050 General provisions.

11.170.060 Filing of an *appeal*.

11.170.070 Judicial *appeal*.

11.170.080 Grievance procedure.

### 11.170.010 Title

This chapter *shall* be called "*Appeals*."

### 11.170.020 Application.

This chapter *shall* apply to any *appeal* of development applications in the city.

### 11.170.030 Purpose.

The intent of this chapter is to provide procedures for the *appeal* of a decision on a permit application.

### 11.170.040 Authority.

This chapter is adopted pursuant to the authority granted to the City of Ritzville by the Washington *State* Constitution as a second-class city, the provisions of RCW 35.23 et seq., RCW 35.63 et seq., the Planning Act set forth in RCW chapters 36.70 and 36.70A, RCW chapters 36.70B, 36.70C, 58.17 et seq., 35.21, 36.01, and other applicable laws, as these provisions now exist or as hereinafter amended.

### 11.170.050 General provisions.

A. Any decision on an application for permits described in this title may be *appealed*, by *Applicants* or parties of record, as follows:

1. Interpretations, SEPA determinations, and Type I decisions may be *appealed* to the city council within 14 calendar days of the decision.
2. Type II and Type III decisions may be *appealed* to Adams County superior court within 10 or 21 days, respectively, of the publication of the notice of decision as described in RCC 11.170.030. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.06.061, 2001).

### 11.170.060 Filing of an *appeal*.

A. The notice of *appeal* shall contain a concise *statement* identifying:

1. The decision being *appealed*;
2. The name and address of the appellant;
3. The specific reasons for the *appeal* (the appellant *shall* bear the burden of proving why the decision is inappropriate); and
4. The desired outcome or changes to the decision.

B. The *appeal* fee shall be paid by the appellant in accordance with the City of Ritzville *fee schedule* adopted by the city council. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.06.062, 2001).



**11.170.070 Judicial appeal.**

A. Appeals from the final decision of the *planning commission* or city council for which other *appeals* specifically authorized have been timely exhausted shall be made to Adams County superior court within 21 days of the date of publication of the notice of decision, unless another time period is established by *state* law or local ordinance. No person having actual prior notice of the proceedings of the *planning commission* or the city council hearings shall have standing to challenge the final action unless such person was a party of record at the final hearing.

B. Notice of the *appeal* and any other pleadings required to be filed with the court shall be served to the *Administrator*.

C. The cost of transcribing and preparing all records ordered certified by the court or desired by the appellant for such *appeal* shall be borne by the appellant. The appellant shall post with the city clerk/treasurer prior to the preparation of any records an advance fee deposit in the amount specified by the city clerk/treasurer. Any overage will be promptly returned to the appellant. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.06.063, 2001).

**11.170.080 Grievance procedure.**

A. For any grievances not applicable to the above provisions, the City of Ritzville grievance procedure is as follows:

1. Complaints must be submitted in writing to the *Administrator* for resolution. A record of each complaint and the action taken will be maintained. The *Administrator* shall render a decision within 15 working days.

2. If the complaint cannot be resolved to the satisfaction of the complainant by the *Administrator*, the matter shall be addressed through one of the following processes:

a. The complaint shall be referred to a committee appointed by the governing body. The composition of the committee, its procedural rules for hearing complaints, and its contact information shall be made publicly available. The committee shall conduct hearings in an objective and public manner, providing adequate public notice. A written decision shall be issued within 30 working days of the hearing. All proceedings of the committee shall be recorded and maintained as part of the public record.

b. The complaint shall be presented and discussed by the elected governing body during an open public meeting. A written decision shall be issued within 30 working days of the meeting. The decision of the governing body shall be final.

3. A record of action taken on each complaint will be maintained as a part of the records or meetings at each level of the grievance process. (Resolution #2009-09).

## Chapter 11.205 SUBDIVISIONS – GENERAL

Sections:

- 11.205.010 Title.
- 11.205.020 Application.
- 11.205.030 Purpose.
- 11.205.040 Authority.
- 11.205.050 Scope and compliance.

~~11.140~~205.010 Title.

This chapter shall be called “Subdivisions – General.”

11.205.020 Application.

This chapter shall apply to any subdivision or development within the City of Ritzville.

11.205.030 Purpose.

The purpose of ~~Division IV, Land Division,~~this chapter is to:

- A. Regulate the division of land and promote the public health, safety, and general welfare of the residents of the City of Ritzville in accordance with standards established by the ~~S~~State to prevent the overcrowding of land;
- B. Provide the most beneficial relationship between the uses of land and buildings and the circulation of traffic throughout the City of Ritzville, with particular regard to the avoidance of congestion in the streets and highways, the provision of suitable ingress and egress, and the creation of safe and adequate pedestrian and traffic movements appropriate to the various uses of land and buildings;
- C. Protect the character and the social and economic stability of the City of Ritzville and encourage the orderly and beneficial development of the community through appropriate growth management techniques assuring the timing and sequencing of development;
- D. Ensure that public facilities, such as streets, water, sewerage, parks and recreation areas and other public services are sufficient and concurrent with development;
- E. Ensure proper legal descriptions and monumenting of divided land; and
- F. Provide for the expeditious review and approval of proposed subdivisions which conform to the comprehensive plan, zoning standards and local plans as adopted ~~under the Growth Management Act. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.04.010, 2001).~~

~~11.140.020~~ 205.040 Authority.

This chapter is adopted pursuant to the provisions of chapters 35.63 RCW, 58.17 RCW, and other applicable laws and regulations.

11.205.050 Scope and compliance.

A. Any division, redivision, platting or subdivision or any division of land containing a dedication of any part to any public purpose, such as a public street, highway, or public open space, shall comply with the provisions of this chapter.

B. The provisions of this chapter shall not apply to the following:

1. Cemeteries and burial plots while used for that purpose;
2. Division of land into lots or tracts, each of which is one-sixty-fourth of a section of land or larger, or 10 acres or larger, if the land is not capable of description as a fraction of a section of land. For purposes of computing the size of any lot under this subsection which borders on a street or road, excluding limited-access streets or roads, the lot size shall be expanded to include that area which would be bounded by the centerline of the road or street, and the side lot lines of the lot running perpendicular to the centerline;
3. Divisions of land which are the result of the actions of governmental agencies, such as condemnation for road construction purposes;
4. Division of land made by testamentary provisions, or the laws of descent;
5. A division made for the purpose of adjusting boundary lines which does not create any additional lot, tract, parcel, site or division nor create any lot, tract, parcel, site or division which contains insufficient area and dimension to meet minimum requirements for width, depth, and area for a building site;
6. Divisions of land into lots or tracts classified for industrial or commercial use when the city has approved a **b**inding site plan for the use of the land in accordance with city regulations;
7. A division for the purpose of lease when no residential structures other than mobile homes or travel trailers are to be placed upon the land when a **b**inding site plan has been approved for the use of the land;
8. A division for the purpose of alteration by adjusting boundary lines, between platted or unplatted lots or both, which does not create any additional lot, tract, parcel, site, or division which contains insufficient area for a building site; and
9. Divisions of land into lots or tracts if:
  - a. The improvements constructed or to be constructed thereon will be included in one or more condominiums or owned by an association or other legal entity in which the owners of units therein or their owners' associations have a membership or other legal or beneficial interest;
  - b. A city, town or county has approved a **b**inding site plan for such land; and
  - c. The **b**inding site plan contains thereunto the following **s**tatement:

All development of the land described herein shall be in accordance with the **b**inding site plan, as it may be amended. Upon completion, the improvements on the land shall be included in one or more condominiums or owned by an association or other legal entity in which the owners of units therein or their owners' associations have a membership or other legal or beneficial interest.

(Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.04.020, 2001).

Chapter 11.145  
LOT LINE ADJUSTMENTS 210  
PLATS

Sections:

~~Sections:~~

~~11.145~~210.010 Title.  
11.210.020 Application.  
11.210.030 Purpose.

~~11.145.020 — General provisions.~~

~~11.145.010 — Purpose:~~

~~The purpose of this chapter is to implement the authority granted to the city by Chapter 58.17 RCW and to conform to its provisions which govern the platting and subdivision of land. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.04.031, 2001).~~

~~11.145.020 — General provisions:~~

~~Lot line adjustments shall be processed in accordance with Chapter 11.210 RCC and RCC 11.245.070. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.04.032, 2001).~~

## Chapter 11.150 PLATS

### Sections:

- ~~11.150.010~~—**210.040 Authority.**  
**11.210.050 Short plats.**  
~~11.150.020~~—**210.060 Prohibition on further division.**  
~~11.150.030~~—**210.070 Preliminary subdivision plats.**  
~~11.150.040~~—**210.080 Final plats.**

### **11.2150.010 Title.**

This chapter shall be called “Plats.”

### **11.210.020 Application.**

This chapter shall apply to all plats within the city.

### **11.210.030 Purpose.**

This chapter is intended to uniformly regulate the *plats* within the city.

### **11.210.040 Authority.**

This chapter is adopted pursuant to the authority granted to the City of Ritzville by the Washington *State Constitution* as a second-class city, the provisions of RCW 35.23 et seq., RCW 35.63 et seq., the Planning Act set forth in RCW chapters 36.70 and 36.70A, RCW chapters 36.70B, 36.70C, 58.17 et seq., 35.21, 36.01, and other applicable laws, as these provisions now exist or as hereinafter amended.

### **11.210.050 Short plats.**

Short *plats*, the division of land into four or fewer *parcels*, shall be processed in accordance with Chapter RCC 11.215 ~~RCC~~ and RCC 11.245.070. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.04.040, 2001).

### ~~11.150.020~~—**210.060 Prohibition on further division.**

Property in a short plat subdivision shall not be further divided in any manner within a period of five years without the filing of a final plat, except if the short plat contains fewer than four *lots*. If the short plat contains fewer than four *lots*, the *property owner* may alter the short plat within the five-year period to create up to a total of four *lots* within the original short plat boundaries. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.04.041, 2001).

### ~~11.150.030~~—**210.070 Preliminary subdivision plats.**

Preliminary subdivision *plats*, which are the division of land into five or more *parcels*, shall be processed in accordance with Chapters RCC 11.220 and RCC 11.245-~~RCC~~. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.04.050, 2001).

~~11.150.040~~ — **210.080** Final plats.

Final *plats*, which are the final approval of a preliminary subdivision *plat*, shall be processed in accordance with Chapters RCC 11.2255 and RCC 11.245-RCC10. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.04.060, 2001).

## Chapter 11.215 SHORT PLAT

Sections:

- 11.215.010 Title
- 11.215.020 Application.
- 11.215.030 Purpose.
- 11.215.040 Authority.
- 11.215.050 Review process.
- 11.215.060 Action by Administrator.
- 11.215.070 Time limit on permit for a short plat.
- 11.215.080 Appeals.

### 11.215.010 Title

This chapter shall be called “Short Plat.”

### 11.215.020 Application.

This chapter shall apply to all short plats within the city.

### 11.215.030 Purpose.

The purpose of a short plat is to provide a simplified process to divide property into four or fewer lots with a level of review that is proportional to the effect those lots may have on the surrounding area. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.081, 2001).

### 11.215.040 Authority.

This chapter is adopted pursuant to the authority granted to the City of Ritzville by the Washington State Constitution as a second-class city, the provisions of RCW 35.23 et seq., RCW 35.63 et seq., the Planning Act set forth in RCW chapters 36.70 and 36.70A, RCW chapters 36.70B, 36.70C, 58.17 et seq., 35.21, 36.01, and other applicable laws, as these provisions now exist or as hereinafter amended.

### 11.215.050 Review process.

Any person, firm, or corporation may make application for a preliminary subdivision plat. A preliminary subdivision plat application shall include the following and shall be submitted to the Administrator:

A. Three copies of a map which clearly indicates the proposed preliminary subdivision plat, with north arrow, date, existing topography, buildings, monuments, markers, boundary lines and easements and the proposed lot configuration, infrastructure, easements, and dedications.

B. A legal description of all lands included in the proposed preliminary subdivision. In the event that the boundaries are described by metes and bounds, the accuracy of the description shall be attested to and signed by a professional land surveyor.

C. The total property, owned by the applicant, which is contiguous to the parcel being subdivided, shall be accurately indicated on the drawing.

D. Name of the proposed subdivision, name of the subdivider, and name of the *person* preparing the *preliminary plat*.

E. Location of adjacent and adjoining *platted* areas and subdivisions showing relationships and match to all connecting *streets*, rights-of-way, utilities and easements.

F. All land that the *applicant* proposes to subdivide and all land immediately adjacent extending 100 feet in all directions from the site perimeter.

G. All adjacent land owned by the *applicant* on which future additional *plat* applications *may* be submitted together with general information as to the location and estimated extent of each additional *plat* which *may* be submitted.

H. Completed environmental checklist or documentation, if applicable.

I. A complete application form with applicable fees in accordance with the fee schedule adopted by the city council.

J. Authorization from the *owner(s)* of the *property* that is the subject of the subdivision application.

K. Additional information deemed necessary by the *Administrator* including, but not limited to, supplemental technical or environmental studies or reports, topography, easements, applicable *codes*, covenants and restrictions, proposed roadway layouts and sections and other information to ensure a thorough and complete review of the proposed subdivision. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.092, 2001).

#### **11.215.060 Action by Administrator.**

A. A short plat shall be subject to a Type I review consistent with RCC 11.11.110.

B. The *Administrator* may approve a short plat, with or without conditions, if all of the following findings of fact can be made in an affirmative manner:

1. The proposed short plat is in compliance with the Ritzville Comprehensive Plan requirements, Adams County health district and any other such plans developed pursuant to law. In addition, if the property, in part or total, abuts a state highway, the proposed short plat is in compliance with any rules of Washington State Department of Transportation.

2. The physical characteristics of the site, including but not limited to topography, soil conditions, or unique natural features such as susceptibility to flooding, wildlife habitat, or wetlands, have been considered in the project design.

3. The proposed short plat is in compliance with all applicable standards in this title.

4. The appropriate provisions have been made for dedications, easements, and reservations.

5. The public use and interest will be served by the **short plat**.

6. The following facilities are adequate to serve the proposed short plat before or concurrent with development of the preliminary plat:

a. Public and private streets and roads;

b. Water;

c. Storm water drainage;

d. Sanitary sewage collection and treatment;

e. Schools and educational services;

f. Fire and police service; and

g. Pedestrian and bicycle facilities.

7. If applicable, the terms and conditions of the approved subdivision within which the short plat is located have been met. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.083, 2001).

8. Impacts to public facilities have been analyzed in the application process, and all necessary public improvements that are reasonably proportional to the impacts of the short plat are demonstrated on the plat, already completely made/constructed, or bonded as per RCC 11.240.

#### **11.215.070 Time limit on permit for a short plat.**

An approved permit for a short plat shall be valid for three years, during which time all conditions shall be satisfied and the map shall be recorded at the county department of records. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.084, 2001).

#### **11.215.080 Appeals.**

Any decision approving, approving with conditions or disapproving any short plat may be appealed in accordance with Chapter 11.170 of the Ritzville City Code.

## Chapter 11.220 PRELIMINARY SUBDIVISION PLAT

### Sections:

**11.220.010 Title.**

**11.220.020 Application.**

**11.220.030 Purpose.**

**11.220.040 Authority.**

**11.220.050 Review process.**

**11.220.060 Action by *planning commission*.**

**11.220.070 Time limit on approval of a preliminary subdivision.**

**11.220.080 Appeals.**

#### **11.220.010 Title.**

This chapter shall be called "Preliminary Subdivision Plat."

#### **11.220.020 Application.**

This chapter shall apply to all preliminary subdivision plats within the city.

#### **11.220.030 Purpose.**

The purpose of a preliminary subdivision plat is to provide a simplified process to divide property into five or more lots with a level of review that is proportional to the effect those lots may have on the surrounding area. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.091, 2001).

#### **11.220.040 Authority.**

This chapter is adopted pursuant to the authority granted to the City of Ritzville by the Washington State Constitution as a second-class city, the provisions of RCW 35.23 et seq., RCW 35.63 et seq., the Planning Act set forth in RCW



chapters 36.70 and 36.70A, RCW chapters 36.70B, 36.70C, 58.17 et seq., 35.21, 36.01, and other applicable laws, as these provisions now exist or as hereinafter amended.

#### **11.220.050 Review process.**

Any person, firm, or corporation may make application for a preliminary subdivision plat. A preliminary subdivision plat application shall include the following and shall be submitted to the Administrator:

A. Three copies of a map which clearly indicates the proposed preliminary subdivision plat, with north arrow, date, existing topography, buildings, monuments, markers, boundary lines and easements and the proposed lot configuration, infrastructure, easements, and dedications.

B. A legal description of all lands included in the proposed preliminary subdivision. In the event that the boundaries are described by metes and bounds, the accuracy of the description shall be attested to and signed by a professional land surveyor.

C. The total property, owned by the applicant, which is contiguous to the parcel being subdivided, shall be accurately indicated on the drawing.

D. Name of the proposed subdivision, name of the subdivider, and name of the person preparing the preliminary plat.

E. Location of adjacent and adjoining platted areas and subdivisions showing relationships and match to all connecting streets, rights-of-way, utilities and easements.

F. All land that the applicant proposes to subdivide and all land immediately adjacent extending 100 feet in all directions from the site perimeter.

G. All adjacent land owned by the applicant on which future additional plat applications may be submitted together with general information as to the location and estimated extent of each additional plat which may be submitted.

H. Completed environmental checklist or documentation, if applicable.

I. A complete application form with applicable fees in accordance with the fee schedule adopted by the city council.

J. Authorization from the owner(s) of the property that is the subject of the subdivision application.

K. Additional information deemed necessary by the Administrator including, but not limited to, supplemental technical or environmental studies or reports, topography, easements, applicable codes, covenants and restrictions, proposed roadway layouts and sections and other information to ensure a thorough and complete review of the proposed subdivision. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.092, 2001).

#### **11.220.060 Action by planning commission.**

A. The planning commission may recommend approval of a preliminary subdivision plat, with or without conditions, if all of the following findings of fact can be made in an affirmative manner:

1. The proposed preliminary subdivision is in compliance with the Ritzville Comprehensive Plan, any requirements of the Adams County health district, and any other such plans developed pursuant to law. In addition, if the property, in part or total, abuts a State highway, the proposed preliminary subdivision is in compliance with any rules of Washington State Department of Transportation.

2. The physical characteristics of the site, including but not limited to topography, soil conditions, or unique natural features such as susceptibility to flooding, wildlife habitat, or wetlands, have been considered in the project design.

3. The proposed subdivision is in compliance with all applicable standards in this title.

4. The appropriate provisions have been made for dedications, easements, and reservations.

5. The public use and interest will be served by the subdivision.

6. The following facilities are adequate to serve the proposed short plat or subdivision before or concurrent with development of the preliminary plat:

- a. Public and private streets and roads;
- b. Water;
- c. Drainage;
- d. Sanitary waste collection and treatment;
- e. Schools and educational services;
- f. Fire and police service; and
- g. Pedestrian and bike facilities.

