

7.000 Manufactured home parks and recreational vehicle parks

7.010 Intent

7.020 Manufactured home park siting.

7.030 Standards for Manufactured home parks.

7.040 Standards for recreational vehicle parks.

7.010 Intent

Manufactured Home parks are intended to be reviewed together with circulation, landscaping and recreational uses as a single planned unit development. Commonly owned land is a major element in such developments.

7.020 Manufactured home park siting.

Mobile home parks are permitted to be located as planned unit development in zoning districts R-3, CMas defined in this ordinance subject to site plan review by the planning committee and approval by the City under the standards set forth in the following section 7.030.

7.030 Approval standards for manufactured home parks,

Manufactured home parks developed or enlarged after the effective date of this ordinance shall be designed in accordance with the following conditions and limitations:

A. The minimum site area of a manufactured home park shall be three acres.

B. Landscaping shall be provided around the perimeter of the site as directed by the planning committee.

C. Two off-street parking stalls shall be provided for each mobile home. The required parking may be located adjacent to the unit in either a side-by side or tandem arrangements or in common parking areas within the park. The parking requirements may be reduced to one off-street parking stall in cases of manufactured home parks dedicated to senior citizen housing.

D. A minimum of five percent of the site shall be set aside and maintained for recreational activity for the occupants of the park. The manager may reduce the minimum to three percent of the site if substantial and appropriate recreational facilities, such as a recreational building, swimming pool, or tennis courts, are provided. The area shall be exclusive of the required perimeter buffer, centrally located, and of such grade and surface to be suitable for active recreation.

E. Internal circulatory roads shall provide access to each mobile home space and shall have a minimum driving surface of twenty-two feet in width and shall be constructed with a road base and surface (e.g. concrete or asphalt) in accordance with the street standards for local access streets

F. Access to the site shall be over an arterial or collector street improved to city standards as determined by the department of public works.

G. Pedestrian walkways shall be provided throughout the park to enable access from each space to the recreational area and to an adjacent street. A portion of the road surface may be reserved for walkways provided the roadway width is widened accordingly. Walkways shall be of a hard, durable all-weather surface and a minimum width of four feet.

H. There shall be a minimum of ten feet separation maintained between all manufactured homes on the site. Accessory structures may be located no closer than:

1.) Ten feet to manufactured homes on adjacent spaces;

2.) Five feet to accessory structures of manufactured homes on adjacent spaces;

3.) Five feet to the manufactured home or other accessory structures on the same space, except that separation may be reduced to three feet when the affected structures are constructed of noncombustible materials.

I. Surface water runoff shall be controlled as per city performance standards for erosion control.

J. Outdoor lighting shall be provided to adequately illuminate internal streets and pedestrian walkways. Lights shall be sized and directed to avoid adverse impacts on adjacent properties.

K. All public streets abutting the site shall be improved to city street standards for the classification of street involved.

L. Water supply shall be provided subject to the approval of the fire marshal.

M. Garbage disposal facilities shall be provided in accordance with applicable county board of health rules and regulations, and subject to approval of the health department.

N. Electrical service connections shall meet state Department of Labor and Industries standards.

O. In addition to the standards set forth in this section, mobile homes in stalled in parks shall be pit set according to city requirements and comply with the building code and manufactures requirements.

7.040 Permitted dimensions.

Permitted dimensions for manufactured home parks are as follows:

A. Minimum overall size three acres;

B. Minimum lot size for manufactured home park: three thousand square feet;

C. Minimum lot front for a manufactured home park: forty feet;

D. Minimum front yard depth for a manufactured home park shall be fifteen feet;

E. Minimum rear yard depth shall be the same as underlying districts;

F. Minimum side yard depth for a manufactured home park shall be five feet on one side, ten feet on other side;

G. Maximum building height for a mobile home park shall be thirty-five feet.

7.050 Recreational Vehicle Parks.

Recreational vehicle parks are permitted as a planned unit development in CM land use zones, subject to plan approval by the City Council upon recommendation of the Planning Committee.

