

## ARTICLE V GENERAL PROVISIONS AND STANDARDS

### SECTION 13: LAND USES

#### 13.01 Table of Land Uses

Table 13.1 contains a listing of allowed, conditional and prohibited uses for each zoning district.

**Table 13.1**  
**TABLE OF LAND USES**

**A = Allowed Use**

**CUP = Conditional Use**

**X = Prohibited**

**R-1 First Residential**  
**SR Special Residential**  
**M-1 Industrial**

**R-2 Second Residential**  
**C-1 Commercial**

**R-3 Third Residential**  
**G-E Government Entity**

ZONE DISTRICT	R-1	R-2	R-3	SR	C-1	G-E	M-1
<b>RESIDENTIAL USES</b>							
Accessory Living Quarters	CUP	A	A	A	A	X	A
Adult Family Homes	A	A	A	A	A	X	A
Family Child Care Homes	A	A	A	A	A	X	A
Group Homes	CUP	A	A	A	A	X	A
Halfway House	CUP	CUP	CUP	CUP	CUP	X	CUP
Home Occupation/Business	A <sup>1</sup>	A <sup>1</sup>	A <sup>1</sup>	A <sup>1</sup>	A <sup>1</sup>	X	A <sup>1</sup>
Manufactured/Modular/Factory Built Homes	A	A	A	A	A	X	A
Manufactured/Mobile Home Parks	X	X	CUP	X	X	X	X
Mobile Homes	X	X	A <sup>2</sup>	X	X	X	X
Multi-Family Dwellings	X	X	A	A	CUP	X	CUP
Nursing Homes/Rest Homes/Assisted Living/Residential Care Facilities	X	X	CUP	CUP	CUP	X	CUP
One Family Dwellings	A	A	A	A	A	X	A

<sup>1</sup> - permitted subject to compliance with Article V, Section 16.

<sup>2</sup> - only permitted in approved manufactured home parks.

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<b>ZONE DISTRICT</b>	<b>R-1</b>	<b>R-2</b>	<b>R-3</b>	<b>SR</b>	<b>C-1</b>	<b>G-E</b>	<b>M-1</b>
Two Family Dwellings	A	A	A	A	A	X	A
<b>COMMERCIAL USES</b>							
Auto Courts	X	X	X	X	A	X	A
Auto Repair/Filling Stations	X	X	X	X	A	X	A
Automobile, Boat, Trailer, and Recreational Vehicles Sales area	X	X	X	X	A	X	A
Bed and Breakfasts	CUP	CUP	CUP	A	A	X	A
Child Day Care Centers	CUP	CUP	CUP	A	A	X	A
Clothing Sales	X	X	X	X	A	X	A
Financial/Insurance Services	X	X	X	A	A	X	A
Hotels/Motels	X	X	X	CUP	A	X	A
Indoor Entertainment/Recreational Facilities	X	CUP	CUP	CUP	A	X	A
Laundromat/Cleaning Establishments	X	X	X	X	CUP	X	CUP
Mini Storage Facilities	X	X	X	X	A	X	A
Museums, Art Galleries - Commercial	X	X	X	CUP	A	X	A
Museums, Non-Profit Historical	X	X	X	CUP	A	X	A
Personal Services	CUP <sub>3</sub>	CUP <sub>3</sub>	CUP <sub>3</sub>	CUP <sub>3</sub>	A	X	A
Pet shops, Grooming Establishments	X	X	X	X	CUP	X	CUP
Private Outdoor Recreation	X	X	X	X	CUP	X	CUP
Professional/Business Offices	X	A	A	CUP	A	X	A
Radio/Broadcast Station	X	X	X	A	CUP	X	CUP

<sup>3</sup> - permitted subject to compliance with Section 16 herein.

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<b>ZONE DISTRICT</b>	<b>R-1</b>	<b>R-2</b>	<b>R-3</b>	<b>SR</b>	<b>C-1</b>	<b>G-E</b>	<b>M-1</b>
Recreational Vehicle Parks	X	X	X	CUP	CUP	X	CUP
Rental Shops	X	X	X	X	CUP	X	A
Restaurants, Taverns, Cafes	X	X	X	X	A	X	A
Retail Sales and Services	X	X	X	X	A	X	A
Retail Trade	X	X	X	X	A	X	A
Small Convenience Stores	X	X	X	X	A	X	A
Supermarkets and Grocery Stores	X	X	X	X	A	X	A
Variety Stores	X	X	X	X	A	X	A
Veterinarian Clinic, Small Animal Hospital, Kennels	X	X	X	X	CUP	X	CUP
<b>INDUSTRIAL USES</b>							
Wholesale Storage or Warehouse Facilities, Freezers, Lockers	X	X	X	X	CUP	X	CUP
Agriculture Related Industry	X	X	X	X	X	X	CUP
Asphalt Manufacturing Plants	X	X	X	X	X	X	CUP
Bulk Storage Facilities	X	X	X	X	X	X	CUP
Cement/Concrete Plants	X	X	X	X	X	X	X
Explosive Manufacturing/Processing	X	X	X	X	X	X	X
Gravel Mining Operations	X	X	X	X	X	X	CUP
Heavy Equipment Storage	X	X	X	X	X	X	CUP
Junkyards/Wrecking Yards	X	X	X	X	X	X	CUP
Nuclear Processing/Storage	X	X	X	X	X	X	X
Off-Site or On-Site Hazardous Waste Manufacture/Processing/Treatment and/or Storage Facilities	X <sup>4</sup>	X <sup>4</sup>	X <sup>4</sup>	X <sup>4</sup>	X <sup>4</sup>	X <sup>4</sup>	X <sup>4</sup>

<sup>4</sup> - permitted by CUP if appurtenant to an existing permitted use.