7. If phasing is proposed:

- a. The phasing plan includes all land within the preliminary plat;
- b. Each phase is an independent planning unit with safe and convenient circulation and with facilities and utilities coordinated with requirements established for the entire plat, and
- c. All road improvements requirements are assured.

8. Impacts to public facilities have been analyzed in the application process, and all necessary public improvements that are reasonably proportional to the impacts of the subdivision are demonstrated on the plat, already completely made/constructed, or bonded as per RCC 11.240.

B. The city council shall review and affirm or modify the planning commission recommendation at a public hearing held to take testimony on the proposed preliminary subdivision plat. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.093, 2001).

#### **11.220.070 Time limit on approval of a preliminary subdivision.**

A. Approval of a preliminary subdivision plat shall be valid for five years, during which time an application for a final subdivision meeting all the requirements of Division IV of this title, Land Division, and of the preliminary subdivision approval shall be made.

B. The applicant may request a one-year extension prior to the expiration of the preliminary approval. The request for extension may be granted by the city council; provided, that an attempt in good faith has been made to submit the final plat within the five-year period and that there have been no significant changes to the City of Ritzville's policies or this title. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.094, 2001).

#### **11.220.080 Appeals.**

Any decision approving, approving with conditions or disapproving any preliminary subdivision plant may be appealed in accordance with Chapter 11.170 of the Ritzville City Code.

## **Chapter 11.225 FINAL PLAT**

Sections:

- 11.225.010 Title.
- 11.225.020 Application.
- 11.225.030 Purpose.
- 11.225.040 Authority.
- 11.225.050 Review process.
- 11.225.060 Action by city council.
- 11.225.070 Approval and recordation.
- 11.225.080 Appeals.

**11.225.010 Title.**

This chapter shall be called "Final Plat."

**11.225.020 Application.**

This chapter shall apply to all Final plats within the city.

**11.225.030 Purpose.**

The purpose of a final plat is to ensure that all conditions of the preliminary short plat or preliminary subdivision plat approvals have been satisfied prior to the recordation of the map. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.121, 2001).

**11.225.040 Authority.**

This chapter is adopted pursuant to the authority granted to the City of Ritzville by the Washington State Constitution as a second-class city, the provisions of RCW 35.23 et seq., RCW 35.63 et seq., the Planning Act set forth in RCW chapters 36.70 and 36.70A, RCW chapters 36.70B, 36.70C, 58.17 et seq., 35.21, 36.01, and other applicable laws, as these provisions now exist or as hereinafter amended.

**11.225.050 Review process.**

Every final plat document shall include all components required for processing a preliminary plat based on RCC 11.220.050, as well as an accurate map of the divided land, based upon a complete survey, including the following information:

- A. All section, including quarter section and quarter quarter section, township, municipal and county lines, lying within or adjacent to the land.
- B. The location of all monuments, found or set, or other evidence used as ties to establish the subdivision boundaries. The location of all monuments found and established within the subdivision.
- C. The boundary of the divided land with complete hearings and lineal dimensions.
- D. The length of each block and lot line, together with bearings and other data necessary for the location of any block or lot line in the field.
- E. The location, width and centerline of all streets and alleys within and adjoining the subdivision.
- F. The location and width, shown with broken lines, and description of all easements, including a Statement of their designated use.
- G. Lot areas in square feet and lot and block numbers where applicable.
- H. Location of all adjoining and adjacent existing plats and unplatted property, indicated by broken lines, together with recording data.

(Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.122, 2001).

**11.225.060 Action by city council.**

The city council shall approve the final plat if all of the following findings of fact can be made in an affirmative manner. There shall be no public hearing for approval of final plats.

A. The final plat meets the requirements of Chapter 58.17 RCW, other applicable State laws, and all requirements for plat approval in this title.

B. The final plat has met all the conditions and conforms to all terms of the preliminary approval.

C. The Adams County treasurer certifies that all taxes and delinquent assessments for which the property may be liable have been duly paid, satisfied or discharged. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.123, 2001).

**11.225.070 Approval and recordation.**

A. A subdivision shall be governed by the terms of approval of the final plat, and the statutes, ordinances, and regulations in effect at the time of approval under RCW 58.17.150(1) and (3).

B. The final plat shall be filed with the planning department upon receipt of the filing fee from the applicant and shall be recorded by the county auditor. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.124, 2001).

**11.224.080 Appeals.**

Any decision approving, approving with conditions or disapproving any final plat may be appealed in accordance with Chapter 11.170 of the Ritzville City Code.

**Chapter 11.230**  
**VACATION AND ALTERATION**

Sections:

**11.230.010 Title.**

**11.230.020 Application.**

**11.230.030 Purpose.**

**11.230.040 Authority.**

**11.230.050 Action by city council.**

**11.230.060 Approval and recordation.**

**11.230.070 Appeals.**

**11.230.010 Title.**

This chapter shall be called "Vacation and Alteration."

**11.230.020 Application.**

This chapter shall apply to all vacations and alterations in the city.

**11.230.030 Purpose.**

The purpose of a vacation and *alteration* procedure is to allow for the deletion or *alteration* of a dedicated *right-of-way* or easement. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.131, 2001).

#### **11.230.040 Authority.**

This chapter is adopted pursuant to the authority granted to the City of Ritzville by the Washington *State Constitution* as a second-class city, the provisions of RCW 35.23 et seq., RCW 35.63 et seq., the Planning Act set forth in RCW chapters 36.70 and 36.70A, RCW chapters 36.70B, 36.70C, 58.17 et seq., 35.21, 36.01, and other applicable laws, as these provisions now exist or as hereinafter amended.

#### **11.230.050 Action by city council.**

A. A vacation and *alteration shall* be subject to a Type III review consistent with RCC 11.11.130.

B. The city council at a public hearing *may* approve of a vacation and *alteration* request, with or without conditions, if all of the following findings of fact can be made in an affirmative manner:

1. The *alteration* to the previously approved subdivision is in compliance with the Ritzville Comprehensive Plan and this title.

2. The public *use* will be served by the *alteration* to the previously approved subdivision. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.132, 2001).

#### **11.230.060 Approval and recordation.**

After approval of an *alteration* request, a revised *plat shall* be filed with the county department of records upon receipt of the county's filing fee from the *applicant*. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.133, 2001).

#### **11.230.070 Appeals.**

Any decision approving, approving with conditions or disapproving any vacation or *alteration may* be appealed in accordance with Chapter 11.170 of the Ritzville City Code.

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## Chapter 11.240 BONDS

### Sections:

- 11.240.010 Title.
- 11.240.020 Application.
- 11.240.030 Purpose.
- 11.240.040 Authority.
- 11.240.050 Bond in lieu of construction.
- 11.240.060 Design and certification.

### 11.240.010 Title.

This chapter shall be called "Bonds."

### 11.240.020 Application.

This chapter shall apply to all bonds in lieu of construction within the city.

### 11.240.030 Purpose.

This chapter is intended to uniformly regulate when a bond may be used in lieu of construction within the city.

### 11.240.040 Authority.

This chapter is adopted pursuant to the authority granted to the City of Ritzville by the Washington State Constitution as a second-class city, the provisions of RCW 35.23 et seq., RCW 35.63 et seq., the Planning Act set forth in RCW chapters 36.70 and 36.70A, RCW chapters 36.70B, 36.70C, 58.17 et seq., 35.21, 36.01, and other applicable laws, as these provisions now exist or as hereinafter amended.

### 11.240.050 Bond in lieu of construction.

In lieu of the completion of the actual construction of any required improvements or monumentation prior to the approval of a short or final plat, the Administrator or council may accept a bond, or other form of financial security, approved by the Administrator or his/her designee and by the City of Ritzville attorney, in an amount and with surety and conditions satisfactory to it, or other secure method, providing for and securing to the City of Ritzville the actual construction and installation of such improvements within a period specified by the City of Ritzville and expressed in the bonds. In addition, the City of Ritzville may require the posting of a bond securing to the City of Ritzville the successful operation of improvements for up to two years after final approval. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.04.100(A), 2001).

### 11.240.060 Design and certification.

All bonded improvements shall be designed and certified by or under the supervision of a registered civil engineer prior to the acceptance of the improvements. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.04.100(B), 2001).

## Chapter 11.245 MONUMENTATION

### Sections:

**11.245.010 Title.**  
**11.245.020 Application.**  
**11.245.030 Purpose.**  
**11.245.040 Authority.**  
**11.245.050 Requirement.**  
**11.245.060 Exterior boundaries.**

**11.245.010 Title.**

This chapter shall be called "Monumentation."

**11.245.020 Application.**

This chapter shall apply to all monuments within the city.

**11.245.030 Purpose.**

This chapter is intended to uniformly regulate monuments for the exterior boundaries of subdivisions.

**11.245.040 Authority.**

This chapter is adopted pursuant to the authority granted to the City of Ritzville by the Washington State Constitution as a second-class city, the provisions of RCW 35.23 et seq., RCW 35.63 et seq., the Planning Act set forth in RCW chapters 36.70 and 36.70A, RCW chapters 36.70B, 36.70C, 58.17 et seq., 35.21, 36.01, and other applicable laws, as these provisions now exist or as hereinafter amended.

**11.245.050 Requirement.**

All front and rear corners shall be set with monuments, except as provided in RCC 11.245.060. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.04.110(A), 2001).

**11.245.060 Exterior boundaries.**

All monuments for the exterior boundaries of the subdivision shall be set and referenced on the plat prior to plat recording. Interior monuments need not be set prior to recording if the developer certifies that the interior monuments shall be set within 90 days of final subdivision construction inspection by the City of Ritzville, and if the developer guarantees and certifies the interior monumentation. (Ord. 2041 § 1 (Exh. A), 2010; Ord.

Chapter 11.155 ~~1024~~ § 11.04.110(B), 2001).

## Chapter 11.250 DESIGN STANDARDS

Sections:

Sections:

- ~~11.155~~**250.010 Title.**
- ~~11.155~~**250.020 Application.**
- ~~11.155~~**250.030 Purpose.**
- ~~11.155.020~~ ~~250.040~~ **Authority.**
- ~~11.155~~**250.040 General provisions.**
- ~~11.155~~**250.030 Streets.**
- ~~11.155~~**250.040 Block sizes.**
- ~~11.155~~**250.050 Access.**
- ~~11.155~~**250.060 Lot frontage.**
- ~~11.155~~**250.070 Lot dimensions.**
- ~~11.155~~**250.080 Curbs, sidewalks, and planter strips.**
- ~~11.155~~**250.090 Street amenities.**
- ~~11.155~~**250.100 Water facilities.**
- ~~11.155~~**250.110 Drainage and storm sewers.**
- ~~11.155~~**250.120 Sanitary sewer facilities.**
- ~~11.155~~**250.130 Public utilities and easements.**
- ~~11.155~~**250.140 Dedication of public park.**
- ~~11.155~~**250.150 Naming of divided land.**
- ~~11.155~~**250.160 Protective covenants.**
- ~~11.155~~**250.170 Solar access.**
- ~~11.155~~**250.180 Flood, inundation, or swamp conditions.**
- ~~11.155~~**250.190 Wind energy facility.**

### ~~11.155~~**250.010 Title.**

This chapter shall be called "Design Standards."

### ~~11.155~~**250.020 Application.**

This chapter shall apply to all land use in the city.

### ~~11.155~~**250.030 Purpose.**

The purpose of design standards is to create land divisions that are efficient and safe and that fit within the overall pattern of the community. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.04.071, 2001).

### ~~11.155.020~~ ~~250.040~~ **Authority.**

This chapter is adopted pursuant to the authority granted to the City of Ritzville by the Washington State Constitution as a second-class city, the provisions of RCW 35.23 et seq., RCW 35.63 et seq., the Planning Act set forth in RCW chapters 36.70 and 36.70A, RCW chapters 36.70B, 36.70C, 58.17 et seq., 35.21, 36.01, and other applicable laws, as these provisions now exist or as hereinafter amended.



**11.250.050 General provisions.**

- A. Land which is found to be unsuitable due to bad drainage, slopes of more than 20 percent or land with rock or unstable soil conditions *shall* not be subdivided unless the plans include the design and installation of devices necessary for correction or control of conditions.
- B. If existing utilities are not adequate or cannot be practically installed, a proposed land division may be rejected until such time as necessary modifications to the system(s) are made to allow for adequate service. As a condition of a land division approval, the ~~city~~ City of Ritzville may require the costs of modification be borne by the subdivider.
- C. The subdivider may be required to provide utilities on site and off site to meet the minimum level of service established in the Ritzville *Comprehensive Plan*.
- D. If a subdivider is required to install utilities that are greater than the minimum provided in this chapter to implement the *development* of the *comprehensive plan* to serve areas other than the proposed subdivision, the ~~city~~ City of Ritzville may reimburse the subdivider for the additional costs for the larger infrastructure. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.04.072, 2001).

~~11.155.030~~ — **250.060 Streets.**

- A. The on-site *street* system *shall* be coordinated with existing, proposed, and anticipated *streets* beyond the land that is being divided into *lots*. The arrangement of *streets shall* provide for the continuation of principal *streets* and adjacent properties for the convenient movement of traffic, effective fire protection, efficient provision of utilities and conformance with the *comprehensive plan*.
- B. Whenever connections to anticipated or proposed surrounding *streets* are required, the *street right-of-way shall* be extended and the *street* developed to the *property* line of the subdivided *property*, or to the edge of the undeveloped portion of a single tract, at the point where the connection to the anticipated or proposed *street* is expected. In addition, the ~~city~~ Administrator may require *temporary* turnarounds to be constructed at the end of such *streets* pending their extension when such turnarounds appear necessary to facilitate the flow of traffic or accommodate emergency vehicles.
- C. *Streets shall* be related appropriately to the topography. In particular, *streets shall* be designed to facilitate the drainage and storm water runoff and to conform as closely as practicable to the original topography.
- D. Clear visibility *shall* be provided for a minimum distance of 10 feet at intersections, as measured along the *property* line of the *streets*, or as approved by the *city engineer* based on *street* alignment and gradients.
- E. The *following* design standards *shall* apply for dedicated rights-of-way:

	Local or Residential	Collector	Arterial
Required Right-of-Way	60 feet	60 feet	80 – 100 feet
Required Pavement Width	20 feet (28 with parking)	24 feet (40 with parking)	60 feet
Design Speed	25 miles per hour	35 miles per hour	35 miles per hour
Maximum Length of Cul-de-Sacs	300 feet	Not allowed	Not allowed
Minimum Radius of Turnaround for Cul-de-Sacs	30 feet	Not allowed	Not allowed

- F. *Streets* not dedicated to the public *must* be clearly marked on the face of the plat. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.04.073, 2001).

~~11.155.040~~ — **250.070 Block sizes.**

A. *Blocks shall* have sufficient depth to provide for two tiers of *lots* which meet the *development* standards of the district in which the *property* is located. The lengths, widths and shapes of *blocks shall* be such as are appropriate for the location but *block* lengths in residential zones *shall* not be less than 300 feet except that *block* lengths with frontage on major *arterials* should not be less than 1,000 feet.

B. Where possible, *block* length, width, and layout *shall* be consistent with that of adjacent layouts unless topographical conditions justify variation.

C. The subdivider may be required to provide an *easement* through a *block* to create pedestrian connectivity at a mid-*block* point when determined to be essential to provide circulation or access to schools, parks, retail areas, or other destination points. Minimum width of a pedestrian walkway placed in the *easement shall* be four feet.

D. The subdivider may be required to provide an *easement* or an *alley* through the *block* to accommodate utilities or drainage. Minimum widths of *easements* for sewer, water or storm drain facilities *shall* be 10 feet. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.04.074, 2001).

~~11.155.050~~ — **250.080 Access.**

A. Every *lot shall* be provided with frontage on or access to a public *street* via a private *street*.

B. If access to the subdivision is required across land under the jurisdiction of another local government, the *planning commission* may request assurance from the local government that access is legally established, and that the access road is adequately improved, or that a guarantee has been executed and is sufficient to assure the construction of the access road. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.04.075, 2001).

~~11.155.060~~ — **250.090 Lot frontage.**

A. All *lots shall* have a minimum *lot* frontage of 20 feet.

B. *Flag lots shall* not be approved unless the frontage and *lot* width standards are met. No more than two *lots* may be accessed from a single flag stem. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.04.076, 2001).

~~11.155.070~~ — **250.100 Lot dimensions.**

If *lots* within a proposed *short plat* or preliminary subdivision plat are more than double the minimum required area for the zoning district, the *planning commission* may require that those *lots* be arranged so as to allow further subdivision and the opening of future *streets* where they would be necessary to serve potential *lots*. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.04.077, 2001).

~~11.155.080~~ — **250.110 Curbs, sidewalks, and planter strips.**

Sidewalks:	Local or Residential	Collector	Arterial
Residential zones	5 feet	5 feet	6 feet
Commercial and public zones	8 feet	8 feet	8 feet
Industrial zones	6 feet	6 feet	6 feet

- A. Where there are existing sidewalks, the width of any new sidewalk section *shall* match the existing sidewalk—unless other sidewalk standards are required by the Americans with Disabilities Act (ADA). If the existing sidewalk is narrower than what is required by this chapter, after connecting to the existing sidewalk, the new sidewalk *shall* be gradually increased to match the width required by this chapter wherever feasible. If the existing sidewalk is wider than what is required by this chapter, the new sidewalk *shall* maintain the existing sidewalk width for the entire project.
- B. Within a planned *development*, curbside sidewalks may be replaced as a functional equivalent by a separate path or trail with equivalent surface and dimensions, with all-weather impervious surfacing on a public *easement*, when approved as part of the *homeowners* association *ownership* and responsibility in lieu of public sidewalks as normally placed adjacent to the roadway and serving the same function. Along the perimeter boundary of the PD, the public *street* and sidewalk improvements *shall* be in accordance with these provisions.
- C. Sidewalks, where necessary because of topographic constraints, may be, upon approval of the ~~city~~ Administrator, required on only one side.
- D. Sidewalk access ramps *shall* be included into all pedestrian *street* crossings and *shall* meet the requirements of the Federal Americans with Disabilities Act.
- E. Sidewalk widths are exclusive of the curb width, and *shall* be measured from the back of the curb to the back of the sidewalk.
- F. All sidewalks *shall* be four-inch-thick concrete per the standard specifications, with a stiff broom finish. At driveways, the concrete *shall* be six inches thick.
- G. Mailboxes *shall* be placed so the bottom of the mailbox is no less than 44 inches above the ~~street~~ Grade, and they *shall* not be located in such a way so as to obstruct a portion of a sidewalk. The front of a mailbox *must* be one foot in back of a curb face, or the back of a sidewalk, whichever is applicable. Mailboxes *shall* be on posts strong enough to give firm support but not to exceed four-inch-by-four-inch wood or one-and-one-half inch diameter pipe or other material with comparable breakaway characteristics.
- H. Concrete curbs six inches wide and six inches high, measured from the finished pavement, *shall* be constructed in accordance with the standard specifications.
- ~~I.~~ Curved curb returns shall be permitted at intersections with marked crossings, provided that curb ramps at marked crossings are wholly contained within the crosswalk, excluding side flares.
- J. Sidewalks and curbs *shall* be included within the dedicated nonpavement *right-of-way* of all *streets* and when possible, allowing a four-foot *buffer* strip between curb and sidewalk in residential zones. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.04.078, 2001).