7.060 Standards for recreational vehicle parks.

Recreational vehicle parks developed or enlarged after the effective date of the ordinance shall be designed and developed in accordance with the following conditions and limitations;

- A. The minimum site area shall be three acres.
- B. The maximum length of stay of any units shall be one hundred eighty days.
- C. Landscaping shall be provided around the perimeter of the site as approved by the City upon recommendation of the planning committee.
- D. There shall be a minimum of ten feet of separation maintained between all recreational vehicle pads.
- E. One off-street parking stall shall be provided for each designated recreational vehicle space.
- F. The following facilities shall be provided in accordance with rules and regulations of the county health department and approved by the city public works department:
 - 1.) Laundry facilities connected to city sewers
 - 2.) Toilets connected to city sewer services
 - 3.) Bathing facilities connected to city sewers
 - 4.) Garbage disposal facilities.
- G. A minimum of five percent of the site shall be provided for recreational activity for the occupants of the park. The area shall be exclusive of the required perimeter buffer area, centrally located and of such grade and surface to be suitable for active recreation.
- H. Internal circulatory roads shall provide access to each space and shall have a minimum driving surface of twenty-two feet in width and shall be constructed with a road base and surface of concrete or asphalt as per city standards for local access street.
- I. Access to the site shall be over an arterial, or collector street as determined by the city public works department.
- J. Pedestrian walkways shall be provided to service building(s), recreational activities and adjacent public street(s). Walkways shall be of a hard durable, all-weather surface and a minimum width of four feet.
- K. Surface water runoff shall be controlled as per performance standards for erosion control within this ordinance.
- L. Outdoor lighting shall be provided to adequately illuminate internal streets and pedestrian walkways. Lights shall be sized and directed to avoid adverse impacts on adjacent properties.
- M. All public streets abutting the site shall be improved to city standards for the classification of street involved.
- N. Electrical service connections shall meet state Department of Labor and Industries standards.

8.000 Performance Standards

Sections

8.010 Purpose

8.020 Junk

8.030 Fences, walls and plants

8.040 Lighting

8.050 Public utilities

8.060 Churches, clubs and quasi-public buildings

8.070 Home occupations - ~~criteria~~ *criteria permitted*

8.080 ~~Parking standards~~ *criteria*

8.090 Erosion Control

8.010 Purpose.

Specific regulations, providing for the location of certain special and accessory uses in all use districts and providing supplementary controls for the protection of essential uses of said districts are contained herein.

8.020 Junk

In no use district shall there be a collection of junk, scrap, unlicensed cars or parts of cars, parts and abandoned equipment, except where specific provisions are made concerning such items in a specific use district. Junkyards shall be surrounded by a sight-obscuring fence or planting which shall be at least six feet in height.

8.030 Fences, wall and plants

A. Fences and walls, and hedges, shrubs, and similar plants shall not exceed a height of six feet along a property line, except where a greater height is needed to be sight-obscuring as required by this ordinance.

B. Sight-obscuring fences, wall or plants not required by this ordinance may be erected on a side and front lot within any front yard, but shall not exceed four feet in height.

C. Height limitations shall not be deemed to prohibit open-type wire-mesh fences or any height necessary for safety or security in conjunction with playgrounds, public utilities, and similar hazards to the public safety.

8.040 Lighting

Artificial lighting on any lot, building, structure or parking area shall be oriented away from adjacent residential properties.

8.050 Public utilities

Public utility buildings, telephone exchanges, sewage pumping stations, electrical distribution substations, and similar developments necessary for the operation of utilities shall comply with the following requirements:

A. If the installation is housed in a building, the building shall conform architecturally with surrounding buildings or the type of building that are likely to develop in the use districts;

B. Any un-housed installations on the ground, or housed installation that does not conform to the architectural requirements of subsection A, shall be surrounded by a sight-obscuring planting;

C. An un-housed installation of a dangerous nature, such as an electrical distribution substation, shall be enclosed by a wire fence at least eight feet in height;

D. All buildings, installations, and fences shall observe the yard requirements for Buildings in the district in which they are located.

8.060 Churches, clubs and quasi-public buildings.

Churches, institutions, clubs and similar quasi-public use building in residential use districts shall

cover not more than thirty-five percent of their lots. Side yards shall each be a minimum of ten feet. Off-street parking shall be required and meet the performance standard requirements of this ordinance.

8.070 Home occupations-Permitted,

The following home occupations and other operations similar in nature may be operated as an accessory use to a dwelling unit:

- A. Custom dressmaking, millinery, tailoring, sewing of fabric for custom apparel and home furnishing;
- B. Teaching of piano, voice, or dancing, limited to a total of six pupils simultaneously;
- C. Fine arts studio in which are created only individual works of art.
- D. Rooming and boarding of not more than four persons, exclusive of the resident family;
- E. Beauty salon;
- F. Office staffed only by residents of dwelling unit.
- G. Funeral home.