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<b>ZONE DISTRICT</b>	<b>R-1</b>	<b>R-2</b>	<b>R-3</b>	<b>SR</b>	<b>C-1</b>	<b>G-E</b>	<b>M-1</b>
Tire Shredding/Processing/Storage	X	X	X	X	X	X	X
<b>OTHER USES</b>							
Accessory Uses and Buildings	A	A	A	A	A	X	CUP
Cemeteries	X	A	A	X	X	X	CUP
Churches and Similar Places of Worship	A	A	A	A	A	X	CUP
Helipad	X	X	X	CUP	CUP	X	CUP
Heliport	X	X	X	X	X	X	CUP
Hospitals and Medical Clinics	X	X	CUP	CUP	A	X	CUP
Clubs, Lodges, Social and Recreation Centers - non-commercial	X	CUP	CUP	CUP	CUP	X	CUP
Municipal or Public Facility	X	CUP	A	A	A	A	CUP
Pad	X <sup>5</sup>	X <sup>5</sup>	X <sup>5</sup>	X <sup>5</sup>	X <sup>5</sup>	X	X <sup>5</sup>
Parking Lot, commercial	X	X	X	CUP	CUP	CUP	CUP
Parking Lot, Private	A	A	A	A	A	X	A
Parking Lot, Public	X	X	X	CUP	CUP	CUP	CUP
Parks, Private	CUP	CUP	CUP	CUP	CUP	X	CUP
Parks, Public	A	A	A	CUP	CUP	CUP	CUP
Portable Structures/Buildings on Utility Easements	CUP	CUP	CUP	CUP	CUP	CUP	CUP
Public Utilities	CUP	CUP	CUP	CUP	CUP	CUP	CUP
Recycling Drop Station	CUP	CUP	CUP	A	A	CUP	A
Schools - Elementary and Secondary	A	A	A	A	CUP	CUP	CUP
Schools - Vocational	X	X	X	X	CUP	CUP	A

<sup>5</sup> - prohibited unless located within an approval manufactured home or recreational vehicle park.



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<b>ZONE DISTRICT</b>	<b>R-1</b>	<b>R-2</b>	<b>R-3</b>	<b>SR</b>	<b>C-1</b>	<b>G-E</b>	<b>M-1</b>
Signs	A <sup>6</sup>	A <sup>6</sup>	A <sup>6</sup>	A <sup>6</sup>	A <sup>6</sup>	A <sup>6</sup>	A <sup>6</sup>
Utilities/Communications Facilities	CUP	CUP	CUP	CUP	CUP	CUP	CUP

**13.02 Classification of Unlisted Uses**

The characteristics of uses that make them compatible, comparable or similar have been used to create the use zones in this ordinance. It is not possible to list every use to which land may be devoted. When any use is proposed or identified that is not specifically identified as first or conditionally permitted in any zone, or where any use changes through changes in processes, equipment or materials which make it impossible to meet those standards set for that use, the following shall occur:

1. The planning commission shall conduct an investigation of the use to ascertain all pertinent facts in relation to that use.
2. If the planning commission finds in its investigation that such use is substantially similar to one that is already enumerated, a finding shall be written to that effect and the standards applicable to the similar use shall be applied.
3. If the planning commission finds that such use is not substantially similar to one that is already enumerated, the addition of such use, if needed, shall be considered an amendment to the ordinance and the procedures as set forth for amending the ordinance shall be followed.
4. In considering the addition of an unclassified use to the ordinance, proper standards shall be established to insure that all impacts to adjacent uses created by that use are sufficiently mitigated.

**SECTION 14: BULK, HEIGHT AND DIMENSIONAL STANDARDS****14.01 Bulk, Height and Dimensional Standards**


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<sup>6</sup> - subject to compliance with Section 22 herein.

The following standards for bulk, height and dimensions are for all zoning districts.

**Table 14.1 Bulk, Height and Dimensional Standards**

ZONE DISTRICT	R-1	R-2	R-3	SR	C-1	SC	M-1
Lot Area <sup>7</sup> (minimum)	4,800	4,800	3,000	3,000	5,000	3,000	5,000
Lot Width (minimum)	50'	50'	45'	25'	0'	0'	0'
Setbacks <sup>8</sup> - front	20'	20'	20'	10'	0'	0'	0'
Setbacks <sup>8</sup> - side	5'	5'	5'	5'	0'	0'	0'
Setbacks <sup>8</sup> - rear	20'	20'	20'	10'	0'	0'	0'
Setbacks <sup>8</sup> - corner	15'	15'	15'	15'	5'	5'	5'
Setbacks <sup>8</sup> - accessory buildings	5'	5'	5'	0'	0'	0'	0'
Building Height	30' <sup>12</sup>	30' <sup>12</sup>	30' <sup>12</sup>	30' <sup>12</sup>	35'	35'	50'
Lot Coverage <sup>13, 14</sup>	40%	40%	40%	75%	90%	90%	90%

<sup>7</sup> - measured in square feet.

<sup>8</sup> - unless otherwise specified, all setbacks are measured from the appropriate lot line.

<sup>9</sup> - except front yards along Aspen Street where setback is 15' measured from curb line.

<sup>12</sup> - limited to two (2) stories.

<sup>13</sup> - All structures including temporary and permanent accessory buildings, including covered carports and sheds, but not including parking spaces, driveway or sidewalks shall cover no more than 40 percent of the lot.

<sup>14</sup> - Total Lot coverage for structures and impervious surfaces cannot exceed 60% of the Lot size.

## **14.02 Height Limitations**

The height limitations in Table 14.1 shall not apply to church spires, belfries, cupolas, penthouses, and domes not used for human occupancy; nor to chimneys, ventilators, flagpoles, skylights, water tanks, bulkheads, similar features, and necessary mechanical appurtenances usually carried above the roof level. Such features, however, shall be

### **Section 2. Effective:**

This ordinance shall become effective from and after its passage by the town council, approval by the mayor, and after publication by summary in the official newspaper of the town, as provided by law

erected only to such height as is necessary to accomplish the purpose they are to serve. Nor shall the provisions of this code apply to prevent the erection above the building height limit of a parapet wall or cornice for ornament (and without windows) extending above such height limit not more than five (5) feet.

#### **14.03 Projecting Architectural Features**

1. The space in any required yard shall be open and unobstructed except for ordinary projections of window sills, belt courses, cornices, eaves, and other architectural features, provided, however, that such features shall not project more than 3 feet into any required yard, as long as other separation requirements of the UBC are met.
2. Patio roofs: Patio areas may be roofed for shade and other purposes provided such roof area does not exceed 30 percent of the yard area in which it is located.

#### **14.04 Visibility at Intersections**

On a corner lot in any residential district no fence, wall, hedge, or other structure or planting more than two (2) feet in height shall be erected, placed or maintained within the triangular area formed by the intersecting curb lines and a straight line joining said street curb lines at points which are 30 feet distant from the point of intersection, measured along said street lines.

### **SECTION 15: ACCESSORY USES**

#### **15.01 Permitted Accessory Uses**

The following accessory uses, in addition to those hereinafter specified, shall be permitted in any zoning district.