~~11.155.090~~ — 250.120 **Street amenities.**

- A. One *street* tree *shall* be planted within the planting strip of the public *right-of-way* for every 40 feet of *lot* frontage along the existing or proposed road. A waiver may be granted by the city council if there are trees growing along the *right-of-way* or on the abutting *property* which, in the judgment of the city council, comply with this regulation.
- B. *Street*lights *shall* be provided so as to provide a safe environment for the residents and visitors to the subdivision. The location and amount of lighting *shall* be approved by the ~~city superintendent~~ public works director. The subdivider *shall* be responsible for the cost of installation of all required lights.
- C. Before occupancy of any *building*, the ~~city~~ City or Ritzville will install all required *street* signs. The subdivider *shall* be responsible for the cost of installation of all required signs. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.04.079, 2001).

~~11.155.100~~ — 250.130 **Water facilities.**

A. All *lots* shall be connected to city water. The subdivider shall ensure that necessary improvements and extensions are made so as to provide water sufficient for domestic use and fire protection. All water extensions shall be approved by the *city superintendent*.

B. All water *utility* installations, including fire hydrants, shall be designed in accordance with the American Public Works Association Standards or as required by the ~~city superintendent~~public works director. All materials shall be American Water Works Association approved.

C. Any water main shall be a minimum of six inches in diameter. In deciding the size of a new water line, the size shown in the water system master plan and the planned growth of the surrounding area shall be considered.

D. Fire hydrants are required in all subdivisions. They shall be spaced at distances not to exceed 500 feet in *single-family* residential areas and at distances not to exceed 300 feet in all other areas, per Uniform Fire Code. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.04.080, 2001).

~~11.155.110~~ — **250.140 Drainage and storm sewaters.**

A. *Lots* shall be *graded* so as to provide positive drainage away from all *buildings* and individual *lot* drainage shall be coordinated with the proposed storm drain pattern of the area. Storm water runoff from individual *lots* shall be detained and treated on-site, so that the general storm drainage pattern in the area will not be disrupted.

B. In areas where on-site storm water detention and/or treatment system are not possible, an adequate storm ~~sew~~ater system including necessary pipes, culverts, catch basins and any other necessary appurtenances shall be provided for the proper drainage of surface water. The inflow of storm waters into sanitary sewers shall be prohibited.

C. Detention basins shall be designed to be in character with the existing landscape and topography so as to blend in with the visual landscape.

D. The requirements for installation of storm ~~sew~~ater drainage may be waived upon approval by the city council and ~~city superintendent~~public works director. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.04.081, 2001).

~~11.155.120~~ — **250.150 Sanitary sewer facilities.**

A. The subdivider shall install sanitary sewer facilities to all *lots* in accordance with the American Public Works Association Standards or as required and approved by the ~~city superintendent~~public works director.

B. Sanitary sewers shall be installed to serve every *lot*. No individual disposal systems or treatment plants shall be permitted.

C. No sewer main shall be less than eight inches in diameter. In deciding the size of a new sewer main, the planned growth of the surrounding area, as shown in the *comprehensive plan*, shall be analyzed. (~~Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.04.082, 2001~~).

~~(Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.155.130 — 04.082, 2001).~~

**11.250.160 Public utilities and easements.**

A. All existing and proposed utilities and *easements* shall be shown on the preliminary plat.

B. All new *utility* facilities, including but not limited to gas, electric power, telephone, and CATV cables, shall be located underground throughout the subdivision. Whenever existing *utility* facilities are located above ground, except when existing on public roads and rights-of-way, they shall be removed and placed underground.

C. Underground service connections to the *property* line of each platted *lot* shall be installed by the subdivider. The subdivider shall coordinate with the ~~city~~City or Ritzville and *utility* companies for the establishment of *easements* within the subdivision. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.04.083, 2001).

~~11.155.140~~ — **250.170 Dedication of public park.**

A. Land within a *short plat* or preliminary subdivision that is indicated in the *comprehensive plan* as public open space may be required to be reserved by the subdivider for purchase by the public within a one-year period of time after final subdivision approval.

B. If the preliminary plat includes a *dedication* of a public park with an area of less than two acres and the donor has designated that the park be named in honor of a deceased individual of good character, the city council *shall* adopt the designated name. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.04.084, 2001).

~~11.155.150~~ — **250.180 Naming of divided land.**

The proposed name of a *short plat* or subdivision *shall* not duplicate, or closely approximate phonetically, the name of any other division of land. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.04.085, 2001).

~~11.155.160~~ — **250.190 Protective covenants.**

If a *property owner* has covenants or deed restrictions on a proposed *short plat* or subdivision, the recording date of said covenants or deed restrictions *shall* be on the face of the plat. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.04.086, 2001).

~~11.155.170~~ — **250.200 Solar access.**

The *lots* and *building pads* *shall* be oriented to maintain solar access to properties within and adjacent to the subdivision. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.04.087, 2001).

~~11.155.180~~ — **250.210 Flood, inundation or swamp conditions.**

A proposed plat may be denied because of *flood*, inundation, or swamp conditions. Construction of protective improvements may be required as a condition of approval, and such improvements *shall* be noted on the *final plat*. No plat *shall* be approved covering any land situated in a *flood control zone* as provided in Chapter-~~86.16~~ **86.16** RCW without the prior written approval of the *State Department of Ecology*. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.04.088, 2001).

~~11.155.190~~ — **250.220 Wind energy facility.**

All wind energy facilities or alternate energy *must* meet existing *codes*. (Ord. 2041 § 1 (Exh. A), 2010).

Chapter 11.160  
PLAT VACATION AND ALTERATION

Sections:

- ~~11.160.010~~ — Processing.
- ~~11.160.020~~ — Easements.
- ~~11.160.030~~ — Final drawing.
- ~~11.160.040~~ — Assessments.
- ~~11.160.050~~ — Dedicated land.

~~11.160.010~~ — Processing.

~~A plat vacation or alteration shall be processed in accordance with Chapter 11.235 RCC. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.04.090, 2001).~~

**~~11.160.020 — Easements.~~**

~~Easements established by a dedication are property rights that cannot be extinguished or altered without the approval of the easement owner(s), unless the plat or other document creating the dedicated easement provides for an alternative method(s) to vacate or alter the easement. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.04.090(A), 2001).~~

**~~11.160.030 — Final drawing.~~**

~~After approval of an alteration, the applicant shall produce a final drawing of the approved alteration which shall be filed with the county auditor to become the lawful plat of the property. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.04.090(B), 2001).~~

**~~11.160.040 — Assessments.~~**

~~If any land within the alteration is part of an assessment district, any outstanding assessment shall be equitably divided and levied against the remaining lots, parcels, or tracts, or be levied equitably on the lots resulting from the alteration. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.04.090(C), 2001).~~

**~~11.160.050 — Dedicated land.~~**

~~If any land within the alteration contains a dedication to the general use of persons residing within the subdivision, such land may be altered and divided equitably between the adjacent properties. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.04.090(D), 2001).~~

## Chapter 11.165 BONDS

### Sections:

~~11.165.010 — Bond in lieu of construction.~~

~~11.165.020 — Design and certification.~~

#### **11.165.010 — Bond in lieu of construction.**

~~In lieu of the completion of the actual construction of any required improvements or monumentation prior to the approval of a short or final plat, the administrator or council may accept a bond, approved as to form by the city attorney, in an amount and with surety and conditions satisfactory to it, or other secure method, providing for and securing to the city the actual construction and installation of such improvements within a period specified by the city and expressed in the bonds. In addition, the city may require the posting of a bond securing to the city the successful operation of improvements for up to two years after final approval. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.04.100(A), 2001).~~

#### **11.165.020 — Design and certification.**

~~All bonded improvements shall be designed and certified by or under the supervision of a registered civil engineer prior to the acceptance of the improvements. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.04.100(B), 2001).~~

## Chapter 11.170 MONUMENTATION

### Sections:

~~11.170.010 — Requirement.~~

~~11.170.020 — Exterior boundaries.~~

### **11.170.010 — Requirement:**

~~All front and rear corners shall be set with monuments, except as provided in RCC 11.170.020. (Ord. 2041-§ 1 (Exh. A), 2010; Ord. 1024 § 11.04.110(A), 2001).~~

### **11.170.020 — Exterior boundaries.**

~~All monuments for the exterior boundaries of the subdivision shall be set and referenced on the plat prior to plat recording. Interior monuments need not be set prior to recording if the developer certifies that the interior monuments shall be set within 90 days of final subdivision construction inspection by the city, and if the developer guarantees and certifies the interior monumentation. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.04.110(B), 2001).~~



## Chapter 11.175 INFRASTRUCTURE IMPROVEMENTS

### Sections:

~~11.175.010 — As-built drawings.~~

**11.175.010 — As-built drawings:**

~~Upon completion of the installation of all infrastructure improvements, two copies of infrastructure as-built plans shall be filed with the city superintendent. The maps shall show information required by the city superintendent, but not limited to location of all utilities, sewer grades, manholes, fire hydrants, storm sewer main size and location, water mains and catch basin location. The city shall withhold final acceptance of the utility installation until the as-built drawings are filed. (Ord. 2011 § 1 (Exh. A), 2010; Ord. 1024 § 11.04.120, 2001).~~

Division V: Applications

~~Chapter 11.180~~  
APPLICATIONS

~~Sections:~~

~~11.180.010 Purpose.~~

~~**11.180.010 Purpose.**~~

~~This chapter describes the land use applications for development subject to review under this title. The intent is to describe the framework of the various types of development applications, the criteria and timeframe for approvals. The procedures for the land use applications are described in the following chapters. (Ord. 2011 § 1 (Ex. A), 2010; Ord. 1024 § 11.05.010, 2001).~~

## Chapter 11.185 CONDITIONAL USE PERMITS

### Sections:

- ~~11.185.010 Purpose.~~
- ~~11.185.020 Review process.~~
- ~~11.185.030 Action of review authority.~~
- ~~11.185.040 Time limit on approval of conditional use permit.~~

### **11.185.010 Purpose.**

~~It is the purpose of this chapter to allow for the review of proposed uses which, because of considerations of traffic, noise, lighting, hazards, health and environmental issues, require a case-by-case review to determine if the use is appropriate on the site and in the vicinity. The imposition of conditions on the approval of an application can occur in order to reduce impacts to adjacent properties and uses. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.021, 2001).~~

### **11.185.020 Review process.**

~~A. A temporary use permit shall be subject to a Type I review consistent with RCC 11.245.070.~~

~~B. A conditional use permit shall be subject to a Type II review consistent with RCC 11.245.080. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.022, 2001).~~

### **11.185.030 Action of review authority.**

~~A. A temporary use permit may be approved, in whole or in part, with or without conditions, if all of the following findings of fact can be made in an affirmative manner:~~

- ~~1. The temporary use shall occur for a maximum of six months.~~
- ~~2. The operation of the requested use at the location proposed and within the time period specified will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or general welfare.~~
- ~~3. The proposed site is adequate in size and shape to accommodate the temporary use without detriment to the use and enjoyment of other properties in the project vicinity.~~
- ~~4. The project makes adequate provision for access and circulation, water supply, storm drainage, sanitary sewage disposal, emergency services, and environmental protection.~~
- ~~5. Adequate temporary parking to accommodate vehicular traffic to be generated by the use will be available either on site or at alternate locations acceptable to the review authority.~~

~~B. The planning commission may approve a conditional use permit in whole or in part, with or without conditions, if all of the following findings of fact can be made in an affirmative manner:~~

- ~~1. The project is consistent with the Ritzville Comprehensive Plan and meets the requirements and intent of this title, including the type of land use; the density/intensity of the proposed development; and the protection of critical areas, if applicable.~~

- ~~2. The project makes adequate provision for access and circulation, water supply, storm drainage, sanitary sewage disposal, emergency services, and environmental protection to ensure that the proposed project would not be detrimental to public health and safety.~~
- ~~3. The project adequately mitigates impacts identified through the SEPA review process, if required.~~
- ~~4. The project is beneficial to the public health, safety, and welfare, and is in the public interest. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.023, 2001).~~

**11.185.040 — Time limit on approval of conditional use permit.**

- ~~A. Authorization of a temporary use permit shall be valid for the time specified in the approval, but not to exceed six months.~~
- ~~B. Authorization of a conditional use permit shall be valid for three years from the effective date, and shall lapse at that time unless a building permit has been issued and substantial construction has taken place or the use has commenced.~~
- ~~C. The planning commission may extend the conditional use permit one year if it finds that the facts on which the conditional use permit was approved have not changed substantially.~~
- ~~D. If the use authorized under a conditional use permit ceases or is interrupted for six consecutive months or more, then a new conditional use permit will be required. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.024, 2001).~~

## Chapter 11.190 SITE PLAN REVIEW

### Sections:

- ~~11.190.010 Purpose.~~
- ~~11.190.020 Review process.~~
- ~~11.190.030 Action of review authority.~~
- ~~11.190.040 Time limit on approval of site plan review.~~

### ~~11.190.010 Purpose.~~

~~The purpose of a site plan review is to ensure that certain types of development and all development on sites containing, or within 200 feet of, unique or critical resources protect these resources to the extent possible, and that the public health, safety and welfare of residents of Ritzville is maintained. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.031, 2001).~~

### ~~11.190.020 Review process.~~

~~A. Site plan review shall be subject to a Type II review consistent with RCC 11.245.080.~~

~~B. A site plan review application shall include the following on plans that are drawn to scale:~~

- ~~1. The location and dimension of the lot(s);~~
- ~~2. Existing topography and natural features;~~
- ~~3. Existing and proposed structures and the proposed uses;~~
- ~~4. Proposed grading, drainage facilities, and location of storage, if applicable;~~
- ~~5. The location of existing and proposed roads, parking facilities, loading areas, curbs, drains, paving, sign and light pole locations, walls, fences, walks, approaches, and plantings within the area;~~
- ~~6. The location of existing and proposed water, storm, and sanitary sewer lines;~~
- ~~7. The nature, location, and dimensions of the critical resource area or floodplain area, if any, on or adjacent to the site;~~
- ~~8. All required technical reports prepared by experts with demonstrated qualifications in the area(s) of concern;~~
- ~~9. Drawings of proposed building elevations, noting material types and color;~~
- ~~10. Any additional information deemed necessary by the administrator or planning commission.~~

~~C. In the case of proposed development within the FM zone, the following shall also be provided:~~

- ~~1. Estimated flood elevation for a 100-year flood or the flood event having a one percent chance of occurring in any given year, as determined by the Flood Insurance Agency or a qualified professional engineer;~~
- ~~2. Elevation in relation to mean sea level of the lowest floor, including the basement, of all structures;~~
- ~~3. Elevation in relation to mean sea level of which any structure has been floodproofed. Where available flood data relates to depth of floodwaters rather than height above mean sea level, then the depth of the 100-year flood should be substituted for elevation data;~~

~~4. Certification by a registered professional engineer or architect that the floodproofing methods for any nonresidential *structure* meet the floodproofing criteria in Chapter 11.80 RCC;~~

~~5. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.032, 2001).~~

**~~11.190.030~~ — ~~Action of review authority.~~**

~~A. The *planning commission* may approve a site plan review in whole or in part, with or without conditions, if all of the following findings of fact can be made in an affirmative manner:~~

~~1. The project is consistent with the Ritzville Comprehensive Plan and meets the requirements and intent of this title, including the type of land *use* and the intensity/density of the proposed development.~~

~~2. The physical location, size, and placement of the development on the site and the location of the proposed *uses* within the project minimize impacts to any critical resource or floodplain area to the greatest extent possible or are compatible with the character and intended development pattern of the surrounding properties.~~

~~3. The project makes adequate provision for water supply, storm drainage, sanitary sewage disposal, emergency services, and environmental protection to ensure that the proposed project would not be detrimental to public health and safety.~~

~~4. Public access and circulation are adequate to and on the site. In addition, the access and circulation allow for multiple forms of transportation.~~

~~5. Adequate setbacks and buffering have been provided. Any reduction to setbacks or buffer widths is the minimum necessary to allow for reasonable economic *use* of the lot and does not adversely impact the functional value of the critical resource area or adjoining land *uses*.~~

~~6. The physical location, size, and placement of proposed *structures* on the site and the location of proposed *uses* within the project are compatible with and relate harmoniously to the surrounding area.~~

~~7. The project adequately mitigates impacts identified through the SEPA review process, if required.~~

~~8. The project would not be detrimental to the public interest, health, safety, or general welfare. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.033, 2001).~~

**~~11.190.040~~ — ~~Time limit on approval of site plan review.~~**

~~A. Authorization of a site plan review shall be valid for one year after the effective date, and shall lapse at that time unless a building permit has been issued and substantial construction has taken place.~~

~~B. The *planning commission* may extend the site plan review one year longer if it finds that the facts on which the site plan review is approved have not changed substantially. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.034, 2001).~~

## Chapter 11.195 VARIANCE

### Sections:

~~11.195.010 — Purpose.~~

~~11.195.020 — Review process.~~

~~11.195.030 — Action of the review authority.~~

~~11.195.040 — Time limit on approval of variance.~~

### ~~11.195.010 — Purpose.~~

~~The purpose of a variance is to provide relief in cases where the strict application of the development standards in this title would result in undue hardship by virtue of physical peculiarity of a parcel of land. The purpose is to ensure that because of physical characteristics of a property, the property is not deprived privileges commonly enjoyed by other properties in the same zone. A variance shall not allow a use in a zone where otherwise prohibited. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.041, 2001).~~

### ~~11.195.020 — Review process.~~

~~A variance shall be subject to a Type II review consistent with RCC 11.245.080. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.042, 2001).~~

### ~~11.195.030 — Action of the review authority.~~

~~A. The planning commission may approve a variance request in whole or in part, with or without conditions, if all of the following findings of fact can be made in an affirmative manner:~~

- ~~1. The strict application of this title to a property would result in extreme difficulty, unnecessary hardship, or the inability of an owner to use land for the purposes allowed in the zone in which it is located for reasons of physical peculiarity.~~
- ~~2. The granting of such variance would not be detrimental or injurious to the property or improvements in the general vicinity and district in which the property is located.~~
- ~~3. The granting of the variance would not grant special privileges to a landowner that are in conflict with the purposes of this title.~~

~~B. A variance request for development within the FM overlay zone may be approved in whole or in part, with or without conditions, if in addition to the findings in subsection (A) of this section, all of the following findings of fact can be made in an affirmative manner:~~

- ~~1. Denial of the variance would result in exceptional hardship and would deny all economic use of the property.~~
- ~~2. The variance would result in the minimum relief necessary, considering the flood hazard.~~
- ~~3. If the site is located in a designated floodway, no increase in flood levels during the base flood discharge would result.~~
- ~~4. Granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, or conflict with existing local laws or ordinances.~~

~~5. In the case of the reconstruction of a *structure* listed on the National Register of Historic Places or the State Inventory of Historic Places, the *structure* is being rebuilt as it previously existed. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.043, 2001).~~