8.080 Home occupations - Criteria. *revised - see Ord # 2012-01*

~~All permitted home occupations shall comply with the following criteria:~~

- ~~A. The home occupation shall be clearly incidental to the residential use of the dwelling;~~
- ~~B. The operation is entirely within the confines of the main building and does not employ individual other than those of the immediate family;~~
- ~~C. There is no external or internal alteration affecting the residential character of the building, and no display of products shall be visible from the street;~~
- ~~D. Entrance to the use is only from within the main building;~~
- ~~E. The area of all such uses does not exceed twenty-five percent of the gross floor area of one story of the dwelling unit or four hundred square feet, whichever is greater.~~
- ~~E. One unlighted Sign that is no larger than four square feet.~~

8.090 Signs.

Signs in any use district shall be limited as follows:

- A. Identifying sign and /or bulletin board for a church, school, or other public or semipublic institution, not exceeding thirty-two (32) square feet in area and located on the same lot with the use to which the sign refers;
- B. Outdoor advertising signs and structures not exceeding thirty-two (32) square feet pertaining only to a use conducted or a product sold on the immediate premises, and located only below the drip line of the roof on a building in which said use is conducted or said product is sold or on a permanent structure on the premises no higher than the drip line of the buildings roof.
- C. Billboards shall not be permitted.

9.000 Supplementary yard and area regulations

9.010 Area

9.020 Access to streets.

9.030 Yards.

9.040 Accessory buildings.

9.050 Through-lots.

9.060 Calculation of building height on sloping lots

9.010 Area.

In any residential use district, a parcel of land with a width and/or depth less than that required for a permissible residential use and existing prior to the effective date of the ordinance, may be used as the site for one single family dwelling; provided that all other regulation for the district, as prescribed in this ordinance shall be complied with.

9.020 Access to streets.

Every use of land other than for agricultural purposes, and every building or structure other than an accessory building or structure, shall be established only on a lot which abuts a dedicated public street and shall be provided with direct access to a dedicated public street.

9.030 Yards.

A. No yard or other open space provided about any building or structure for the purpose of complying the regulation of this ordinance or amendments thereto, shall be considered as providing a required yard or open space or portion thereof, for any other building or structure.
B. In any residential use district, if more than fifty percent of the lots in a block fronting on one side of the street area developed with existing buildings, other than accessory buildings, having front yards less than are required for the district, a new dwelling on an interior lot may be provided with a front yard which is the average of the depths of the front yard of the buildings on the lots adjoining on either side of said interior lots; provided such a front yard shall not be less than fifteen feet.

9.040 Accessory buildings.

A. Accessory building and structures shall comply with applicable side yard requirements.
B. Accessory buildings and structures shall comply with applicable back yard requirements.
C. On corner lots, accessory building in the side yard adjoining a street shall not be erected or altered so as to be nearer to the adjoining street line than fifteen feet.
D. Total area of accessory building located in a rear yard shall not exceed twenty -five percent of the area of said rear yard.

9.050 Through-lots.

Each street frontage of a through lot shall meet the front yard requirements of the use district in which it is located.

9.060 Calculation of building height.

The determination of the height of a building shall be to the highest point of the structure when measured from the average point of elevation of the finished surface of the ground within five feet of a the structure, provided narrow projections such as chimney, spires, domes, elevator shaft housing, aerals, antennas and flagpoles shall not be considered.

10.000 Off-Street parking

10.010 Required.

10.020 Layout plan.

10.030 Parking standards and requirements.

10.040 Mixed occupancies.

10.050 Loading and unloading.

10.060 Parking restrictions- Recreational vehicles and boats.

10.010 Required

In all use districts, space for the off-street storage and parking and loading and unloading of motor vehicles shall be reserved and improved for use when any building or structure is erected, or when any building or structure is enlarged or expanded in height or ground coverage so as to increase the number of required parking spaces by ten percent over the number required prior to the enlargement or expansion. Any on-street parking space immediately adjacent to a use may be counted toward fulfilling that use's parking requirements.

10.020 Layout plan.

Prior to the issuance of a building permit for any building or use requiring more than one parking space, a plan showing proposed and existing buildings and the layout, dimension, and number of parking spaces shall be submitted to and approved by the city clerk or designated zoning administrator.