1. Customary accessory uses and buildings are permitted provided such uses are incidental to the principal use and do not include any activity commonly conducted for financial gain, except under the following conditions:
2. Such use will not reduce real estate values or the desirability of the neighborhood due to offensive noise, odors, unsightliness or other reason.
3. Approval of such use by the Town Planning Commission or, if applicable, by the Town Council.
4. Structures and land uses for necessary government and public utility functions.

5. Signs, in addition to those otherwise permitted in Section 22, when not exceeding a total area of six (6) square feet and pertaining only to the prospective sale or lease of land or building upon which displayed.

## **SECTION 16: HOME OCCUPATIONS**

### **16.01 Home Occupation Basic Standards**

Home occupations are permitted outright provided no home occupation shall be permitted that:

1. Changes the outside appearance of the dwelling or is visible from the street.
2. Generates traffic, parking, sewerage, or water use in excess of what is normal in the residential neighborhood.
3. Creates a hazard to person or property, results in electrical interference, or becomes a nuisance.
4. Results in outside storage or display of materials or signs related to said home occupation.
5. Involves employment of help other than the members of the resident family.
6. Involves the use of commercial vehicles for delivery of materials to or from the premises.
7. Involves any use of advertising sign on the premises or any other local advertising media which calls attention to the fact that the home is being used for business purposes, telephone number listing excepted.

### **16.02 Permitted Home Occupations**

The following are permitted home occupations provided they do not violate any of the performance standards described in Subsection 16.01:

1. Dressmaking, sewing, and tailoring
2. Painting, sculpting, or writing
3. Telephone answering
4. Home crafts

5. Tutoring, limited to four students at a time
6. Computer programming and repair; word processing
7. Resident owned and operated beauty and barbershops
8. Office facility of a salesperson, sales representative, accountant, tax preparer, investment counselor
9. Musical instruction
10. Adult Family Homes
11. Childcare facilities with 12 or fewer children
12. Home offices, without customer coming to the home

### **16.03 Prohibited Home Occupations**

The following are prohibited as home occupations:

1. Animal hospitals
2. Dancing studios
3. Mortuaries
4. Nursery schools
5. Private clubs
6. Restaurants
7. Stables or kennels
8. Automobile repair or paint shops
9. Clinics and hospitals
10. Commercial print shops
11. Day care centers with 13 or more children
12. Any use involving the handling, treatment, or storage of hazardous waste as defined by RCW 70.105.010

**SECTION 17: UTILITY EASEMENTS**

Where necessary, utility easements have been established throughout the Town to provide a corridor for installation and maintenance of services to individual lots or parcels. No permanent buildings or structures shall be located on utility easements. Portable structures may be placed upon utility easements after obtaining a conditional use permit as set forth in Article IX of this ordinance. When required for installation, replacement, or maintenance activities of the utility, the landowner will be required to move the portable structures at his or her expense upon the Town's request.

**SECTION 18: RECREATIONAL VEHICLES AND TRAVEL TRAILERS**

Recreation vehicles and travel trailers are not permitted to be used as primary residences.

**SECTION 19: STRIPPING OF SOIL**

No person, firm or corporation shall strip, excavate or otherwise remove top soil for sale or for use other than on the premises from which the same shall be taken except in connection with construction or alteration of a building on such premises and excavation or grading incidental thereto. In the event of discovery of any site which is or may be archaeologically significant during an excavation, applicable state, federal or tribal regulations shall be followed.

**SECTION 20: TRAFFIC AND PARKING****20.01 Traffic Generation Standards**

Uses likely to generate more than twenty-five (25) trips per day per acre, as determined by the Town of Coulee Dam, to or from the premises shall be permitted only if the lot, parcel or tract containing the use is directly served by a public street.

**20.02 Off-street Parking Requirements**

1. Each property within the Town of Coulee Dam limits is required to have off-street parking spaces in accordance with Table 20.1, the table of minimum parking standards, for specific uses, set forth below. However, compliance with the



requirements of this chapter is limited to new construction and rehabilitation projects as defined herein. No building permits will be issued for such construction without a plan for compliance with the requirements set forth in this chapter.

**Table 20.1 - Minimum Parking Standards**

<b>Use</b>	<b>Number of Spaces</b>
Single family dwelling	<u>1</u> per dwelling unit
Duplex	<u>1</u> per dwelling unit
Triplex	<u>1</u> per dwelling unit
Four or more units (1 building)	<u>1</u> per dwelling unit <sup>9</sup>
Motel or hotel	1 per guest room
Medical/dental office	1 per 150 sq. ft. floor space <sup>10</sup>
Offices with on-site customer services	1 per 400 sq. ft. floor space <sup>15</sup>
Offices without on-site customer services	1 per 800 sq. ft. floor space
Eating and drinking establishments	1 per 200 sq. ft. floor space
Retail	1 per 500 sq. ft. floor space

2. In cases where any of the above properties should abut or adjoin a Town-owned parking area, excluding a Town street with curb parking, , the Town-owned parking area may be substituted for UP TO fifty-percent (50%) of the above required parking requirements upon the recommendation of the Planning Commission, including a determination by the Commission that full compliance of the intent of this ordinance will be assured.
3. In addition to the basic standards and requirements established by this ordinance, the Planning Commission, and/or the Town Council, may make such other requirements or restrictions as shall be deemed necessary in the interest of public safety, health, and general welfare, facilities, entrances and exits, accessory uses and conditional exceptions. Further, performance bonds may be required in such cases where the Planning Commission or Town Council determines that such shall be necessary to guarantee proper completion of improvements within the time period specified.