~~**11.195.040 — Time limit on approval of variance.**~~

~~A. Authorization of a *variance* shall be valid for one year from the effective date, and shall lapse at that time unless a *building* permit has been issued and substantial construction has taken place.~~

~~B. The *planning commission* may extend the *variance* one year even though substantial construction has not occurred if the council finds that the facts on which the *variance* is approved have not changed substantially. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.044, 2001).~~



## Chapter 11.200 AMENDMENTS

### Sections:

- ~~11.200.010 Purpose.~~
- ~~11.200.020 Initiation of amendment.~~
- ~~11.200.030 Review process.~~
- ~~11.200.040 Action of review authority.~~

#### ~~11.200.010 Purpose:~~

~~The text and/or map of this title and the provisions of the Ritzville Comprehensive Plan may be amended to better implement the intent and vision of the Ritzville Comprehensive Plan or protect the health, safety, and welfare of city residents. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.051, 2001).~~

#### ~~11.200.020 Initiation of amendment.~~

~~A. An amendment or supplement to this title may be initiated by any owner of affected property (in the case of a zone change), or any citizen of Ritzville in the case of other amendments.~~

~~B. The planning commission or city council may initiate an amendment to this title at any time.~~

~~C. Any proposed amendment shall be presented on forms and in the format prescribed by the commission. Attached to any proposed amendment or supplement shall be an explanation and justification for the proposed change.~~

~~D. A request for a zone boundary change or zone change shall be accompanied by an accurate map at a scale not larger than one inch equals 200 feet showing the affected property and 300 feet in all directions from the property lines. A complete list of all owners of property on the map shall also be submitted. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.052, 2001).~~

#### ~~11.200.030 Review process:~~

~~An amendment shall be subject to a Type III review consistent with RCC 11.245.090. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.053, 2001).~~

#### ~~11.200.040 Action of review authority:~~

~~A. The planning commission shall not recommend approval and the council shall not approve an amendment to the comprehensive plan or any implementing ordinance or regulation unless it first makes the following findings and conclusions:~~

~~1. The proposed amendment is consistent with the intent and goals of the Ritzville Comprehensive Plan and meets the requirements and intent of this title.~~

~~2. The city and other responsible agencies and special districts will be able to supply the development resulting from the amended comprehensive plan or implementing ordinance with adequate roads and streets for access and circulation, water supply, storm drainage, sanitary sewage disposal, emergency services, and environmental protection.~~

~~2.1.3. The *amendment* adequately mitigates *impacts* identified through the SEPA review process, if applicable.~~

~~3.1.4. The *amendment* is beneficial to the public health, safety, and welfare, and is in the public interest. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.054, 2001).~~

## Chapter 11.205 PLANNED DEVELOPMENT (PD)

### Sections:

- ~~11.205.010 Purpose.~~
- ~~11.205.020 Uses.~~
- ~~11.205.030 Development standards.~~
- ~~11.205.040 Review process.~~
- ~~11.205.050 Action of review authority.~~
- ~~11.205.060 Time limit on permit for a PD.~~

#### ~~11.205.010 Purpose:~~

~~The purpose of planned development (PD) is to permit more flexibility in site planning and the design of structures in situations where modification of specific provisions of this title will not be contrary to the intent and purpose of the zone and will not be harmful to the neighborhood in which the development occurs. The planned development is intended to achieve land economies in development, maintenance, street systems and utility networks, while allowing for the grouping of buildings for privacy, usable and attractive open spaces, safe circulation, mixed uses when in conformance with the comprehensive plan and the general well being of the residents. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.061, 2001).~~

#### ~~11.205.020 Uses:~~

~~All permitted and conditional uses in the district in which the site is located shall be allowed. If a conditional use permit is required, the application shall be processed simultaneously with the PD application. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.062, 2001).~~

#### ~~11.205.030 Development standards:~~

~~A. The PD process shall be used only on land which is of sufficient size to be planned and developed in a manner consistent with the purpose of this section and warrants the use of a PD as follows:~~

- ~~1. A PD shall not be used on less than five acres of contiguous land unless the review authority finds that a smaller site is suitable because of its unique character, topography, landscaping features, or because it constitutes an isolated problem area.~~
- ~~2. A PD shall not be used unless critical resource areas, or physical constraints such as topography, rivers or rock outcroppings, exist on the site.~~

~~B. All standards and requirements of this title and all other city ordinances shall apply in a PD unless a modification is specifically granted by the review authority. Modification may be granted for standards such as lot size, lot dimension, setbacks, height, coverage, parking, and landscaping. The application submitted to the city shall clearly identify all requested modifications and shall justify the reason for the request.~~

~~C. Intensity of development shall be determined by the development standards in the zone in which the property is located. An increase in density or floor area shall not be permitted using the modifications allowed in a PD process.~~

~~D. Open space shall constitute at least 15 percent of the land area of the project. The development plan shall provide for the landscaping and/or preservation of the natural features of the land. In order to ensure~~

~~that the open space will be permanent, deeds or dedication of easements or development rights to the city may be required. Instruments and documents guaranteeing the maintenance of open space shall be recorded with the county assessor's office.~~

~~E. If a mixed-use development is proposed, the commercial uses shall be designed in scale and use to serve primarily residents of the development. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.063, 2001).~~

**~~11.205.040~~ — ~~Review process:~~**

~~A. A Type II process will be used to review a PD application consistent with RCC 11.245.080.~~

~~B. If the development will require a subdivision of land, the subdivision application shall be processed concurrently with the preliminary PD application. If the subdivision application is submitted after PD approval, the proposed subdivision shall be processed in accordance with Division IV of this title, Land Division. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.064, 2001).~~

**~~11.205.050~~ — ~~Action of review authority:~~**

~~A PD may be approved in whole or in part, with or without conditions, if all of the following findings of fact can be made in an affirmative manner:~~

~~A. The project is consistent with the Ritzville Comprehensive Plan and meets the requirements and intent of this title, including land use type; intensity/density of the proposed development; and the protection of critical resource areas, if applicable.~~

~~B. The project is compatible with the existing or known proposed development on properties in the project vicinity.~~

~~C. The project makes adequate provision for access and circulation, water supply, storm drainage, sanitary sewage disposal, emergency services, and environmental protection.~~

~~D. The project adequately mitigates impacts identified through the SEPA review process, if any.~~

~~E. The project is beneficial to the public health, safety, and welfare, and is in the public interest. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.065, 2001).~~

**~~11.205.060~~ — ~~Time limit on permit for a PD:~~**

~~A PD permit shall be valid for two years from the effective date, and shall lapse at that time unless a building permit has been obtained and substantial construction has begun. However, a written request for up to a one-year extension for the PD, submitted prior to the expiration date of the PD, may be approved by the planning commission if it finds that the facts on which the PD permit was approved have not changed substantially. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.066, 2001).~~

## Chapter 11.210 LOT LINE ADJUSTMENTS

### Sections:

- ~~11.210.010 — Purpose.~~
- ~~11.210.020 — Review process.~~
- ~~11.210.030 — Action by review authority.~~

#### ~~11.210.010 — Purpose:~~

~~The purpose of a lot line adjustment is to allow for minor changes in the configuration of property lines. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.071, 2001).~~

#### ~~11.210.020 — Review process:~~

~~Any person, firm, or corporation may make application for lot line adjustment. A lot line adjustment application shall include the following and shall be submitted to the administrator:~~

- ~~1. A map which clearly depicts the existing and proposed property configuration, including all lot line dimensions and distances to all existing structures.~~
- ~~2. A legal description of the existing and proposed property configuration.~~
- ~~3. A complete application with applicable fees in accordance with the fee schedule adopted by the city council.~~
- ~~4. Written authorization by the owners of all property directly affected by the proposed adjustment. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.072, 2001).~~

#### ~~11.210.030 — Action by review authority:~~

~~A lot line adjustment shall be subject to a Type I review consistent with RCC 11.245.070 and approved, with or without conditions, if all of the following findings of fact can be made in an affirmative manner:~~

- ~~A. No new lot shall be created by the proposed lot line adjustment.~~
- ~~B. Any lot changed by the lot line adjustment shall comply with all of the applicable development standards, such as lot area, lot dimensions, and setbacks in the district in which the property is located. In addition, off-street parking on any lot affected by the lot line adjustment shall not be reduced below the required number of spaces for the use located on the lot. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.073, 2001).~~

## Chapter 11.215 SHORT PLAT

### Sections:

- ~~11.215.010 — Purpose.~~
- ~~11.215.020 — Review process.~~
- ~~11.215.030 — Action by review authority.~~
- ~~11.215.040 — Time limit on permit for a short plat.~~

**11.215.010 — Purpose:**

~~The purpose of a short plat is to provide a simplified process to divide property into four or fewer lots with a level of review that is proportional to the effect those lots may have on the surrounding area. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.081, 2001).~~

**11.215.020 — Review process:**

~~Any person, firm, or corporation may make application for a short plat. A short plat application shall include the following and shall be submitted to the administrator:~~

~~A. Three copies of a map which clearly indicates the proposed short plat, with north arrow, date, existing topography, buildings and easements and the proposed lot configuration, infrastructure, easements, and dedications.~~

~~B. A legal description of the property. In the event that the boundaries are described by metes and bounds, the accuracy of the description shall be attested to and signed by a registered land surveyor.~~

~~C. The total property, owned by the applicant, which is contiguous to the parcel being subdivided, shall be accurately indicated on the drawing.~~

~~D. All adjacent property and owners shall be clearly shown on the drawing.~~

~~E. Completed environmental checklist or documentation, if applicable.~~

~~F. A complete application with applicable fees in accordance with the fee resolution adopted by the city council.~~

~~G. Authorization from the owner(s) of the property that is the subject of the short plat application. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.082, 2001).~~

**11.215.030 — Action by review authority:**

~~A. A short plat shall be subject to a Type I review consistent with RCC 11.245.070.~~

~~B. The administrator may approve a short plat, with or without conditions, if all of the following findings of fact can be made in an affirmative manner:~~

~~1. The proposed short plat is in compliance with the Ritzville Comprehensive Plan requirements, Adams County health district and any other such plans developed pursuant to law. In addition, if the property, in part or total, abuts a state highway, the proposed short plat is in compliance with any rules of Washington State Department of Transportation.~~

~~2. The physical characteristics of the site, including but not limited to topography, soil conditions, or unique natural features such as susceptibility to flooding, wildlife habitat, or wetlands, have been considered in the project design.~~

~~3. The proposed short plat is in compliance with all applicable standards in this title.~~

~~4. The appropriate provisions have been made for dedications, easements, and reservations.~~

~~5. The public use and interest will be served by the subdivision.~~

~~6. The following facilities are adequate to serve the proposed short plat before or concurrent with development of the preliminary plat:~~

~~a. Public and private streets and roads;~~

- ~~b. Water;~~
- ~~c. Storm water drainage;~~
- ~~d. Sanitary sewage collection and treatment;~~
- ~~e. Schools and educational services;~~
- ~~f. Fire and police service; and~~
- ~~g. Pedestrian and bicycle facilities.~~

~~7. If applicable, the terms and conditions of the approved subdivision within which the short plat is located have been met. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.083, 2001).~~

~~**11.215.040 — Time limit on permit for a short plat:**~~

~~Permit for a short plat shall be valid for three years, during which time all conditions shall be satisfied and the map shall be recorded at the county department of records. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.084, 2001).~~

## Chapter 11.220 PRELIMINARY SUBDIVISION PLAT

### Sections:

- ~~11.220.010 — Purpose.~~
- ~~11.220.020 — Review process.~~
- ~~11.220.030 — Action by review authority.~~
- ~~11.220.040 — Time limit on approval of a preliminary subdivision.~~

### **11.220.010 — Purpose.**

~~The purpose of a preliminary subdivision plat is to provide a simplified process to divide property into five or more lots with a level of review that is proportional to the effect those lots may have on the surrounding area. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.091, 2001).~~

### **11.220.020 — Review process.**

~~Any person, firm, or corporation may make application for a preliminary subdivision plat. A preliminary subdivision plat application shall include the following and shall be submitted to the administrator:~~

- ~~A. A map which clearly indicates the proposed preliminary subdivision plat, with north arrow, date, existing topography, buildings, monuments, markers, boundary lines and easements and the proposed lot configuration, infrastructure, easements, and dedications.~~
- ~~B. A legal description of all lands included in the proposed preliminary subdivision.~~
- ~~C. Name of the proposed subdivision, name of the subdivider, and name of the person preparing the preliminary plat.~~
- ~~D. Location of adjacent and adjoining platted areas and subdivisions showing relationships and match to all connecting streets, rights-of-way, utilities and easements.~~
- ~~E. All land that the applicant proposes to subdivide and all land immediately adjacent extending 100 feet in all directions from the site perimeter.~~
- ~~F. All adjacent land owned by the applicant on which future additional plat applications may be submitted together with general information as to the location and estimated extent of each additional plat which may be submitted.~~
- ~~G. Completed environmental checklist or documentation, if applicable.~~
- ~~H. A complete application form with applicable fees in accordance with the fee resolution adopted by the city council.~~
- ~~I. Authorization from the owner(s) of the property that is the subject of the subdivision application.~~
- ~~J. Additional information deemed necessary by the administrator including, but not limited to, supplemental technical or environmental studies or reports, topography, easements, applicable codes, covenants and restrictions, proposed roadway layouts and sections and other information to ensure a thorough and complete review of the proposed subdivision. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.092, 2001).~~

### **11.220.030 — Action by review authority.**

~~A. The planning commission may recommend approval of a preliminary subdivision plat, with or without conditions, if all of the following findings of fact can be made in an affirmative manner:~~



1. ~~The proposed preliminary subdivision is in compliance with the Ritzville Comprehensive Plan, any requirements of the Adams County health district, and any other such plans developed pursuant to law. In addition, if the property, in part or total, abuts a state highway, the proposed preliminary subdivision is in compliance with any rules of Washington State Department of Transportation.~~
  2. ~~The physical characteristics of the site, including but not limited to topography, soil conditions, or unique natural features such as susceptibility to flooding, wildlife habitat, or wetlands, have been considered in the project design.~~
  3. ~~The proposed subdivision is in compliance with all applicable standards in this title.~~
  4. ~~The appropriate provisions have been made for dedications, easements, and reservations.~~
  5. ~~The public use and interest will be served by the subdivision.~~
  6. ~~The following facilities are adequate to serve the proposed short plat or subdivision before or concurrent with development of the preliminary plat:~~
    - a. ~~Public and private streets and roads;~~
    - b. ~~Water;~~
    - c. ~~Drainage;~~
    - d. ~~Sanitary waste collection and treatment;~~
    - e. ~~Schools and educational services;~~
    - f. ~~Fire and police service; and~~
    - g. ~~Pedestrian and bike facilities.~~
  7. ~~If phasing is proposed:~~
    - a. ~~The phasing plan includes all land within the preliminary plat;~~
    - b. ~~Each phase is an independent planning unit with safe and convenient circulation and with facilities and utilities coordinated with requirements established for the entire plat; and~~
    - c. ~~All road improvements requirements are assured.~~
- ~~B. The city council shall review and affirm or modify the planning commission recommendation at a public hearing held to take testimony on the proposed preliminary subdivision plat. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.093, 2001).~~

**~~11.220.040~~ — ~~Time limit on approval of a preliminary subdivision.~~**

- ~~A. Approval of a preliminary subdivision plat shall be valid for five years, during which time an application for a final subdivision meeting all the requirements of Division IV of this title, Land Division, and of the preliminary subdivision approval shall be made.~~
- ~~B. The applicant may request a one-year extension prior to the expiration of the preliminary approval. The request for extension may be granted by the city council; provided, that an attempt in good faith has been made to submit the final plat within the five-year period and that there have been no significant changes to the city's policies or this title. (Ord. 2041 § 2551 (Exh. A), 2010; Ord. 1024 § 11.05.094, 2001).~~

## Chapter 11.225 BINDING SITE PLAN

Sections:

- 11.225.010 — ~~Purpose~~ **Title.**
- 11.225.020 — ~~Applicability~~ **Application.**
- 11.225.030 **Purpose.**
- 11.255.040 Authority.**
- 11.255.050** Application for binding site plan.
- 11.225.040 — ~~255.060~~ Binding site plan conditions and requirements.
- 11.225.050 — ~~255.070~~ Review by *planning commission*.
- 11.225.060 — ~~255.080~~ Final filing and recording fees – Developer agreement.
- 11.225.070 — ~~255.090~~ Recording requirements.
- 11.225.080 — ~~255.100~~ Certificate of segregation.
- 11.225.090 — ~~255.110~~ Improvements.
- 11.225.100 — ~~255.120~~ Sale or lease of lots.
- 11.225.110 — ~~255.130~~ Vested rights.
- 11.225.120 — ~~255.140~~ Appeals.

### 11.225.010 **Title.**

This chapter shall be called “Binding Site Plan.”

### 11.255.020 **Application.**

This chapter shall apply to all binding site plans in the city. The binding site plan process and procedures specified in this chapter may only be used for the following:

- A. The division of land for the sale or lease of commercially or industrially zoned property (upon which no residential structures will be placed) when more than one principal building is to be constructed on one lot of record. The binding site plan process is an alternative method of subdividing commercial or industrial property.
- B. The division of land for the purposes of leasing lots for manufactured housing or recreational vehicles. The binding site plan process is the sole and mandatory method of subdividing land for the purpose of leasing lots for manufactured housing or recreational vehicles. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.102, 2001).

### 11.255.030 **Purpose.**

The procedures regulating *binding site plans* are established in accordance with RCW 58.17.100 for the purpose of:

- A. Providing an alternative procedure for the orderly and efficient division of land into *lots* for the purpose of lease or sale for industrial or commercial uses of the land (upon which no residential structures will be placed) when more than one principal building is to be constructed on one *lot* of record;
- B. Providing the sole and mandatory procedure for the orderly and efficient division of land into *lots* for the purpose of lease for *manufactured housing* or *recreational vehicles*; and
- C. Promoting the general health, safety, and welfare. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.101, 2001).

### 11.225.020 — ~~Applicability~~ **255.040 Authority.**

~~The binding site plan process and procedures specified in this chapter may only be used for the following:~~

~~A. The division of land for the sale or lease of commercially or industrially zoned property (upon which no residential structures will be placed) when more than one principal building is to be constructed on one lot of record. The binding site plan process is an alternative method of subdividing commercial or industrial property.~~

~~B. The division of land for the purposes of leasing lots for manufactured housing or recreational vehicles. The binding site plan process is the sole and mandatory method of subdividing land for the purpose of leasing lots for manufactured housing or recreational vehicles. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.102, 2001).~~

This chapter is adopted pursuant to the authority granted to the City of Ritzville by the Washington State Constitution as a second-class city, the provisions of RCW 35.23 et seq., RCW 35.63 et seq., the Planning Act set forth in RCW chapters 36.70 and 36.70A, RCW chapters 36.70B, 36.70C, 58.17 et seq., 35.21, 36.01, and other applicable laws, as these provisions now exist or as hereinafter amended.