10.030 Parking standards and requirements.

A. Specified minimum: The minimum required parking spaces for the various uses shall be as follows:

- 1.) Single-family dwelling: two spaces for each dwelling or living unit;
- 2.) Multifamily dwellings: two spaces for each two dwellings or living units;
- 3.) Church, mortuary, funeral home: one space for each four seats in the chapel or nave;
- 4.) Bowling alleys; three spaces for each lane;
- 5.) Hotels and motel: one space for each room or suite, plus required spaces for any restaurant, assembly rooms, or other accessory use;
- 6.) Hospital, sanatoriums, convalescent homes, nursing homes and rest homes: one space for every three patient beds, plus one additional space for each staff doctor and for every three employees;
- 7.) Manufacturing or industrial uses: one space for each two employees on the shift of greatest employment with a minimum of three spaces.
- 8.) Typical uses: All other uses will provide one parking space for each two hundred square feet of gross floor area.

C. Surface: All commercial (C-1) and industrial (I-1) district parking spaces shall be paved with concrete or asphalt and maintained in good condition with adequate ingress and egress to allow maneuvering for the parking spaces.

D. Single or joint use: All parking spaces will be located on the same lot as said use for which the parking spaces are needed unless a joint use agreement is provided that is acceptable to the City attorney which shall be filed by the owners in the title of both parcels by the Lewis County Auditor.

10.040 Mixed occupancies:

In the case of mixed uses, the total requirements for off-street parking facilities shall be the sum of the requirements for the various uses computed separately. Off street parking facilities for one use shall not be considered as providing required facilities for any other use except as herein specified for a joint use.

10.050 Loading and unloading:

On every lot in a CM or I district, and on any lot on which is conducted any public or semipublic use, there shall be provided space for the loading and unloading of goods and materials. Such space shall not be less than ten feet in width nor twenty-five feet in length. Such space shall be provided with adequate access to a public right-of-way.

10.060 Parking restrictions- Recreational vehicles and boats.

No recreational vehicle, boat, boat trailer or similar equipment shall be parked within the required street setbacks or side setbacks of any lot in any residential zone.

11.000 Erosion Control

11.010 Storm drainage control.

11.020 Temporary erosion control.

11.030 Riparian vegetative buffer.

11.040 Grading.

11.050 Landscape quality.

11.010 Storm drainage control required:

Storm drainage control facilities, temporary erosion control facilities and landscaping shall be provided on-site to the end that the volume and velocity of storm waters leaving the site are not significantly different than if the land were left in its natural state. Land disturbed during the development process but not built upon shall be landscaped.

11.020 Temporary erosion control:

Site cleared for development but upon which no construction activities are under way shall be protected from erosion using Best Management Practices as identified by the US Department of Agriculture Soils Conservation Service.

11.030 Riparian vegetative buffer:

Vegetation along streams, wetlands, drainage areas or water sources shall be retained in a natural state or may be supplemented to improve its natural function according to the requirements of the Critical Areas district (CR), section 6.040.

11.040 Grading:

Grading of land requires a City of Vader Grading Permit provided all graded areas not built upon immediately are planted immediately following any disturbance. Planting can be accomplished by hydro-seeding, hand planing, or mechanically planted and should be tailored to the conditions on-site and may require engineering review under the International Building Code as determined by the City Building Official.

11.050 Landscape quality:

Plant material used shall be equivalent to available nursery grown stock or better.

12.000 Non-Conforming Uses

12.010 Non-conforming use of land and buildings - Continuance.

12.020 Non-conforming uses of buildings- yard and area requirements.

12.030 Non-conforming uses of land and buildings- limitations.

12.010 Non-conforming uses of land and buildings - Continuance.

Any nonconforming use of land, buildings, or structures lawfully existing at the effective date of the ordinance may be continued, subject to the following provisions.

12.020 Non-conforming uses of buildings - Yard and area requirements.

Any building or structure conforming as to use but nonconforming as to height, lot area, lot coverage, or yards at the effective date of the ordinance may be altered, repaired, or extended; provided that such alteration, repair, or extension shall not increase the existing degree of nonconformance.

12.030 Non-conforming uses of land and building - Limitations.

A. Any building or part thereof containing a nonconforming use may be maintained with ordinance repair; provided that no such building or part shall be extended, expanded, or structurally altered except as otherwise required by law.

B. A nonconforming use of a part of a building shall not be extended throughout the building.

C. Any land or building or part thereof formerly used by a nonconforming use and which had been unoccupied or unused continuously for a period of at least one year shall not be reoccupied except by a conforming use.

D. No nonconforming use of land shall be extended, enlarged, or expanded.

E. Any change of a nonconforming use shall be to a conforming one.

13.000 Variances

13.010 Authorization to grant or deny.

13.020 Conditions for granting.

13.030 Application.

13.040 Notices and public hearing.

13.050 Review by planning committee.

13.060 Final action.

13.010 Authorization to grant or deny.

The city council may grant variances from the requirements of this title where it can be shown that, owing to special and unusual circumstances related to a specific piece of property, the literal interpretation of this title would cause undue or unnecessary hardship. No variance shall be granted to allow the use of property for purposes not authorized in the district in which the proposed use would be located. In granting a variance the city council may attach conditions that it finds necessary to protect the best interest of the surrounding property or neighborhood and to otherwise achieve their purposes of this title.