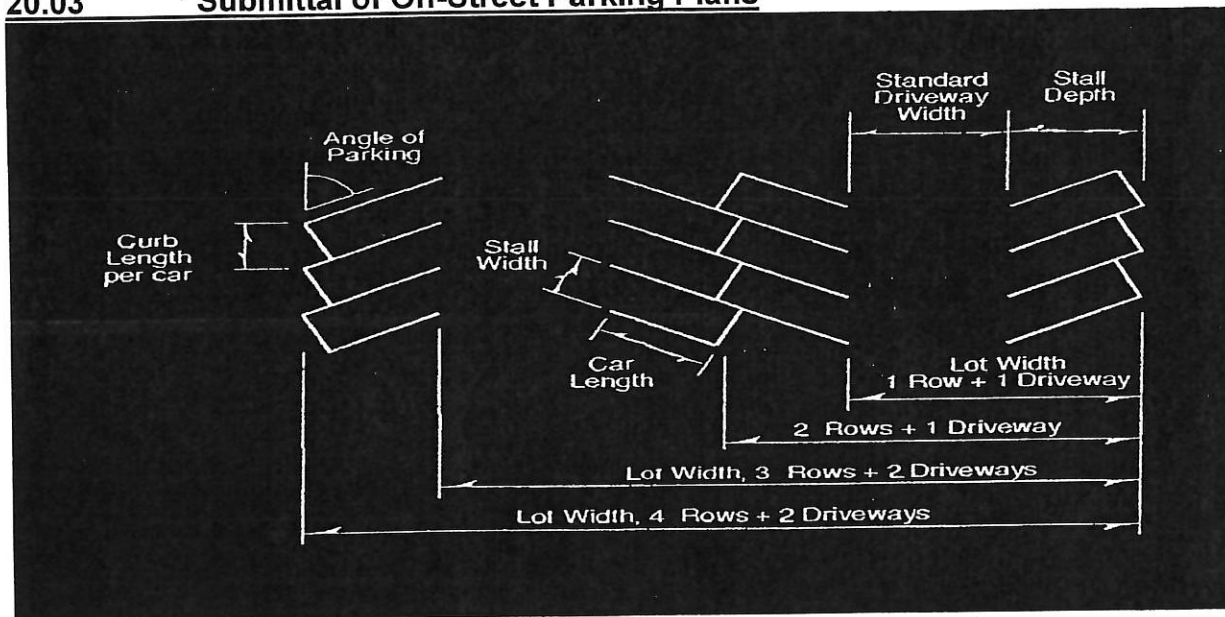
<sup>9</sup> - Applies whether building is classified as an apartment or a condo.

<sup>10</sup> - Minimum of 2 per office

4. Joint use agreements which are not in violation of statutes and regulations may be made between adjacent property owners, and after review by the Planning Commission shall be filed with the Town clerk.
5. Changes in an existing land use or structure shall carry existing agreements and privileges of use forward with the new use, where said use will not endanger the public safety or inflict a loss on adjacent land owners. Projects which involve the change in use of structures within commercially zoned areas, and major remodels and other projects which entail the redevelopment of structures which existed prior to January 1, 1998, are exempt from the requirements of this chapter.

The following figure depicts the different parameters of parking stalls, access isles and other pertinent features of parking lots.

#### **20.03 Submittal of Off-Street Parking Plans**



Any party developing an off-street parking lot shall submit a plan of the proposed parking area showing adjacent streets and structures and proposed traffic circulation, drainage, lighting, landscaping, fencing and screening to the Building Official to review for compliance with this ordinance.

#### **20.04 Ingress and Egress Standards**

All ingress and egress to a parking lot must be arranged such that no vehicle shall back onto a public street or otherwise cause or create unsafe or hazardous conditions for traffic on adjacent streets. All vehicles exiting a parking lot or area shall have clear vision of all traffic. Access to state highways shall require approval of an access permit.

in accordance with Section \_\_\_\_\_ and be designed and constructed to meet the standards of 47.50 RCW.

#### **20.05 Grading, Surfacing, and Drainage Standards**

All required off-street parking areas shall be graded and surfaced to a standard comparable to the street or road which services the parking area. Such standards shall be determined by the Building Official. The surfacing shall be dustless and drainage shall be accomplished to adequately dispose of all storm water and snow melt in an approved manner. All access lanes adjoining state right-of-ways shall meet the requirements of the state agencies administering said right-of-ways, or of the Town of Coulee Dam, whichever are greater.

#### **20.06 Loading and Surface Space Requirements**

Land uses which require service vehicle access for deliveries and shipments shall have an off-street loading space with access to a public thoroughfare. The size of the space shall be large enough to accommodate all servicing vehicles. No servicing vehicle shall extend into the public thoroughfare when using the loading space.

#### **20.07 Access to Lot**

All buildings hereafter erected or moved shall be on a lot adjacent to a public or approved private street. All buildings shall also be located on the lot to provide safe and convenient access for servicing, fire protection and required off-street parking.

#### **20.07 Compliance**

1. Compliance with the requirements of this section is mandatory for new construction, rehabilitation projects and major remodeling projects as defined herein. No building permits will be issued for construction without detail of plans that include off-street parking.
2. Compliance with the requirements of this section may be made mandatory as a requirement for re-licensing of a home occupation business if a complaint has been made with respect to congested traffic.
3. Compliance with the requirements of this section is not mandatory or required for any property at its present level of development.
4. New developments will be prohibited, if it negatively affects the adopted LOS adopted by the town, unless transportation improvements or strategies, such as traffic demand strategies (TDM), to accommodate the impacts of development are made concurrent with the development (as required under GMA).

**SECTION 21: ENVIRONMENTAL STANDARDS****21.01 Air Quality Standards**

The emission of any of the following air pollutants shall be subject to the National Ambient Air Quality Standards:

1. Smoke and gas.
2. Dust, dirt and flying ash.
3. Noxious or odorous matter.

**21.02 Noise Level Standards**

The intensity of sounds emitted by any use shall not exceed the levels prescribed by the Washington State Department of Ecology (WAC 173.60 and WAC 173.62). Any construction activities that create noise that may be a nuisance to surrounding properties shall be limited to the hours between 7:00 a.m. and 8:00 p.m. All noise standards shall be subject to state or local regulations, whichever are greater.

**21.03 Light and Glare Standards**

Any intensive glare or light associated with a land use shall be screened to obscure the view of this glare and light from any point along the property except during periods of construction.

**21.04 Nuclear Radiation Standards**

The use, storage, transportation and disposal of all radioactive materials and radiation machines shall be subject to the provisions contained in Rules and Regulations for Radiation Protection, issued by the Radiation Control Agency of the Washington State Department of Health.

**21.05 Toxic Chemical Storage**

Any toxic chemical shall be stored in containers and at locations that prevent leakage and are not hazardous to adjacent or nearby property, and are subject to all regulations from state or federal agencies that manage the use and storage of those materials. Materials that may come into contact with the public or employees of a facility shall have material safety data sheets available to the public and to emergency personnel in accordance with state and federal regulations.