~~11.225.030~~ — **255.050 Application for binding site plan.**

A. Binding site plan applications and maps shall be submitted to the ~~a~~ Administrator on forms prescribed by the ~~city~~ City of Ritzville and shall contain the following:

1. All documents, maps, and survey notes shall clearly show the name of the *binding site plan*, the name(s) of the *applicant(s)* and the name of the ~~registered~~ professional *land surveyor* responsible to the *applicant(s)*;
2. The title shall include the type of *binding site plan* (commercial, industrial, *mobile home park* or *recreational vehicle park*) and read as follows:

(Type of) Binding Site Plan

of

(Name of Plat or Short Plat)

A Record of Survey

3. The lines and names of all existing or *platted streets* or other public ways, parks, playgrounds, easements, and *dedications*, including municipal boundaries, *township lines*, and section lines adjacent to or within the *binding site plan*;
4. The names, locations and purposes of all existing and proposed easements;
5. The location and dimensions of all existing and proposed water and sewer mains, public or private, and all existing and proposed *streets* and rights-of-way to be held privately or dedicated to the *city*;
6. Parking areas, loading areas, and landscaping areas;
7. The location of all access points which access a public *street* or *right-of-way*;
8. Block and *lot* locations including dimensions and number or letter designations;
9. The lengths and bearings of all straight lines, curve radii, arcs, and semi-tangents of all curves;
10. All dimensions along the lines of each *lot* with the true bearings and also any other data necessary for the location of any *lot* in the field;
11. Suitable primary control points approved by the ~~a~~ Administrator, or descriptions and ties to such control points, to which all dimensions, angles, bearings, and similar data given on the plan shall be referred;
12. The location of all permanent monuments, *property corners*, and *lot corners*;
13. The names of all immediately adjacent subdivisions;
14. The date, true north point, scale, datum plane, and date of survey;

15. The boundary of the *binding site plan*, the courses and distances marked thereon, as determined by a field survey made by a ~~registered and qualified~~ professional *land surveyor of the state*, and with an allowable error not to exceed one foot in 5,000 feet;
16. The elevations of all permanent monuments based on datum plane approved by the ~~a~~ A *Administrator*;
17. Certification by a ~~registered~~ professional *land surveyor* of accuracy of the *binding site plan* map and survey;
18. Location and dimensions of all irrigation water rights-of-way;
19. All linear dimensions *shall* be given in feet and decimals of a foot to the nearest hundredth;
20. The scale of the *binding site plan shall* be not more than 100 feet to the inch, except that the ~~a~~ A *Administrator*, subject to a request prior to *binding site plan* submittal, *may* approve an alternative *binding site plan* map scale exceeding 100 feet to the inch;
21. If the *binding site plan* is a redivision or *amendment* to or *alteration* of an existing *binding site plan*, the *parcels* or *lots* of the *preceding binding site plan shall* be shown by dotted lines in their proper positions in relation to the new arrangement of the *binding site plan*, the *binding site plan* being so clearly shown in solid lines as to avoid ambiguity;
22. The *applicant's professional* *land surveyor shall* set all required monuments and *shall* stake all *lot* corners as shown on the *binding site plan* before the *binding site plan* is submitted for approval;
23. A vicinity map at a scale of not more than 400 feet to the inch, except that the ~~a~~ A *Administrator*, subject to a request prior to *plat* submittal, *may* approve an alternative vicinity map scale exceeding 400 feet to the inch. The vicinity map *shall* show all adjacent *parcels*. It *shall* show how the *streets* and *alleys* in the proposed subdivision *may* connect with existing and proposed *streets* and *alleys* in neighboring subdivisions or *unplatted property* to produce an advantageous *development* of the entire neighborhood;
24. The *street* address for the *binding site plan* will be assigned by the ~~a~~ A *Administrator*;
25. Horizontal and vertical data, including bench marks, provided by the United States Bureau of Reclamation or other approved agency.

B. Any deed restrictions or covenants existing or proposed *shall* be described and drawn on the *binding site plan* map and/or in the other documents submitted with the *binding site plan* application and map.

C. The *applicant shall* submit all *parcel* and boundary closures to the ~~a~~ A *Administrator* at the time the *applicant* submits the *binding site plan* map and application.

D. The *binding site plan* application *shall* be accompanied by the following:

1. A *plat* certificate from a title company licensed to do *business* in the ~~s~~ S *State* of Washington and dated within 30 days of the date of submitting the *binding site plan* application to the ~~a~~ A *Administrator* confirming that the title of the land as described and shown on the *binding site plan* is in the name of the *owners* signing the *binding site plan* and the developer agreement;
2. A certificate from the Adams County treasurer indicating that all taxes and assessments on the land and improvements included in the *binding site plan* have been paid according to the provisions of RCW 58.08.030 and 58.10.040 as now enacted or hereafter amended;
3. All easements and covenants proposed to run with the land;
4. A completed SEPA environmental checklist as required by *law*;
5. A nonrefundable filing fee as provided in the ~~city's~~ City of Ritzville's fee schedule.

E. The *binding site plan* application *shall* also be accompanied by 12 copies of the *binding site plan* and map. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.103, 2001).

~~11.225.040~~ — **255.060 Binding site plan conditions and requirements.**

A. General Requirements – All Binding Site Plans.

1. Binding site plans *shall* be filed as a record of survey in the Adams County auditor's office.
2. The *binding site plan shall* connect to municipal utilities (sewer and water) in the existing dedicated *streets* that adjoin the *binding site plan*, drainage ways, and other public ways, or municipal improvements *shall* be provided in conformance with the ~~e~~City of Ritzville standards in effect at the time of the *binding site plan* approval.
3. The *binding site plan shall* front on an existing dedicated *street*. There *shall* be adequate access to a public way from all *lots* within the *binding site plan*. Existing dedicated *streets shall* be improved to the ~~e~~City of Ritzville's standards. Private *streets shall* have direct access onto a dedicated *street*.
4. The *binding site plan shall* comply with all applicable zoning and health regulations, including but not limited to those regulations set forth in this title.
5. The *binding site plan shall* be consistent with the ~~e~~City of Ritzville's Comprehensive Plan.
6. The *binding site plan shall* conform to the requirements and standards set forth in Chapter ~~RCC 11.445-~~**RCC255**. The requirements and standards set forth in said chapter *shall* be applicable to each and every *binding site plan*. A *binding site plan shall* be considered a subdivision for purposes of that chapter.
7. The *binding site plan shall* provide for irrigation water rights-of-way pursuant to RCW 58.17.310 as now enacted or hereafter amended.
8. Environmental information *shall* be prepared and submitted in accordance with the guidelines established under the State Environmental Policy Act of 1971, as amended. Said information is a part of and *must* accompany the *binding site plan* application.
9. A *binding site plan shall* be processed simultaneously with the application for *plating*, *rezones*, *variances*, *planned unit developments*, *site plan approvals*, and similar legislative quasi-judicial or administrative actions to the extent that procedural requirements applicable to these actions permit simultaneous processing.
10. The *binding site plan shall* contain provisions making all *development* conform to the *binding site plan*.
11. Requests for *alteration* of an approved *binding site plan shall* be submitted to the ~~a~~**A**Administrator. Minor revisions to the *binding site plan may* be approved by the ~~a~~**A**Administrator. Minor revisions include a *lot* line adjustment. The amended *binding site plan shall* be processed subject to all the procedures and requirements of this chapter.

B. General Requirements – Commercial or Industrial Binding Site Plans.

1. A commercial or industrial *binding site plan* authorizes a sale or transfer of a *lot* within the *binding site plan*. The *binding site plan* and all of its requirements *shall* be legally enforceable on the purchaser or other *person* acquiring *ownership* of the *lot* within the *binding site plan*. The sale or transfer of such *lot* in violation of the *binding site plan*, or without obtaining a *binding site plan* approval, *shall* be considered a violation of Chapter 58.17 RCW and *shall* be restrained by injunctive action and be illegal as provided in Chapter 58.17 RCW. The sale or other transfer of *ownership* of a *lot* of a commercial or industrial *binding site plan shall* be filed as a record of survey in the Adams County auditor's office.
2. A commercial or industrial *binding site plan shall* make adequate provision for public *streets*, roads, rights-of-way, other public ways, curbs, gutters, sidewalks, *street* lighting circuits, *alleys*, transit stops, irrigation rights-of-way, the extension of municipal utilities, including water and sewer services, and any other municipal improvements deemed necessary in conformance with the *city* standards in effect at the time of the approval of the *binding site plan* application.
3. All *lots* within a commercial or industrial *binding site plan shall* have direct access to a public *street*. *Street* lighting *shall* be provided.

C. General Requirements – Mobile Home and Recreational Vehicle Binding Site Plans.

1. Mobile home and *recreational vehicle binding site plans shall* authorize the leasing of *lots* therein but *shall* not authorize the sale or transfer of *ownership* of a *lot* within the *binding site plan*.

2. All improvements (i.e., all water services, fire lines, sewers, private access *streets*) within the *mobile home* or *recreational vehicle park binding site plan* boundaries *shall* be privately held and maintained by the *property owner(s)/applicant(s)*. The *binding site plan shall* make adequate provision for internal private access *streets*, curbs, gutters, sidewalks, *street* lighting circuits, and *alleys*. The *binding site plan shall* make provisions for adequate easements within the *binding site plan* for major municipal *utility* lines.

D. Specific Conditions and Requirements – All Binding Site Plans.

1. Pre-Application Conference. Prior to submission of a *binding site plan* application and map, the *applicant* or the *applicant's* representative *shall* schedule a pre-application conference with the ~~a~~A*Administrator*.

a. The ~~a~~A*Administrator* will coordinate the conference with representatives of other affected ~~e~~C*ity* of Ritzville departments.

b. The *applicant shall* present a conceptual idea of the *binding site plan*.

c. The ~~a~~A*Administrator* and representatives of affected ~~e~~C*ity* of Ritzville departments will respond informally and address potential items of concern to aid the *applicant* in preparing the *binding site plan*.

2. The *binding site plan shall* contain the legal description of the land within the *binding site plan* and the following declaration, acknowledgment, and endorsement ~~s~~S*tatements shall* appear in the following sequence in black permanent ink either by hand or mechanical device:

Legal Description:

\_\_\_\_\_  
\_\_\_\_\_

Declaration:

The *owner* in fee simple of the land herein described is \_\_\_\_\_. The *owner* does hereby establish a Binding Site Plan for the purpose of lease or sale of portions thereof, pursuant to RCW Chapter 58.17 and Title 11 of the Ritzville ~~Unified Development~~City Code and that the undersigned declares that *development* of the *property* herein described *shall* conform to all inscriptions contained hereon.

\_\_\_\_\_  
Signature (Owner)    Date

\_\_\_\_\_  
Signature (*Administrator*)    Date

Acknowledgment

State of Washington

County of Adams

I certify that I know or have satisfactory evidence that \_\_\_\_\_ signed this instrument and acknowledged it to be his/her free and voluntary act for the uses and purposes mentioned in the instrument.

Dated \_\_\_\_\_  
\_\_\_\_\_

Signature of Notary Public

My appointment expires \_\_\_\_\_

Professional Land Surveyor's Declaration:

I hereby certify that this Binding Site Plan is a true and correct representation of the lands actually surveyed.

I hereby declare that the Binding Site Plan \_\_\_\_\_, the heretofore described tract of land, is based upon an actual survey and that all the distances and courses shown thereon are correct to the best of my knowledge, information, and belief; and that I have fully complied with the provisions of the statutes and *platting* regulations.

\_\_\_\_\_

*Professional Land Surveyor*

Certificate No. \_\_\_\_\_

Approvals:

Examined and approved by the Ritzville *Planning Commission* on \_\_\_\_\_, 20\_\_.

\_\_\_\_\_

Clerk/Treasurer

Assessor's Certificate: Examined and approved by the Adams County Assessor.

\_\_\_\_\_

Adams County Assessor

\_\_\_\_\_, 20\_\_.

Date

Treasurer's Certificate: This is to certify that all taxes and assessment which are now due and payable according to the records of Adams County have been fully paid.

\_\_\_\_\_

Adams County Treasurer

\_\_\_\_\_, 20\_\_.

Date

Auditor's Certificate

Filed for the record at the request of the City of Ritzville this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, in Volume of the Book of Surveys, on page \_\_\_\_\_, records of Adams County, Washington.

\_\_\_\_\_

Adams County Auditor

\_\_\_\_\_

by Deputy Auditor

(Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.104, 2001).

~~11.225.050~~ — ~~Review by~~ **255.070 Action of the planning commission.**

A. A *binding site plan* shall be subject to a Type II review consistent with RCC 11.~~245.080~~**11.120**.

B. The *planning commission* may approve a *binding site plan*, with or without conditions, if all of the following findings of fact can be made in an affirmative manner:

1. The proposed *binding site plan* is in compliance with the Ritzville Comprehensive Plan, and requirements of the Adams County health district and any other such plans developed pursuant to *law*. In addition, if the *property*, in part or total, abuts a ~~s~~**S**tate highway, the proposed *binding site plan* is in compliance with any rules of the Washington State Department of Transportation.

2. The physical characteristics of the site, including but not limited to topography, soil conditions or unique natural features, such as susceptibility to *flooding*, wildlife habitat or *wetlands*, have been considered in the project design.

3. The proposed *binding site plan* is in compliance with all applicable standards in this title.

4. The appropriate provisions have been made for *dedications*, easements and reservations.

5. The public *use* and interest will be served by the *binding site plan*.

6. The following facilities are adequate to serve the proposed *binding site plan* or will be improved concurrent with *development* of the *binding site plan*:

- a. Public and private *streets* or roads;
- b. Water;
- c. Drainage;
- d. Sanitary waste collection and treatment;
- e. Schools and educational services;
- f. Fire and police service; and
- g. Pedestrian and bike facilities.

7. If phasing is proposed:

- a. The phasing plan includes all land within the *binding site plan*;
- b. Each phase is an independent planning unit with safe and convenient circulation and with facilities and utilities coordinated with requirements established for the entire *plat*; and
- c. All road improvements requirements are assured.

C. *Planning commission* approval of the *binding site plan* shall be valid for a period of one year from the date of permit. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.105, 2001).

**11.255.080 Final filing and recording fees – Developer agreement.**

A. Upon approval of the *binding site plan* by the *planning commission*, the *applicant* shall pay the appropriate fees to record the approved *binding site plan* with the Adams County auditor.

**B. ~~11.225.060~~ — Final filing and recording fees — Developer agreement.**

A. Upon approval of the *binding site plan* by the *planning commission*, the *applicant* shall pay the appropriate fees to record the approved *binding site plan* with the Adams County auditor.



~~B.~~ Upon approval of the *binding site plan* by the planning *commission*, the developer *shall* sign and submit to the ~~city~~ *Administrator* a developer agreement acceptable to the *City of Ritzville* which: (1) dedicates to the *city* all *streets* required to be dedicated to the *city* as a condition of *binding site plan* approval; (2) grants to the *city* all easements required to be granted as a condition of *binding site plan* approval; (3) describes and shows the precise location of all granted easements and dedicated *streets*; (4) imposes an obligation on the *applicant* to install and construct, or post a *bond* or cash equivalent for, all *utility* and *street* improvements required as a condition of *binding site plan*; and (5) sets forth any other conditions of *binding site plan* approval. The signature of the *applicant shall* be notarized. The approved *binding site plan shall* not be signed by the clerk/treasurer or filed for recording with the Adams County auditor's office until such signed and acceptable developer agreement is received by the ~~city~~ *clerk/treasurer* which: (1) dedicates to the *city* all *streets* required to be dedicated to the *city* as a condition of *binding site plan* approval; (2) grants to the *city* all easements required to be granted as a condition of *binding site plan* approval; (3) describes and shows the precise location of all granted easements and dedicated *streets*; (4) imposes an obligation on the *applicant* to install and construct, or post a *bond* or cash equivalent for, all *utility* and *street* improvements required as a condition of *binding site plan*; and (5) sets forth any other conditions of *binding site plan* approval. The signature of the *applicant shall* be notarized. The approved *binding site plan shall* not be signed by the clerk/treasurer or filed for recording with the Adams County auditor's office until such signed and acceptable developer agreement is received by the ~~city~~ *Administrator*. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.106, 2001).

#### **11.255.090 Recording requirements.**

A. Upon receipt of all required final fees and an acceptable and signed developer agreement, the approved *binding site plan* and the developer agreement shall be signed by the clerk/treasurer. The clerk/treasurer's signature on the developer agreement shall be notarized.

#### **B. 11.225.070 — Recording requirements.**

~~A. Upon receipt of all required final fees and an acceptable and signed developer agreement, the approved *binding site plan* and the developer agreement shall be signed by the clerk/treasurer. The clerk/treasurer's signature on the developer agreement shall be notarized.~~

~~B.~~ The ~~a~~ *Administrator shall* transmit the original developer agreement and three copies of the *binding site plan* to the Adams County auditor for final filing and recording. One reproducible conformed copy of the *binding site plan shall* be retained by the *Administrator*. One conformed copy of the *binding site plan shall* be returned to the *applicant*. The *applicant shall* make 12 paper copies of the conformed copy and submit them to the ~~administrator~~ *administrator*. One conformed copy of the *binding site plan shall* be returned to the ~~applicant~~ *applicant*. The *applicant shall* make 12 paper copies of the conformed copy and submit them to the ~~a~~ *Administrator*.

C. Any record of survey filed as a *binding site plan* which does not bear the signature of the clerk/treasurer is not a valid *binding site plan* and shall not confer any rights or privileges upon the *property* or its *owners*.

D. Once the *binding site plan* and developer agreement are filed for recording with the Adams County auditor's office, the *binding site plan* and developer agreement shall be binding upon and be enforceable against the *applicant*, the *applicant's* heirs and *personal* representatives, and the *applicant's* successors and assigns, including any *person* or entity which obtains an *ownership* interest in all or any portion of the land within the *binding site plan*. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.107, 2001).

~~C. Any record of survey filed as a *binding site plan* which does not bear the signature of the clerk/treasurer is not a valid *binding site plan* and shall not confer any rights or privileges upon the *property* or its *owners*.~~

~~D. Once the *binding site plan* and developer agreement are filed for recording with the Adams County auditor's office, the *binding site plan* and developer agreement shall be binding upon and be enforceable against the *applicant*, the *applicant's* heirs and *personal* representatives, and the *applicant's* successors and assigns, including any *person* or entity which obtains an *ownership* interest in all or any portion of the land within the *binding site plan*. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.107, 2001).~~

~~11.225.080~~ — **255.100** Certificate of segregation.

A. Prior to the issuance of any building permit for construction within an approved *binding site plan*, that portion of the *binding site plan* for which the building permit is requested *must* be legally described and receive a certificate of segregation from the City of Ritzville. Said certificate *shall* ensure the segregation of construction complements the approved *binding site plan*.

~~B. Approval of the *binding site plan* shall constitute approval for the *binding site plan applicant* to develop construction plans and specifications for all on-site *street* and *utility* improvements.~~

~~C. *city*. Said certificate shall ensure the segregation of construction complements the approved *binding site plan*.~~

~~B. Approval of the *binding site plan* shall constitute approval for the *binding site plan applicant* to develop construction plans and specifications for all on-site *street* and *utility* improvements.~~

~~C.~~ No building permits or certificates of occupancy *shall* be issued by the city City of Ritzville with respect to any *lots* or land within an approved *binding site plan* until all required *street* and *utility* improvements have been completed and approved and a one-year maintenance *bond* posted. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.108, 2001).