13.020 Conditions for granting.

No application for variance shall be granted unless the city council finds:

A. The variance shall not constitute a grant of special privilege inconsistent with the limitations upon uses of other properties in the vicinity and zone in which the property on behalf of which the application was filed is located; and

B. That such variance is necessary, because of special circumstances relating to the size, shape, topography, location or surroundings of the subject property to provide it with use, rights and privileges permitted to other properties in the vicinity and in the zone in which the subject property is located; and

C. That the granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvement in the vicinity and zone in which the subject property is situated; and

D. The hardship asserted by the applicant is not the result of the applicant's or the owner's action.

13.030 Application.

A request for a variance may be initiated by a property owner or his authorized agent by filing an application with the city clerk on forms prescribed by the city at least fifteen days prior to the planning committee meeting at which the proposal is to be reviewed. The completed application shall be accompanied by a statement showing the conditions for granting under section 020 of this chapter have been met by the applicant's property, together with a site plan, drawn to scale, showing the dimensions and arrangements of the proposed development and its relationship to the surrounding property, together with a fee of seventy-five dollars, which shall be non-refundable. In addition to such fee, the person filing such request shall pay on demand by the city clerk the actual cost incurred by the city in connection with such request, and all actions taken pursuant thereto for copying, publication cost, postage and recording fees. No final action shall be taken upon such request until the application is deemed complete by the city clerk and until all such fees and cost have been paid in full. The fees herein provided may hereafter be increased or decreased by resolution duly enacted by the city council.

13.040 Notices and public hearings.

Before a request for a variance is acted upon by the city council it shall first be considered at a public hearing of the planning committee. Notice of the planning committee public hearing shall be given as specified in either subsections A or B of this section.

A. By sending copies of the notice by mail not less than seven days prior to the date of hearing to all property owners whose property abuts, touches, or adjoins, or is directly across a street or an alley from the property involved, using for this purpose the names and addresses of owners as

shown upon the records of the county assessor's office. Failure to send notice to a person shall not invalidate any proceedings in connection with the application for a variance.

B. By posting not less than three copies of this notice, printed or written, in a conspicuous place at or near the location of the proposed variance.

C. By such additional advertisement as may be deemed necessary through a newspaper of general circulation at the discretion of the planning committee.

13.050 Review by planning committee.

A. Upon receipt of a complete variance application request, the city clerk and the chairman of the planning committee shall set the date for a public hearing to review such application. Such hearing shall be set not later than thirty days after receipt of the completed application by the city clerk. The planning committee shall provide notice of such hearing pursuant to section 040 of this chapter.

B. Any person interested in any application for variance may appear at the planning committee hearing set for review thereof and present his remarks. Upon conclusion of the hearing the planning committee shall recommend to the city council action on the variance request which recommendation may be to either approve the variance request, deny the variance request or approve the variance request with conditions.

C. The planning committee may recess a hearing on a request for a variance, at the request of the applicant, in order to allow the application to provide additional information. The planning committee may also recess the variance public hearing on its own motion, in order to obtain additional information itself. Upon necessity of recess for these purposes, the planning committee shall announce the time and date when the hearing will be resumed.

D. The planning committee shall make its recommendation to the city council on any variance request within twenty days after completion of the public hearing. All planning committee actions on a variance request shall be completed within sixty days after the date of the first public hearing unless the applicant has requested an extension of the public hearing and has failed to provide additional information to the planning committee in a timely fashion, in which case at the end of such sixty day period the planning committee shall recommend denial of the variance application to the city council.

E. The planning committee shall cause written notification of the planning committee's recommendation to the city council to be mailed to the applicant requesting said variance and to the city council within five days after the planning committee shall have concluded its hearing.

13.060 Final action.

At the next regularly scheduled city council meeting after receipt of recommendations from the planning committee on a variance request, the city council shall review the variance application and the recommendations of the planning committee and shall reach a decision on the variance request, based on information provided to it in the application and by the planning committee report of proceedings and recommendation and the city council shall make its decision on the variance application based on the condition set for granting variance in section 020 of this section. The city council shall cause written notification of its action to be mailed to the applicant requesting said variance within ten days after the decision of the city council has been rendered.