**SECTION 22: SIGNS**

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### **22.01 Signs**

Signs shall be permitted subject to the following limitations:

1. All signs shall conform to the general architecture of the building.
2. No sign or part thereof shall extend more than 35 feet above average finished grade.
3. Any sign extending over a sidewalk or other public area shall have a minimum clearance of 8 feet.
4. All signs shall be located within or attached to a support located within the site on which the business being advertised or product being sold is located, and meeting the requirements of strength and stability necessary for public safety as determined by the town building official.

### **22.02 Sign Standards**

Any signs erected in the Town of Coulee Dam shall conform to the following standards:

1. The following signs shall be prohibited:
  - A. Signs that in the opinion of the Town Police Department interfere with the view of traffic signals, signs, or devices and approaching and merging traffic,
  - B. Signs with flashing, moving, intermittent or uncomfortably intense lights.
  - C. Obsolete or unsafe signs,
  - D. Signs erected, maintained or painted on trees, rocks, or other natural features,
  - E. Signs which obstruct view from any public or private property,
2. An on-premise commercial sign shall mean any exterior sign or device conveying a message advertising or attracting the attention of prospective patrons and which either is attached or lettered on a structure or is erected freestanding on a property upon which the advertised activity is located. Such signs shall conform to the following standards.





- A. The maximum size of any on-premise sign for any individual use in a structure shall not exceed 100 square feet. For two sided signs only one side shall be used for calculating the area.
  - B. Signs shall not project more than 6 feet from the side of a building and shall not interfere with pedestrian or vehicular traffic.
  - C. The number of on-premise commercial signs shall not exceed the number of sides abutting a public right-of-way on the lot on which the business is located. In cases where there is more than one use per lot, each use shall be permitted one sign per street frontage.
  - D. On-premise commercial signs shall not be erected in an R-1, R-2, R-3, or SR-1 except as allowed for a home occupation for produce stands, or the sale of property and temporary real estate sales offices in those zones.
3. Noncommercial signs shall mean any exterior residential nameplate erected for the purpose of identifying a residence or a permanent sign for naming and identifying a residence, or a permanent sign for naming an institution, recreational development or building, apartment, or subdivision. Noncommercial signs shall comply with the following regulations:
- A. Noncommercial signs may be erected in any zone,
  - B. Noncommercial signs in R-1, R-2, and R-3 zones shall comply with the following regulations:
    - i. Nameplates identifying the residents of a single-family dwelling shall not exceed 2 square feet.
    - ii. One unlighted sign not exceeding 6 square feet may be placed on a property advertising the sale, lease, or hire of a building on that property.
    - iii. One unlighted sign identifying an institutional, recreational development or building, apartment or subdivision not exceeding 12 square feet may be placed on property containing that use.
    - iv. Real estate signs advertising the sale or lease of a property on which they are located shall not exceed (6) square feet.



C. Noncommercial Public Service signs in the form of changing message center signs may be permitted. However, the changing message center signs shall not be used for commercial purposes, such as to advertise a product, personal service or use. Messages will be strictly limited to public information regarding activities, events, time, date, temperature, atmospheric conditions, and news of interest to the general public. Said signs shall meet all the provisions of Section 22.01, shall not exceed 32 square feet of copy area per side and shall be erected by and for a public or non-profit entity within the property of said entity.

The installation location shall be approved by the North Central Region WSDOT Traffic operations department when the sign is visible to a state highway.

4. Political campaign signs may be displayed 30 days prior to an election and must be removed no later than 7 days after the election. For a successful candidate in a primary election, the sign may remain between the primary and the final election, providing that it is maintained. The candidate for whom the sign is displayed is responsible for its removal.

## **SECTION 23: FENCES**

No perimeter fences shall be erected in a residential zone beyond a height exceeding 6 feet; nor shall any fence extend into a front yard beyond the front building lines. In the case of corner lots, no fence shall be erected within 15 feet of the side property line abutting the side street line.



**SECTION 24: SATELLITE RECEIVING SYSTEMS & RADIO ANTENNAS****24.01 Purpose**

The purpose of this section is to minimize the adverse visual and physical impacts of telecommunications and satellite receiving systems exceeding 3 feet in diameter and/or installed at a height not greater than the adjoining structure(s).

**24.02 Permit Required**

A building permit shall be required for installation of the satellite receiving system. The building official shall review the application for compliance with general regulations and, where needed identify specific conditions for each installation. The official findings, with recommendations, will be given to the Planning Commission for final approval. A building permit fee as established in the Uniform Building Code shall be charged.

**24.03 General Requirements**

The building official shall use, but not be limited to, the following criteria in developing appropriate conditions for the location and screening of satellite receiving stations, hereinafter referred to as "antennas".

1. Aluminum mesh antennas shall be used whenever possible instead of solid fiberglass types for units exceeding 3 feet in diameter.
2. Where possible, antennas shall be painted colors that will blend with their backgrounds and shall be compatible with the appearance and character of the residential neighborhood.
3. Antennas shall not be greater than 12 feet in diameter.
4. Antennas larger than (3) feet in diameter in any dimension shall be screened, if visible from the street, with plant materials, fences, etc. to minimize visual impact on the area.
5. Installation shall meet all applicable construction codes.
6. If guy wires are used on ground mounted units, they shall be confined within the screened area.
7. Antennas shall comply with all applicable federal or state regulations. The Town assumes no responsibility to administer these regulations.

8. Antennas greater than (3) feet in any dimension shall not be roof mounted in residential zoning districts unless the antenna will not be visible from any streets or surrounding properties within 500 feet. Commercial antennas greater than 36 inches may be roof mounted if they do not exceed the building height ordinance and are certified by a structural engineer that they do not impose a load that the structure cannot bear.
9. Antennas shall not be located in the front yard of any residential site.
10. Antennas shall be located at least 5 feet from any property line. The setback is measured from the part of the antenna or its base nearest the property line. The building official may vary this setback for antennas if it will achieve a result superior to that which would be achieved by strictly following the standards.
11. Each antenna shall serve only the building, or buildings, located upon the lot on which said antenna are installed.
12. The location of the antenna on the lot shall not restrict the adjacent landowners' rights within the limits as set forth by town ordinances and building codes. Should conflicts arise due to reception interference, they shall be resolved by the owner of the antenna reaching an agreement with the adjacent landowner, or by relocating the antenna.
13. The antenna installation shall bear no advertising emblem or information other than the name of the manufacturer in letters not to exceed two inches in height.

#### **24.04 Existing Antennas**

Antennas in existence prior to the enactment of this ordinance shall be considered "grand-fathered", or nonconforming structures. Should they ever be relocated, the reinstallation shall be subject to all the requirements of this ordinance.