~~11.225.090~~ — **255.110** Improvements.

A. Following the approval of a *binding site plan*, the *applicant* shall submit to the ~~a~~ Administrator three complete sets of construction plans and specifications prepared by a professional engineer licensed by the ~~s~~ State of Washington showing all *street* and *utility* improvements as required by the *planning commission* in approving the *binding site plan*. The construction plans and specifications *shall* be accompanied by a plan check fee as per the ~~rate~~ fee schedule established by the ~~city~~ City of Ritzville. All construction plans and specifications *shall* be in conformance with ~~city~~ City of Ritzville standards. Sheet size shall be 24 inches by 36 inches and shall have a border of one inch on the left margin and one-half inch on the remaining three margins. The scale shall be five feet vertically and 40 feet horizontally.

~~B. Sheet size shall be 24 inches by 36 inches and shall have a border of one inch on the left margin and one-half inch on the remaining three margins. The scale shall be five feet vertically and 40 feet horizontally.~~

~~B.~~ After the city City of Ritzville approves the construction plans and specifications, the *applicant* shall complete and install all *street* and *utility* improvements required by the *planning commission* in granting approval of the *binding site plan* within one year of the date upon which the ~~city~~ City of Ritzville approves the construction plans and specifications. A one-year performance or subdivision *bond* or other security in a form satisfactory to the ~~city~~ City of Ritzville attorney *shall* be required in the amount of 150 percent of the construction costs as determined by the ~~city~~ City of Ritzville. After the *street* and *utility* improvements are constructed and approved, a one-year maintenance *bond* *shall* be required in the amount of 100 percent of the construction costs as determined by the ~~city~~ City of Ritzville.

C. In the event that all *street* and *utility* improvements are not completed within one year of the date upon which the ~~city~~ City of Ritzville approves the construction plans and specifications, the *bond* or security *may* be forfeited and the ~~city~~ City of Ritzville *may* undertake the installation and completion of all required *street* and *utility* improvements. In the alternative, the clerk/treasurer *may* grant one extension of the performance or subdivision *bond* or security for a period not to exceed one year provided that the request for an extension is filed with the ~~a~~ Administrator at least 60 days prior to the expiration of the *bond* or security. If the request for a time extension is granted, a new performance or subdivision bond or security shall be submitted in an amount sufficient to cover 150 percent of the cost of completing street and utility improvements. The bond will be updated with new estimates of costs on all uncompleted improvements and all increased costs shall be passed onto the bond. ~~If the request for a time extension is granted, a new performance or subdivision bond or security shall be submitted in an amount sufficient to cover 150 percent of the cost of completing street and utility improvements. The bond will be updated with new estimates of costs on all uncompleted improvements and all increased costs shall be passed onto the bond.~~ If the surety does not accept these increased costs, then the city City of Ritzville will foreclose on the *bond* and the *binding site plan* will be held in abeyance. Departments issuing recommendations for new performance or subdivision *bonds* or other approved

security *shall* not modify the terms and requirements of the *bond* or security other than to pass on all increased costs estimates as determined by the ~~city~~ City of Ritzville to the *bond* or security to cover the costs of completing *utility* and *street* improvements without the *written* consent of the *applicant*. After the *street* and *utility* improvements are constructed and approved, a one-year maintenance *bond shall* be required in the amount of 100 percent of the construction costs as determined by the ~~city~~ City of Ritzville.

D. The ~~city~~ City of Ritzville or a licensed professional engineer or engineering firm hired by the City of Ritzville *shall be responsible for the inspection of all street and utility improvements to ensure conformance with the approved plans and specifications.* (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.109, 2001).

~~city shall be responsible for the inspection of all street and utility improvements to ensure conformance with the approved plans and specifications.~~ (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.109, 2001).

#### ~~11.225.100~~ 11.255.100 ~~Sale or lease of lots.~~

~~No lots within a binding site plan may be sold or leased until the approved binding site plan and the signed developer agreement are recorded by the Adams County auditor's office.~~ (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.110, 2001).

#### ~~11.225.110~~ 11.255.110 ~~Vested rights.~~

~~A binding site plan shall be governed by the terms of approval of the binding site plan. Lots in a binding site plan filed for record shall be a valid land use notwithstanding any change in zoning laws for a period of five years from the date of filing.~~ (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.111, 2001).

#### ~~11.225~~ 11.255.120 ~~Sale or lease of lots.~~

~~No lots within a binding site plan may be sold or leased until the approved binding site plan and the signed developer agreement are recorded by the Adams County auditor's office.~~ (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.110, 2001).

#### 11.255.130 ~~Vested rights.~~

~~A binding site plan shall be governed by the terms of approval of the binding site plan. Lots in a binding site plan filed for record shall be a valid land use notwithstanding any change in zoning laws for a period of five years from the date of filing.~~ (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.111, 2001).

#### 11.255.140 Appeals.

Any decision approving, approving with conditions or disapproving any *binding site plan* may be appealed ~~to the Ritzville city council~~ in accordance with ~~the provisions~~ Chapter 11.170 of the Ritzville City Code.

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## Chapter 11.260 PLANNED DEVELOPMENT

### Sections:

- 11.260.010 Title.
- 11.260.020 Application.
- 11.260.030 Purpose.
- 11.260.040 Authority.
- 11.260.050 Uses.
- 11.260.060 Types of Planned Development.
- 11.260.070 Review Process.
- 11.260.080 Approval Criteria.
- 11.260.090 Development Standards.
- 11.260.100 Bonus Densities.
- 11.260.110 Permitted Uses Chart.
- 11.260.120 Time Limits and Extensions.
- 11.260.130 Appeals.

### 11.260.010 Title.

This chapter shall be called "Planned Development."

### 11.260.020 Application.

This chapter shall apply to all planned developments in the city.

### 11.260.030 Purpose.

The purpose of **Planned Development (PD)** is to permit more flexibility in site planning and design while ensuring development aligns with the zone's intent and is not harmful to the surrounding neighborhood. PDs are intended to promote efficient land use, infrastructure, open space, and mixed uses in accordance with the City of Ritzville Comprehensive Plan. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.112061, 2001).

## **Chapter 11.230**

### **FINAL PLAT 260.040 Authority.**

#### Sections:

- ~~11.230.010 Purpose.~~
- ~~11.230.020 Review process.~~
- ~~11.230.030 Action by review authority.~~
- ~~11.230.040 Approval and recordation.~~

#### **11.230.010 Purpose.**

~~The purpose of a *final plat* is to ensure that all conditions of the preliminary short plat or preliminary subdivision *plat* approvals have been satisfied prior to the recordation of the map. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.121, 2001).~~

This chapter is adopted pursuant to the authority granted to the City of Ritzville by the Washington State Constitution as a second-class city, the provisions of RCW 35.23 et seq., RCW 35.63 et seq., the Planning Act set forth in RCW chapters 36.70 and 36.70A, RCW chapters 36.70B, 36.70C, 58.17 et seq., 35.21, 36.01, and other applicable laws, as these provisions now exist or as hereinafter amended.

#### **11.260.050 Uses.**

All permitted and conditional uses in the underlying zone of a planned development shall be allowed. Conditional use permits shall be processed concurrently with the PD application. (Ord. 2041 § 1 (Exh. A), 2010; Ord. ~~230-020~~ 1024 § 11.05.062, 2001).

#### **11.260.060 Types of Planned Development.**

This chapter establishes two types of PDs:

A. **Planned Development (PD):** A residential-focused PD that provides housing while allowing modifications to development standards such as setbacks and lot dimensions.

B. **Mixed Use Planned Development (MUPD):** A PD that integrates residential and commercial uses in a coordinated development that enhances urban amenities while preserving open space and critical areas.

Unless otherwise stated, all provisions in this chapter apply to both PD and MUPD and must comply with all other chapters of the Ritzville City Code.

#### **11.260.070 Review pProcess.**

~~Every final plat document shall~~ A. PD and MUPD applications shall follow a **Type II process** under RCC 11.11.120.

B. If a subdivision is required, the subdivision application must be processed concurrently with the PD/MUPD application.

C. The application must include an accurate map of the divided land, based upon a complete survey, including the following information:

~~A. All section, including quarter section and quarter quarter section, township, municipal and county lines, lying within or adjacent to the land.~~

~~B. The location of all monuments, found or set, or other evidence used as ties to establish the subdivision boundaries. The location of all monuments found and established within the subdivision.~~

~~C. The boundary of the divided land with complete hearings and lineal dimensions.~~

~~D. The length of each *block* and *lot* line, together with bearings and other data necessary for the location of any *block* or *lot* line in the field.~~

~~E. The location, width and centerline of all *streets* and *alleys* within and adjoining the subdivision.~~

~~F. The location and width, shown with broken lines, and description of all easements, including a **statement of their designated use.**~~

~~G. Lot areas in square feet and *lot* and *block* numbers where applicable.~~

1. H. Location of all adjoining and adjacent existing *plats* and *unplatted property*, indicated by broken lines, together with recording data. (Ord. 2041 § **A binding site plan that must include:**

a. Site layout, existing conditions, and proposed lot configuration.

b. Landscaping and open space plans.

c. Building elevations and materials.

d. Utility, street, and stormwater plans.

e. Parking and storage provisions.

f. Covenants ensuring compliance with PD conditions.

2. A narrative explaining how the development meets PD/MUPD criteria outlined in RCC 11.260.050.

3. A preliminary landscape and open space plan.

4. A summary of the public facilities, public utilities, or other public services included in the PD/MUPD and how they will benefit the public health, safety, and welfare of the City of Ritzville.

5. Proposed building heights and materials (these may be general ranges).

6. A traffic impact analysis.

7. Environmental documentation if applicable.

D. The Ritzville Planning Commission<sup>1</sup> (Exh. A), 2010; Ord. 1024 § 11.05.122, 2001).

**11.230.030** ~~————~~ **Action by review authority.**

The city council shall approve ~~the final plat if all of~~, approve with conditions, or deny the application based on compliance with the approval criteria.

**11.260.080 Approval Criteria.**

A PD or MUPD may be approved by the planning commission if the planning commission finds that the application meets the following findings of fact can be made in an affirmative manner. criteria:

~~A. The final plat meets the requirements of Chapter 58.17 RCW, other applicable state laws, and all requirements for plat approval in this title.~~

~~B. The *final plat* has met all the conditions and conforms to all terms of the preliminary approval.~~

~~C. The Adams County treasurer certifies that all taxes and delinquent assessments for which the property may be liable have been duly paid, satisfied or discharged. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.123, 2001).~~

~~**11.230.040** — **Approval and recordation.**~~

~~A. A subdivision shall be governed by the terms of approval of the final plat, and the statutes, ordinances, and regulations in effect at the time of approval under RCW 58.17.150(1) and (3).~~

~~B. The final plat shall be filed with the planning department upon receipt of the filing fee from the applicant and shall be recorded by the county auditor. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.124, 2001).~~

## Chapter 11.235 VACATION AND ALTERATION

### Sections:

- ~~11.235.010 Purpose.~~
- ~~11.235.020 Action by review authority.~~
- ~~11.235.030 Approval and recordation.~~

#### ~~11.235.010 Purpose.~~

~~The purpose of a vacation and alteration procedure is to allow for the deletion or alteration of a dedicated right-of-way or easement. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.131, 2001).~~

#### ~~11.235.020 Action by review authority.~~

~~A. A vacation and alteration shall be subject to a Type III review. The PD/MUPD is consistent with RCC-11.245.090.~~

~~B. The city council at a public hearing may approve of a vacation and alteration request, with or without conditions, if all of the following findings of fact can be made in an affirmative manner:~~

- ~~1. The alteration to the previously approved subdivision is in compliance with the Ritzville Comprehensive Plan and this title.~~
- ~~2. The public use will be served by the alteration to the previously approved subdivision. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.132, 2001).~~

#### ~~11.235.030 Approval and recordation.~~

~~After approval of an alteration request, a revised plat shall be filed with the county department of records upon receipt of the county's filing fee from the applicant. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.133, 2001).~~



Division VI. Administration

~~Chapter 11.240~~  
ADMINISTRATION

Sections:

- ~~11.240.010 Purpose.~~
- ~~11.240.020 Application review.~~
- ~~11.240.030 SEPA determination.~~

~~11.240.010 Purpose:~~

- ~~1. This chapter describes the process for review of land use development proposals and ordinance or map amendments subject to review under this title. The intent is to establish procedures for the review of permit applications that will ensure that the requirements of this title are met, and the goals and policies of the Ritzville Comprehensive Plan are achieved. The process integrates the State Environmental Policy Act (SEPA) review as well as provides for consolidated development review wherever possible, in order to avoid duplication and delay. and zoning regulations. (Ord. 2041-§ 1 (Exh. A), 2010; Ord. 1024 § 11.06.010, 2001).~~
2. The PD/MUPD is compatible with surrounding development.
3. The PD/MUPD provides adequate provision for utilities, emergency services, and circulation.
4. Environmental impacts will be mitigated, if applicable.
5. The PD/MUPD benefits the public health, safety, and welfare.
6. The applicant clearly demonstrates how the proposed modifications to development standards improve site functionality or provide net benefits to the community.

**11.260.090 Development Standards.**

- A. **Minimum Site Area:** A PD or MUPD shall not be less than one acre unless the planning commission finds a smaller site suitable due to unique site characteristics.
- B. **Minimum Development Standards.** Within a PD or MUPD the following minimum standards shall apply, and the standards for the applicable zoning district may be adjusted, as outlined in the table below:

**PD and MUPD Minimum Development Standards Table**

<b><u>Standard</u></b>	<b><u>PD</u></b>	<b><u>MUPD</u></b>
<u>Minimum front and rear yard on the exterior boundaries of the PD/MUPD</u>	<u>20 feet</u>	<u>20 feet</u>
<u>Minimum front yard setback within the interior of the PD/MUPD<sup>1</sup></u>	<u>No minimum</u>	<u>No minimum</u>
<u>Side setback<sup>2</sup></u>	<u>No minimum</u>	<u>No minimum</u>

<u>Standard</u>	<u>PD</u>	<u>MUPD</u>
<u>Minimum residential lots width facing public or private street<sup>3</sup></u>	<u>20 feet</u>	<u>20 feet</u>
<u>Minimum lot size<sup>4</sup></u>	<u>35% reduction of the minimum lot size allowed in the underlying zone: no more than 10% reduction for lots located on the exterior perimeter boundary or along an exterior street</u>	<u>35% reduction of the minimum lot size allowed in the underlying zone: no more than 10% reduction for lots located on the exterior perimeter boundary or along an exterior street</u>
<u>Building height</u>	<u>35 feet if in the R-1 Zone; 45 feet if in the R-2 zone, 55 feet if in the R-3 zone 70 feet in a MU zone.</u>	<u>Shall not exceed 70 feet</u>
<u>Maximum lot coverage</u>	<u>Up to 125% of the underlying district requirement</u>	<u>Up to 125% of the underlying district requirement</u>
<p><u>Notes:</u></p> <p><u><sup>1</sup> Interior yards and setbacks shall be as approved on the PD/MUPD binding site plan and each development will be reviewed to ensure adequate provision of light, air and life safety for all structures.</u></p> <p><u><sup>2</sup> Exception: zero lot line may be achieved with approved fire-rated construction within the PD/MUPD.</u></p> <p><u><sup>3</sup> Lots located on an exterior perimeter street shall comply with the normal minimum lot width of the district.</u></p> <p><u><sup>4</sup> Regardless of reduced minimum lot sizes, at no time shall the overall density of the development exceed the maximum densities identified in this chapter.</u></p>		

- C. **Landscaping.** Landscaping shall be required at entrances into a PD/MUPD, for on-site recreation areas and facilities, and in conjunction with multifamily complexes. Natural landscape features including existing trees, shrubs and ground cover, drainage ways, rock outcroppings, and slopes shall be preserved to the greatest extent possible.
- D. **Buffer.** A buffer shall be required when a PD/MUPD has a density and/or intensity greater than that allowed within the applicable zoning district. The buffer shall include a combination of additional landscaping, fencing, increased setbacks and/or other alternatives that mitigate impacts to adjacent properties. The planning commission shall reserve the right to request changes to the size and scale of the buffer at their discretion.
- E. **Parking Requirements.** Parking shall be provided in the same ratio as required for the underlying zoning district and shall meet the minimum provisions established in Chapter 11.85 unless otherwise approved by the planning commission as part of the modifications of the PD/MUPD.
- F. **Density:** Maximum housing densities within PDs and MUPDs shall align the underlying zone's maximum density. Modifications cannot increase density beyond allowed zoning regulations unless bonus densities are granted.
- G. **Open Space:** At least 15% of the project area must be designated as open space, with permanent preservation mechanisms such as easements.
- H. **Mixed Use Provisions (MUPD Only):** Commercial uses shall primarily serve PD residents and be designed to complement residential areas.

I. **Modifications:** All zoning standards apply unless modified through PD/MUPD approval. Modifications may include setbacks, lot size, lot dimensions, building height, lot coverage, parking, and landscaping. Other modifications may be approved by the planning commission.

**11.260.100 Bonus Densities.**

- A. Bonus Densities allow the developer of a PD/MUPD to consider increases in residential densities beyond the maximum densities allowed by the underlying base zoning districts in the PD/MUPD.
- B. Bonus densities are intended to incentivize public amenities and preservation of natural or cultural resources.
- C. Eligibility for bonus densities is determined by the planning commission.
- D. Maximum bonus density: Up to 100% of base density with planning commission approval. Bonus densities shall not exceed this maximum.
- E. Bonus density is awarded based on the following criteria:

<b><u>Bonus Density Criteria</u></b>	<b><u>Maximum Bonus</u></b>
<b><u>Integrated stormwater retention as a usable recreation area</u></b>	<u>15%</u>
<b><u>Transit stops and shelters on an existing transit route</u></b>	<u>5%</u>
<b><u>Street trees and drought-resistant landscaping</u></b>	<u>5%</u>
<b><u>Two parking spaces per residential unit, with at least one covered</u></b>	<u>10%</u>
<b><u>Small parking areas (10-20 spaces) dispersed throughout the development</u></b>	<u>5%</u>
<b><u>Comprehensive pedestrian/bike trail system integrated into site</u></b>	<u>20%</u>
<b><u>Retention or enhancement of natural drainage features</u></b>	<u>5%</u>
<b><u>Inclusion of a child daycare facility</u></b>	<u>10%</u>
<b><u>Public recreational amenities (e.g., swimming pool, community center)</u></b>	<u>20%</u>
<b><u>25% of site designated for multifamily or duplex housing</u></b>	<u>20%</u>
<b><u>Dispersed multifamily and duplex housing</u></b>	<u>10%</u>
<b><u>Energy-efficient design incorporating solar, EV infrastructure</u></b>	<u>10%</u>
<b><u>Public art or unique site features enhancing character</u></b>	<u>5%</u>

**11.260.110 Permitted Uses Chart.**

- A. All permitted and conditional uses in the district in which the site is located shall be allowed. If a conditional use permit is required, the application shall be processed simultaneously with the PD application.
- B. Planned developments, when approved in accordance with all applicable codes and this chapter, are established as a development permit and, as such, do not reclassify the existing zoning district designation.
- C. **Planned Development Type by Zone.** A PD may be permitted within R-1, R-2, and R-3 districts within city limits, provided it is consistent with the comprehensive plan and a minimum of one acre project size. An MUPD may be permitted within a R-1, R-2, R-3, C-1, C-2, C-3, and MU district within city limits, provided it is consistent with the comprehensive plan and a minimum of one acre project size.
- D. A PD and an MUPD may include the following uses identified in the permitted use chart. Uses shall be specifically identified and approved in the development permit application review and approval process as outlined in the following sections.
- E. No use shall be allowed in a PD or MUPD that is not listed in the use chart as either a permitted or accessory use, unless the underlying zoning district permits or conditionally permits such use, or unless the planning commission determines that an unlisted use may be permitted.