## ARTICLE VI RESOURCE LANDS AND CRITICAL AREAS

### SECTION 25: RESOURCE LANDS AND CRITICAL AREAS

#### **25.01 Statutory Authorization**

The legislature of the State of Washington has, in 36.70A.060 RCW, mandated local governments required to plan under 36.70A.040 RCW to adopt development regulations to ensure the conservation of agricultural, forest and mineral resource lands and to adopt development regulations precluding land uses or development that are incompatible with critical areas designated under 36.70A.170 RCW.

#### **25.02 Purpose and Intent**

It is the purpose of this section to provide standards and regulations applicable to those areas within the Resource Lands and Critical Areas Overlays. The intent is to promote the public health, safety and general welfare by inclusion of provisions designed to:

1. Protect human life and health;
2. Further the public's interest in the conservation and wise use of our lands;
3. Assure the long-term conservation of resource lands;
4. Preclude land uses and developments that are incompatible with critical areas;
5. Classify and designate critical areas and resources lands; and
6. To develop appropriate regulatory and non-regulatory actions in response.

#### **25.03 General Provisions**

Prior to accepting a development application, the zoning and data maps shall be consulted for the purposes of determining whether or not the property subject to the application is within any area shown as a resource land or critical area. The presence of critical areas is determined by the Town Clerk or designee by reference to critical features inventory documents currently existing or generated by research and analysis, using best available science. When such areas are encountered, the applicant will immediately be notified and the types of resource or critical areas disclosed. Instructions shall be provided to the applicant on the type of evaluation and site specific analysis that will be required as a supplement to the application materials necessary to bring the application up to standard that can be characterized as complete. Also any land owned by or adjacent to United States Bureau of Reclamation land will be required to comply with all pertinent regulations including the Downstream Plan as set by the United States Department of Interior, Bureau of Reclamation and the State of Washington.

Until the Town of Coulee Dam adopts, as necessary, a Shoreline Master Plan the most restrictive SMP adopted by Grant, Douglas, and Okanogan County shall be used for all shoreline development.

If the subject property does not lie within or partly within the resource lands or critical areas as depicted on the zoning and data maps, the application will be considered complete, provided the application requirements of the ordinance governing the process at issue are satisfied.

From the effective date of this ordinance, no development application processed under this ordinance shall be approved without a written finding that:

1. This article has been considered,
2. Additional information has been assembled under this chapter or was not required, and
3. The purpose and intent of this ordinance has been accorded substantial consideration.

#### **25.04 Development Standards**

1. Resource Lands: The Town has not identified any resource lands located within or immediately adjacent to the incorporated limits, and therefore reserves this section for future use when or if the need arises.
2. Critical Areas:
  - A. Wetlands
    - i. Site analysis - required for the purpose of establishing an exact wetland boundary using the criteria found in the Federal Manual for Identifying and Delineating Jurisdictional Wetlands. Field delineation of the boundary is required and a scaled map must be produced. The Washington State Four-Tier Wetlands Rating System must then be applied to the wetlands area to establish the category of wetlands in evidence. The analyzes required by this section shall be done by qualified professional and technical scientists, the Washington Department of Ecology, or others who can demonstrate through a combination of formal training and field experience the ability to function professionally in this capacity.

## ii. Development Standards

- (a) Category III and IV Wetlands of ten thousand (10,000) square feet or less are excluded from all provisions of this chapter.
- (b) A buffer zone shall be required adjacent to, and outside of, all regulated wetlands according to the following schedule:

Category I Wetland	250 feet
Category II "	150 feet
Category III "	75 feet
Category IV "	50 feet

The above buffers may be reduced by a maximum of 50 percent if the site analysis demonstrates that the adjacent land is, and will remain, extensively vegetated, is topographically remote from the wetland and that no direct adverse impacts on the regulated wetlands is a reasonable probability as a result of the buffer reduction.

- (c) Wetland buffer zones shall be retained in their natural condition. Where buffer disturbances are unavoidable during adjacent construction, re-vegetation with native plant materials will be required.
- (d) The following activities are allowed to occur in wetlands and wetland buffers zones; outdoor recreational activities, existing and ongoing agricultural activities (provided no additional area is added beyond demonstrable historic levels), maintenance of existing facilities, structures, ditches, roads and utility systems.
- (e) Nothing in this section abrogates, compromises or otherwise subordinates the full force, effect and applicability of the Washington State Shorelines Management Act.
- (f) A use or structure established prior to the effective date of this chapter which does not conform to standards set forth herein, is allowed to continue and be reasonably maintained provided that such activity or structure shall not be expanded or enlarged in any manner that increases the extent of its nonconformity.

## B. Frequently Flooded Areas

- i. Site analysis - required only for the purpose of establishing a pre-construction site elevation at the lot's highest point at the proposed building foundation.

- ii. Development Standards: All developments must follow the provisions of the Grant, Douglas, and Okanogan County Flood Damage Prevention Ordinance, Zoning Ordinance, Platting and Subdivision Ordinance, the Short Plat and Short Subdivision Ordinance and all other applicable ordinances and codes as required and any amendments to these ordinances

C. Geologically Hazardous Areas

i. Erosion Hazard

- (a) Site analysis - required to determine the exact location and circumstances that might be expected to precipitate a significant erosion event. The type and effectiveness of mitigating measures available to safeguard the public safety and welfare shall be addressed. The analysis shall also discuss the proposed development's influence on the erosion hazard and suggest appropriate design and development measures that might be taken to minimize such hazards.
- (b) Development Standards
  - 1) Erosion hazard areas shall be avoided as locations for building construction, roads or utility systems where mitigation is not feasible.
  - 2) Development activities or their support infrastructure shall not be allowed that would directly or indirectly worsen the erosion hazard identified in the site analysis.
  - 3) Design considerations shall be established on a case-by-case basis.
  - 4) A run-off management plan or erosion control plan stating how it will manage sedimentation problems must be completed before the project is started.
  - 5) Before a project can be deemed complete within an erosion hazard area, reseeding with native vegetation for stabilization purposes must be completed.
  - 6) Existing uses legally established in Erosion Hazard Areas should be allowed to continue while expansion of any existing use should meet structural standards that ensure the safety of the project.

ii. Landslide Hazard

- (a) Site analysis - required to identify and quantify geologic, topographic and hydrologic factors that might contribute to slope instability. The rate and extent of potential hazards to development activity must be assessed and mitigation measures, if any, evaluated. The proposed development must be analyzed in light of the hazards and effects represented by the landslide exposure on proposed private and public investments. Development operational factors should be included in the analysis to account for the effects of residential landscape irrigation and storm water generation from impervious surfaces and the influence of street conveyance on slope stability.
- (b) Development Standards
  - 1) Documented landslide hazard areas shall be avoided as locations for building construction, roads or utility systems where mitigation is not feasible.
  - 2) If the degree of hazard warrants some development activity, post construction slope stabilization and appropriately upgraded road construction specifications shall be employed to eliminate as completely as practicable, any public or private exposure to landslide hazards or abnormal maintenance and/or repair costs.

D. Fish And Wildlife Habitat Conservation Areas

- i. Site analysis - required to identify endangered, threatened, candidate, monitor and sensitive and priority species, species and habitats of local and regional importance and the nature and extent of their primary association with the habitat conservation area. The investigation shall include relative density and species richness, breeding, rearing and spawning habitat, seasonal range dynamics and movement and/or migration corridors. The analysis shall address the relative tolerance by species of human activities. The development proposal shall be evaluated in terms of its influence on the above wildlife factors and recommended mitigating measures shall be required for any area that would potentially degrade base-line populations and reproduction rates over the long term.

ii. Development Standards

- (a) No development approval shall be granted unless mitigation of adverse effects can be provided that will ensure continuation of base-line populations in the region for all endangered, threatened, candidate, monitor, sensitive and priority species.
- (b) Development may be allowed when only species and habitats of local importance will suffer population declines or interruption of migration routes provided that adequate regional populations are maintained.
- (c) Development reviews shall include regional species occurrence and movements and will avoid creating isolated sub-populations where warranted.

E. Aquifer Recharge Areas

i. Site Analysis - required for the purpose of delineating the recharge areas on a scaled development plan and providing detailed information on the following items:

- (a) Hydro-geological susceptibility to contamination and contaminant loading potential.
- (b) Depth to ground water
- (c) Hydraulic conductivity and gradient
- (d) Soil permeability and contamination attenuation
- (e) A vadose, or surface, zone analysis including permeability and attenuation properties
- (f) An analysis of the recharge area's toleration for impervious surfaces in terms of both aquifer recharge and the effect on water quality degradation
- (g) A summary of the proposed development's effect on the recharge area, concentrating on items "d" and "f" of this section
- (h) Existing water quality analysis

ii. Development Standards:

- (a) The site analysis will create a water quality baseline that will serve as a minimum standard that shall not be degraded by proposed development.
- (b) The creation of additional impervious surfaces shall be limited to that amount described in the site analysis that will ensure adequate aquifer recharge and water quality protection.



- (c) Development approvals shall ensure that all best management practices are employed to avoid introducing pollutants into the aquifer. This includes the complete collection and disposal of storm water outside of the aquifer recharge area for all development of impervious surfaces.

#### **25.05 Non-Conforming Developments**

Within the natural resource lands and critical areas established by this code or subsequent amendments thereto, there may be developments and lot(s) of record which were lawfully established or approved, but which would be prohibited, regulated or restricted under the terms of this ordinance or future amendments. It is the intent of this Ordinance to permit these non-conformities to continue and to allow previously approved developments to reach the development conclusion anticipated in their approved applications. The lots of record within major subdivisions that have received preliminary plat approval and short plats filed for record at the Grant, Douglas, and Okanogan County Auditor's office will be considered building lots in all respect and exempt from the provisions of this ordinance. Planned Developments, conditional use permits and other land use applications approved prior to the effective date of this ordinance are also exempt from this ordinance.

#### **25.06 Warning and Disclaimer of Liability**

The degree of hazard protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Catastrophic natural disasters can, and will, occur on rare occasions. This ordinance does not imply that land outside the critical areas or activities permitted within such areas will be free from exposure or damage. This ordinance shall not create liability on the part of Coulee Dam, and officers or employees thereof, for any damages that result from reliance on this ordinance or any administrative decision lawfully made hereunder.

## ARTICLE VII NONCONFORMING STRUCTURES AND USE

### SECTION 26: NONCONFORMING STRUCTURES AND USES

#### **26.01 Purpose and Intent**

Invariably, at the time this ordinance is adopted or amended, certain uses and structures that existed prior to the adoption or amendment will not conform to the regulations of this ordinance. These are known as nonconforming uses and structures. In order to adopt the ordinance and so as not to cause undue economic hardship on owners of nonconforming uses and structures, these uses or structures are allowed to continue under special conditions as described in this section.

#### **26.02 Continuation of a Nonconforming Structure or Use**

Subject to the provisions of this Ordinance, a nonconforming structure or use may be continued and maintained in reasonable repair, but shall not be altered or extended. The extension of a nonconforming use to a portion of a structure which was arranged or designed for the nonconforming use at the effective date of this ordinance is not considered an enlargement or expansion of a nonconforming use and may be allowed when the Planning Commission determines that such alterations or extensions are appropriate.

#### **26.03 Discontinuance of a Nonconforming Use**

If a nonconforming use of a property or a structure is discontinued for a period of twelve (12) months or more, the nonconforming use is no longer legal, and any subsequent use of the property or structure shall conform to this ordinance.

#### **26.04 Change of a Nonconforming Use**

If a nonconforming use not involving a structure is replaced by another use, the new use shall conform to this ordinance. If a nonconforming use involving a structure is replaced by another use, the new use shall conform to this ordinance unless the Planning Commission determines that such site is suitable only for another nonconforming use not more detrimental to surrounding properties than the one to be replaced. Once a nonconforming use has been altered to come into compliance with the requirements of this code, it shall not revert back to a nonconforming use.

#### **26.05 Destruction of a Nonconforming Use or Structure**

If a nonconforming use structure or a structure containing a nonconforming use suffers damage or is destroyed by any cause, including intentional destruction exceeding 50 percent of its assessed value, as determined by the applicable County Assessor's office, it shall be repaired or rebuilt in conformity with these regulations.

**26.06        Unsafe Structures**

Any structure or portion thereof declared unsafe by a proper authority must be restored to a safe condition, according to the provisions of the Uniform Building Code.

**26.07        Dwellings on Small Sites**

The implementation of the provisions of this code shall not apply to prevent the erection of a single family dwelling on a site, when, at the time of approval of these standards said site is less in area or width than specified for a single family dwelling.