**PD/MUPD PERMITTED USE CHART**

PRM – Permitted use.

ACC – Accessory Use.

<u>Use Classification</u>	<u>PD</u>	<u>MUPD (R-1, R-2, R-3)</u>	<u>MUPD (C-1, C-2, C-3, MU)</u>
<b><u>Residential Uses</u></b>			
<u>Single-Family Dwelling</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Accessory</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Modular Homes</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Duplex or Twin House</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Townhouse or Rowhouse</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Condominiums</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Cottage Clusters or Co-Housing Clusters</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Multifamily or Multiplex</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Garages</u>	<u>ACC</u>	<u>ACC</u>	<u>ACC</u>
<u>Carports</u>	<u>ACC</u>	<u>ACC</u>	<u>ACC</u>
<u>Personal Vehicle Storage</u>	<u>ACC</u>	<u>ACC</u>	<u>ACC</u>
<u>Personal Recreational Vehicle Storage</u>	<u>ACC</u>	<u>ACC</u>	<u>ACC</u>
<u>Accessory Dwelling</u>	<u>ACC</u>	<u>ACC</u>	<u>ACC</u>
<b><u>Hospitality, Recreation, and Entertainment Uses</u></b>			
<u>Bar, Tavern, or Nightclub (large or small)</u>	<u>N</u>	<u>P</u>	<u>P</u>
<u>Bed and Breakfast</u>	<u>N</u>	<u>P</u>	<u>P</u>
<u>Brew Pub, Distillery Pub, or Limited Winery</u>	<u>N</u>	<u>P</u>	<u>P</u>
<u>Retail (small and large scale)</u>	<u>N</u>	<u>P</u>	<u>P</u>
<u>Campground</u>	<u>N</u>	<u>P</u>	<u>P</u>
<u>Recreational Vehicle Park</u>	<u>N</u>	<u>P</u>	<u>P</u>
<u>Commercial Lodging (Business or Tourist)</u>	<u>N</u>	<u>P</u>	<u>P</u>
<u>Golf Course</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Indoor Amusement, Recreation, and Entertainment</u>	<u>N</u>	<u>P</u>	<u>P</u>
<u>Outdoor Commercial Recreation or Amusement</u>	<u>N</u>	<u>P</u>	<u>P</u>
<u>Outdoor Stadium, Arena, Amphitheater, or Drive-In Theater</u>	<u>N</u>	<u>P</u>	<u>P</u>

<u>Parks (passive)</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Parks (active)</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Restaurant</u>	<u>N</u>	<u>P</u>	<u>P</u>
<u>Restaurant, Fast Food</u>	<u>N</u>	<u>P</u>	<u>P</u>
<u>Community, Civic, Educational, and Institutional Uses</u>			
<u>Civic</u>			
<u>City Facilities</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Community and Cultural Services</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Daycare</u>			
<u>Adult Day Care</u>	<u>N</u>	<u>P</u>	<u>P</u>
<u>Child Care Center (small)</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Child Care Center (large)</u>	<u>N</u>	<u>P</u>	<u>P</u>
<u>Family Child Care Home</u>	<u>N</u>	<u>P</u>	<u>P</u>
<u>Education</u>			
<u>School</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>College or University</u>	<u>N</u>	<u>P</u>	<u>P</u>
<u>Vocational School/Job Training Center</u>	<u>N</u>	<u>P</u>	<u>P</u>
<u>Churches (Parsonages)</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Health Care</u>			
<u>Hospital or Emergency Room</u>	<u>N</u>	<u>P</u>	<u>P</u>
<u>Medical Office or Clinic</u>	<u>N</u>	<u>P</u>	<u>P</u>
<u>Convalescent Center, Alzheimer's Care, Memory Care, Nursing Home</u>	<u>N</u>	<u>P</u>	<u>P</u>
<u>Commercial Uses</u>			
<u>General Commercial</u>			
<u>Heavy Retail</u>	<u>N</u>	<u>N</u>	<u>P</u>
<u>Liquor Stores</u>	<u>N</u>	<u>P</u>	<u>P</u>
<u>Personal Services</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Retail Sales and Services (large and small)</u>	<u>N</u>	<u>N</u>	<u>P</u>
<u>Retail Sales and Services (small)</u>	<u>N</u>	<u>P</u>	<u>P</u>
<u>Offices, General</u>	<u>N</u>	<u>N</u>	<u>P</u>

11.260.120 Time Limits and Extensions.

A. PD and MUPD permits are valid for two years. If no substantial construction has begun, the permit lapses.

B. A one-year extension may be granted if the project remains consistent with the original approval.

### 11.260.130 Appeals.

Any decision approving, approving with conditions or disapproving any planned development or mixed use planned development may be appealed in accordance with Chapter 11.170 of the Ritzville City Code.

## Chapter 11.265 LOT LINE ADJUSTMENTS

### Sections:

#### ~~11.240~~**265.010 Title.**

#### ~~11.265.020 Application review.~~

~~A. Unless otherwise required, where the city must review more than one application for a given development, all applications required for the development may be submitted for review at one time. Where more than one application is submitted for a given development, and those applications are subject to different levels of review, then all the applications are subject to the highest level of review that applies.~~

~~B. If this code does not expressly provide for review using one of the types of procedures, and another specific procedure is not required by law, the administrator shall classify the application as one of the three types of procedures. The administrator shall consider the following guidelines when classifying the procedure type:~~

~~1. Type I process (administrative) involves an application that is subject to clear, objective and nondiscretionary standard or standards that require the exercise of professional judgment about technical issues.~~

~~2. Type II process (quasi-judicial) involves an application that is subject to objective and subjective standards that require the exercise of substantial discretion and about which there may be a broad public interest.~~

~~3. Type III process (legislative) involves the creation, implementation or amendment of policy or law by ordinance. The subject of a Type III process applies to a relatively large geographic area. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.06.020(A), (B), 2001).~~

#### ~~11.240~~**265.030—SEPA determination Purpose.**

~~If an appeal is received on a SEPA determination, the appeal and the subject application shall be considered by the city council at the same hearing. **11.265.040**~~

#### ~~Authority.~~

~~**11.265.050** (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.06.020(C), 2001).~~

## Chapter 11.245 DEVELOPMENT REVIEW PROCESS

### Sections:

11.245.010 — General provisions.

11.245.020 — Pre-application.

11.245.030 — Application and fee.

**11.245.040 — Review for completeness process.**

11.245.050 — Technical review.

**11.245.060 — Notice of application Action by Administrator.**

**11.245.070 — Type I, administrative review process Appeals.**

11.245.080 — Type II, quasi-judicial review process.

11.245.090 — Type III, legislative review process.

11.245.100 — Final decision.

11.245.110 — Notice of decision.

11.245.120 — Reinitiation of hearings.

### **11.245.010 Title.**

This chapter shall be called "Lot Line Adjustments."

### **11.265.020 Application.**

This chapter shall apply to all lot line adjustments in the city.

### **11.265.030 Purpose.**

The purpose of a lot line adjustment is to allow for minor changes in the configuration of property lines. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.071, 2001).

### **11.265.040 Authority.**

This chapter is adopted pursuant to the authority granted to the City of Ritzville by the Washington State Constitution as a second-class city, the provisions of RCW 35.23 et seq., RCW 35.63 et seq., the Planning Act set forth in RCW chapters 36.70 and 36.70A, RCW chapters 36.70B, 36.70C, 58.17 et seq., 35.21, 36.01, and other applicable laws, as these provisions now exist or as hereinafter amended.

The following are the roles and responsibilities for each of the three review processes:

- A. The administrator shall review and act on administrative actions and Type I (administrative) applications.
- B. The planning commission shall review and make recommendations on Type II (quasi-judicial) and review and make recommendations on Type III (legislative) applications. The planning commission shall hold a public hearing on a Type II (quasi-judicial) prior to a decision being made by the city council. Only one public hearing shall be held on a Type II (quasi-judicial) application.

C. The city council shall act on Type II (quasi-judicial) matters after review and recommendation from the planning commission. **11.265.050 Review process.**

~~The city council shall act on Type III (legislative) applications after review and recommendation by the planning commission. In addition, the city council shall review and act on appeals of Type I (administrative). (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.06.031, 2001).~~

~~**11.245.020** — **Pre-application.**~~

~~Applicants for all development permits are encouraged to contact the administrator prior to submitting an application to discuss the nature of the proposed development, applicable development standards, design alternatives, required permits and the review process. The administrator will arrange to have representatives of other agencies and departments with review authority attend the pre-application conference. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.06.032, 2001).~~

~~**11.245.030** — **Application and fee.**~~

~~Any person, firm, or corporation may make application for lot line adjustment. A completed lot line adjustment application with applicable submittal materials shall include the following and fees as established by resolution of the city council shall be submitted to the administrator. Administrator. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.06.033, 2001).~~

1. A map which clearly depicts the existing and proposed property configuration, including all lot line dimensions and distances to all existing structures.
2. A legal description of the existing and proposed property configuration.
3. A complete application with applicable fees in accordance with the fee schedule adopted by the city council.
4. Written authorization by the owners of all property directly affected by the proposed adjustment. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.072, 2001).

**11.265.060 Action by Administrator.**

A lot line adjustment shall be subject to a Type I review by the Administrator, consistent with RCC 11.11.110 and approved, with or without conditions, if all of the following findings of fact can be made in an affirmative manner:

- A. No new lot shall be created by the proposed lot line adjustment.
- B. Any lot changed by the lot line adjustment shall comply with all of the applicable development standards, such as lot area, lot dimensions, and setbacks in the district in which the property is located. In addition, off-street parking on any lot affected by the lot line adjustment shall not be reduced below the required number of spaces for the use located on the lot. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.05.073, 2001).

~~**11.245.040** — **Review for completeness:**~~

~~A. Within 28 days of receiving a date-stamped application, the city shall review the application for completeness, and provide the applicant with a written determination that the application is complete or incomplete. If the application is found to be incomplete, the city shall identify the specific information or requirements that must be provided to constitute a complete application.~~

~~B. An application is complete if it includes the following:~~

- ~~1. A completed original application form signed by the owner(s) of the property subject to the application or by a representative authorized to do so by written instrument executed by the owner(s) and filed with the application;~~



~~2. Information necessary to demonstrate compliance with the standards specified in the applicable section(s) of this title;~~

~~3. A completed SEPA checklist, including all back-up materials, or, in the case that the project is exempt, a statement explaining why the project should be considered exempt under WAC 197-11-800;~~

~~1. ~~4. Suggested findings of fact supporting the proposed project and relating to each required finding in this title;~~~~

~~5. Payment in full of all applicable fee(s) adopted by the city council 265. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.06.034, 2001).~~

~~11.245.050~~ — ~~Technical review.~~

~~The administrator shall review the development application for compliance with the provisions of this title and the Ritzville Comprehensive Plan, and other applicable city regulations, and the State Environmental Policy Act (SEPA). The administrator may seek the input and advice of other city departments and other state and federal agencies in performing this review. The administrator shall make a threshold determination pursuant to SEPA. In addition, the administrator may require such additional information as reasonably necessary to fully and properly evaluate the proposal. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.06.035, 2001).~~

~~11.245.060~~ — ~~Notice of application.~~

~~Within 14 days after making a determination that an application is technically complete, the administrator shall publish a notice of application for all Type II and Type III projects and those Type I projects that are determined to require review under SEPA, in accordance with the requirements of Chapter 11.250 RCC. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.06.036, 2001).~~

~~11.245.070~~ — ~~Type I, administrative review process~~ **Appeals.**

~~A. The administrator may approve, approve with conditions, or deny Type I applications, subject to the notice and appeal requirements of this section.~~

~~A. ~~B. Within 14 days, a notice of decision must be published in accordance with RCC 11.250.040. Preliminary approvals under this section shall become final if no appeal is submitted within 14 days of publication of the notice of decision. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.06.037, 2001).~~~~

~~11.245.080~~ — ~~Type II, quasi-judicial review process.~~

~~A. A Type II, quasi-judicial review shall require an open record public hearing before the planning commission.~~

~~B. The administrator shall prepare a staff report on the proposed development or action summarizing the comments and recommendations of city departments, affected agencies and special districts, and evaluating the development's consistency with the requirements of this title, the Ritzville Comprehensive Plan, and other applicable city regulations. The recommendation shall include findings, conclusions and proposed recommendations for the disposition of the development application.~~

~~C. The administrator shall schedule a public hearing before the planning commission as soon as possible after a determination is made that a completed application requires a Type II review. If possible, the date, time and location of the public hearing shall be included in the notice of application. If the public hearing date is not established at the time of the notice of application, a separate notice, in accordance with Chapter 11.250 RCC, shall be provided.~~

~~D. At the time and in the place appointed, the planning commission shall conduct a public hearing for the purpose of taking testimony, hearing evidence, considering the facts germane to the proposal, and evaluating the proposal for consistency with the requirements of this title and other applicable plans and regulations.~~

~~A. E. The planning commission or the city council may grant approval, approval with conditions, or may deny the project based on the testimony received and the findings made. Approvals under this section shall become final 10 days after publication of the notice of decision, unless an appeal is filed with the Adams County superior court. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.06.038, 2001).~~

**11.245.090 — Type III, legislative review process.**

~~A. A Type III, legislative, review shall require a review and recommendation from the planning commission and a review including a public hearing before the city council.~~

~~B. The administrator shall prepare a report and recommendation on the proposed amendment or action summarizing the comments and recommendations of city departments, affected agencies and special districts, and evaluating the amendment's consistency with the requirements of this title, the Ritzville Comprehensive Plan, other applicable city regulations, and applicable state and federal laws and regulations. The staff report shall include findings, conclusions and proposed recommendations for the disposition of the development application.~~

~~B.A.C. The administrator shall schedule a public hearing before the city council as soon as possible after a determination is made that a completed application requires legislative review. Notice of the time and place of the hearing shall be published in the notice of application, in accordance with RCC 11.250.020. A separate notice of public hearing shall be provided if the hearing date is not known at the time of the notice of application.~~

~~D. At the time and in the place appointed, the city council shall conduct a public hearing for the purpose of taking testimony, hearing evidence, considering the facts germane to the proposal, and evaluating the proposal for consistency with the requirements of this title and other applicable laws, plans and regulations.~~

~~E. Whenever a proposed amendment to this title or other ordinance implementing the comprehensive plan, or an amendment to the comprehensive plan is considered by the planning commission, the commission shall prepare findings of fact supporting its action and transmit such findings to the city council with its recommendation for action.~~

~~F. A recommendation to the council shall be by the affirmative vote of not less than a majority of the total members of the commission. The approval shall be by a recorded vote, which shall incorporate the findings of fact and reasoning, and shall refer specifically to what is being amended.~~

~~G. Upon receipt of a resolution by the planning commission with a recommendation of an ordinance, amendment to an existing ordinance, or an amendment to the comprehensive plan, the council shall conduct a public hearing for the purpose of taking testimony and hearing evidence on the proposal. The council's decision shall be based on the record established at the hearing and the facts described in the planning commission recommendation.~~

~~1. Whenever the council makes a determination to modify or reject the planning commission findings of fact or recommendations, it shall adopt its own findings of fact and statement setting forth the factors considered and its own analysis of findings considered by it to be controlling.~~

~~C.A.2. In the event of initiation of an amendment by the council, it shall refer the proposed amendment to the planning commission for consideration and recommendation prior to taking action. Only one public hearing (before the city council) shall be held prior to council action.~~

~~3. The council, before adoption, modification, or rejection of an amendment to this title, a zone change or a plan amendment, shall make findings of fact representing the official determination of the council and specifying the basis for the decision.~~

~~D.A.H. Action by the city council regarding the initial adoption of any official land use controls or ordinances, any subsequent amendment to official controls or any subsequent amendment to the comprehensive plan, shall be final and conclusive, unless within 21 days from the date of publication of the notice of decision, the original applicant or a party adversely affected by the decision makes proper application to a court of competent jurisdiction for a writ of certiorari, a writ of prohibition, a writ of mandamus, or other action as may be provided and allowed by law to review the action of the city council. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.06.039, 2001).~~

**11.245.100 — Final decision.**

A. The review authority shall approve or deny a development proposal within the following timeframes from the date of the letter of completeness:

1. One hundred twenty days for development applications, such as conditional use permit, variances, site plan review;
2. One hundred days for preliminary subdivision plats;
3. Thirty days for short plats;

~~4. For development applications not identified in this section or subsection (B) of this section, the 120-day time frame shall apply.~~

~~A. B. Exceptions to this include:~~

- ~~1. 1. Amendments to the comprehensive plan or development code;~~
- ~~2. Any time required correcting plans, performing studies or providing additional information; provided, that within 14 days of receiving the requested additional information, the administrator shall determine whether the information is adequate to resume the project review;~~
- ~~3. Substantial project revisions made or requested by an applicant, in which case the 120 days will be calculated from the time that the city determines the revised application to be complete;~~
- ~~4. All time required for the preparation and review of an environmental impact statement, if required under SEPA;~~
- ~~2.1. 5. Projects involving the siting of an essential public facility;~~
- ~~6. An extension of time mutually agreed upon by the city and the applicant;~~
- ~~3.1. 7. Any remand to the hearing body;~~

~~8. All time required for an appeal of a determination of significance. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.06.040, 2001).~~

**11.245.110** — **Notice of decision.**

~~A. After a decision is made by the review authority, the administrator shall prepare a notice of decision that contains the following:~~

- ~~1. 1. A description of the project or requested action and the location of the property;~~
- ~~2. A statement of any SEPA threshold determination;~~
- ~~3. A statement of the action taken by the review authority;~~
- ~~2.1. 4. A statement that the action is final unless an appeal is submitted within the appeal period set by this title. The final appeal date shall be provided;~~
- ~~5. A statement describing the procedure for an appeal;~~

~~6. A statement that affected property owners may request a change in valuation for property tax purposes notwithstanding any program of revaluation.~~

~~A. B. The notice of decision shall be distributed as follows:~~

- ~~1. 1. Publication of the notice in the official city newspaper of general circulation;~~
- ~~2. Mailing of the notice to the applicant or applicant's representative and to any person who, prior to the rendering of the decision, requested notice of the decision or submitted comments on the application;~~
- ~~3. Mailing of the notice to the county assessor's office. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.06.041, 2001).~~

**11.245.120** — **Reinitiation of hearings.**

~~No person, except the planning commission or city council, shall reapply or reinitiate a petition for a zone change or conditional use for which a public hearing was held, and said request was denied or withdrawn, within a period of time less than one year after action by the city council. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.06.042, 2001).~~

## Chapter 11.250 PUBLIC NOTICES

### Sections:

- ~~11.250.010 Purpose.~~
- ~~11.250.020 Notice of application.~~
- ~~11.250.030 Notice of public hearing.~~
- ~~11.250.040 Notice of decision.~~

### ~~11.250.010 Purpose.~~

~~The intent of this chapter is to provide procedures for the content and distribution of public notices to ensure that interested persons are provided opportunities to review and comment on projects. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.06.051, 2001).~~

### ~~11.250.020 Notice of application.~~

~~A. Within 14 days of issuing a letter of completeness under RCC 11.245.040, the administrator shall issue a notice of application. The notice shall include but not be limited to the following:~~

- ~~1. The name of the applicant;~~
- ~~2. Date of application;~~
- ~~3. The date of the letter of completeness;~~
- ~~4. The location of the project (address, assessor's parcel number(s), or legal description);~~
- ~~5. A description of the proposed project;~~
- ~~6. The requested approvals, actions, and/or required studies;~~
- ~~7. A public comment period not less than 14 nor more than 30 days;~~
- ~~8. Identification of existing environmental documents;~~
- ~~9. A city contact and phone number;~~
- ~~10. The date, time, and place of a public hearing if one has been scheduled;~~
- ~~11. A statement that the decision on the application will be made within 120 days of the date of the letter of completeness, or such additional time period as set forth in RCC 11.245.100(B);~~
- ~~12. A statement of the preliminary determination, if one has been made at the time of notice, of the development regulations that will be used for project mitigation and to determine consistency with this title;~~
- ~~13. SEPA determination, if known at the time of the notice.~~

~~B. The notice of application shall be distributed as follows:~~

- ~~1. Posted in at least three public buildings, at least 14 days, but not more than 30 days, prior to the hearing;~~
- ~~2. Publication at least 10 days before the date of a public meeting in the newspaper of general circulation;~~
- ~~3. If the proposed action is site-specific, notice shall be mailed to all property owners within 300 feet of the site, excluding right-of-way. The property owners shall be as shown on the most recent county assessor's records. The applicant shall provide addressed, prestamped envelopes.~~

~~C. Notice of an application for Type I procedure shall be made as follows:~~

- ~~1. The administrator shall notify the adjacent property owners of intent to grant approval. Notification shall be made by certified mail (return receipt requested).~~
- ~~2. Final approval will be granted unless a request for a public hearing is filed with the city clerk/treasurer within 14 days of the date of the notice.~~

~~D. Notice of an application for Type II procedure shall be made as follows:~~

- ~~1. Publication at least 10 days before the date of a public meeting in the official city newspaper of general circulation;~~
- ~~2. Mail to all property owners within 300 feet, not including street rights-of-way, of the boundaries of the property which is subject of the hearing. The notice shall be postmarked at least 14 days, but no more than 30 days, prior to the date of the public hearing. Addressed, prestamped envelopes shall be provided by the applicant. The property owners shall be as shown on the most recent county assessor's records;~~
- ~~3. Post notice of the requested action on all street frontages of the property (properties) affected using notices provided by the administrator.~~

~~E. Notice of an application for Type III procedure shall be made as follows:~~

- ~~1. Publication at least 10 days before the date of a public meeting in the official city newspaper of general circulation;~~
- ~~2. If the proposed action is for a specific site, notice shall be mailed to all property owners within 300 feet, not including street rights-of-way, of the boundaries of the property which is subject of the hearing. The notice shall be postmarked at least 14 days, but no more than 30 days, prior to the date of the public hearing. Addressed, prestamped envelopes shall be provided by the applicant. The property owners shall be as shown on the most recent county assessor's records;~~
- ~~3. If the proposed action is for a specific site, notice of the requested action shall be posted by the applicant on all street frontages of the property (properties) affected using notices provided by the administrator;~~
- ~~4. If the application would apply to a large number of properties (for example, an entire zone district), publication of a map of areas affected may substitute for individual notice. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 2003 § 3, 2006; Ord. 1024 § 11.06.052, 2001).~~

**11.250.030** — ~~Notice of public hearing:~~

~~A. If the public hearing date is not provided in the notice of application, a separate notice of a public hearing for all development applications shall be given as follows:~~

- ~~1. Publication at least 10 days before the date of a public meeting, hearing, or pending action in a newspaper of general circulation in the city; and~~
- ~~2. Mailing at least 10 days before the date of a public meeting, hearing, or pending action to all property owners as shown on the records of the county assessor and to all street addresses of properties within 300 feet, not including street rights-of-way, of the boundaries of the property which is the subject of the meeting or pending action. Addressed, prestamped envelopes shall be provided by the applicant; and~~

~~3. Posting at least 10 days before the meeting, hearing, or pending action in three public places where ordinances are posted and at least one notice on the subject property.~~

~~B. The public notice shall include a general description of the proposed project; action to be taken; a nonlegal description of the property or a vicinity map or sketch; the time, date and place of the public hearing and the place where further information may be obtained.~~

~~C. If for any reason, a meeting or hearing on a pending action cannot be completed on the date set in the public notice, the meeting or hearing may be continued to a date certain and no further notice under this section is required. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.06.053, 2001).~~

**11.250.040 — Notice of decision.**

~~A. After a decision is made by the review authority, the administrator shall prepare a notice of decision that contains the following:~~

~~1. A description of the project or requested action and the location of the property.~~

~~2. A statement of any SEPA threshold determination.~~

~~3. A statement of the action taken by the review authority.~~

~~4. A statement that the action is final unless an appeal is submitted within the appeal period set by this title. The final appeal date shall be provided.~~

~~5. A statement describing the procedure for an appeal.~~

~~6. A statement that affected property owners may request a change in valuation for property tax purposes notwithstanding any program of revaluation.~~

~~B. The notice of decision shall be distributed as follows:~~

~~1. Publication of the notice in the official city newspaper of general circulation.~~

~~2. Mailing of the notice to the applicant or applicant's representative and to any person who, prior to the rendering of the decision, requested notice of the decision or submitted comments on the application.~~

~~3. Mailing of the notice to the county assessor's office. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.06.054, 2001).~~

## Chapter 11.255 APPEALS

### Sections:

~~11.255.010 — General provisions.~~

~~11.255.020 — Filing of an appeal.~~

~~11.255.030 — Judicial appeal.~~

### ~~11.255.010 — General provisions:~~

~~A. Any decision on an application for permits described in this title may be appealed, by applicants or parties of record, as follows:~~

~~1. Interpretations, SEPA determinations, and Type I decisions may be appealed to the city council within 14 calendar days of the decision.~~

~~2. Type II and Type III decisions may be appealed to Adams County superior court within 10 or 21 days, respectively, of the publication of the notice of decision as described in RCC 11.255.030. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.06.061, 2001).~~

### ~~11.255.020 — Filing of an appeal:~~

~~A. The notice of appeal shall contain a concise statement identifying:~~

~~1. The decision being appealed;~~

~~2. The name and address of the appellant;~~

~~3. The specific reasons for the appeal (the appellant shall bear the burden of proving why the decision is inappropriate); and~~

~~4. approving, approving with conditions or disapproving any lot line adjustment may be appealed The desired outcome or changes to the decision.~~

~~B. The appeal fee shall be paid by the appellant in accordance with the fee resolution adopted by the city council. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.06.062, 2001). Chapter 11.170 of the Ritzville City Code.~~

### ~~11.255.030 — Judicial appeal:~~

~~A. Appeals from the final decision of the *planning commission* or city council for which other appeals specifically authorized have been timely exhausted shall be made to Adams County superior court within 21 days of the date of publication of the notice of decision, unless another time period is established by state law or local ordinance. No person having actual prior notice of the proceedings of the *planning commission* or the city council hearings shall have standing to challenge the final action unless such person was a party of record at the final hearing.~~

~~B. Notice of the appeal and any other pleadings required to be filed with the court shall be served to the administrator.~~

~~C. The cost of transcribing and preparing all records ordered certified by the court or desired by the appellant for such appeal shall be borne by the appellant. The appellant shall post with the city clerk/treasurer prior to the preparation of any records an advance fee deposit in the amount specified by the city clerk/treasurer. Any overage will be promptly returned to the appellant. (Ord. 2041 § 1 (Exh. A), 2010; Ord. 1024 § 11.06.063, 2001).~~



## Chapter 11.260 ENFORCEMENT

### Sections:

~~11.260.010 — General provisions.~~

~~11.260.020 — Revocation or modification of permits and approvals.~~

#### ~~11.260.010 — General provisions:~~

~~A. Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this title shall be subject to a civil fine of not more than \$500.00 for each violation. Each day that a violation is permitted to exist shall constitute a separate offense.~~

~~B. The above does not preclude the city attorney from instituting an appropriate action or proceeding to prevent an unlawful erection, construction, reconstruction, addition, alteration, conversion, removal, demolition, maintenance or use or to restrain, correct or abate a violation, or to prevent the occupancy of a building or structure or portion thereof, or of the premises, or to prevent an illegal act, conduct, business or use in or about any premises. (Ord. 2011 § 1 (Exh. A), 2010; Ord. 1024 § 11.06.071, 2001).~~

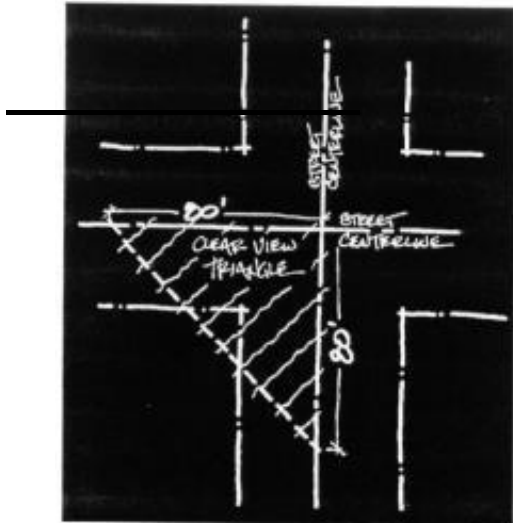
#### ~~11.260.020 — Revocation or modification of permits and approvals:~~

~~A. Upon receiving a planning commission recommendation for revocation or modification of a permit or approval, the city council shall review the matter at a public hearing. Upon a finding that the activity does not comply with the conditions of approval or the provisions of this title, or creates a nuisance or hazard, the council may delete, modify or impose such conditions on the permit or approval it deems sufficient to remedy the deficiencies. If the council finds no reasonable conditions which would remedy the deficiencies, the permit or approval shall be revoked and the activity allowed by the permit or approval shall cease.~~

~~B. If a permit or approval is revoked for fraud or deception, no similar application for the same site or from the same applicant shall be accepted for a period of three years from the date of final action and appeal, if any. If a permit or approval is revoked for any other reason, another application may be submitted subject to all of the requirements of this title after one year has elapsed. (Ord. 2011 § 1 (Exh. A), 2010; Ord. 1024 § 11.06.072, 2001).~~

## APPENDIX A: FIGURES

*Figure 1—Clear view area:*



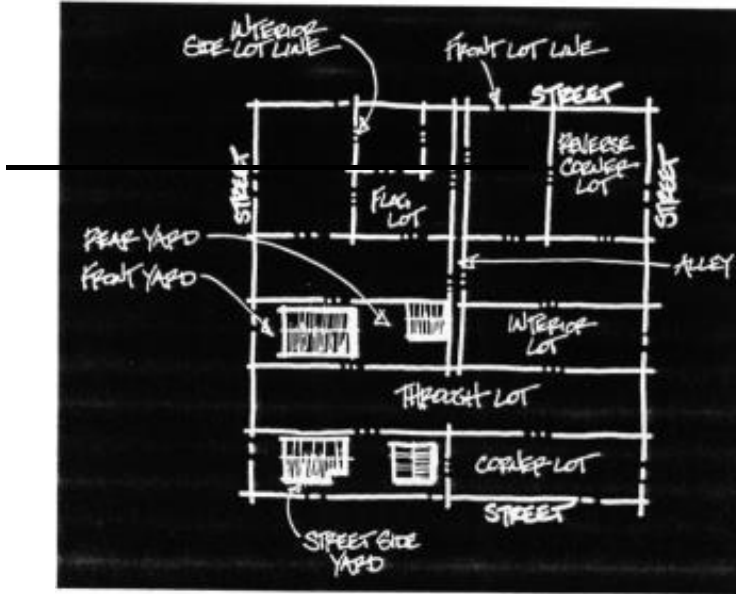
A triangular area on the corner of all lots surrounding the intersection of two streets where, for safety reasons, landscaping and structures must be designed and maintained to permit clear vision of approaching traffic.

*Figure 2—Flag lot:*



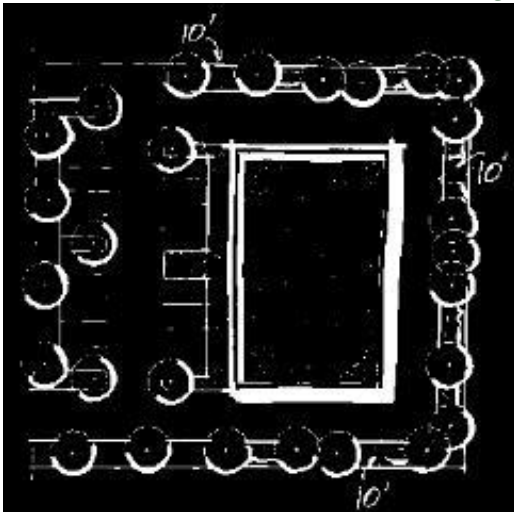
A property with a narrow access stem connecting the bulk of the lot to the street.

Figure 3—Lot types and lot lines:



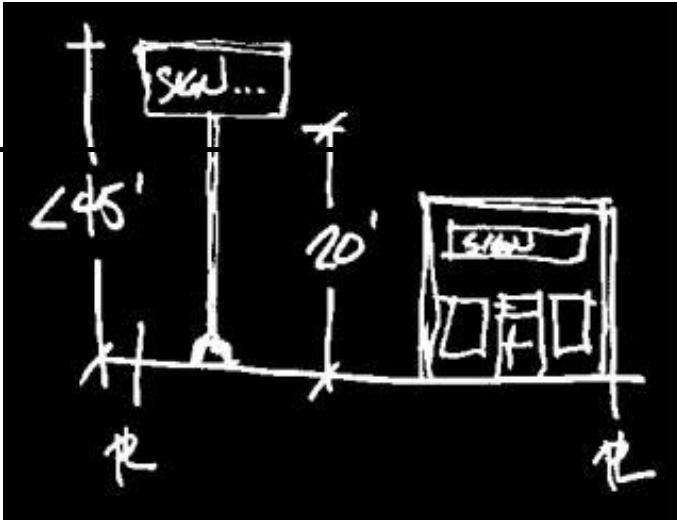
The drawing to the left illustrates the following: front lot line, interior street lot line, rear yard, front yard, flag lot, reverse corner lot, interior lot, through lot, corner lot and a street side yard.

Figure 4—Landscape screening:



Screening intended to provide a filtered, but not blocked view and provided by existing vegetation, landscaped areas, including the use of hedges, berms, fencing or a combination thereof.

Figure 5—Sign:

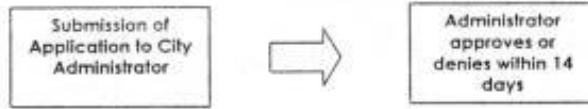


Any letters, figures, design, symbol, trademark, or any illuminating device intended to attract attention to any place, subject, *person*, firm, corporation, public performance, article, machine, or merchandise whatsoever and painted, printed, or constructed and displayed in any manner whatsoever out of doors for recognized advertising purposes. However, this *shall* not include any official court or public notices nor the flag, emblem, or insignia of a government, school, or religious group when displayed for official purposes. Interior signs, if located on a window or within a distance equal to the greatest dimension of the window and if obviously intended for viewing from the exterior, *shall* be considered an exterior sign for purposes of this sign code.

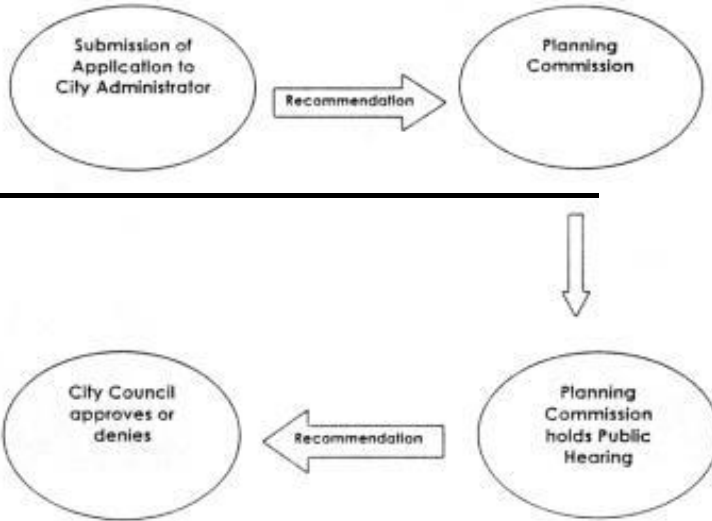
{Ord. 2041 § 1 (Exh. A), 2010}.

## APPENDIX B: PROCEDURAL FLOW CHARTS

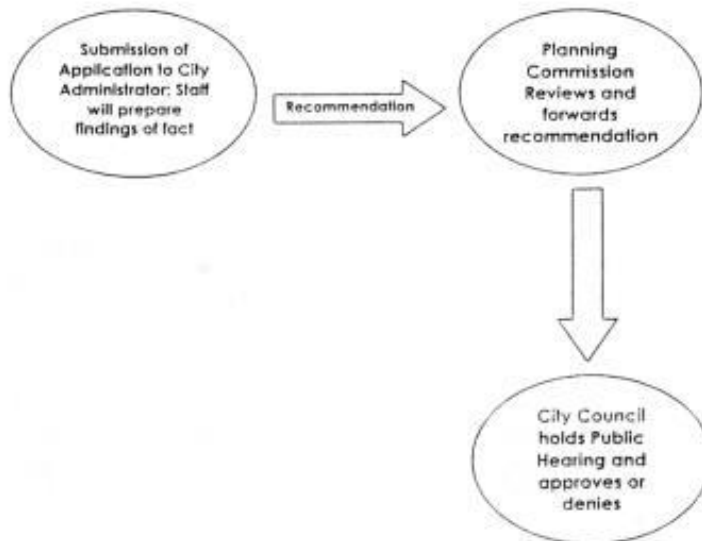
**Type I, Administrative Process**



**Type II, Quasi-Judicial Process**



**Type III, Legislative Process**



~~(Ord. 2041 § 1 (Exh. A), 2010).~~