## **ARTICLE VIII BUILDING PERMITS, VARIANCES AND CONDITIONAL USES**

### **SECTION 27: BUILDING PERMITS**

#### **27.01 Purpose and Intent**

The purpose of this section is to insure that no building or structure shall be erected, moved added to or structurally altered without a permit issued by the Building Official of the Town Coulee Dam.

#### **27.02 Application Procedure**

All applications for building permits are subject to review under Article X.

#### **27.03 Building Official Review**

The building official shall review the application for compliance with the provisions of this ordinance and any other applicable codes or ordinances. If the Building Official finds that the proposed structure is not in compliance with applicable ordinances and codes, the Building Official shall deny the application and return the application to the applicant with a written explanation of the reasons for denying the application.

The applicant may resubmit the application provided that the structure is modified to meet the requirements of all codes and ordinances. Upon receipt of a building permit, substantial construction of the structure must start within six months of the issuance of the permit. If substantial construction has not started within 6 months, the applicant must submit a request for extension of the permit.

### **SECTION 28: VARIANCES**

#### **28.01 Purpose and Intent**

The purpose of a variance is to provide relief when a strict application of zoning and subdivision regulations and standards would impose unusual practical difficulties or unnecessary physical hardship on the applicant because special conditions or circumstances exist which are peculiar to the size, shape, topography or other physical conditions peculiar to and inherent in the particular site.

**28.02 Conditions**

Reasonable conditions may be imposed in connection with a variance as deemed necessary to protect the best interests of the surrounding property or neighborhood, and to otherwise secure the purpose and requirements of this section. Guarantees and evidence may be required to insure that such conditions will be and are being complied with.

**28.03 Criteria for Granting Variances**

Variances to requirements of the unified development code may be granted only if, on the basis of investigation and submitted evidence, all six of the following findings are made:

1. That a strict or literal interpretation and enforcement of the specified requirement would result in practical difficulty or unnecessary hardship.
2. That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property which do not apply generally to other properties in the same area.
3. That the exceptional or extraordinary circumstances or conditions did not result from the applicants' action.
4. The granting of the variance will not be detrimental to the public health, safety, or welfare or be materially injurious to properties or improvements in the near vicinity.
5. That granting of the variance would not conflict with the goals and policies contained within the Town of Coulee Dam's Comprehensive Plan.
6. That granting the variance will not confer on the applicant any special privilege that is denied by the ordinance to other lands, structures or buildings in the zone in which the property is located.

**28.04 Application Procedure**

All applications for variances are subject to review under Article X.

**28.05 Time Limit**

Authorization of a variance shall be void after (6) months unless substantial construction pursuant to the variance has taken place. However, the Town Council may extend this period at the request of the applicant.

**SECTION 29:        CONDITIONAL USE PERMITS****29.01        Purpose and Intent**

The purpose of the section is to establish the procedures for granting conditional use permits for those uses described in Subsections 4.03, 5.03, 6.03, 7.03, and 8.03. Conditional use permits shall not be issued for uses not specifically listed in these sections or within Article V, Table 13.1 of this Ordinance. Proposals for additional conditional uses shall be submitted as amendments to the ordinance and follow the procedures described in Article X. If such uses are added, the applicant may then apply for a conditional use permit.

**29.02        Conditions**

1.    General Conditions. Conditional uses are considered to be unusual uses for any specified zone; therefore, reasonable conditions may be imposed in connection with a conditional use permit as deemed necessary to protect the best interests of the surrounding property or neighborhood and to otherwise secure the purposes and requirements of this ordinance. Guarantees and evidence may be required to insure that such conditions will be and are complied with. In determining any conditions to be applied to the granting of a conditional use permit, the following impacts may require mitigation:
  - A.    Erosion potential
  - B.    Excessive storm\_water runoff
  - C.    Environmental hazards
  - D.    Environmental pollution
  - E.    Fiscal impacts
  - F.    Traffic hazards
  - G.    Traffic congestion
  - H.    Visual and auditory impacts
  - I.    Obtrusive visual blight
  - J.    Any other usual impact associated with the proposed use.

2. Conditions for Specific Uses. Some uses by their nature provide greater opportunity for impacting adjoining land uses. Therefore the following uses are subject to conditions listed for each in addition to compliance with 37.02 1 above.

A. Privately owned parks/recreational sporting facilities in the R-1, R-2, and R-3 zones shall include the following conditions:

- i. No public amusement devices are constructed.
- ii. Any lights providing illumination for any building or recreational area shall be so arranged to direct light away adjacent properties.
- iii. Any buildings or structures shall be no less than 20 feet from any common property line and a public street.

B. Manufactured/Mobile Home Parks. Mobile home parks/Manufactured home parks shall meet the following conditions:

- i. Minimum size - three (3) acres and must be large enough to meet the following requirements:
- ii. Setbacks from all perimeter site boundaries of ten (10) feet, five (5) foot setbacks on interior lines and twenty-five (25) feet from public rights-of-way.
- iii. Off-street parking as provided in Article V, Section 22 - Parking Standards
- iv. Domestic water is to be provided by the Town or by a system approved by the Washington State Department of Health.
- v. Individual lots must be a minimum of three thousand (3,000) square feet.
- vi. The site shall have access on a public right of way meeting applicable standards.
- vii. Above ground storage of flammable gases or liquids must be done with adequate safety precautions and full consideration for the safety of the trailer or mobile home occupants and other buildings, dwellings or trailers on adjoining sites.
- viii. Ingress and egress to the court or park must be at controlled points.
- ix. The Park must provide internal traffic options.
- x. A water source (hydrant or other) for fire control shall be required. Approval must be secured from the Coulee Dam Fire Chief, Public Works Superintendent, and the Building Official.
- xi. Open spaces for recreation totaling 10% of the overall project site.
- xii. Screening by fence or planting, landscaping and other special conditions as required for the privacy, welfare or safety of adjoining property owners and/or the occupants of the court or park.
- xiii. An adequate area for the storage of recreational equipment, recreational vehicles, refuse collection facilities, and other areas as



determined during site review with the building official and planning commission.

### **29.03**      **Scope of Permit**

Issuance of a conditional use permit shall not imply a variation from any of the specific or general provisions of this ordinance.

### **29.04**      **Application Procedure**

All applications for conditional use permits are subject to review under Article X.

### **29.05**      **Time Limit**

Authorization of a conditional use permit shall be void after 6 months unless substantial construction pursuant to the permit has taken place. However, the Town Council may extend this period at the request of the applicant.